

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 42

Bill No. 95-19

Introduced by Ms. Haire

By the County Council, December 16, 2019

Introduced and first read on December 16, 2019
Public Hearing set for and held on January 21, 2020
Public Hearing on AMENDED bill set for and held on February 3, 2020
Bill Expires March 20, 2020

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Works – Utilities – Subsidies for Wastewater
2 Extension Project Costs

3
4 FOR the purpose of defining certain terms; allowing subsidies for wastewater extension
5 projects in specified areas of the County; providing the maximum percentage of the
6 project cost that may be subsidized; adding criteria for eligibility; and generally relating
7 to public works.

8
9 BY adding: § 13-5-815.2
10 Anne Arundel County Code (2005, as amended)

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

14
15 **ARTICLE 13. PUBLIC WORKS**

16
17 **TITLE 5. UTILITIES**

18
19 **13-5-815.2. Subsidies for wastewater extension projects.**

20
21 (A) **Definitions.** IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23
24 (1) "COMBINED GROSS INCOME" HAS THE MEANING STATED IN § 13-5-815.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates matter added to bill by amendment.
~~Strikeover~~ indicates matter removed from bill by amendment.

1 (1) ~~(2)~~ "CRITICAL AREA" HAS THE MEANING STATED IN § 18-1-101 OF THIS CODE.

2
3 ~~(2)~~ (3) "ELIGIBLE AREA" MEANS PROPERTY THAT IS LOCATED IN:

4
5 (I) THE CRITICAL AREA;

6
7 (II) AN ON-SITE WASTEWATER MANAGEMENT PROBLEM AREA;

8
9 (III) AN AREA DESIGNATED IN THE COUNTY'S MASTER PLAN FOR WATER
10 SUPPLY AND SEWERAGE SYSTEMS AS A SEPTIC TO SEWER CONVERSION AREA; OR

11
12 (IV) AN AREA THAT IS ADJACENT TO ONE OF THE AREAS LISTED IN (I) THROUGH
13 (III) AND THAT IS ALSO WITHIN THE BOUNDARIES OF A WASTEWATER EXTENSION PROJECT
14 THAT INCLUDES ONE OF THE AREAS LISTED IN (I) THROUGH (III).

15
16 (4) "GROSS INCOME" HAS THE MEANING STATED IN § 13-5-815.

17
18 ~~(3)~~ (5) "ON-SITE WASTEWATER MANAGEMENT PROBLEM AREA" MEANS AN AREA
19 DETERMINED TO BE A WASTEWATER MANAGEMENT PROBLEM AREA IN THE COUNTY'S
20 MASTER PLAN FOR WATER SUPPLY AND SEWERAGE SYSTEMS, AS ADOPTED BY THE
21 COUNTY COUNCIL.

22
23 (6) "PROPERTIES WITH EXISTING IMPROVEMENTS" HAS THE MEANING STATED IN §
24 13-5-813.

25
26 **(B) Subsidy allowed.** AT THE DISCRETION OF THE DIRECTOR AND UPON APPLICATION
27 OF THE PROPERTY OWNER, THE COUNTY MAY SUBSIDIZE THE PER-PROPERTY PROJECT
28 COST FOR RESIDENTIAL PROPERTIES WITH EXISTING IMPROVEMENTS LOCATED IN A
29 WASTEWATER EXTENSION PROJECT LOCATED IN AN ELIGIBLE AREA, NOT TO EXCEED 25%
30 OF THE TOTAL PROJECT COST. THE SUBSIDY MAY BE:

31
32 (1) UP TO 25% OF THE PER-PROPERTY PROJECT COST FOR A PROPERTY OWNED BY
33 AN INDIVIDUAL OR TRUSTEE IF THE COMBINED GROSS INCOME IS EQUAL TO OR LESS
34 THAN THE LEVEL SET FORTH IN COMAR 26.03.13.04.D(1); OR

35
36 (2) UP TO 12.5% OF THE PER-PROPERTY PROJECT COST FOR A PROPERTY OWNED BY
37 AN INDIVIDUAL OR TRUSTEE IF THE COMBINED GROSS INCOME IS GREATER THAN THE
38 LEVEL SET FORTH IN COMAR 26.03.13.04.D, OR FOR PROPERTY OWNERS OTHER THAN AN
39 INDIVIDUAL OR TRUSTEE.

40
41 **(C) Criteria.** IN DETERMINING WHETHER TO SUBSIDIZE A WASTEWATER EXTENSION
42 PROJECT IN AN ELIGIBLE AREA, THE DIRECTOR SHALL CONSIDER:

43
44 (1) THE PROXIMITY OF THE WASTEWATER EXTENSION PROJECT TO EXISTING
45 WASTEWATER INFRASTRUCTURE;

46
47 (2) THE ENVIRONMENTAL AND HEALTH BENEFITS OF THE WASTEWATER
48 EXTENSION PROJECT;

49
50 (3) ENGINEERING CONSIDERATIONS;

51
52 (4) THE AVAILABILITY OF FUNDS FOR A SUBSIDY;

53
54 (5) THE FINANCIAL VIABILITY OF THE WASTEWATER EXTENSION PROJECT; AND

55
56 (6) FEDERAL OR STATE AID.

1 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
2 from the date it becomes law.

AMENDMENTS ADOPTED: January 21, 2020

READ AND PASSED this 3rd day of February, 2020

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 4th day of February, 2020



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 10th day of February, 2020



Steuart Pittman
County Executive

EFFECTIVE DATE:

MAR 26 2020

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
95-19. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer