

**FINAL**

AMENDED  
October 7 and 21, 2013

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 36

Bill No. 74-13

Introduced by Mr. Fink and Mr. Walker

By the County Council, September 3, 2013

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Introduced and first read on September 3, 2013  
Public Hearing set for and held on October 7, 2013  
Public Hearing on AMENDED BILL set for and held on October 21, 2013  
Public Hearing on SECOND AMENDED BILL set for and held on November 4, 2013  
Bill Expires December 7, 2013

By Order: Elizabeth E. Jones, Administrative Officer

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A BILL ENTITLED

1 AN ORDINANCE concerning: Stormwater Management – Watershed Protection and  
2 Restoration Special Revenue Fund and Program

3  
4 FOR the purpose of amending the definition of “farm”; repealing the provision for a  
5 stormwater remediation fee for religious organizations and private academic schools;  
6 amending the stormwater remediation fee for all ~~charitable~~ nonprofit organizations  
7 meeting certain criteria; amending certain appeal provisions; providing for the application  
8 of this Ordinance; and generally relating to the Watershed Protection and Restoration  
9 Fund and Program.

10  
11 By repealing and reenacting, with amendments: §§ 13-7-101(7); 13-7-103(d) and (o) and 13-  
12 7-104(b)  
13 Anne Arundel County Code (2005, as amended)

14  
15 BY repealing: §13-7-103(h) and (l)  
16 Anne Arundel County Code (2005, as amended)

17  
18 By renumbering: §13-7-103(i) through (k) and (m) through (q) to be § 13-7-103(h) through  
19 (j) and (k) through (o), respectively  
20 Anne Arundel County Code (2005, as amended)

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[Brackets] indicate matter stricken from existing law  
Underlining indicates amendments to bill.  
Strikeover indicates matter stricken from bill by amendment.

1 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
2 That § 13-7-103(h) and (l) of the Anne Arundel County Code (2005, as amended) is hereby  
3 repealed.

4  
5 SECTION 2. *And be it further enacted,* That §13-7-103(i) through (k) and (m) through  
6 (q) of the Anne Arundel County Code, 2005, as amended, is hereby renumbered to be §13-7-  
7 103(h) through (j) and (k) through (o), respectively.

8  
9 SECTION 3. *And be it further enacted,* That Section(s) of the Anne Arundel County  
10 Code (2005, as amended) read as follows:

11  
12 **ARTICLE 13. PUBLIC WORKS**

13  
14 **TITLE 7. WATERSHED PROTECTION AND RESTORATION PROGRAM**

15  
16 **13-7-101. Definitions.**

17  
18 (7) "Farm" means a property, or contiguous properties under the same ownership,  
19 with or without buildings, that is used for cultivating and managing the soil for composting,  
20 growing, harvesting, and selling of crops [as well as] OR the products of forestry, horticulture  
21 [and] OR hydroponics; processing agricultural products, regardless of whether there is a  
22 change in natural state of the product; breeding, raising, [and] OR managing livestock,  
23 including horses, cattle, poultry, fish, game, bees, [and] OR fur-bearing animals; dairying;  
24 [and] OR equestrian activities and events not conducted under a license issued by the State  
25 Racing Commission.

26  
27 **13-7-103. Stormwater remediation fee.**

28  
29 (d) **Multifamily residential and nonresidential properties fee.** Except as  
30 provided in subsections (e), (f), (g), (h), (i), (j), (k), (l), AND (m)[, (n), and (o)] the  
31 stormwater remediation fee for a multifamily residential property or a nonresidential property  
32 shall be determined in accordance with the following procedure:

33  
34 (1) The Director determines the number of equivalent residential units assigned to  
35 the property by dividing the total impervious surface of the property by the value of one  
36 equivalent residential unit; and

37  
38 (2) The Director computes the stormwater remediation fee by multiplying the base  
39 rate by the number of equivalent residential units assigned to the property.

40  
41 **[(o)] (N) Charitable Nonprofit Organizations – fee.** Unless otherwise provided  
42 under this section, the stormwater remediation fee for nonresidential property owned by a  
43 [charitable] **NONPROFIT** organization that is exempt from taxation under 501 (c) (3) or (d) of  
44 the Internal Revenue Code AND EXEMPT FROM REAL PROPERTY TAX UNDER THE TAX-  
45 PROPERTY ARTICLE OF THE STATE CODE shall be [four times the base rate for each one-half  
46 acre of impervious surface or fraction thereof on the property] \$1.00.

1 **13-7-104. Appeals.**  
2

3 **(b) Administrative appeal. A property owner may appeal a stormwater remediation fee**  
4 **to the Department. An appeal shall be submitted on or before August 15 in order to receive a**  
5 **correction of the stormwater remediation fee for the succeeding taxable year EXCEPT THAT**  
6 **NONPROFIT ORGANIZATIONS OR A PROPERTY OWNER OF A FARM APPEALING A FEE LEVIED IN**  
7 **FISCAL YEAR 2014 SHALL SUBMIT THEIR APPEAL ON OR BEFORE DECEMBER 1.**  
8

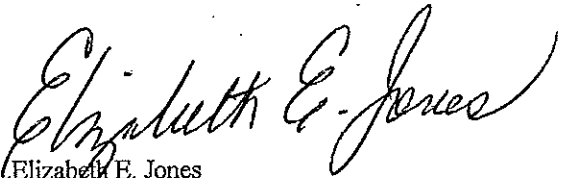
9 SECTION 4. *And be it further enacted,* That the provisions this Ordinance shall be  
10 construed retroactively and shall be applied to and interpreted to affect the stormwater  
11 remediation fees for the applicable properties for Fiscal Year 2014.  
12

13 SECTION 5. *And be it further enacted,* That this Ordinance shall take effect 45 days  
14 from the date it becomes law.

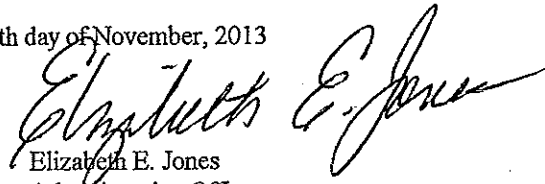
AMENDMENTS ADOPTED: October 7 and 21, 2013

READ AND PASSED this 4<sup>th</sup> day of November, 2013

By Order:

  
Elizabeth E. Jones  
Administrative Officer

PRESENTED to the County Executive for her approval this 5th day of November, 2013

  
Elizabeth E. Jones  
Administrative Officer

APPROVED AND ENACTED this \* day of November, 2013

Returned unsigned November 15, 2013

Enacted November 15, 2013

Laura Neuman  
County Executive

EFFECTIVE DATE: December 30, 2013

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
74-13 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

  
Elizabeth E. Jones  
Administrative Officer

