

COUNCIL OF THE TOWN OF LA PLATA
Amended Ordinance No. 12-05

Introduced By:	Mayor Roy G. Hale
Date Introduced:	May 22, 2012
Town Council Public Hearing:	May 22, 2012
Amendments Adopted:	June 12, 2012
Date Adopted:	June 12, 2012
Date Effective:	July 1, 2012

1 **An Amended Ordinance concerning**

2 **Fee Schedule**

3
4 **FOR** the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata;
5 and all matters generally relating thereto.

6
7 **BY** repealing and reenacting with amendments
8 Chapter 101 – Fees
9 Sections 101-1 through 101-18
10 Code of the Town of La Plata
11 (1998 Edition and Supplements)

12
13 **SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF**
14 **LA PLATA** that Chapter 101 of the Code of the Town of La Plata (1998) be and it is hereby
15 repealed and reenacted, with amendments, to read as follows:

16
17 **Chapter 101**
18 **FEEES**

19
20 **§ 101-1. ((Plat, permit and inspection fees)) SUBDIVISION, LAND DEVELOPMENT,**
21 **ZONING AND PERMIT FEES.**

22
23 The schedule of fees for issuance of the specified permits, PLAT RECORDATION'S,
24 AND REVIEW AND PROCESSING OF CERTAIN APPLICATIONS, as listed in this section,
25 shall be as follows:

26
27 **A. ((Subdivision plat fees))SUBDIVISION, LAND DEVELOPMENT AND ZONING FEES:**
28

29 (1) Preliminary plats: ((Two hundred fifty-five dollars (\$255.)) TWO HUNDRED SIXTY
30 DOLLARS (\$260.) per plat plus ((six dollars and fifty cents (\$6.50))) SIX DOLLARS AND
31 SIXTY CENTS (\$6.60) per lot.

32 (2) Final plats: ((Two hundred fifty-five dollars (\$255.)) TWO HUNDRED SIXTY-SEVEN
33 DOLLARS (\$267.) per plat, FOR PROCESSING AND RECORDATION FEES, plus ((six
34 dollars and fifty cents (\$6.50))) FOURTEEN DOLLARS AND FIFTY CENTS per lot FOR
35 PROCESSING AND OFFICIAL ZONING MAP UPDATE FEES. ((plus six dollars and fifty
36 cents (\$6.50), plus seven dollars and seventy-five cents (\$7.75) per lot Official Zoning Map
37 update fee.))

38 (3) Revised plats and minor subdivision plats: same as final plats.

39 (4) UPDATING THE OFFICIAL ZONING MAP: WHEN A PARCEL OF LAND IS
40 REZONED, RE-SUBDIVIDED, OR SUBDIVIDED A FEE OF SEVEN DOLLARS AND
41 NINETY CENTS (\$7.90) PER LOT WILL BE PAID TO THE TOWN TO PAY FOR THE
42 TOWN'S COST OF UPDATING THE OFFICIAL ZONING MAP. WHEN THE
43 APPLICATION IS FOR A FINAL PLAT, THE FEE IS INCLUDED IN THE PER LOT
44 CHARGE FOR PROCESSING AND UPDATING THE OFFICIAL ZONING MAP.

45 (((4))) (5) Plan review: The fee for all proposed improvement plans, including water, sewer,
46 stormwater management and streets, will be one percent (1%) of the construction costs,
47 limited to a maximum fee of ((six thousand four hundred thirty dollars (\$6,430.)) SIX
48 THOUSAND FIVE HUNDRED FORTY-FIVE DOLLARS (\$6,545.). These fees will be
49 collectible prior to recordation of final plat.

50 (((5))) (6) When the Town has to obtain outside review of stormwater management, there
51 will be a fee of ((thirty-three dollars and fifty cents (\$33.50))) THIRTY-FOUR DOLLARS
52 (\$34.), plus related costs as provided by the Chief Executive Officer.

53 (((6))) (7) Development plan review fee for the review of development plans for Mixed Use
54 Developments (MUD), PLANNED BUSINESS PARK AND ENTERPRISE DISTRICT
55 (PBPE), PLANNED REDEVELOPMENT AND INFILL DISTRICT (PRID) OVERLAY
56 ZONE and Traditional Neighborhood Developments (TND): ((six hundred ten dollars
57 (\$610.)) SIX HUNDRED TWENTY DOLLARS (\$620.).

58 (8) PETITIONS FOR VARIANCE, SPECIAL EXCEPTION, APPEAL FROM AN
59 ADMINISTRATIVE DECISION AND ZONING APPEALS: THE PETITIONER FOR
60 VARIANCE, SPECIAL EXCEPTION, APPEAL FROM AN ADMINISTRATIVE
61 DECISION AND ZONING APPEALS, OR REHEARINGS ON VARIANCE, SPECIAL
62 EXCEPTION AND ZONING APPEALS APPLICATIONS, SHALL PAY TO THE TOWN
63 A NONREFUNDABLE APPLICATION FEE OF TWO HUNDRED FORTY-FIVE
64 DOLLARS (\$245.) FOR EACH APPLICATION, AND SHALL ALSO PAY ACTUAL
65 EXPENSES TO PROCESS THE APPLICATION, INCLUDING LEGAL FEES,
66 ADVERTISING FEES, AND ANY OTHER RELATED COSTS, WHICH SHALL BE
67 INVOICED TO THE APPLICANT BY THE TOWN FINANCE DEPARTMENT AND
68 SHALL BE DUE UPON RECEIPT.

69 (9) HOME OFFICE PERMIT APPLICATION: THE APPLICANT FOR A HOME OFFICE
 70 PERMIT SHALL PAY TO THE TOWN A NONREFUNDABLE APPLICATION FEE OF
 71 THIRTY-THREE DOLLARS AND FIFTY CENTS (\$33.50).

72 (10) ZONING AMENDMENTS: PETITIONS FOR ZONING AMENDMENTS SHALL BE
 73 FOUR HUNDRED DOLLARS (\$400.). IF AN ADDITIONAL PUBLIC HEARING IS
 74 NECESSARY, THE PETITIONER WILL PAY ANY RELATED COSTS AS
 75 DETERMINED BY THE CHIEF EXECUTIVE OFFICER.

76 (11) ZONING CERTIFICATION LETTER: A FEE OF EIGHTY-THREE DOLLARS AND
 77 FIFTY CENTS (\$83.50) WILL BE PAID TO THE TOWN FOR PREPARATION OF A
 78 ZONING CERTIFICATION LETTER.

79 (12) ANNEXATION PETITIONS: THE PETITIONER FOR AN ANNEXATION SHALL
 80 DEPOSIT WITH THE TOWN AN AMOUNT AS DETERMINED BY THE TOWN
 81 TREASURER AND/OR CHIEF EXECUTIVE OFFICER. THE AMOUNT DEPOSITED
 82 SHALL INCLUDE A NONREFUNDABLE FEE OF SIX HUNDRED THIRTY-FIVE
 83 DOLLARS (\$635.), PLUS THE REASONABLE ESTIMATE OF TOWN EXPENSES TO
 84 PROCESS THE ANNEXATION, INCLUDING LEGAL FEES, ENGINEERING STUDIES
 85 AND REAL ESTATE APPRAISALS. THE PETITIONER SHALL BE LIABLE FOR ANY
 86 EXPENSES ABOVE THAT DEPOSITED AND SHALL BE ENTITLED TO ANY
 87 REFUND OF MONIES NOT USED, WITH THE EXCEPTION OF THE
 88 NONREFUNDABLE FEE OF ((SIX HUNDRED TWENTY-FIVE DOLLARS (\$625.)))
 89 SIX HUNDRED THIRTY-FIVE DOLLARS (\$635.).

90 (13) SUBDIVISION, LAND DEVELOPMENT AND ZONING TABLE OF FEES:

91

TYPE OF SERVICE	FEE
PRELIMINARY PLATS	\$260.00
PRELIMINARY PLATS PER LOT	\$6.60
FINAL PLAT PROCESSING AND RECORDATION	\$267.00
FINAL PLAT PER LOT PROCESSING AND OFFICIAL ZONING MAP UPDATE	\$14.50
REVISED PLATS AND MINOR SUBDIVISION PLATS	SAME AS FINAL PLATS
OFFICIAL ZONING MAP UPDATE (NOT FINAL PLAT)	\$7.90
PLAN REVIEW FOR ALL PROPOSED IMPROVEMENT PLANS	1% OF CONSTRUCTION COSTS, MAXIMUM FEE OF \$6,545.00
OUTSIDE REVIEW OF STORMWATER MANAGEMENT	\$34.00, PLUS RELATED COSTS
DEVELOPMENT PLAN REVIEW (MUD, PBPE, PRID, TND)	\$620.00
PETITION FOR VARIANCE, SPECIAL EXCEPTION, APPEAL FROM AN	\$245.00, PLUS ACTUAL EXPENSES

ADMINISTRATIVE DECISION	
HOME OFFICE PERMIT APPLICATION	\$33.50
ZONING AMENDMENT PETITION	\$400.00
ZONING CERTIFICATION LETTER	\$83.50
ANNEXATION PETITIONS	\$635.00, PLUS DEPOSIT FOR ACTUAL EXPENSES

92
93 B. GRADING PERMIT APPLICATION FEES: AS PER SPECIFICATIONS OF THE
94 GRADING AND SEDIMENT CONTROL ORDINANCE OF THE TOWN OF LA PLATA,
95 THE FOLLOWING FEE SHALL APPLY:
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GRADING AND CONTROL COSTS	FEE
\$0 TO \$1,000.00	\$37.75
OVER \$1,000.00	\$37.75, PLUS 1% OF GRADE AND CONTROL COSTS, LIMITED TO A MAXIMUM FEE OF SIX THOUSAND TWO HUNDRED FIVE DOLLARS (\$6,205.)

97
98 C. EROSION AND SEDIMENT CONTROL PLAN AND FOREST HARVEST
99 OPERATION PLAN REVIEW FEES: FEE SCHEDULE DEVELOPED BY THE CHARLES
100 SOIL CONSERVATION DISTRICT (SCD) AND ENDORSED BY THE COUNCIL OF THE
101 TOWN OF LA PLATA; ALL FEES COLLECTED BY SCD. CONTACT SCD TO OBTAIN
102 INFORMATION REGARDING FEES FOR THE FOLLOWING SERVICES:

- 103 •REVIEW OF EROSION AND SEDIMENT CONTROL PLANS FOR INDIVIDUAL
104 RESIDENTIAL BUILDING PERMITS
105 •REVIEW OF GRADING PERMITS OR COMBINED GRADING AND BUILDING
106 PERMITS
107 •RE-REVIEW FOR REVISION AND/OR EXTENSION OF GRADING PERMITS OR
108 COMBINED GRADING AND BUILDING PERMITS REVISIONS WHICH ADD
109 DISTURBED AREA TO A PREVIOUSLY APPROVED EROSION AND SEDIMENT
110 CONTROL PLAN OR WHICH CHANGE THE GRADING AND/OR EROSION AND
111 SEDIMENT CONTROL CONCEPT WILL BE SUBJECT TO FEES AS IF A NEW PLAN
112 SUBMITTAL.
113 •FOREST HARVEST OPERATION.
114 •RE-REVIEW FOR REVISION AND/OR EXTENSION OF APPROVAL FOR FOREST
115 HARVEST OPERATION.
116

117 D. FEE IN LIEU OF ON-SITE STORMWATER MANAGEMENT:

118 (1) AS PER THE REQUIREMENTS OF CHAPTER 167, § 167-4.4, OF THE TOWN
119 CODE OF ORDINANCES, THE FEE IN LIEU OF ON-SITE STORMWATER
120 MANAGEMENT IS ONE DOLLAR (\$1.) PER SQUARE FOOT AREA OF THE
121 PORTION OF THE SITE WITHIN THE LIMITS OF DISTURBANCE OF THE
122 DEVELOPMENT, LESS THE ACTUAL COST OF ANY ENVIRONMENTAL SITE
123 DESIGN FEATURES INSTALLED ON THE SITE.

124 (2) THIS FEE SHALL BE COLLECTED UPON THE ISSUANCE OF A GRADING
125 PERMIT.
126

- 127 E. FEE IN LIEU OF PARKLAND DEDICATION OR RESERVATION:
 128 (1) AS PER THE REQUIREMENTS OF CHAPTER 173, § 173-11, OF THE TOWN
 129 CODE OF ORDINANCES, THE FEE PER DWELLING UNIT IS FOUR THOUSAND
 130 AND TEN DOLLARS (\$4,010.)
 131 (2) THIS FEE SHALL BE COLLECTED UPON APPLICATION FOR A BUILDING
 132 PERMIT.
 133

134 ((B.)) F. Building permit application fees:

- 135 (1) Building permit application fees for construction, additions, alterations, moving and
 136 demolition:

137

Use Group Class	Construction and Addition Fee (per square foot)	Minimum Fee and Interior Alteration Fee
Use Group A	\$0.45	\$((80.00)) 105.00
Use Group B (business)	0.45	((80.00)) 105.00
Use Group F (factory and industrial)	0.45	((80.00)) 105.00
Use Group H (high hazard)	0.45	((80.00)) 105.00
Use Group I (institutional)	0.45	((80.00)) 105.00
Use Group M (mercantile)	0.45	((80.00)) 105.00
Use Group R (residential)	0.40	((37.00)) 105.00
Use Group S (storage)	0.35	((28.50)) 75.00
Use Group T (temporary and miscellaneous - pools, decks, sheds)		((37.00)) 75.00
Moving of buildings	0.30	((28.50)) 75.00
Demolition of buildings	0.25	((28.50)) 75.00

- 138
 139 (2) Home builder guaranty fund fee - the State of Maryland approved legislation in 2008
 140 that created the home builder guaranty fund in the Consumer Protection Division to protect
 141 consumers who purchase new homes in Maryland. Consumers who have problems with
 142 their new homes that are not addressed by the builder will be able to file claims against the
 143 guaranty fund. The guaranty fund fee applies only to contracts entered into between
 144 consumers and home builders after January 1, 2009. The legislation requires all permit
 145 offices to collect from home builders a non-refundable guaranty fund fee of fifty dollars
 146 (\$50.) per dwelling unit being constructed. The fee is to be collected with each application
 147 for a permit for construction.

- 148 (3) A re-inspection fee of ((one hundred and ten dollars (\$110.))) ONE HUNDRED
 149 TWENTY-FIVE DOLLARS (\$125.) will be applied if re-inspection is required due to
 150 failure to comply with the Code or failure to be at a stage of building completion suitable
 151 for inspection. Cancellations for inspections must be made one (1) hour in advance of the
 152 scheduled inspection. The re-inspection fee must be paid prior to the rescheduling of the
 153 inspection.

154 (4) Plan review fee for all proposed building plans, except single-family detached
 155 dwellings: ((seven dollars and fifty cents (\$7.50))) SEVEN DOLLARS AND SIXTY
 156 CENTS (\$7.60) per sheet or page. If outside review is required by the town, all fees shall be
 157 paid by the owner or his agent.

158 (5) BUILDING PERMIT TABLE OF MISCELLANEOUS FEES:

159

TYPE OF SERVICE	FEE
HOME BUILDER GUARANTY FUND (STATE OF MARYLAND)	\$50.00
RE-INSPECTION	\$125.00
BUILDING PLAN REVIEW, PER SHEET OR PAGE (EXCEPT SINGLE-FAMILY DETACHED DWELLINGS)	\$7.60

160
 161 G. PLUMBING PERMIT APPLICATION FEES:

162
 163 (1) FORTY-TWO DOLLARS AND TWENTY-FIVE CENTS (\$42.25) FOR THE FIRST
 164 FIVE (5) FIXTURES AND FOUR DOLLARS AND THIRTY CENTS FOR EACH
 165 FIXTURE THEREAFTER.

166 (2) THIRTY-EIGHT DOLLARS AND TWENTY-FIVE CENTS FOR ALTERATIONS.

167 (3) PLUMBING PERMIT TABLE OF FEES:

168

TYPE OF APPLICATION	FEES
APPLICATION FOR THE FIRST FIVE FIXTURES	\$42.25
ADDITIONAL FIXTURES	\$4.30
ALTERATIONS	\$37.50

169
 170 ((C.)) H. Use and occupancy permit fees:

171
 172 (1) Where a building permit is not required by the town, such as for a change in
 173 occupancy in commercial structures, offices, retail spaces or the like, a fee of ((sixty-four
 174 dollars and fifty cents (\$64.50))) SIXTY-FIVE DOLLARS AND SEVENTY-FIVE CENTS
 175 (\$65.75) shall be collected prior to the inspection and issuance of the occupancy permit.
 176 This fee will also be collected when an occupant or potential occupant requests an
 177 occupancy permit/inspection where the town does not require the same, such as for
 178 licensing or insurance purposes.

179 (2) In the case of a structure constructed to allow for future interior finishing to suit future
 180 potential occupants, where the original building permit was completed by final inspection
 181 and issuance of an occupancy permit, each tenant layout interior finishing shall require an
 182 occupancy inspection and permit and payment of ((sixty-four dollars and fifty cents
 183 (\$64.50))) SIXTY-FIVE DOLLARS AND SEVENTY-FIVE CENTS (\$65.75) fee, whether
 184 or not such tenant layout requires a building permit.
 185

186 ((D.)) I. Rental operating license and inspection fees: As per the requirements of Town Code
 187 Chapter 155, Rentals for Human Habitation, the biannual fees for the issuance of operating

188 licenses and for re-inspections are as follows:

- 189
190 (1) The fee for the issuance of an operating license is one hundred dollars (\$100.) for each
191 dwelling, dwelling unit or rooming unit.
192 (2) The fee for the issuance of an operating license for multiple dwellings containing four
193 (4) or more dwelling units and rooming houses containing four or more rooming units is
194 ((sixty-eight dollars and fifty cents (\$68.50))) SIXTY-NINE DOLLARS AND SEVENTY-
195 FIVE CENTS (\$69.75) per dwelling unit or rooming unit.
196 (3) The fee for the issuance of an operating license for motels and hotels is as follows:
197

0—50 rooms:	((two hundred five dollars (\$205.)) \$210.
50—100 rooms:	((two hundred ninety dollars (\$290.)) \$295.
over 100 rooms:	((three hundred fifty-five dollars (\$355.)) \$360.

- 198
199 (4) The fee for re-inspection of each dwelling, dwelling unit or rooming unit is ((fifty-five
200 dollars (\$55.)) FIFTY-SIX DOLLARS (\$56.)
201

202 ((E.)) J. Sign permit application fees:
203

Size of Sign (square feet)	Fee
0 to 24	(((\$20.50)) \$20.75
25 to 49	((41.00)) 41.75
50 to 100	((55.00)) 56.00
Over 100	((68.50)) 69.75
Master Sign Plan	((29.50)) 30.00

204
205 ((F. Plumbing permit application fees:))
206

- 207 (((1) Forty-one dollars and fifty cents (\$41.50) for the first five (5) fixtures and ((four
208 dollars and twenty-five cents (\$4.25) for each fixture thereafter.))
209 (((2) Thirty-seven dollars and fifty cents (\$37.50) for alterations.))
210

211 ((G. Grading permit application fees: As per specifications of the Grading and Sediment Control
212 Ordinance of the Town of La Plata, the following fee shall apply:))
213

Grading and Control Costs	Fee
\$0 to \$1,000.00	(((\$37.00)) \$37.75
Over \$1,000.00	(((\$37.00)) \$37.75, plus 1% of grade and control costs, limited to a maximum fee of ((six thousand one hundred dollars (\$6,100.00))) SIX THOUSAND TWO HUNDRED FIVE DOLLARS (\$6,205.)

214
215 ((H. Erosion and Sediment Control Plan and Forest Harvest Operation Plan review fees: Fee
216 schedule developed by the Charles Soil Conservation District (SCD) and endorsed by the

217 Council of the Town of La Plata; all fees collected by SCD. Contact SCD to obtain information
 218 regarding fees for the following services:

- 219 •Review of Erosion and Sediment Control Plans for individual residential building permits
- 220 •Review of grading permits or combined grading and building permits
- 221 •Re-review for revision and/or extension of grading permits or combined grading and
 222 building permits
- 223 Revisions which add disturbed area to a previously approved Erosion and Sediment Control
 224 Plan or which change the grading and/or Erosion and Sediment Control concept will be
 225 subject to fees as if a new plan submittal.
- 226 •Forest Harvest Operation
- 227 •Re-review for revision and/or extension of approval for Forest Harvest Operation.))

228
 229 ((I. Fee in lieu of parkland dedication or reservation:

- 230 (1) As per the requirements of Chapter 173, § 173-11, of the Town Code of Ordinances,
 231 the fee per dwelling unit is seven thousand and five hundred dollars (\$7,500.)
- 232 (2) This fee shall be collected upon application for a building permit.))

233
 234 ((J. Annexation petition fee: The petitioner for an annexation shall deposit with the town an
 235 amount as determined by the Town Treasurer and/or Chief Executive Officer. The amount
 236 deposited shall include a nonrefundable fee of six hundred twenty-five dollars (\$625.), plus the
 237 reasonable estimate of town expenses to process the annexation, including legal fees, engineering
 238 studies and real estate appraisals. The petitioner shall be liable for any expenses above that
 239 deposited and shall be entitled to any refund of monies not used, with the exception of the
 240 nonrefundable fee of ((six hundred twenty-five dollars (\$625.))).))

241
 242 K. Farmers Market permit fees: As per the requirements of Chapter 98, § 98-3 of the Town
 243 Code of Ordinances.((, the season permit is one hundred thirty dollars (\$130.), and the daily
 244 permit is thirteen dollars and fifty cents (\$13.50) for Saturdays and eight dollars and fifty cents
 245 (\$8.50) for Wednesdays.))

SEASON PERMIT	\$130.00
SATURDAY DAILY PERMIT	\$13.75
WEDNESDAY DAILY PERMIT	\$8.60

246
 247
 248 L. Burning permit fees:

249 (1) Fees shall be as follows:

- 252 (((a) Developed single lot/permit issued to homeowner: six dollars and seventy-five
 253 cents (\$6.75).
- 254 (b) Single lot or up to five (5) acres cleared, permit issued to developer or builder:
 255 thirty-one dollars (\$31.).
- 256 (c) Over five (5) acres cleared, permit issued to developer or builder: sixty dollars
 257 and fifty cents (\$60.50).))

DEVELOPED SINGLE LOT/PERMIT ISSUED TO HOMEOWNER:	\$6.80
SINGLE LOT OR UP TO FIVE (5) ACRES CLEARED, PERMIT ISSUED TO DEVELOPER	\$31.50

OR BUILDER:	
OVER FIVE (5) ACRES CLEARED, PERMIT ISSUED TO DEVELOPER OR BUILDER:	\$61.50

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- (2) Terms shall be as follows:
 - (a) Applicant must present approved permit from Environmental Health Department.
 - (b) Permits shall be valid for the same term as provided on the permit from the Environmental Health Department.

M. Wills Park BUILDING RENTAL ((fees)):

- (1) Except for County parks and recreation program uses, permits to use Wills Park shall be issued only to town residents. Proof of residency may be required. ((User fees for Wills Park are:))

- (a) Wills Park building RENTAL FEES:

- (((1) County parks and recreation programs: three dollars and seventy-five cents (\$3.75) per hour.
- [2] Private nonprofit organization/town resident permit holder: nine dollars (\$9.) per hour for the first four (4) hours and six dollars (\$6.) each additional hour, excluding La Plata-based youth and senior citizen organizations, La Plata-based Homeowners' Associations, the La Plata Volunteer Fire Department and the Charles County Rescue Squad.
- [3] Town resident (nonprofit, personal use): twelve dollars (\$12.) per hour.
- [4] Private for profit/TOWN RESIDENT PERMIT HOLDER: twenty-five dollars and fifty cents (\$25.50) per hour for the first four (4) hours and twelve dollars and fifty cents (\$12.50) for each additional hour.))

TYPE	FEES
COUNTY PARKS AND RECREATION PROGRAMS	\$3.80
PRIVATE NONPROFIT ORGANIZATION/TOWN RESIDENT PERMIT HOLDER, PER HOUR FOR THE FIRST FOUR (4) HOURS:	\$9.20
EACH ADDITIONAL HOUR	\$6.20
TOWN RESIDENT NONPROFIT/PERSONAL USE:	\$12.25
PRIVATE FOR PROFIT/TOWN RESIDENT PERMIT HOLDER:	\$26.00
LA PLATA-BASED YOUTH AND SENIOR CITIZEN ORGANIZATIONS, LA PLATA-BASED HOMEOWNERS' ASSOCIATIONS, THE LA PLATA VOLUNTEER FIRE DEPARTMENT AND THE CHARLES COUNTY RESCUE SQUAD:	EXCLUDED FROM FEE REQUIREMENTS

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- (2) All fees for park use are payable upon issuance of the permit, and are non-refundable.

N. Noise permits: As per the requirement of Chapter 137, Noise, § 137-3C, the fee shall be ((twelve dollars and fifty cents (\$12.50))) TWELVE DOLLARS AND SEVENTY-FIVE CENTS (\$12.75).

O. Private wastewater disposal: As per the requirement of Chapter 186, Water and Sewers, § 186-5C, the permit and inspection fee shall be ((sixty-one dollars and fifty cents (\$61.50)))

294 SIXTY-TWO DOLLARS AND FIFTY CENTS (\$62.50).

295
 296 P. New irrigation system installation: As per the requirement of Chapter 186, Water and
 297 Sewers, § 186-19.D, the irrigation system permit application fee shall be ((fifty dollars (\$50.)))
 298 FIFTY-ONE DOLLARS (\$51.).

299
 300 ((Q. Fee in lieu of on-site stormwater management:

301 (1) As per the requirements of Chapter 167, § 167-4.4, of the Town Code of Ordinances,
 302 the fee in lieu of on-site stormwater management is one dollar (\$1.) Per square foot area of
 303 the portion of the site within the limits of disturbance of the development, less the actual
 304 cost of any environmental site design features installed on the site.

305 (2) This fee shall be collected upon the issuance of a grading permit.))

306 Q. WATER EXTRACTION PERMITS: WATER EXTRACTION PERMITS MAY BE
 307 ISSUED FOR USE OF A SPECIFIED FIRE HYDRANT(S). THE NONREFUNDABLE
 308 ANNUAL APPLICATION FEE SHALL BE EIGHT HUNDRED FORTY-FIVE DOLLARS
 309 (\$845.) IN CASH. THE FEE FOR WATER EXTRACTED FROM THE TOWN SYSTEM
 310 SHALL BE SEVEN DOLLARS AND TEN CENTS (\$7.10) PER ONE THOUSAND (1,000)
 311 GALLONS OF WATER EXTRACTED, TO BE PAID ON A MONTHLY BASIS AT THE
 312 FINANCE OFFICE IN THE TOWN HALL.

313
 314 **101-2 – UTILITY ((Miscellaneous)) ((utility)) improvement fees.**

315 A. The developer of any subdivision, lot or new construction requiring water, sanitary sewer,
 316 streets or storm sewer will pay one hundred percent (100%) of the cost of these extensions or
 317 improvements, to a point(s) approved by the town.

318 B. The developer may construct such improvements as specified in Subsection A. of this
 319 section, according to applicable town specifications, upon application and approval of the Chief
 320 Executive Officer.

321 C. Any developer or owner desiring the town to extend water, sewer and storm sewers to the
 322 developer's or owner's property line, or requesting partial assistance in an extension, shall pay the
 323 following fees for such service:

324
 325 (1) ((Water meter charges for meters, including fitting appurtenances))TABLE OF
 326 MISCELLANEOUS UTILITY IMPROVEMENT FEES:
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WATER METER CHARGES FOR METERS, INCLUDING FITTING APPURTENANCES.	
Meter size(inches)	Fee
5/8	(((\$330.00)) \$335.00
3/4	((400.00)) 405.00
1	((640.00)) 650.00
1½	((855.00)) 870.00
2	((1,100.00)) 1,120.00
Other sizes and types (i.e., compounds, 3+ inches, etc.)	To be determined by Chief Executive Officer

TYPE OF CONSTRUCTION.	FEES COMPUTED BY THE CHIEF EXECUTIVE OFFICER UPON APPLICATION, FEES LISTED ARE THE MINIMUM FEES FOR THE TYPE OF CONSTRUCTION.
WATER LINE CONSTRUCTION.	\$4,880.00
WATER LINE BORING	\$5,930.00
WATER LINE FIRE HYDRANT	\$2,990.00
SEWER LINE CONSTRUCTION	\$5,930.00
SEWER LINE BORING	\$7,880.00
MANHOLE CHARGE FOR SEWER LINES	\$1,320.00
STREET LIGHTS	TO BE DETERMINED
STREET NAME AND REGULATORY SIGNS	TO BE DETERMINED

- 328
- 329 ((2) Water line construction charge:
- 330 (a) The charge shall be computed by the Chief Executive Officer upon application.
- 331 (b) The minimum fee shall be four thousand seven hundred ninety-five dollars
- 332 (\$4,795.).
- 333 (((3) Water line boring charge:
- 334 (a) The charge shall be computed by the Chief Executive Officer upon application.
- 335 (b) The minimum fee shall be five thousand eight hundred thirty dollars (\$5,830.))
- 336 (((4) Water line fire hydrant charge:
- 337 (a) The charge shall be computed by the Chief Executive Officer upon application.
- 338 (b) The minimum fee shall be two thousand nine hundred forty dollars (\$2,940.))
- 339 (((5) Sewer line construction charge:
- 340 (a) The charge shall be computed by the Chief Executive Officer upon application.
- 341 (b) The minimum fee shall be (\$5,200.))
- 342 (((6) Sewer line boring charge:
- 343 (a) The charge shall be computed by the Chief Executive Officer upon application.
- 344 (b) The minimum fee shall be seven thousand six hundred sixty-five dollars
- 345 (\$7,665.))
- 346 (((7) Manhole charge for sewer lines:
- 347 (a) The charge shall be computed by the Chief Executive Officer upon application.
- 348 (b) The minimum charge shall be one thousand two hundred ninety-five dollars
- 349 (\$1,295.))

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351 ((D. Street lights: As determined by the chief executive officer.))

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353 ((E. Street name and regulatory signs: As determined by the Chief Executive Officer.))

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355 **101-3 - Television and sewer cleaning equipment charges.**

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357 A. Charges for the use of television and sewer cleaning equipment shall be as follows:

TYPE	FEES PER HOUR, PLUS THE COST OF CHEMICALS. CALCULATING TIME WILL START WHEN THE CREW
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	BEGINS TRAVELING TO THE JOB SITE.
EQUIPMENT USED IN TOWN	\$93.00
EQUIPMENT USED OUT OF TOWN	\$255.00

- 359
 360 ((A. Equipment used in town will be at ninety-two dollars (\$92.) per hour, plus the cost of the
 361 chemicals.))
 362 ((B. Equipment used out of town will be at two hundred fifty dollars (\$250.) per hour, plus the
 363 cost of the chemicals.))
 364 ((C. Calculating time will start when the crew begins traveling to the job site.))
 365

366 **101-4 WATER AND SEWER CONNECTION FEES AND CHARGES.**
 367

WATER CONNECTION CHARGES	
RESIDENTIAL	
SIZE OF DWELLING UNIT	RATE
LESS THAN 700 SQUARE FEET:	\$89.50
MORE THAN 700 SQUARE FEET:	\$100.00
COMMERCIAL , INDUSTRIAL, QUASI-PUBLIC OR PUBLIC FACILITIES	
ESTIMATED QUARTERLY WATER CONSUMPTION	RATE
0 — 20,000	\$98.50
20,001 — 40,000	\$230.00
40,001 — 60,000	\$340.00
60,001 and up	\$450.00
SEWER CONNECTION CHARGE	
RESIDENTIAL	
SIZE OF DWELLING UNIT	
LESS THAN 700 SQUARE FEET	\$265.00
MORE THAN 700 SQUARE FEET	\$310.00
COMMERCIAL, INDUSTRIAL, QUASI-PUBLIC, PUBLIC FACILITIES OR MULTI-FAMILY DWELLINGS	
ESTIMATED QUARTERLY WATER CONSUMPTION	
0—20,000	\$290.00
20,001—40,000	\$755.00
40,001—60,000	\$1,030.00

- 368
 369 **((101-4 - Major facilities fees.**

- 370 A. Major facilities fees are levied to partially finance capital improvements to the water and
 371 sanitary sewer systems due to increased demands upon the system as a result of new
 372 development. Revenues collected from the major facilities fee may be used for the acquisition,
 373 construction, improvement and enlargement of all or parts of the town's water and sanitary sewer
 374 systems. Such revenues may not be used for the purpose of operation, maintenance or non-
 375 capital repair of the water or sanitary sewer systems, except that revenues collected from the
 376 major facilities fee on and after October 1, 2003, and prior to September 28, 2006, shall not be

377 used for any project located in or intended to exclusively serve properties located in the Old
378 Town Utility District. The major facilities fee shall be levied and paid as specified in the
379 following subsections of this section.

380 B. Determination of fee.

381 (1) The charge per unit shall be calculated at time of building permit and to be paid with
382 the issuance of all occupancy permits requiring larger or new connections to the Town of
383 La Plata water and sanitary sewer systems shall be:

384 (a) Residential units:

385 [1] Multiple-family dwelling units:

386 [a] Dwelling units having not more than seven hundred (700) square feet
387 of total area: six thousand five hundred and thirty dollars (\$6,530.) per
388 dwelling unit.

389 [b] Dwelling units having more than seven hundred (700) square feet of
390 total area: seven thousand five hundred and twenty-five dollars (\$7,525.) per
391 dwelling unit.

392 [2] Single-family attached dwellings, single family detached dwellings, two-
393 family dwellings and mobile home dwellings: eight thousand five hundred and
394 twenty-five dollars (\$8,525.) per dwelling unit.

395 (b) Commercial, industrial, and public or quasi-public facility units: an amount per
396 unit based upon the estimated water consumption of such facility as set forth in
397 Section 101-4.F. of this chapter.

398 C. The major facilities fee shall be paid before an occupancy permit is issued.

399 D. Permits for water and/or sewer connection(s) shall be issued at the same time the building
400 permit is issued as set forth in Sections 101-2, 101-5E. and 101-6C. of this chapter, and shall be
401 valid as long as the building permit is valid, except existing residential buildings may connect to
402 water and sewer mains as provided in Section 101-2C of this chapter. If a permit for a water
403 and/or sewer connection is to be issued for a use of property where no building permit is
404 required, the permit for the connection must be issued before the issuance of an occupancy
405 permit.

406 E. A "residential unit" is hereby defined as one (1) dwelling unit, as further defined in Section
407 191-3 of the town's Zoning Ordinance. The various types of dwelling units, such as multiple-
408 family, single-family attached, single-family detached, two-family and mobile home, will have
409 the same meaning as defined in Section 191-3 of the town's Zoning Ordinance. A "multiple-
410 family dwelling unit" is more narrowly defined to be only those groups of three (3) or more
411 dwelling units served by a common water service and requiring only one (1) water meter.

412 F. The major facilities fee for commercial, industrial, quasi-public or public facilities shall be
413 determined by the Chief Executive Officer using units or fractions of units of estimated water
414 consumption as the basis for that determination. Each unit is the equivalent of twenty thousand

415 (20,000) gallons of estimated water consumption per quarter, as established and approved by the
416 Town Council. The major facilities fee shall be imposed at the rate of eight thousand five
417 hundred and twenty-five dollars (\$8,525.) per unit. The amount of major facilities fee for
418 fractional units shall be based upon a pro-rated amount of eight thousand five hundred and
419 twenty-five dollars (\$8,525.). The standards used for establishing estimated water consumption
420 shall be established and approved by the Town Council.

421 G. The major facilities fee for uses requiring a new or larger connection to either the water or
422 sanitary sewer systems, but not both, shall, for sewer, be at a rate of seventy-five percent (75%)
423 of the fee provided for in Sections 101-4.B. and 101-4.F., and, for water, be at the rate of thirty-
424 five percent (35%) of the fee provided for in Sections 101-4.B. and 101-4.F.

425 H. No change in the use of a building shall be allowed that would require additional
426 increments of water and/or sewer units without payment of the major facilities fee for the
427 increase in sewer and/or water units. To ensure compliance, the Building Inspector shall not
428 allow such building requiring payment of additional major facilities fees to be occupied until the
429 requisite fees are paid and occupancy is approved by the Chief Executive Officer.

430 I. As used in Sections 101-4 and 101-4.1, the Old Town Utility District consists of all
431 properties that abut or have access from the following streets, except that as of April 13, 2005,
432 the Old Town Utility District does not include those properties or portions of those properties
433 that are located in the town's CBT Central Business Transition zoning district on that date:

434 (1) West Hawthorne Drive to the town limits as of January 9, 1990.

435 (2) Pine Street.

436 (3) East Hawthorne Drive.

437 (4) U.S. Route 301 from Maryland Route 225 to Glen Albin (formerly Patuxent) Drive.

438 (5) Maryland Route 6 west of U.S. Route 301, to and including the Archbishop Neale
439 property on the north side and to and including the United Methodist Church property on
440 the south side.

441 (6) Maryland Route 6 east of U.S. Route 301 to Willow Lane.

442 (7) Washington Avenue to the town limits as they existed as of January 9, 1990.

443 (8) Harford Street.

444 (9) Cecil Street.

445 (10) Kent Avenue.

446 (11) Spruce Street.

447 (12) Prospect Street.

448 (13) Caroline Drive from Washington Avenue to the railroad tracks.

- 449 (14) Centennial Street.
- 450 (15) Baltimore Street.
- 451 (16) North Maple Avenue.
- 452 (17) South Maple Avenue from Charles Street to Carroll Street.
- 453 (18) North Oak Avenue.
- 454 (19) Anne Arundel Avenue.
- 455 (20) Severn Drive.
- 456 (21) Calvert Street.
- 457 (22) Howard Street.
- 458 (23) St. Mary's Avenue to Glen Albin (formerly Patuxent) Drive.
- 459 (24) Wills Street.
- 460 (25) La Grange Avenue.
- 461 (26) Queen Anne's Street.
- 462 (27) Carroll Street.
- 463 (28) Graves Avenue.
- 464 (29) Oak Avenue.
- 465 (30) Del Ray Circle.
- 466 (31) Concord Circle.
- 467 (32) Arlington Drive.
- 468 (33) Worcester Street.
- 469 (34) Wicomico Street.
- 470 (35) Garrett Avenue.
- 471 (36) Somerset Street.
- 472 (37) Willow Lane South.
- 473 (38) Prince George's Street.
- 474 (39) Forest Lane.
- 475 (40) Patuxent Court.

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

477 J. (1) All monies in the town's major facilities fund as of October 1, 2003, may be expended
478 for and on behalf of the financing of major improvements to the town's water and sanitary sewer
479 systems that are undertaken anywhere in the town.

480 (2) All monies generated from major facilities fees paid to the town between October 1,
481 2003, and April 12, 2005, may not be expended for any improvements to the town's water
482 and sanitary sewer systems that are located in or intended primarily to serve properties
483 located in the Old Town Utility District as that district existed on April 12, 2005.

484 (3) All monies generated from major facilities fees paid to the town from and after April
485 13, 2005, may not be expended for any improvements to the town's water and sanitary
486 sewer systems that are located in or intended primarily to serve properties located in the Old
487 Town Utility District as that district existed on April 13, 2005.

488 (4) All monies generated from major facilities fees paid to the town from and after
489 September 28, 2006, may be expended for and on behalf of the financing of major
490 improvements to the town's water and sanitary sewer systems that are undertaken anywhere
491 in the town.))

492 **((101-4.1 - Major facilities fee for commercial and industrial properties.**

493 A. This section applies to the payment of major facilities fees for commercial and industrial
494 facilities, which shall be calculated at the time of building permit and to be paid with the
495 issuance of all occupancy permits.

496 B. (1) For each commercial and industrial facility there is a base major facilities fee. For
497 purposes of this section, the base major facilities fee is:

498 (a) The amount of major facilities fee assessed and paid pursuant to Subsection 101-
499 4B(1)(b) based upon estimated water consumption of the facility, as established and
500 approved by the Town Council; except that

501 (b) In the case of a property for which water and sewer facilities were paid by a front
502 foot benefit assessment, the amount of the major facilities fee which would be
503 assessed in accordance with Subsection 101-4B(1)(b) if the property were initially
504 developed on July 1, 1997, based upon the use of the property on that date.

505 (2) When the actual user of a facility is unknown when a building permit is issued, the
506 base major facilities fee shall be calculated upon such potential use of the facility as
507 reasonably would be expected to generate the smallest demand for water usage of all
508 potential realistic uses of the facility as allowed in the zoning district.

509 C. (1) If a base major facilities fee is calculated pursuant to Subsection B(2) of this section,
510 an additional major facilities fee shall be charged when the actual user of the facility becomes
511 known if the estimated water consumption for such user will be greater than the estimated water
512 consumption upon which the base major facilities fee was calculated. This additional major
513 facilities fee shall be known as an incremental major facilities fee. The amount of the

514 incremental major facilities fee shall be calculated based upon the formula set forth in Subsection
515 101-4F.

516 (2) An incremental major facilities fee shall be paid prior to the issuance of a certificate of
517 occupancy for the use of the facility pursuant to Subsection 191-48B of this Code. The
518 town shall maintain records of the name of the person who pays any incremental major
519 facilities fee and the location for which such incremental major facilities fee is paid. The
520 payer of an incremental major facilities fee shall receive a credit in the amount of the
521 incremental major facilities fee paid.

522 D. An incremental major facilities fee credit may be assigned, sold, otherwise lawfully
523 conveyed, or transferred, as provided in this Subsection D. An incremental major facilities fee
524 credit issued to a property located in the Old Town Utility District prior to October 1, 2003, also
525 may be assigned, sold, otherwise lawfully conveyed, or transferred as provided in this Subsection
526 D.

527 (1) When a business for which an incremental major facilities fee has been paid ceases
528 operation at the location for which the fee has been paid, the holder of the incremental
529 major facilities fee credit may:

530 (a) Assign, sell or otherwise lawfully convey all, or any portion, of the credit to
531 another person, for the purpose of applying such credit against the payment of another
532 base major facilities fee or incremental major facilities fee, as applicable:

533 [1] At the same location; or

534 [2] At a different location in the town;

535 (b) Transfer all or any portion of the credit to be applied by that person against the
536 payment of another base major facilities fee or incremental major facilities fee, as
537 applicable, at a different location in the town; or

538 (c) Retain the rights to all or any portion of the credit for subsequent use by that
539 person at the same location.

540 Under no circumstances may all, or any portion, of an incremental major facilities fee
541 be refunded by the town.

542 (2) All or any portion of an incremental major facilities fee credit which has been
543 assigned, sold, conveyed or transferred may be:

544 (a) Applied against a base major facilities fee imposed for the same or another
545 business; or

546 (b) Applied against an incremental major facilities fee imposed for the same or
547 another business.

548 That portion of an incremental major facilities fee credit which is applied against a
549 base major facilities fee may not be further transferred, assigned, sold, or conveyed.
550 However, that portion of an incremental major facilities fee credit which is applied

551 against a new incremental major facilities fee may be further transferred, sold,
552 assigned, or conveyed as provided in this section.

553 (3) The amount of major facilities fee attributable to a property shall be reduced by the
554 amount by which any portion of an incremental major facilities fee is transferred, sold,
555 assigned or conveyed for use at a different location.

556 (4) A transfer, sale, assignment or conveyance of all or part of an incremental major
557 facilities fee credit is not effective unless undertaken as hereafter provided:

558 (a) A person seeking to transfer, sell, assign or convey all or any part of an
559 incremental major facilities fee credit shall file an application under oath on forms
560 provided by the town for this purpose. If the applicant is not the owner of the property
561 on which the business is located, the application also shall be consented to, in writing,
562 by the property owner. The application shall be accompanied by such application fee
563 as may be prescribed by the town Council by Resolution. In addition to such other
564 information and documentation as may be required by the town's Chief Executive
565 Officer, an application shall be accompanied by documentary proof acceptable to the
566 Chief Executive Officer:

567 [1] As to the amount of incremental major facilities fee credit available for
568 transfer, sale, assignment or conveyance; and

569 [2] That such fee was paid to the town by the person applying for the transfer,
570 sale, assignment or transfer.

571 The burden is on the applicant to prove the amount of incremental major facilities fee
572 credit available for transfer, sale, assignment or conveyance, and that the applicant is
573 the person who paid such fee to the town.

574 (b) If the town approves an application to transfer, sell, assign or convey all or a part
575 of an incremental major facilities fee credit, the town shall deliver to the applicant, to
576 the property owner if different from the applicant, and to the person to whom the
577 credit will be transferred, sold, assigned or conveyed, a certificate of approval which
578 contains at least the following information:

579 [1] Names of the parties;

580 [2] The address for which the incremental major facilities fee had been paid;

581 [3] The address to which the incremental major facilities fee credit is being
582 transferred;

583 [4] The amount of such transferred, sold, assigned or conveyed incremental
584 major facilities fee credit which will be available for future transfer, sale,
585 assignment or conveyance in accordance with Subsection 101-4.1D(2); and

586 [5] The name of the person who will be entitled to apply for such future
587 transfer, sale, assignment or conveyance in accordance with Subsection 101-
588 4.1D(2).

The town's approval of the application is not effective until a certificate of approval is issued.))

((101-4.2 - Major facilities fee loan program.

A. There is a major facilities fee loan program in the town under the provisions of this section.

B. The purpose of the major facilities fee loan program is to provide an economic development incentive for the town to recruit and attract desirable businesses to locate within the town and to encourage existing businesses to expand in the town.

C. The Town Council may appropriate in the town's annual budget ordinance such amounts from the town's General Fund as the Town Council deem necessary and appropriate to fund the major facilities fee loan program. Amounts to fund the major facilities fee loan program shall be appropriated as a designated line item in the budget ordinance.

D. The Town Council may grant a loan to an eligible business under the major facilities fee loan program if sufficient funds have been appropriated in the annual budget ordinance. The amount of the loan to an eligible business may not exceed seventy-five percent (75%) of the major facilities fee to be assessed for the business, plus the amount of any costs and expenses to be included in the loan amount pursuant to Subsection L. of this section.

E. Each major facilities fee loan granted by the Town Council:

(1) Shall bear interest at a rate or rates to be established by the Town Council, such rate or rates to be not less than the prime rate established by PNC Bank from time to time plus one percent (1%);

(2) Shall be repaid over a period to be established by the Town Council, but not to exceed forty-two (42) months;

(3) Shall be guaranteed and/or secured by such personal guarantees, deeds of trust, mortgages, or other security interests as the Town Council deem appropriate;

(4) Shall bear a method of repayment as shall be determined by the Town Council, but such method of repayment shall provide for not less than annual payments of accrued interest plus a pro-rata portion of the outstanding principal balance of the loan; and

(5) Shall be a lien upon any real property in the town owned by the business owner and guarantor of the loan, and may be collected and enforced in the same manner as town real property taxes.

F. Each major facilities fee loan, and any guarantees and security interests for the repayment of the loan, shall be evidenced by such agreements and other documents as may be deemed appropriate by the Chief Executive Officer and the Town Council, and approved by the Town Attorney.

G. A request for a major facilities fee loan shall be filed with the Chief Executive Officer upon such forms, and accompanied by such information, as may be required by the Chief Executive Officer. The request shall demonstrate how the business is an eligible business under the criteria

626 provided in Subsection J. of this section. The request shall be accompanied by a nonrefundable
627 application fee in the amount of two percent (2%) of the requested loan amount or three hundred
628 and twenty-five dollars (\$325.), whichever is more. The applicant also shall be responsible for
629 providing such credit reports, business marketing studies, business plans, real estate appraisals,
630 or other documentation and reports as may be required by the Chief Executive Officer or the
631 Town Council.

632 H. Upon receipt of all information and fees as required by Subsection G., the Chief Executive
633 Officer shall review the loan request and all supporting documentation and shall submit a written
634 analysis and recommendation to the Town Council as to whether the loan should be granted. The
635 analysis and recommendation shall evaluate the loan request based upon the criteria set forth in
636 Subsection J. of this section.

637 I. Upon receipt of the written analysis and recommendation from the Chief Executive Officer,
638 the Town Council shall conduct a public hearing on the loan request. Notice of the public
639 hearing shall be published at the expense of the applicant at least once in a newspaper of general
640 circulation in the town. Upon completion of the public hearing, the Town Council may act upon
641 the loan request. Any act approving the loan request shall be taken in the form of a Resolution,
642 which shall set forth at least the following:

- 643 (1) Name of the loan grantee;
- 644 (2) Principal amount of the loan;
- 645 (3) Term of the loan;
- 646 (4) Interest rate or rates to be paid upon the unpaid principal balance;
- 647 (5) The method of repayment of the loan; and
- 648 (6) All personal guarantees and security interests associated with the loan.

649 J. A business shall be eligible for a major facilities fee loan if it satisfies all of the following
650 criteria:

- 651 (1) (a) The business will create substantial additional employment opportunities for
652 professional, technical and skilled labor in the town, or
- 653 (b) The business has been identified by the town's Comprehensive Plan or by other
654 official town policy as being needed or desirable in furtherance of the town's economic
655 development;
- 656 (2) The business shall provide a wage base which substantially exceeds minimum wage
657 levels;
- 658 (3) The business shall add substantially to the property tax base of the town; and
- 659 (4) Payment of the major facilities fee without the loan would make location of the
660 business in the town, or expansion of an existing business in the town, economically
661 infeasible.

662 Even if a business is eligible for a major facilities fee loan, the Town Council is not
663 required to grant a loan request.

664 K. In addition to the mandatory criteria specified in Subsection J., the Town Council also may
665 consider the following factors in determining whether to grant a request for a major facilities fee
666 loan:

667 (1) Whether a predominant ownership interest in the business is held by one or more town
668 residents; and

669 (2) Whether the business location will enhance the aesthetic appearance of the town.

670 L. Upon approval of the loan by the Town Council, the loan shall be accepted by the execution
671 of such loan documents as may be required by the Town Council and Chief Executive Officer
672 and approved by the Town Attorney. The loan obligation shall be accepted, and all required
673 security provided to the town, prior to the issuance of a building permit for the project on
674 account of which the loan is granted, and the loan obligation shall commence upon issuance of
675 the building permit. The applicant shall be responsible for the payment of all costs and expenses
676 incurred by the town in connection with the documentation of the loan and perfection of any
677 security interests, including, but not limited to, all costs of document preparation, title and lien
678 searches, recording fees, and attorney fees. With the approval of the town, these costs and
679 expenses may be included within the amount of the loan.

680 M. Upon issuance of the building permit, the Town Treasurer shall transfer the loan amount
681 from the town's General Fund to the Major Facilities Fees Fund. Repayment of the loan shall be
682 deposited by the Town Treasurer into the General Fund.)

683

684 **101-5 – ((Water)) UTILITY ACCOUNT rates, charges and fees.**

685

686 UTILITY ACCOUNTS SHALL BE BILLED QUARTERLY AND INCLUDE WATER,
687 SEWER, REFUSE COLLECTION , RECYCLING, STORMWATER, ACCOUNT
688 MAINTENANCE AND ANY OTHER SERVICE FEES AS ESTABLISHED AND
689 APPROVED BY THE TOWN COUNCIL.

690

691 A. There shall be a tiered water AND SEWER service rate for water AND SEWER use for all
692 property having location within the corporate limits of the Town of La Plata. THE SEWER
693 RATE SHALL BE CALCULATED BASED ON THE WATER CONSUMPTION. HOWEVER
694 THE RATE FOR TOWN RESIDENTS WHO ARE CONNECTED TO THE TOWN SEWER
695 SYSTEM ONLY WILL BE COMPUTED BASED ON THE EQUIVALENCY DWELLING
696 UNIT (EDU) METHOD THAT IS USED TO CALCULATE MAJOR FACILITY FEES. ONE
697 EDU IS ESTIMATED TO USE TWENTY THOUSAND (20,000) GALLONS OF WATER
698 PER QUARTER.

699

((0 — 15,000 gallons per quarter:))	((two dollars and eighty-five cents (\$2.85) for each one thousand (1,000) gallons used.))
((15,001 — 100,000 gallons per quarter):	((three dollars and twenty-five cents (\$3.25) for each one thousand (1,000) gallons used.))



((100,001 gallons per quarter and up)):	((two dollars and eighty-five cents (\$2.85) for each one thousand (1,000) gallons used.))
---	--

700
701 B. IT IS THE DECLARED POLICY OF THE TOWN THAT NO WATER OR SEWER
702 SERVICE SHALL BE EXTENDED OUTSIDE THE CORPORATE LIMITS OF THE TOWN.
703

704 C. BAY RESTORATION FUND FEE—THE STATE OF MARYLAND APPROVED
705 LEGISLATION IN MAY, 2004, THAT ESTABLISHED THE BAY RESTORATION FUND,
706 WHICH REQUIRES ALL WASTEWATER TREATMENT PLANT OWNERS TO COLLECT
707 FROM ALL SEWER CUSTOMERS AN ADDITIONAL FIVE DOLLARS (\$5.) PER MONTH
708 FOR RESIDENTIAL CUSTOMERS AND AN ADDITIONAL FIVE DOLLARS (\$5.) PER
709 EQUIVALENCY DWELLING UNIT (EDU) FOR COMMERCIAL AND MULTI-FAMILY
710 DWELLING UNIT CUSTOMERS. THE BAY RESTORATION FUND FEE IS FORWARDED
711 DIRECTLY TO THE STATE COMPTROLLER FOR THE BENEFIT OF THE BAY
712 RESTORATION FUND. THE BAY RESTORATION FUND WAS ESTABLISHED TO
713 PROVIDE FUNDING FOR ADDITIONAL NUTRIENT REMOVAL UPGRADES TO
714 WASTEWATER TREATMENT PLANTS IN MARYLAND.
715

716 D. STORMWATER MANAGEMENT FEE: THERE SHALL BE A STORMWATER
717 MANAGEMENT FEE IN THE AMOUNT OF TWELVE DOLLARS AND FIFTY CENTS
718 (\$12.50), PER EQUIVALENT RESIDENTIAL UNIT (ERU)., ~~INCLUDING MULTI-FAMILY~~
719 ~~DWELLING UNITS AND TWELVE DOLLARS AND FIFTY CENTS (\$12.50) PER~~
720 ~~EQUIVALENT RESIDENTIAL UNIT (ERU) FOR COMMERCIAL UNITS,~~ COLLECTED
721 QUARTERLY. EACH SINGLE-FAMILY OR MULTI-FAMILY RESIDENTIAL UNIT IS
722 EQUIVALENT TO ONE (1) ERU. THE PURPOSE OF THE FEE IS TO FUND THE
723 INSPECTION AND MAINTENANCE OF TOWN STORMWATER MANAGEMENT
724 FACILITIES. ~~THE EQUIVALENT RESIDENTIAL UNIT (ERU) IS CALCULATED PER AN~~
725 ~~AVERAGE AMOUNT OF IMPERVIOUS SURFACES ON EACH LOT FOR SINGLE-~~
726 ~~FAMILY RESIDENCES.~~

727
728 E. WATER, SEWER AND STORMWATER MANAGEMENT RATES, CHARGES AND
729 FEES SHALL BE LEVIED AS ESTABLISHED AND APPROVED BY THE TOWN
730 COUNCIL.
731

TIERED WATER SERVICE RATES	
GALLONS PER QUARTER	RATES PER EACH 1,000 GALLONS OF WATER USED.
0 — 15,000:	\$2.90
15,001 — 100,000:	\$3.30
100,001 AND UP:	\$2.90
TIERED SANITARY SEWER RATES – BASED ON WATER CONSUMPTION	
GALLONS PER QUARTER	RATES PER EACH 1,000 GALLONS OF

	WATER USED.
0 — 15,000	\$9.10
15,001 — 100,000:	\$10.15
100,001 and up:	\$9.10
MISCELLANEOUS ACCOUNT FEES	
WATER RECONNECT FEE:	\$29.00
ACCOUNT MAINTENANCE FEE FOR EACH UTILITY ACCOUNT:	\$12.25
BAY RESTORATION FUND:	\$5. PER MONTH FOR RESIDENTIAL AND \$5. PER EDU FOR COMMERCIAL AND MULTI-FAMILY DWELLING UNIT CUSTOMERS.
STORMWATER MANAGEMENT, PER ERU	\$12.50
LATE PAYMENT PENALTY (31 DAYS FROM BILLING DATE)	10% OF TOTAL DUE, EXCLUDING THE BAY RESTORATION FUND FEE.

- 732
- 733 ((B. It is the declared policy of the town that no water service shall be extended outside the
- 734 corporate limits of the town.))
- 735 ((C. The water reconnect fee shall twenty-eight dollars and fifty cents (\$28.50).))
- 736 ((D. The account maintenance fee for each utility account shall be twelve dollars (\$12.) per
- 737 quarter.))
- 738 ((E. A water connection charge shall be levied, per dwelling unit as follows:))
- 739 (((1) Dwelling units having not more than seven hundred (700) square feet of total area:
- 740 eighty-eight dollars (\$88.))
- 741 (((2) Dwelling units having more than seven hundred (700) square feet of total area: one
- 742 hundred dollars (\$100.))
- 743 (((3) With commercial, industrial, quasi-public or public facilities the fee shall be
- 744 determined based on the estimated quarterly water consumption, as established and
- 745 approved by the Town Council:))))
- 746
- 747 ((F. Utility bills become past due thirty-one (31) days from the billing date stated on the bill. A
- 748 late payment penalty shall be levied at the rate of ten percent (10%) of the total of the overdue
- 749 utility bill, excluding Bay Restoration Fund fee.))
- 750
- 751 ((101-6 - Sanitary sewer rates and charges.))
- 752 ((A. There shall be a tiered sanitary sewer rate which shall be computed based on the water
- 753 consumption. However, the rate for town residents who are connected to the town sewer system
- 754 only will be computed based on the Equivalency Dwelling Unit (EDU) method that is used to
- 755 calculate Major Facility Fees. One EDU is estimated to use twenty thousand (20,000) gallons of
- 756 water per quarter.))
- 757

((0 — 15,000 gallons per quarter:))	((eight dollars and eighty-five cents (\$8.85) for each one thousand (1,000) gallons of water consumption.))
((15,001 — 100,000 gallons per quarter:))	((nine dollars and eighty-five

	cents (\$9.85) for each one thousand (1,000) gallons of water consumption.))
((100,001 gallons per quarter and up:))	((eight dollars and eighty-five cents (\$8.85) for each one thousand (1,000) gallons of water consumption.))

758
 759 ((B. It is the declared policy of the town that no sewer service shall be extended outside the
 760 corporate limits of the town.))

761 ((C. A sewer connection charge shall be levied, per dwelling unit as follows:))
 762 (((1) Dwelling units having not more than seven hundred (700) square feet of total area: two
 763 hundred sixty dollars (\$260.))
 764 (((2) Dwelling units having more than seven hundred (700) square feet of total area: three
 765 hundred five dollars (\$305.))
 766 (((3) With commercial, industrial, quasi-public or public facilities the fee shall be
 767 determined based on the estimated quarterly water consumption:))

768
 769 ((D. Utility bills become past due thirty-one (31) days from the billing date stated on the bill. A
 770 late payment penalty shall be levied at the rate of ten percent (10%) of the total of the overdue
 771 utility bill, excluding Bay Restoration Fund fee.))

772 ((E. Bay Restoration Fund fee—The State of Maryland approved legislation in May, 2004, that
 773 established the Bay Restoration Fund, which requires all wastewater treatment plant owners to
 774 collect from all sewer customers an additional two dollars and fifty cents (\$2.50) per month for
 775 residential customers and an additional two dollars and fifty cents (\$2.50) per equivalency
 776 dwelling unit (EDU) for commercial customers. The Bay Restoration Fund fee is forwarded
 777 directly to the State Comptroller for the benefit of the bay restoration fund. The Bay Restoration
 778 Fund was established to provide funding for additional nutrient removal upgrades to wastewater
 779 treatment plants in Maryland.))

780 **((101-7 - Refuse collection fees.))**
 781 ((All residential units within the Town of La Plata shall avail themselves of the town municipal
 782 refuse collection service. The quarterly refuse collection fee for all refuse collection within the
 783 corporate limits of the Town of La Plata shall be as follows:))

784
 785 F. REFUSE COLLECTION.

786
 787 ((A.)) (1) Residential: single-family, duplex, triplex and TOWNHOUSE UNITS.
 788 ((four-unit apartments)): ALL RESIDENTIAL SINGLE-FAMILY, DUPLEX, TRIPLEX
 789 AND TOWNHOUSE UNITS WITHIN THE TOWN OF LA PLATA SHALL AVAIL
 790 THEMSELVES OF THE TOWN MUNICIPAL REFUSE COLLECTION SERVICE.

791
 792 (((1) Curbside: ((sixty-nine dollars and forty-five cents (\$69.45) per unit
 793 (once a week collection).))

794 (((2) House side: ((one hundred forty-two dollars and fifty cents (\$142.50) per
 795 unit (once a week collection).))

796
797 (((3) Individuals over age sixty-four (64) or physically impaired may receive
798 house side collection at sixty-nine dollars and forty-five cents (\$69.45), upon
799 request to and approval of the Town Council.))

800
801 (((4))) (a) A surcharge of ((nine dollars and seventy-five cents (\$9.75))) NINE
802 DOLLARS AND NINETY CENTS (\$9.90) will be collected from each utility
803 account to pay for the recycling project.

804
805 (((5))) (b) RESIDENTIAL Refuse containers: ((The town will assign one refuse
806 container to each household that receives curbside or house side collection, and is
807 non-transferable to another location. the containers provided will be compatible
808 with the town's automated refuse collection system and are available in one (1)
809 yard, two-third (2/3) yard, and one-third (1/3) yard sizes.)) THE OWNERS OF
810 ALL RESIDENTIAL SINGLE-FAMILY, DUPLEX, TRIPLEX AND
811 TOWNHOUSE UNITS CONSTRUCTED AFTER JANUARY 1, 2012 WILL BE
812 REQUIRED TO PAY A ONE-TIME RENTAL FEE FOR A MINIMUM OF
813 ONE (1) REFUSE CONTAINER FOR EACH DWELLING UNIT
814 CONSTRUCTED. The fee for NEW, additional or replacement containers will
815 be based on the suppliers cost to the town, AND PAYABLE WITH THE NEXT
816 QUARTELY BILLING. THE CONTAINERS ASSIGNED TO EACH UNIT
817 WILL BE COMPATIBLE WITH THE TOWN'S AUTOMATED REFUSE
818 COLLECTION SYSTEM AND ARE AVAILABLE IN THIRTY-TWO (32)
819 GALLON/ONE-SIXTH (1/6) YARD, SIXTY-FOUR (64) GALLON/ONE-
820 THIRD (1/3) YARD, AND NINETY-SIX (96) GALLON/ONE-HALF (1/2)
821 YARD SIZES, AND ARE NON-TRANSFERABLE. ADDITIONAL OR
822 REPLACEMENT CONTAINERS MAY BE OBTAINED BY PAYING AN
823 ADDITIONAL ONE-TIME RENTAL FEE FOR EACH ADDITIONAL
824 CONTAINER. IF A CUSTOMER WISHES TO EXCHANGE THE
825 CONTAINER FOR A DIFFERENT SIZE, THEY WILL BE REQUIRED TO
826 PAY AN ADMINISTRATIVE FEE OF THIRTY-FIVE DOLLARS (\$35.), PER
827 CONTAINER. Containers are the property of the Town of La Plata.

828
829 (f) RESIDENTIAL SPECIAL PICKUPS FOR BULK ITEMS SHALL BE
830 CHARGED AS FOLLOWS: A MINIMUM OF THIRTEEN DOLLARS AND
831 TWENTY-FIVE CENTS (\$13.25) FOR THE FIRST FIVE (5) MINUTES AND
832 ONE DOLLAR AND TEN CENTS (\$1.10) FOR EACH ADDITIONAL
833 MINUTE. BULK ITEMS SHOULD WEIGH NO MORE THAN FIFTY (50)
834 POUNDS. LARGE AMOUNTS OF LOOSE MATERIAL (SUCH AS BRUSH)
835 SHOULD BE BUNDLED OR BAGGED IN SUCH A MANNER THAT THE
836 WEIGHT IS LESS THAN FIFTY (50) POUNDS. THE TOWN RESERVES
837 THE RIGHT TO NOT PICK UP ITEMS TOO HEAVY TO SAFELY HANDLE.
838 GENERAL CONSTRUCTION CLEAN-UP AND HAZARDOUS MATERIALS
839 ARE NOT ELIGIBLE. A FEE OF SIX DOLLARS (\$6.), OR THE CURRENT
840 LANDFILL DISPOSAL FEE, SHALL BE CHARGED FOR EACH TIRE
841 COLLECTED.

842
 843 ((B.)) (2). Commercial AND MULTI-FAMILY DWELLINGS:

844
 845 (((1) Base rates (quarterly basis:))

((Group))	((1 X/WK.))	((2 X/WK.))	((3 X/WK.))	((4 X/WK.))	((5 X/WK.))
((I-A))	(((\$69.))				
((I-B))	(((\$114.))				
((II))	(((\$64.))	(((\$142.50))	(((\$219.))	(((\$291.50))	(((\$356.))
((III-A))	\$91.	(((\$131.))			
((III-B))	(((\$114.))	(((\$176.))			

847
 848
 849 (((2) Group definitions:))
 850 (((a) Group I: multiple-family dwellings with less than five (5) dwelling units and
 851 charged to a single owner.

- 852 [1] Group I-A: curbside pickup.
 853 [2] Group I-B: house side pickup.))

854 (((b) Group II: all container (dumpster) pickups.))

855 (((c) Group III: businesses that generate not more than six (6) thirty-gallon containers per
 856 week or nine (9) twenty-gallon containers per week and require no more than twice a week
 857 pickup.

- 858 [1] Group III-A: curbside pickup.
 859 [2] Group III-B: other than curbside pickup (i.e., rear of building.))

860 (((3) The yardage charge shall be a charge of one dollar eighty cents (\$1.80) per yard per
 861 quarter based on container size and frequency of pickup.))

862 (((4) Commercial container rental (quarterly):

- 863 (a) Two (2) cubic yards: thirty-two dollars (\$32.).
 864 (b) Four (4) cubic yards: forty-two dollars (\$42.))

865 ((C. The landfill disposal surcharge for Groups II and III shall be 0.5 times the base rates, plus
 866 the yardage charge, and added separately to all refuse collection accounts)).

867 ((D. Special pickups for bulk items shall be charged as follows: A minimum of thirteen dollars
 868 (\$13.) for the first five (5) minutes and one dollar and ten cents (\$1.10) for each additional
 869 minute. Bulk items should weigh no more than fifty (50) pounds. Large amounts of loose
 870 material (such as brush) should be bundled or bagged in such a manner that the weight is less
 871 than fifty (50) pounds. The town reserves the right to not pick up items too heavy to safely

872 handle. General construction clean-up and hazardous materials are not eligible. A fee of six
 873 dollars (\$6.), or the current landfill disposal fee, shall be charged for each tire collected.)

874 ((Commercial accounts requesting an additional pickup of a dumpster shall one hundred thirty-
 875 five dollars (\$135.) per dumpster emptied. This service is only for extraordinary circumstances
 876 and not meant to occur regularly. A commercial account needing frequent special pickups shall
 877 be reviewed to determine if a higher level of collection service is required.))

878 (a) COMMERCIAL ACCOUNTS REQUESTING AN ADDITIONAL PICKUP OF A
 879 DUMPSTER SHALL ONE HUNDRED THIRTY-FIVE DOLLARS (\$135.) PER
 880 DUMPSTER EMPTIED. THIS SERVICE IS ONLY FOR EXTRAORDINARY
 881 CIRCUMSTANCES AND NOT MEANT TO OCCUR REGULARLY. A
 882 COMMERCIAL ACCOUNT NEEDING FREQUENT SPECIAL PICKUPS SHALL BE
 883 REVIEWED TO DETERMINE IF A HIGHER LEVEL OF COLLECTION SERVICE IS
 884 REQUIRED.

885
 886 ((H.)) (3) Outside corporate limits:
 887

888 (((1))) (a) Residential curbside: One hundred dollars (\$100.) per quarter. This service
 889 is subject to Town Council approval.

890 (((2))) (b) A surcharge of ((nine dollars and eighty cents (\$9.80))) TEN DOLLARS
 891 (\$10.) will be collected from each utility account to pay for the recycling project.

892 (4) REFUSE COLLECTION QUARTERLY RATES

893

CONTAINER SIZE	PICKUPS PER WEEK				
	ONE	TWO	THREE	FOUR	FIVE

**RESIDENTIAL: SINGLE-FAMILY, DUPLEX, TRIPLEX AND TOWNHOUSE UNITS,
 RATES PER DWELLING UNIT.**

CURB SIDE	N/A	70.75	N/A	N/A	N/A	N/A
HOUSE SIDE		145.00	N/A	N/A	N/A	N/A
HOUSE SIDE: FOR INDIVIDUALS OVER AGE SIXTY-FOUR OR PHYSICALLY IMPAIRED - MUST REQUEST SERVICE IN WRITING AND SUPPLY DOCUMENTATION.		70.75	N/A	N/A	N/A	N/A

COMMERCIAL AND MULTI-FAMILY DWELLINGS:

CURB SIDE	1/2 YARD/96 GALLON CART	70.75	138.30	N/A	N/A	N/A
HOUSE SIDE		145.00	283.50	N/A	N/A	N/A
EACH ADDITIONAL CART* (MAX. THREE ADDITIONAL/4 TOTAL)		18.50	37.10	N/A	N/A	N/A
FIRST CONTAINER	2 YARD DUMPSTER	206.10	401.70	593.55	779.40	953.25
EACH ADDITIONAL CONTAINER		107.10	181.20	255.30	329.40	585.25
FIRST CONTAINER	4 YARD DUMPSTER	290.20	559.90	825.85	1085.80	1333.75
EACH ADDITIONAL CONTAINER		191.20	339.40	487.60	635.80	784.00

* QUARTERLY PICK-UP COST ONLY, DOES NOT INCLUDE THE COST OF THE ADDITIONAL CART(S) -SEE BELOW FOR CART COSTS

(5) REFUSE CONTAINER RENTAL RATES, CHARGES AND QUARTERLY FEES:

CONTAINER SIZE	RATE
CONTAINER RENTAL: ONE-TIME RENTAL CHARGE, PER CONTAINER	
32 GALLON – 1/6 YARD	BASED ON SUPPLIERS COST TO TOWN
64 GALLON – 1/3 YARD	BASED ON SUPPLIERS COST TO TOWN
96 GALLON – 1/2 YARD	BASED ON SUPPLIERS COST TO TOWN
CONTAINER EXCHANGE, ADMINISTRATIVE FEE	\$35.

896
897 ((I.)) G. Utility bills become past due thirty-one (31) days from the billing date stated on the
898 bill. A late payment penalty shall be levied at the rate of ten percent (10%) of the total of the
899 overdue utility bill, excluding Bay Restoration fee.

900
901 ((J.)) H. THE ACCOUNT MAINTENANCE FEE FOR EACH UTILITY ACCOUNT
902 SHALL BE TWELVE DOLLARS AND TWENTY-FIVE CENTS (\$12.25) PER QUARTER.

903
904 ((101-8 - Zoning fees.))

905 ((The petitioner for variance, special exception, and zoning appeals, or rehearings on variance,
906 special exception and zoning appeals applications, shall pay to the town a nonrefundable
907 application fee of two hundred forty dollars (\$240.) for each application, and shall also pay
908 actual expenses to process the application, including legal fees, advertising fees, and any other

909 related costs, which shall be invoiced to the applicant by the Town Finance Department and shall
910 be due upon receipt.)

911 ((The applicant for a Home Office permit shall pay to the town a nonrefundable application fee
912 of thirty-three dollars (\$33.))

913 ((Petitions for zoning amendments shall be three hundred ninety-five dollars (\$395.). If an
914 additional public hearing is necessary, the petitioner will pay any related costs as determined by
915 the Chief Executive Officer.))

916 ((A fee of eighty two dollars (\$82.) will be paid to the town for preparation of a Zoning
917 Certification letter.))

918 **((101-9 - Updating Official Zoning Map.**

919 Whenever a parcel of land is rezoned, re-subdivided, or subdivided, a fee of seven dollars and
920 seventy-five cents (\$7.75) per lot will be paid to the town to pay for the town's cost of updating
921 the Official Zoning Map.))

922 **101-((10)) 6 - Reduction of certain fees.))**

923 The Town Council shall have discretion, after a public hearing is held for that purpose, to abate
924 or reduce any of the fees in Sections 101-1, 101-2 and 101-3, if good cause is shown.

925 **((101-11 - Water extraction permits.**

926 Water extraction permits may be issued for use of a specified fire hydrant(s). The nonrefundable
927 annual application fee shall be ((eight hundred thirty dollars (\$830.))) EIGHT HUNDRED
928 FORTY-FIVE DOLLARS (\$845.) in cash. The fee for water extracted from the town system
929 shall be ((seven dollars (\$7.))) SEVEN DOLLARS AND TEN CENTS (\$7.10) per one thousand
930 (1,000) gallons of water extracted, to be paid on a monthly basis at the Finance Office in the
931 Town Hall.))

932 **101-((12)) 7 - Fee for returned checks.**

933 A returned check fee of ((twenty-seven dollars and fifty cents (\$27.50))) TWENTY EIGHT
934 DOLLARS (\$28.) shall be imposed in each instance of a check being returned to the town for
935 any reason.

936 **101-((13)) 8 - Fees for miscellaneous items/services sold by the town.**

937 Zoning map: prices based on suppliers' cost to town.

938 Comprehensive Plan: prices based on suppliers' cost to town.

939 Standard Specifications: ((fifty-nine dollars (\$59.))) SIXTY DOLLARS (\$60.) per copy in stock;
940 restock items based on suppliers' cost to town.

941 Accident report: ((six dollars (\$6.))) SIX DOLLARS AND TEN CENTS (\$6.10).

942 Xerographic copies: twenty cents (\$0.20) per page. Miscellaneous promotional items: based on

943 suppliers' cost to town.

944 **101-((14)) 9 - Payment of fees and charges.**

945 All moneys due and payable to the Town of La Plata shall be collected solely by the Town
946 Treasurer through the Finance Department of the Town of La Plata or through such County or
947 State agency as deemed appropriate by the town.))

948 **101-((15)) 10 - Penalty on overdue taxes.**

949 When real property taxes are overdue, the town will impose a penalty of one third of one percent
950 (1/3 of 1%) for each month or fraction of a month until paid. This is in addition to the interest
951 imposed in section C8-15 of the Town Charter.

952 When personal property and public utilities taxes are overdue, the town will impose a penalty of
953 one percent (1%) for each month or fraction of a month until paid.

954 **((101-16 - Stormwater management fee.**

955 ((There shall be a stormwater management fee in the amount of three dollars and seventy-five
956 cents (\$3.75) collected quarterly from each utility account. The purpose of the fee is to fund the
957 inspection and maintenance of town stormwater management facilities.))

958 **101-((17)) 11 - Utility locate fees.**

959 There shall be a utility locate fee in the amount of ((thirty-five dollars (\$35.))) THIRTY-FIVE
960 DOLLARS AND FIFTY CENTS (\$35.50), collected at the time of request by any commercial
961 entity.

962 **101-((18)) 12 - Credit and debit card transaction convenience fee.**

963 Whenever a credit or debit card is used to make payment to the town for any fees, invoices or
964 any other charges, two and one-half percent (2.5%) of the transaction total will be collected at
965 the time of transaction.

966

967 **101- 13 - MAJOR FACILITIES FEES.**

968 A. MAJOR FACILITIES FEES ARE LEVIED TO PARTIALLY FINANCE CAPITAL
969 IMPROVEMENTS TO THE WATER AND SANITARY SEWER SYSTEMS DUE TO
970 INCREASED DEMANDS UPON THE SYSTEM AS A RESULT OF NEW DEVELOPMENT.
971 REVENUES COLLECTED FROM THE MAJOR FACILITIES FEE MAY BE USED FOR
972 THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND ENLARGEMENT OF ALL
973 OR PARTS OF THE TOWN'S WATER AND SANITARY SEWER SYSTEMS. SUCH
974 REVENUES MAY NOT BE USED FOR THE PURPOSE OF OPERATION, MAINTENANCE
975 OR NON-CAPITAL REPAIR OF THE WATER OR SANITARY SEWER SYSTEMS,
976 EXCEPT THAT REVENUES COLLECTED FROM THE MAJOR FACILITIES FEE ON AND
977 AFTER OCTOBER 1, 2003, AND PRIOR TO SEPTEMBER 28, 2006, SHALL NOT BE USED
978 FOR ANY PROJECT LOCATED IN OR INTENDED TO EXCLUSIVELY SERVE
979 PROPERTIES LOCATED IN THE OLD TOWN UTILITY DISTRICT. THE MAJOR
980 FACILITIES FEE SHALL BE LEVIED AND PAID AS SPECIFIED IN THE FOLLOWING

981 SUBSECTIONS OF THIS SECTION.

982 B. DETERMINATION OF FEE.

983 (1) THE CHARGE PER UNIT SHALL BE CALCULATED AT TIME OF BUILDING
984 PERMIT AND TO BE PAID WITH THE ISSUANCE OF ALL OCCUPANCY PERMITS
985 REQUIRING LARGER OR NEW CONNECTIONS TO THE TOWN OF LA PLATA
986 WATER AND SANITARY SEWER SYSTEMS SHALL BE:

987 (A) RESIDENTIAL UNITS:

988 [1] MULTIPLE-FAMILY DWELLING UNITS:

989 [A] DWELLING UNITS HAVING NOT MORE THAN SEVEN
990 HUNDRED (700) SQUARE FEET OF TOTAL AREA: SIX THOUSAND
991 FIVE HUNDRED AND THIRTY DOLLARS (\$6,530.) PER DWELLING
992 UNIT.

993 [B] DWELLING UNITS HAVING MORE THAN SEVEN HUNDRED
994 (700) SQUARE FEET OF TOTAL AREA: SEVEN THOUSAND FIVE
995 HUNDRED AND TWENTY-FIVE DOLLARS (\$7,525.) PER
996 DWELLING UNIT.

997 [2] SINGLE-FAMILY ATTACHED DWELLINGS, SINGLE FAMILY
998 DETACHED DWELLINGS, TWO-FAMILY DWELLINGS AND MOBILE
999 HOME DWELLINGS: EIGHT THOUSAND FIVE HUNDRED AND
1000 TWENTY-FIVE DOLLARS (\$8,525.) PER DWELLING UNIT.

1001 (B) COMMERCIAL, INDUSTRIAL, AND PUBLIC OR QUASI-PUBLIC
1002 FACILITY UNITS: AN AMOUNT PER UNIT BASED UPON THE ESTIMATED
1003 WATER CONSUMPTION OF SUCH FACILITY AS SET FORTH IN SECTION
1004 ((101-4.F.)) 101-13.F. OF THIS CHAPTER.

1005 C. THE MAJOR FACILITIES FEE SHALL BE PAID BEFORE AN OCCUPANCY PERMIT
1006 IS ISSUED.

1007 D. PERMITS FOR WATER AND/OR SEWER CONNECTION(S) SHALL BE ISSUED AT
1008 THE SAME TIME THE BUILDING PERMIT IS ISSUED AS SET FORTH IN SECTIONS
1009 101-2 AND 101-13.E. OF THIS CHAPTER, AND SHALL BE VALID AS LONG AS THE
1010 BUILDING PERMIT IS VALID, EXCEPT EXISTING RESIDENTIAL BUILDINGS MAY
1011 CONNECT TO WATER AND SEWER MAINS AS PROVIDED IN SECTION 101-2C OF
1012 THIS CHAPTER. IF A PERMIT FOR A WATER AND/OR SEWER CONNECTION IS TO
1013 BE ISSUED FOR A USE OF PROPERTY WHERE NO BUILDING PERMIT IS REQUIRED,
1014 THE PERMIT FOR THE CONNECTION MUST BE ISSUED BEFORE THE ISSUANCE OF
1015 AN OCCUPANCY PERMIT.

1016 E. A "RESIDENTIAL UNIT" IS HEREBY DEFINED AS ONE (1) DWELLING UNIT, AS
1017 FURTHER DEFINED IN SECTION 191-3 OF THE TOWN'S ZONING ORDINANCE. THE
1018 VARIOUS TYPES OF DWELLING UNITS, SUCH AS MULTIPLE-FAMILY, SINGLE-

1019 FAMILY ATTACHED, SINGLE-FAMILY DETACHED, TWO-FAMILY AND MOBILE
1020 HOME, WILL HAVE THE SAME MEANING AS DEFINED IN SECTION 191-3 OF THE
1021 TOWN'S ZONING ORDINANCE. A "MULTIPLE-FAMILY DWELLING UNIT" IS MORE
1022 NARROWLY DEFINED TO BE ONLY THOSE GROUPS OF THREE (3) OR MORE
1023 DWELLING UNITS SERVED BY A COMMON WATER SERVICE AND REQUIRING
1024 ONLY ONE (1) WATER METER.

1025 F. THE MAJOR FACILITIES FEE FOR COMMERCIAL, INDUSTRIAL, QUASI-PUBLIC
1026 OR PUBLIC FACILITIES SHALL BE DETERMINED BY THE CHIEF EXECUTIVE
1027 OFFICER USING UNITS OR FRACTIONS OF UNITS OF ESTIMATED WATER
1028 CONSUMPTION AS THE BASIS FOR THAT DETERMINATION. EACH UNIT IS THE
1029 EQUIVALENT OF TWENTY THOUSAND (20,000) GALLONS OF ESTIMATED WATER
1030 CONSUMPTION PER QUARTER, AS ESTABLISHED AND APPROVED BY THE TOWN
1031 COUNCIL. THE MAJOR FACILITIES FEE SHALL BE IMPOSED AT THE RATE OF
1032 EIGHT THOUSAND FIVE HUNDRED AND TWENTY-FIVE DOLLARS (\$8,525.) PER
1033 UNIT. THE AMOUNT OF MAJOR FACILITIES FEE FOR FRACTIONAL UNITS SHALL
1034 BE BASED UPON A PRO-RATED AMOUNT OF EIGHT THOUSAND FIVE HUNDRED
1035 AND TWENTY-FIVE DOLLARS (\$8,525.). THE STANDARDS USED FOR
1036 ESTABLISHING ESTIMATED WATER CONSUMPTION SHALL BE ESTABLISHED AND
1037 APPROVED BY THE TOWN COUNCIL.

1038 G. THE MAJOR FACILITIES FEE FOR USES REQUIRING A NEW OR LARGER
1039 CONNECTION TO EITHER THE WATER OR SANITARY SEWER SYSTEMS, BUT NOT
1040 BOTH, SHALL, FOR SEWER, BE AT A RATE OF SEVENTY-FIVE PERCENT (75%) OF
1041 THE FEE PROVIDED FOR IN SECTIONS 101-13.B. AND 101-13.F., AND, FOR WATER,
1042 BE AT THE RATE OF THIRTY-FIVE PERCENT (35%) OF THE FEE PROVIDED FOR IN
1043 SECTIONS 101-13.B. AND 101-13.F.

1044 H. NO CHANGE IN THE USE OF A BUILDING SHALL BE ALLOWED THAT WOULD
1045 REQUIRE ADDITIONAL INCREMENTS OF WATER AND/OR SEWER UNITS WITHOUT
1046 PAYMENT OF THE MAJOR FACILITIES FEE FOR THE INCREASE IN SEWER AND/OR
1047 WATER UNITS. TO ENSURE COMPLIANCE, THE BUILDING INSPECTOR SHALL NOT
1048 ALLOW SUCH BUILDING REQUIRING PAYMENT OF ADDITIONAL MAJOR
1049 FACILITIES FEES TO BE OCCUPIED UNTIL THE REQUISITE FEES ARE PAID AND
1050 OCCUPANCY IS APPROVED BY THE CHIEF EXECUTIVE OFFICER.

1051 I. AS USED IN SECTIONS 101-13 AND 101-13.1, THE OLD TOWN UTILITY DISTRICT
1052 CONSISTS OF ALL PROPERTIES THAT ABUT OR HAVE ACCESS FROM THE
1053 FOLLOWING STREETS, EXCEPT THAT AS OF APRIL 13, 2005, THE OLD TOWN
1054 UTILITY DISTRICT DOES NOT INCLUDE THOSE PROPERTIES OR PORTIONS OF
1055 THOSE PROPERTIES THAT ARE LOCATED IN THE TOWN'S CBT CENTRAL BUSINESS
1056 TRANSITION ZONING DISTRICT ON THAT DATE:

1057 (1) WEST HAWTHORNE DRIVE TO THE TOWN LIMITS AS OF JANUARY 9, 1990.

1058 (2) PINE STREET.

1059 (3) EAST HAWTHORNE DRIVE.

- 1060 (4) U.S. ROUTE 301 FROM MARYLAND ROUTE 225 TO GLEN ALBIN
1061 (FORMERLY PATUXENT) DRIVE.
- 1062 (5) MARYLAND ROUTE 6 WEST OF U.S. ROUTE 301, TO AND INCLUDING THE
1063 ARCHBISHOP NEALE PROPERTY ON THE NORTH SIDE AND TO AND
1064 INCLUDING THE UNITED METHODIST CHURCH PROPERTY ON THE SOUTH
1065 SIDE.
- 1066 (6) MARYLAND ROUTE 6 EAST OF U.S. ROUTE 301 TO WILLOW LANE.
- 1067 (7) WASHINGTON AVENUE TO THE TOWN LIMITS AS THEY EXISTED AS OF
1068 JANUARY 9, 1990.
- 1069 (8) HARFORD STREET.
- 1070 (9) CECIL STREET.
- 1071 (10) KENT AVENUE.
- 1072 (11) SPRUCE STREET.
- 1073 (12) PROSPECT STREET.
- 1074 (13) CAROLINE DRIVE FROM WASHINGTON AVENUE TO THE RAILROAD
1075 TRACKS.
- 1076 (14) CENTENNIAL STREET.
- 1077 (15) BALTIMORE STREET.
- 1078 (16) NORTH MAPLE AVENUE.
- 1079 (17) SOUTH MAPLE AVENUE FROM CHARLES STREET TO CARROLL STREET.
- 1080 (18) NORTH OAK AVENUE.
- 1081 (19) ANNE ARUNDEL AVENUE.
- 1082 (20) SEVERN DRIVE.
- 1083 (21) CALVERT STREET.
- 1084 (22) HOWARD STREET.
- 1085 (23) ST. MARY'S AVENUE TO GLEN ALBIN (FORMERLY PATUXENT) DRIVE.
- 1086 (24) WILLS STREET.
- 1087 (25) LA GRANGE AVENUE.
- 1088 (26) QUEEN ANNE'S STREET.
- 1089 (27) CARROLL STREET.

- 1090 (28) GRAVES AVENUE.
1091 (29) OAK AVENUE.
1092 (30) DEL RAY CIRCLE.
1093 (31) CONCORD CIRCLE.
1094 (32) ARLINGTON DRIVE.
1095 (33) WORCESTER STREET.
1096 (34) WICOMICO STREET.
1097 (35) GARRETT AVENUE.
1098 (36) SOMERSET STREET.
1099 (37) WILLOW LANE SOUTH.
1100 (38) PRINCE GEORGE'S STREET.
1101 (39) FOREST LANE.
1102 (40) PATUXENT COURT.

1103 (41) GLEN ALBIN (FORMERLY PATUXENT) DRIVE FROM U.S. ROUTE 301 TO
1104 WILLOW LANE SOUTH.

1105 J. (1) ALL MONIES IN THE TOWN'S MAJOR FACILITIES FUND AS OF OCTOBER 1,
1106 2003, MAY BE EXPENDED FOR AND ON BEHALF OF THE FINANCING OF MAJOR
1107 IMPROVEMENTS TO THE TOWN'S WATER AND SANITARY SEWER SYSTEMS THAT
1108 ARE UNDERTAKEN ANYWHERE IN THE TOWN.

1109 (2) ALL MONIES GENERATED FROM MAJOR FACILITIES FEES PAID TO THE
1110 TOWN BETWEEN OCTOBER 1, 2003, AND APRIL 12, 2005, MAY NOT BE
1111 EXPENDED FOR ANY IMPROVEMENTS TO THE TOWN'S WATER AND
1112 SANITARY SEWER SYSTEMS THAT ARE LOCATED IN OR INTENDED
1113 PRIMARILY TO SERVE PROPERTIES LOCATED IN THE OLD TOWN UTILITY
1114 DISTRICT AS THAT DISTRICT EXISTED ON APRIL 12, 2005.

1115 (3) ALL MONIES GENERATED FROM MAJOR FACILITIES FEES PAID TO THE
1116 TOWN FROM AND AFTER APRIL 13, 2005, MAY NOT BE EXPENDED FOR ANY
1117 IMPROVEMENTS TO THE TOWN'S WATER AND SANITARY SEWER SYSTEMS
1118 THAT ARE LOCATED IN OR INTENDED PRIMARILY TO SERVE PROPERTIES
1119 LOCATED IN THE OLD TOWN UTILITY DISTRICT AS THAT DISTRICT EXISTED
1120 ON APRIL 13, 2005.

1121 (4) ALL MONIES GENERATED FROM MAJOR FACILITIES FEES PAID TO THE
1122 TOWN FROM AND AFTER SEPTEMBER 28, 2006, MAY BE EXPENDED FOR AND
1123 ON BEHALF OF THE FINANCING OF MAJOR IMPROVEMENTS TO THE TOWN'S

1124 WATER AND SANITARY SEWER SYSTEMS THAT ARE UNDERTAKEN
1125 ANYWHERE IN THE TOWN.

1126 **101-13.1 - MAJOR FACILITIES FEE FOR COMMERCIAL AND INDUSTRIAL**
1127 **PROPERTIES.**

1128 A. THIS SECTION APPLIES TO THE PAYMENT OF MAJOR FACILITIES FEES FOR
1129 COMMERCIAL AND INDUSTRIAL FACILITIES, WHICH SHALL BE CALCULATED AT
1130 THE TIME OF BUILDING PERMIT AND TO BE PAID WITH THE ISSUANCE OF ALL
1131 OCCUPANCY PERMITS.

1132 B. (1) FOR EACH COMMERCIAL AND INDUSTRIAL FACILITY THERE IS A BASE
1133 MAJOR FACILITIES FEE. FOR PURPOSES OF THIS SECTION, THE BASE MAJOR
1134 FACILITIES FEE IS:

1135 (A) THE AMOUNT OF MAJOR FACILITIES FEE ASSESSED AND PAID
1136 PURSUANT TO SUBSECTION 101-13B(1)(b) BASED UPON ESTIMATED
1137 WATER CONSUMPTION OF THE FACILITY, AS ESTABLISHED AND
1138 APPROVED BY THE TOWN COUNCIL; EXCEPT THAT

1139 (B) IN THE CASE OF A PROPERTY FOR WHICH WATER AND SEWER
1140 FACILITIES WERE PAID BY A FRONT FOOT BENEFIT ASSESSMENT, THE
1141 AMOUNT OF THE MAJOR FACILITIES FEE WHICH WOULD BE ASSESSED
1142 IN ACCORDANCE WITH SUBSECTION 101-13B(1)(b) IF THE PROPERTY
1143 WERE INITIALLY DEVELOPED ON JULY 1, 1997, BASED UPON THE USE OF
1144 THE PROPERTY ON THAT DATE.

1145 (2) WHEN THE ACTUAL USER OF A FACILITY IS UNKNOWN WHEN A
1146 BUILDING PERMIT IS ISSUED, THE BASE MAJOR FACILITIES FEE SHALL BE
1147 CALCULATED UPON SUCH POTENTIAL USE OF THE FACILITY AS
1148 REASONABLY WOULD BE EXPECTED TO GENERATE THE SMALLEST
1149 DEMAND FOR WATER USAGE OF ALL POTENTIAL REALISTIC USES OF THE
1150 FACILITY AS ALLOWED IN THE ZONING DISTRICT.

1151 C. (1) IF A BASE MAJOR FACILITIES FEE IS CALCULATED PURSUANT TO
1152 SUBSECTION B(2) OF THIS SECTION, AN ADDITIONAL MAJOR FACILITIES FEE
1153 SHALL BE CHARGED WHEN THE ACTUAL USER OF THE FACILITY BECOMES
1154 KNOWN IF THE ESTIMATED WATER CONSUMPTION FOR SUCH USER WILL BE
1155 GREATER THAN THE ESTIMATED WATER CONSUMPTION UPON WHICH THE BASE
1156 MAJOR FACILITIES FEE WAS CALCULATED. THIS ADDITIONAL MAJOR FACILITIES
1157 FEE SHALL BE KNOWN AS AN INCREMENTAL MAJOR FACILITIES FEE. THE
1158 AMOUNT OF THE INCREMENTAL MAJOR FACILITIES FEE SHALL BE CALCULATED
1159 BASED UPON THE FORMULA SET FORTH IN SUBSECTION 101-13F.

1160 (2) AN INCREMENTAL MAJOR FACILITIES FEE SHALL BE PAID PRIOR TO THE
1161 ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE USE OF THE
1162 FACILITY PURSUANT TO SUBSECTION 191-48B OF THIS CODE. THE TOWN
1163 SHALL MAINTAIN RECORDS OF THE NAME OF THE PERSON WHO PAYS ANY
1164 INCREMENTAL MAJOR FACILITIES FEE AND THE LOCATION FOR WHICH

1165 SUCH INCREMENTAL MAJOR FACILITIES FEE IS PAID. THE PAYER OF AN
1166 INCREMENTAL MAJOR FACILITIES FEE SHALL RECEIVE A CREDIT IN THE
1167 AMOUNT OF THE INCREMENTAL MAJOR FACILITIES FEE PAID.

1168 D. AN INCREMENTAL MAJOR FACILITIES FEE CREDIT MAY BE ASSIGNED, SOLD,
1169 OTHERWISE LAWFULLY CONVEYED, OR TRANSFERRED, AS PROVIDED IN THIS
1170 SUBSECTION D. AN INCREMENTAL MAJOR FACILITIES FEE CREDIT ISSUED TO A
1171 PROPERTY LOCATED IN THE OLD TOWN UTILITY DISTRICT PRIOR TO OCTOBER 1,
1172 2003, ALSO MAY BE ASSIGNED, SOLD, OTHERWISE LAWFULLY CONVEYED, OR
1173 TRANSFERRED AS PROVIDED IN THIS SUBSECTION D.

1174 (1) WHEN A BUSINESS FOR WHICH AN INCREMENTAL MAJOR FACILITIES
1175 FEE HAS BEEN PAID CEASES OPERATION AT THE LOCATION FOR WHICH THE
1176 FEE HAS BEEN PAID, THE HOLDER OF THE INCREMENTAL MAJOR FACILITIES
1177 FEE CREDIT MAY:

1178 (A) ASSIGN, SELL OR OTHERWISE LAWFULLY CONVEY ALL, OR ANY
1179 PORTION, OF THE CREDIT TO ANOTHER PERSON, FOR THE PURPOSE OF
1180 APPLYING SUCH CREDIT AGAINST THE PAYMENT OF ANOTHER BASE
1181 MAJOR FACILITIES FEE OR INCREMENTAL MAJOR FACILITIES FEE, AS
1182 APPLICABLE:

1183 [1] AT THE SAME LOCATION; OR

1184 [2] AT A DIFFERENT LOCATION IN THE TOWN;

1185 (B) TRANSFER ALL OR ANY PORTION OF THE CREDIT TO BE APPLIED BY
1186 THAT PERSON AGAINST THE PAYMENT OF ANOTHER BASE MAJOR
1187 FACILITIES FEE OR INCREMENTAL MAJOR FACILITIES FEE, AS
1188 APPLICABLE, AT A DIFFERENT LOCATION IN THE TOWN; OR

1189 (C) RETAIN THE RIGHTS TO ALL OR ANY PORTION OF THE CREDIT FOR
1190 SUBSEQUENT USE BY THAT PERSON AT THE SAME LOCATION.

1191 UNDER NO CIRCUMSTANCES MAY ALL, OR ANY PORTION, OF AN
1192 INCREMENTAL MAJOR FACILITIES FEE BE REFUNDED BY THE TOWN.

1193 (2) ALL OR ANY PORTION OF AN INCREMENTAL MAJOR FACILITIES FEE
1194 CREDIT WHICH HAS BEEN ASSIGNED, SOLD, CONVEYED OR TRANSFERRED
1195 MAY BE:

1196 (A) APPLIED AGAINST A BASE MAJOR FACILITIES FEE IMPOSED FOR
1197 THE SAME OR ANOTHER BUSINESS; OR

1198 (B) APPLIED AGAINST AN INCREMENTAL MAJOR FACILITIES FEE
1199 IMPOSED FOR THE SAME OR ANOTHER BUSINESS.

1200 THAT PORTION OF AN INCREMENTAL MAJOR FACILITIES FEE CREDIT
1201 WHICH IS APPLIED AGAINST A BASE MAJOR FACILITIES FEE MAY NOT
1202 BE FURTHER TRANSFERRED, ASSIGNED, SOLD, OR CONVEYED.

1203 HOWEVER, THAT PORTION OF AN INCREMENTAL MAJOR FACILITIES FEE
 1204 CREDIT WHICH IS APPLIED AGAINST A NEW INCREMENTAL MAJOR
 1205 FACILITIES FEE MAY BE FURTHER TRANSFERRED, SOLD, ASSIGNED, OR
 1206 CONVEYED AS PROVIDED IN THIS SECTION.

1207 (3) THE AMOUNT OF MAJOR FACILITIES FEE ATTRIBUTABLE TO A
 1208 PROPERTY SHALL BE REDUCED BY THE AMOUNT BY WHICH ANY PORTION
 1209 OF AN INCREMENTAL MAJOR FACILITIES FEE IS TRANSFERRED, SOLD,
 1210 ASSIGNED OR CONVEYED FOR USE AT A DIFFERENT LOCATION.

1211 (4) A TRANSFER, SALE, ASSIGNMENT OR CONVEYANCE OF ALL OR PART OF
 1212 AN INCREMENTAL MAJOR FACILITIES FEE CREDIT IS NOT EFFECTIVE
 1213 UNLESS UNDERTAKEN AS HEREAFTER PROVIDED:

1214 (A) A PERSON SEEKING TO TRANSFER, SELL, ASSIGN OR CONVEY ALL
 1215 OR ANY PART OF AN INCREMENTAL MAJOR FACILITIES FEE CREDIT
 1216 SHALL FILE AN APPLICATION UNDER OATH ON FORMS PROVIDED BY
 1217 THE TOWN FOR THIS PURPOSE. IF THE APPLICANT IS NOT THE OWNER
 1218 OF THE PROPERTY ON WHICH THE BUSINESS IS LOCATED, THE
 1219 APPLICATION ALSO SHALL BE CONSENTED TO, IN WRITING, BY THE
 1220 PROPERTY OWNER. THE APPLICATION SHALL BE ACCOMPANIED BY
 1221 SUCH APPLICATION FEE AS MAY BE PRESCRIBED BY THE TOWN
 1222 COUNCIL BY RESOLUTION. IN ADDITION TO SUCH OTHER INFORMATION
 1223 AND DOCUMENTATION AS MAY BE REQUIRED BY THE TOWN'S CHIEF
 1224 EXECUTIVE OFFICER, AN APPLICATION SHALL BE ACCOMPANIED BY
 1225 DOCUMENTARY PROOF ACCEPTABLE TO THE CHIEF EXECUTIVE
 1226 OFFICER:

1227 [1] AS TO THE AMOUNT OF INCREMENTAL MAJOR FACILITIES FEE
 1228 CREDIT AVAILABLE FOR TRANSFER, SALE, ASSIGNMENT OR
 1229 CONVEYANCE; AND

1230 [2] THAT SUCH FEE WAS PAID TO THE TOWN BY THE PERSON
 1231 APPLYING FOR THE TRANSFER, SALE, ASSIGNMENT OR TRANSFER.

1232 THE BURDEN IS ON THE APPLICANT TO PROVE THE AMOUNT OF
 1233 INCREMENTAL MAJOR FACILITIES FEE CREDIT AVAILABLE FOR
 1234 TRANSFER, SALE, ASSIGNMENT OR CONVEYANCE, AND THAT THE
 1235 APPLICANT IS THE PERSON WHO PAID SUCH FEE TO THE TOWN.

1236 (B) IF THE TOWN APPROVES AN APPLICATION TO TRANSFER, SELL,
 1237 ASSIGN OR CONVEY ALL OR A PART OF AN INCREMENTAL MAJOR
 1238 FACILITIES FEE CREDIT, THE TOWN SHALL DELIVER TO THE APPLICANT,
 1239 TO THE PROPERTY OWNER IF DIFFERENT FROM THE APPLICANT, AND
 1240 TO THE PERSON TO WHOM THE CREDIT WILL BE TRANSFERRED, SOLD,
 1241 ASSIGNED OR CONVEYED, A CERTIFICATE OF APPROVAL WHICH
 1242 CONTAINS AT LEAST THE FOLLOWING INFORMATION:

1243 [1] NAMES OF THE PARTIES;

1244 [2] THE ADDRESS FOR WHICH THE INCREMENTAL MAJOR
1245 FACILITIES FEE HAD BEEN PAID;

1246 [3] THE ADDRESS TO WHICH THE INCREMENTAL MAJOR
1247 FACILITIES FEE CREDIT IS BEING TRANSFERRED;

1248 [4] THE AMOUNT OF SUCH TRANSFERRED, SOLD, ASSIGNED OR
1249 CONVEYED INCREMENTAL MAJOR FACILITIES FEE CREDIT WHICH
1250 WILL BE AVAILABLE FOR FUTURE TRANSFER, SALE, ASSIGNMENT
1251 OR CONVEYANCE IN ACCORDANCE WITH SUBSECTION 101-13.1D(2);
1252 AND

1253 [5] THE NAME OF THE PERSON WHO WILL BE ENTITLED TO APPLY
1254 FOR SUCH FUTURE TRANSFER, SALE, ASSIGNMENT OR
1255 CONVEYANCE IN ACCORDANCE WITH SUBSECTION 101-13.1D(2).

1256 THE TOWN'S APPROVAL OF THE APPLICATION IS NOT EFFECTIVE UNTIL
1257 A CERTIFICATE OF APPROVAL IS ISSUED.

1258 **101-13.2 - MAJOR FACILITIES FEE LOAN PROGRAM.**

1259 A. THERE IS A MAJOR FACILITIES FEE LOAN PROGRAM IN THE TOWN UNDER
1260 THE PROVISIONS OF THIS SECTION.

1261 B. THE PURPOSE OF THE MAJOR FACILITIES FEE LOAN PROGRAM IS TO
1262 PROVIDE AN ECONOMIC DEVELOPMENT INCENTIVE FOR THE TOWN TO RECRUIT
1263 AND ATTRACT DESIRABLE BUSINESSES TO LOCATE WITHIN THE TOWN AND TO
1264 ENCOURAGE EXISTING BUSINESSES TO EXPAND IN THE TOWN.

1265 C. THE TOWN COUNCIL MAY APPROPRIATE IN THE TOWN'S ANNUAL BUDGET
1266 ORDINANCE SUCH AMOUNTS FROM THE TOWN'S GENERAL FUND AS THE TOWN
1267 COUNCIL DEEM NECESSARY AND APPROPRIATE TO FUND THE MAJOR FACILITIES
1268 FEE LOAN PROGRAM. AMOUNTS TO FUND THE MAJOR FACILITIES FEE LOAN
1269 PROGRAM SHALL BE APPROPRIATED AS A DESIGNATED LINE ITEM IN THE
1270 BUDGET ORDINANCE.

1271 D. THE TOWN COUNCIL MAY GRANT A LOAN TO AN ELIGIBLE BUSINESS UNDER
1272 THE MAJOR FACILITIES FEE LOAN PROGRAM IF SUFFICIENT FUNDS HAVE BEEN
1273 APPROPRIATED IN THE ANNUAL BUDGET ORDINANCE. THE AMOUNT OF THE
1274 LOAN TO AN ELIGIBLE BUSINESS MAY NOT EXCEED SEVENTY-FIVE PERCENT
1275 (75%) OF THE MAJOR FACILITIES FEE TO BE ASSESSED FOR THE BUSINESS, PLUS
1276 THE AMOUNT OF ANY COSTS AND EXPENSES TO BE INCLUDED IN THE LOAN
1277 AMOUNT PURSUANT TO SUBSECTION L. OF THIS SECTION.

1278 E. EACH MAJOR FACILITIES FEE LOAN GRANTED BY THE TOWN COUNCIL:

1279 (1) SHALL BEAR INTEREST AT A RATE OR RATES TO BE ESTABLISHED BY
1280 THE TOWN COUNCIL, SUCH RATE OR RATES TO BE NOT LESS THAN THE
1281 PRIME RATE ESTABLISHED BY PNC BANK FROM TIME TO TIME PLUS ONE

1282 PERCENT (1%);

1283 (2) SHALL BE REPAID OVER A PERIOD TO BE ESTABLISHED BY THE TOWN
1284 COUNCIL, BUT NOT TO EXCEED FORTY-TWO (42) MONTHS;

1285 (3) SHALL BE GUARANTEED AND/OR SECURED BY SUCH PERSONAL
1286 GUARANTEES, DEEDS OF TRUST, MORTGAGES, OR OTHER SECURITY
1287 INTERESTS AS THE TOWN COUNCIL DEEM APPROPRIATE;

1288 (4) SHALL BEAR A METHOD OF REPAYMENT AS SHALL BE DETERMINED BY
1289 THE TOWN COUNCIL, BUT SUCH METHOD OF REPAYMENT SHALL PROVIDE
1290 FOR NOT LESS THAN ANNUAL PAYMENTS OF ACCRUED INTEREST PLUS A
1291 PRO-RATA PORTION OF THE OUTSTANDING PRINCIPAL BALANCE OF THE
1292 LOAN; AND

1293 (5) SHALL BE A LIEN UPON ANY REAL PROPERTY IN THE TOWN OWNED BY
1294 THE BUSINESS OWNER AND GUARANTOR OF THE LOAN, AND MAY BE
1295 COLLECTED AND ENFORCED IN THE SAME MANNER AS TOWN REAL
1296 PROPERTY TAXES.

1297 F. EACH MAJOR FACILITIES FEE LOAN, AND ANY GUARANTEES AND SECURITY
1298 INTERESTS FOR THE REPAYMENT OF THE LOAN, SHALL BE EVIDENCED BY SUCH
1299 AGREEMENTS AND OTHER DOCUMENTS AS MAY BE DEEMED APPROPRIATE BY
1300 THE CHIEF EXECUTIVE OFFICER AND THE TOWN COUNCIL, AND APPROVED BY
1301 THE TOWN ATTORNEY.

1302 G. A REQUEST FOR A MAJOR FACILITIES FEE LOAN SHALL BE FILED WITH THE
1303 CHIEF EXECUTIVE OFFICER UPON SUCH FORMS, AND ACCOMPANIED BY SUCH
1304 INFORMATION, AS MAY BE REQUIRED BY THE CHIEF EXECUTIVE OFFICER. THE
1305 REQUEST SHALL DEMONSTRATE HOW THE BUSINESS IS AN ELIGIBLE BUSINESS
1306 UNDER THE CRITERIA PROVIDED IN SUBSECTION J. OF THIS SECTION. THE
1307 REQUEST SHALL BE ACCOMPANIED BY A NONREFUNDABLE APPLICATION FEE IN
1308 THE AMOUNT OF TWO PERCENT (2%) OF THE REQUESTED LOAN AMOUNT OR
1309 THREE HUNDRED AND TWENTY-FIVE DOLLARS (\$325.), WHICHEVER IS MORE.
1310 THE APPLICANT ALSO SHALL BE RESPONSIBLE FOR PROVIDING SUCH CREDIT
1311 REPORTS, BUSINESS MARKETING STUDIES, BUSINESS PLANS, REAL ESTATE
1312 APPRAISALS, OR OTHER DOCUMENTATION AND REPORTS AS MAY BE REQUIRED
1313 BY THE CHIEF EXECUTIVE OFFICER OR THE TOWN COUNCIL.

1314 H. UPON RECEIPT OF ALL INFORMATION AND FEES AS REQUIRED BY
1315 SUBSECTION G., THE CHIEF EXECUTIVE OFFICER SHALL REVIEW THE LOAN
1316 REQUEST AND ALL SUPPORTING DOCUMENTATION AND SHALL SUBMIT A
1317 WRITTEN ANALYSIS AND RECOMMENDATION TO THE TOWN COUNCIL AS TO
1318 WHETHER THE LOAN SHOULD BE GRANTED. THE ANALYSIS AND
1319 RECOMMENDATION SHALL EVALUATE THE LOAN REQUEST BASED UPON THE
1320 CRITERIA SET FORTH IN SUBSECTION J. OF THIS SECTION.

1321 I. UPON RECEIPT OF THE WRITTEN ANALYSIS AND RECOMMENDATION FROM
1322 THE CHIEF EXECUTIVE OFFICER, THE TOWN COUNCIL SHALL CONDUCT A

1323 PUBLIC HEARING ON THE LOAN REQUEST. NOTICE OF THE PUBLIC HEARING
1324 SHALL BE PUBLISHED AT THE EXPENSE OF THE APPLICANT AT LEAST ONCE IN A
1325 NEWSPAPER OF GENERAL CIRCULATION IN THE TOWN. UPON COMPLETION OF
1326 THE PUBLIC HEARING, THE TOWN COUNCIL MAY ACT UPON THE LOAN REQUEST.
1327 ANY ACT APPROVING THE LOAN REQUEST SHALL BE TAKEN IN THE FORM OF A
1328 RESOLUTION, WHICH SHALL SET FORTH AT LEAST THE FOLLOWING:

- 1329 (1) NAME OF THE LOAN GRANTEE;
- 1330 (2) PRINCIPAL AMOUNT OF THE LOAN;
- 1331 (3) TERM OF THE LOAN;
- 1332 (4) INTEREST RATE OR RATES TO BE PAID UPON THE UNPAID PRINCIPAL
1333 BALANCE;
- 1334 (5) THE METHOD OF REPAYMENT OF THE LOAN; AND
- 1335 (6) ALL PERSONAL GUARANTEES AND SECURITY INTERESTS ASSOCIATED
1336 WITH THE LOAN.

1337 J. A BUSINESS SHALL BE ELIGIBLE FOR A MAJOR FACILITIES FEE LOAN IF IT
1338 SATISFIES ALL OF THE FOLLOWING CRITERIA:

1339 (1) (A) THE BUSINESS WILL CREATE SUBSTANTIAL ADDITIONAL
1340 EMPLOYMENT OPPORTUNITIES FOR PROFESSIONAL, TECHNICAL AND
1341 SKILLED LABOR IN THE TOWN, OR

1342 (B) THE BUSINESS HAS BEEN IDENTIFIED BY THE TOWN'S
1343 COMPREHENSIVE PLAN OR BY OTHER OFFICIAL TOWN POLICY AS BEING
1344 NEEDED OR DESIRABLE IN FURTHERANCE OF THE TOWN'S ECONOMIC
1345 DEVELOPMENT;

1346 (2) THE BUSINESS SHALL PROVIDE A WAGE BASE WHICH SUBSTANTIALLY
1347 EXCEEDS MINIMUM WAGE LEVELS;

1348 (3) THE BUSINESS SHALL ADD SUBSTANTIALLY TO THE PROPERTY TAX
1349 BASE OF THE TOWN; AND

1350 (4) PAYMENT OF THE MAJOR FACILITIES FEE WITHOUT THE LOAN WOULD
1351 MAKE LOCATION OF THE BUSINESS IN THE TOWN, OR EXPANSION OF AN
1352 EXISTING BUSINESS IN THE TOWN, ECONOMICALLY INFEASIBLE.

1353 EVEN IF A BUSINESS IS ELIGIBLE FOR A MAJOR FACILITIES FEE LOAN,
1354 THE TOWN COUNCIL IS NOT REQUIRED TO GRANT A LOAN REQUEST.

1355 K. IN ADDITION TO THE MANDATORY CRITERIA SPECIFIED IN SUBSECTION J.,
1356 THE TOWN COUNCIL ALSO MAY CONSIDER THE FOLLOWING FACTORS IN
1357 DETERMINING WHETHER TO GRANT A REQUEST FOR A MAJOR FACILITIES FEE
1358 LOAN:

1359 (1) WHETHER A PREDOMINANT OWNERSHIP INTEREST IN THE BUSINESS IS
1360 HELD BY ONE OR MORE TOWN RESIDENTS; AND

1361 (2) WHETHER THE BUSINESS LOCATION WILL ENHANCE THE AESTHETIC
1362 APPEARANCE OF THE TOWN.

1363 L. UPON APPROVAL OF THE LOAN BY THE TOWN COUNCIL, THE LOAN SHALL
1364 BE ACCEPTED BY THE EXECUTION OF SUCH LOAN DOCUMENTS AS MAY BE
1365 REQUIRED BY THE TOWN COUNCIL AND CHIEF EXECUTIVE OFFICER AND
1366 APPROVED BY THE TOWN ATTORNEY. THE LOAN OBLIGATION SHALL BE
1367 ACCEPTED, AND ALL REQUIRED SECURITY PROVIDED TO THE TOWN, PRIOR TO
1368 THE ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT ON ACCOUNT OF
1369 WHICH THE LOAN IS GRANTED, AND THE LOAN OBLIGATION SHALL COMMENCE
1370 UPON ISSUANCE OF THE BUILDING PERMIT. THE APPLICANT SHALL BE
1371 RESPONSIBLE FOR THE PAYMENT OF ALL COSTS AND EXPENSES INCURRED BY
1372 THE TOWN IN CONNECTION WITH THE DOCUMENTATION OF THE LOAN AND
1373 PERFECTION OF ANY SECURITY INTERESTS, INCLUDING, BUT NOT LIMITED TO,
1374 ALL COSTS OF DOCUMENT PREPARATION, TITLE AND LIEN SEARCHES,
1375 RECORDING FEES, AND ATTORNEY FEES. WITH THE APPROVAL OF THE TOWN,
1376 THESE COSTS AND EXPENSES MAY BE INCLUDED WITHIN THE AMOUNT OF THE
1377 LOAN.

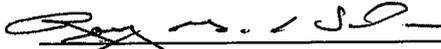
1378 M. UPON ISSUANCE OF THE BUILDING PERMIT, THE TOWN TREASURER SHALL
1379 TRANSFER THE LOAN AMOUNT FROM THE TOWN'S GENERAL FUND TO THE
1380 MAJOR FACILITIES FEES FUND. REPAYMENT OF THE LOAN SHALL BE DEPOSITED
1381 BY THE TOWN TREASURER INTO THE GENERAL FUND.
1382

1383
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1385

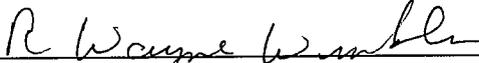
SECTION 2: AND BE IT FURTHER ENACTED that this Ordinance shall become effective on July 1, 2012.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA



Roy G. Hale, Mayor

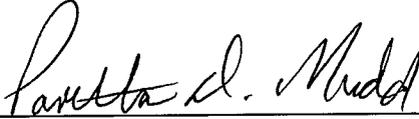


R. Wayne Winkler, Councilman



C. Keith Back, Councilman

ATTEST:



Paretta D. Mudd, Councilwoman



Danielle Mandley, Town Clerk
Date 6/12/12



Joseph W. Norris, Councilman

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.

Amendments to Ordinance No. 12-05

Fee Schedule FY 2012-2013

1. Line 718, immediately after (ERU), strike “, INCLUDING MULTI-FAMILY DWELLING UNITS AND TWELVE DOLLARS AND FIFTY CENTS (\$12.50) PER EQUIVALENT RESIDENTIAL UNIT (ERU) FOR COMMERCIAL UNITS,”.
2. Line 724, strike “THE EQUIVALENT RESIDENTIAL UNIT (ERU) IS CALCULATED PER AN AVERAGE AMOUNT OF IMPERVIOUS SURFACES ON EACH LOT FOR SINGLE-FAMILY RESIDENCES.”

Amendments to Ordinance No. 12-05

Fee Schedule FY 2012-2013

1. Line 718, immediately after (ERU), strike “, INCLUDING MULTI-FAMILY DWELLING UNITS AND TWELVE DOLLARS AND FIFTY CENTS (\$12.50) PER EQUIVALENT RESIDENTIAL UNIT (ERU) FOR COMMERCIAL UNITS,”.
2. Line 724, strike “THE EQUIVALENT RESIDENTIAL UNIT (ERU) IS CALCULATED PER AN AVERAGE AMOUNT OF IMPERVIOUS SURFACES ON EACH LOT FOR SINGLE-FAMILY RESIDENCES.”