

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2008, Legislative Day No. 9

Bill No. 47-08

Introduced by Ms. Vitale, Chairman
(by request of the County Executive)

By the County Council, May 1, 2008

Introduced and first read on May 1, 2008

Public Hearing set for May 19, 2008

Bill Expires August 4, 2008

By Order: Judy C. Holmes, Administrative Officer

A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Public Works - Utilities

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3 FOR the purpose of providing that the costs incurred upon the abandonment of a proposed
4 extension of the County's water or wastewater system initiated by a petition of property
5 owners may be recovered over more than one fiscal year; providing for the application of
6 this Ordinance; and making this Ordinance an emergency measure.

7
8 BY repealing and reenacting, with amendments: § 13-5-303(r)
9 Anne Arundel County Code (2005, as amended)

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11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
12 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

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14 **ARTICLE 13 PUBLIC WORKS**

15
16 **TITLE 5. UTILITIES**

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18 **13-5-303. Extension on initiation by property owners.**

19
20 (r) **Costs upon abandonment.** Whenever a project is abandoned, the costs incurred in
21 the development of the project up to the time the project is actually abandoned, including
22 engineering costs, right-of-way costs, administrative, and overhead cost, shall be certified by
23 the Director to the County Council. [In its] BEGINNING WITH THE next annual tax ordinance,

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.

1 the County Council shall levy, FOR A PERIOD OF TIME NOT TO EXCEED FIVE FISCAL YEARS,
2 a special assessment on real property in the area defined in the petition at a rate to raise an
3 amount sufficient to pay for the costs incurred up to the time of the actual abandonment. IF
4 THE SPECIAL ASSESSMENT IS LEVIED FOR MORE THAN ONE YEAR, THE RATE SHALL INCLUDE
5 THE AMOUNT NECESSARY TO REIMBURSE THE COUNTY FOR THE ESTIMATED INTEREST
6 EXPENSE DETERMINED IN ACCORDANCE WITH § 13-5-603(B)(3). The assessment shall be
7 collected as provided in § 1-9-101 of this Code.

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9 SECTION 2. *And be it further enacted,* That this Ordinance shall be construed
10 retroactively and shall be applied to and interpreted to affect all projects abandoned on or
11 after July 1, 2007.

12
13 SECTION 3. *And be it further enacted,* That this Ordinance is hereby declared to be an
14 emergency ordinance and necessary for the immediate preservation of the public peace,
15 health, safety, welfare, and property, and being passed by the affirmative vote of five
16 members of the County Council, the same shall take effect from the date it becomes law.