

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 2

Bill No. 3-13

Introduced by Mr. Walker, Chairman
(by request of the County Executive)

By the County Council, January 22, 2013

Introduced and first read on January 22, 2013
Public Hearing set for and held on February 19, 2013
Bill Expires April 27, 2013

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Works – Utilities – Capital facility connection charge
2 and capital facility connection deferral fee

3
4 FOR the purpose of making certain changes to certain payments required by an owner when
5 an allocation is reduced; making certain changes to certain payments required when an
6 allocation lapses by operation of law; and generally relating to the capital facility
7 connection charge and the capital facility deferral fee.

8
9 BY repealing and reenacting, with amendments: §§ 13-5-403(e)(2) and (3); and 13-5-405(b)
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 **13-5-403. Charges and fees for property subject to adequate public facilities.**

20
21 **(e) Additional charges and refunds.**

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

1 (2) If an allocation is reduced after payment of the capital facility connection charge
2 because of a recalculation of the allocation required to serve the property, the owner may
3 obtain a refund [of 95%] of the difference between the capital facility connection charge paid
4 and the amount of the charge due as a result of the recalculation. The owner shall pay any
5 unpaid allocation reservation charges.

6
7 (3) If an allocation is reduced before payment of the capital facility connection charge
8 because of a recalculation of the allocation required to serve the property, the owner shall
9 pay:

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11 (i) [a capital facility reservation fee in the amount of 5% of the capital facility
12 connection charge that would have been due for each equivalent dwelling unit by which the
13 allocation is reduced;

14
15 (ii)] all allocation reservation charges; and

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17 [(iii)] (II) all capital facility connection deferral fees that would have been due for
18 each equivalent dwelling unit by which the allocation is reduced.

19
20 **13-5-405. Lapse.**

21
22 (b) **Amount due upon lapse; collection.** If an allocation lapses by operation of law, all
23 allocation reservation charges that have been paid are forfeited and the following fees and
24 charges, along with any interest that has accrued on the fees and charges, immediately
25 become due and payable and shall be collected as provided in § 1-9-101 of this Code:

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27 (1) any unpaid allocation reservation charges, including deferred allocation
28 reservation charges; AND

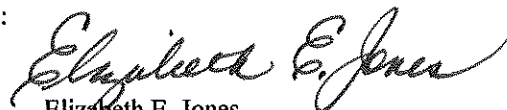
29
30 (2) [a capital facility reservation fee in an amount equal to 5% of the capital facility
31 connection charge; and

32
33 (3)] the capital facility connection deferral fee, EXCEPT THAT IF AN ALLOCATION
34 LAPSES BY OPERATION OF LAW UNDER SUBSECTION (A)(2) BECAUSE OF UNPAID ALLOCATION
35 RESERVATION CHARGES AND AN ALLOCATION MAY BE RESTORED IN ACCORDANCE WITH
36 SUBSECTION (D), 8% OF THE AMOUNT OF UNPAID ALLOCATION RESERVATION CHARGES
37 THAT CAUSED THE LAPSE, IF PAID IN ACCORDANCE WITH SUBSECTION (D)(3).

38
39 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
40 from the date it becomes law.

READ AND PASSED this 19th day of February, 2013

By Order:

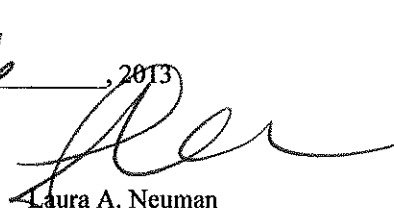

Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 20th day of February, 2013



Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this 28 day of Feb, 2013



Laura A. Neuman
County Executive

EFFECTIVE DATE: April 14, 2013