

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 05-4

Introduced By: Mayor William F. Eckman

Date Introduced: April 12, 2005

Amendments Adopted:

Date Adopted: April 26, 2005

Date Effective: May 12, 2005

1 **An Ordinance** concerning
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3 **MAJOR FACILITIES FEES**
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5 **FOR** the purpose of excluding certain properties from the “Old Town Utility District” in the Town;
6 subjecting those properties excluded from the Old Town Utility District to payment of the
7 Town’s Major Facilities Fee; providing for the use of monies currently in the Town’s Major
8 Facilities Fund and revenues to be contributed to the fund on and after a certain date;
9 providing for the retroactive application of this Ordinance; providing for the severability of
10 the provisions of this Ordinance; and all matters generally related to the Town’s Major Facilities
11 Fee.

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15 **BY** repealing and reenacting with amendments
16 Chapter 101 - FEES
17 Sections 101-4I.
18 Code of the Town of La Plata
19 (1998 Edition as amended)
20

21 **BY** adding
22 Chapter 101 - FEES
23 Sections 101-4J.
24 Code of the Town of La Plata
25 (1998 Edition as amended)
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27 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA,**
28 That Section 101-4I. of the Code of the Town of La Plata (1998 Edition as amended) be and it is hereby
29 repealed and reenacted, with amendments, to read as follows:

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Chapter 101 - FEES

101-4. Major facilities fees.

I. As used in Sections 101-4 and 101-4.1, the old town utility district consists of all properties that abut or have access from the following streets, EXCEPT THAT AS OF APRIL 13, 2005 THE OLD TOWN UTILITY DISTRICT DOES NOT INCLUDE THOSE PROPERTIES OR PORTIONS OF THOSE PROPERTIES THAT ARE LOCATED IN THE TOWN'S CBT CENTRAL BUSINESS TRANSITION ZONING DISTRICT ON THAT DATE:

- (1) West Hawthorne Drive to the town limits as of January 9, 1990.
- (2) Pine Street.
- (3) East Hawthorne Drive.
- (4) US Route 301 from Maryland Route 225 to Glen Albin (formerly Patuxent) Drive.
- (5) Maryland Route 6 west of US Route 301, to and including the Archbishop Neale property on the north side and to and including the United Methodist Church property on the south side.
- (6) Maryland Route 6 east of US Route 301 to Willow Lane.
- (7) Washington Avenue to the town limits as they existed as of January 9, 1990.
- (8) Harford Street.
- (9) Cecil Street.
- (10) Kent Avenue.
- (11) Spruce Street.
- (12) Prospect Street.
- (13) Caroline Drive from Washington Avenue to the railroad tracks.
- (14) Centennial Street.
- (15) Baltimore Street.

- 73 (16) North Maple Avenue.
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- 75 (17) South Maple Avenue from Charles Street to Carroll Street.
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- 77 (18) North Oak Avenue.
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- 79 (19) Anne Arundel Avenue.
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- 81 (20) Severn Drive.
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- 83 (21) Calvert Street.
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- 85 (22) Howard Street.
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- 87 (23) St. Mary's Avenue to Glen Albin (formerly Patuxent) Drive.
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- 89 (24) Wills Street.
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- 91 (25) La Grange Avenue.
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- 93 (26) Queen Anne's Street.
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- 95 (27) Carroll Street.
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- 97 (28) Graves Avenue.
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- 99 (29) Oak Avenue.
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- 101 (30) Del Ray Circle.
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- 103 (31) Concord Circle.
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- 105 (32) Arlington Drive.
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- 107 (33) Worcester Street.
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- 109 (34) Wicomico Street.
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- 111 (35) Garrett Avenue.
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- 113 (36) Somerset Street.
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- 115 (37) Willow Lane South.

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(38) Prince George’s Street.

(39) Forest Lane.

(40) Patuxent Court.

(41) Glen Albin (formerly Patuxent) Drive from US Route 301 to Willow Lane South.

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 101-4J. be and is hereby added to the Code of the Town of La Plata (1998 Edition as amended), to follow immediately after Section 101-4I. and to read as follows:

Chapter 101 - FEES

101-4. MAJOR FACILITIES FEES.

J. (1) ALL MONIES IN THE TOWN’S MAJOR FACILITIES FUND AS OF OCTOBER 1, 2003 MAY BE EXPENDED FOR AND ON BEHALF OF THE FINANCING OF MAJOR IMPROVEMENTS TO THE TOWN’S WATER AND SANITARY SEWER SYSTEMS THAT ARE UNDERTAKEN ANYWHERE IN THE TOWN.

(2) ALL MONIES GENERATED FROM MAJOR FACILITIES FEES PAID TO THE TOWN BETWEEN OCTOBER 1, 2003 AND APRIL 12, 2005 MAY NOT BE EXPENDED FOR ANY IMPROVEMENTS TO THE TOWN’S WATER AND SANITARY SEWER SYSTEMS THAT ARE LOCATED IN OR INTENDED PRIMARILY TO SERVE PROPERTIES LOCATED IN THE OLD TOWN UTILITY DISTRICT AS THAT DISTRICT EXISTED ON APRIL 12, 2005.

(3) ALL MONIES GENERATED FROM MAJOR FACILITIES FEES PAID TO THE TOWN FROM AND AFTER APRIL 13, 2005 MAY NOT BE EXPENDED FOR ANY IMPROVEMENTS TO THE TOWN’S WATER AND SANITARY SEWER SYSTEMS THAT ARE LOCATED IN OR INTENDED PRIMARILY TO SERVE PROPERTIES LOCATED IN THE OLD TOWN UTILITY DISTRICT AS THAT DISTRICT EXISTED ON APRIL 13, 2005.

SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this Ordinance shall apply retroactively to April 13, 2005.

SECTION 4. AND BE IT FURTHER ENACTED, That if any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not

157 affect the other provisions or any other application of this Ordinance which can be given effect without the
158 invalid provisions or application, and to this end, all the provisions of this Ordinance are hereby declared to
159 be severable.

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161 **SECTION 5. AND BE IT FURTHER ENACTED,** That this Ordinance shall become effective
162 at the expiration of fifteen (15) calendar days after its approval by the Council.

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164 **SEAL:** **COUNCIL OF THE TOWN OF LA PLATA**

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William F. Eckman, Mayor

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Wayne Winkler, Councilman

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C. Keith Back, Councilman

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Eugene Ambrogio, Councilman

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ATTEST:

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Judith T. Frazier, Town Clerk

Roy G. Hale, Councilman

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Date: _____

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
(Double Parenthesis) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.