



Bill No. 19-06

Concerning: Impact Fees

Introduced: March 19, 2019

Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_

Enacted: April 16, 2019

Effective: June 15, 2019

Expires: June 17, 2019

Frederick County Code, Chapter 1-22

Section(s) 12, 13, 22, 23

## COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member Jerry Donald. Co-Sponsor: Council Member Steve McKay

**AN ACT** to: Amend Chapter 1-22 of the Frederick County Code (Development Impact Fee) to: (1) adjust current public school development impact fees and library development impact fees to the impact fees presented in the 2017 Impact Fee Study by the consultant TischlerBise, Inc.; (2) provide an annual report with adjustment recommendations for public school and library impact fees annually on or before January 15; (3) specify that annual adjustments to public school and library impact fees shall take effect on July 1 of the fiscal year immediately following the report recommendations; and (4) provide for an automatic adjustment of public school and library impact fees, unless the County Council enacts a bill changing or maintaining the current impact fees, which takes effect on or before June 30 of the same year as the report.

Executive: Jan H. Gardner Date Received: 4-22-2019

Approved: ✓ Date: 4-23-2019

Vetoed: \_\_\_\_\_ Date: \_\_\_\_\_

By amending:  
Frederick County Code, Chapter, 1-22 Section(s) 12, 13, 22, 23

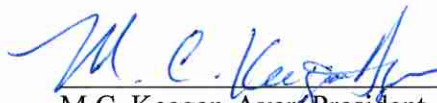
Other: \_\_\_\_\_

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law.</i>
[Single boldface brackets]	<i>Deleted from existing law.</i>
***	<i>Existing law unaffected by bill.</i>

Bill No. 19-06

The County Council of Frederick County, Maryland, finds it necessary and appropriate to amend Chapter 1-22 of the Frederick County Code (Development Impact Fee) to: (1) adjust current public school development impact fees and library development impact fees to the impact fees presented in the 2017 Impact Fee Study by the consultant TischlerBise, Inc.; (2) provide an annual report with adjustment recommendations for public school and library impact fees annually on or before January 15; (3) specify that annual adjustments to public school and library impact fees shall take effect on July 1 of the fiscal year immediately following the report recommendations; and (4) provide for an automatic adjustment of public school and library impact fees, unless the County Council enacts a bill changing or maintaining the current impact fees, which takes effect on or before June 30 of the same year as the report.

NOW, THEREFORE, BE IT ENACTED, that the Frederick County Code be, and it is hereby, amended as shown on the attached Exhibit 1.

  
M.C. Keegan-Ayer, President  
County Council of Frederick County,  
Maryland

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**CHAPTER 1-22: DEVELOPMENT IMPACT FEE**  
**ARTICLE II: PUBLIC SCHOOL DEVELOPMENT IMPACT FEE**

**§ 1-22-12. AMOUNT OF IMPACT FEE.**

All new residential development in the service area shall be subject to the payment of a public school development impact fee payable at the time of issuance of a building permit/zoning certificate by the county or a municipality, as applicable, pursuant to this Chapter 1-22, as follows:

Residential Development	[Current Impact Fee Per Dwelling Unit (As of 7/1/17)]	<u>FY20 School Impact Fee Per Dwelling Unit</u>
Single-Family Detached	[\$14,747.00]	<u>\$14,132.00</u>
Townhouse/Duplex	[\$15,002.00]	<u>\$16,248.00</u>
All Other Residential	[\$6,291.00]	<u>\$ 6,974.00</u>

**§ 1-22-13. ANNUAL ADJUSTMENT.**

On July 1, 2019, and on July 1 of each year thereafter in which the public school development impact fee is in effect, the amount of the public school development impact fee, per dwelling unit, shall be adjusted as follows:

(A) On or before January 15, 201~~7~~<sup>9</sup>, and on or before January 15 of each year thereafter, the County Executive shall provide to the County Council a report which proposes an annual adjustment to the public school development impact fee~~[,]~~. The adjustment shall be calculated by taking into account [based on] the most recent data from the State of Maryland school construction cost index[.] and changes to other factors and data components in the fee calculations.

(B) The proposed annual adjustment shall automatically [will not] take effect on July 1, the first day of the fiscal year immediately following receipt of the report, unless the County Council enacts a bill [adopting it] that takes effect on or before June 30 of the same year as the report, to change or maintain the current public school development impact fee.

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Underlining and CAPTIALS indicates matter added to existing law.  
[Single boldface brackets] indicates matter deleted from existing law.  
\*\*\* indicates existing law unaffected by bill.

**ARTICLE III: LIBRARY DEVELOPMENT IMPACT FEE**

**§ 1-22-22. AMOUNT OF IMPACT FEE.**

All new residential development in the service area shall be subject to the payment of a library development impact fee payable at the time of issuance of a building permit/zoning certificate by the county or a municipality, as applicable, pursuant to this Chapter 1-22, as follows:

Residential Development	[Per Dwelling Unit (As of 7/1/16)]	<u>FY20 Library Impact Fee Per Dwelling Unit</u>
Single-Family Detached	[\$768.00]	<u>\$681.00</u>
Townhouse/Duplex	[\$695.00]	<u>\$627.00</u>
All Other Residential	[\$385.00]	<u>\$389.00</u>

**§ 1-22-23. ANNUAL ADJUSTMENT.**

On July 1, 2019, and on July 1 of each year thereafter in which the library development impact fee is in effect, the amount of the library development impact fee, per dwelling unit, shall be adjusted as follows:

(A) On or before January 15, 201[7]9, and on or before January 15 of each year thereafter, the County Executive shall provide to the County Council a report which proposes an annual adjustment to the library development impact fee[.]. The adjustment shall be calculated by taking into account the most recent data from [based on the most recent 20 City Annual National Average Data from] the Engineering News Record Construction Cost Index[.] and changes to other factors and data components in the library development impact fee calculations.

(B) The proposed annual adjustment shall automatically [will not] take effect on July 1, the first day of the fiscal year immediately following receipt of the report, unless the County Council enacts a bill [adopting it] that takes effect on or before June 30 of the same year as the report, to change or maintain the library development impact fee.

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