

# ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND  
LEGISLATIVE SESSION, 2015  
BILL 2015-02

Introduced: March 17, 2015

BY: The Council President at the request of the County Executive.

AN ACT to impose and declare a moratorium of six months on the imposition and collection of the Public School Impact Fee for ALL NEW RESIDENTIAL DWELLING UNITS ~~new single-family detached residences~~, as provided for in Chapter 130 of the Wicomico County Code, in order to allow the study of the issue and the possible implementation of new legislation to address same.

WHEREAS, Chapter 130 currently requires that the Public School Impact Fee be paid prior to the issuance of a building permit or zoning certificate; and

WHEREAS, various segments of the economy, such as banking, real estate and construction, were impacted significantly by the national recession and within Wicomico County they continue to experience an industry-wide decline; and

WHEREAS, Wicomico County desires to encourage new residential development, stimulate job creation and support the various segments of the economy that are still in decline; and

WHEREAS the County Council believes that the entire issue deserves further study and immediate action because of the serious and deleterious long-range impact of the current recession upon the County; and,

WHEREAS, in the exercise of its police power as a Charter County, Wicomico County, Maryland, through its elected officials, HEREBY FINDS THAT AN EMERGENCY MEASURE IS NECESSARY AND deems that a minimum period of six months is necessary for an adequate study of the subject and for this reason will impose a moratorium on the imposition and collection of the Public School Impact Fee for ALL NEW RESIDENTIAL DWELLING UNITS ~~new single-family detached residences~~.

SECTION I: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, as follows:

- A. A Moratorium is hereby imposed and declared on the imposition and collection of the Public School Impact Fee for ALL NEW RESIDENTIAL DWELLING UNITS ~~new single-family detached residences~~, as provided in Chapter 130 of the Wicomico County Code
- B. The moratorium shall apply prospectively only, beginning on THE DATE THIS BILL IS ENACTED July 1, 2015 and ending six months therefrom.

SECTION II. BE IT FURTHER ENACTED THAT this BILL IS AN EMERGENCY MEASURE, NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH, SAFETY AND WELFARE. THE Bill shall be known as Bill No. 2015-02 of Wicomico County, Maryland and shall take effect AND BECOME EFFECTIVE IMMEDIATELY AFTER ITS FINAL PASSAGE. ~~sixty (60) days after its final passage, unless~~ IN THE EVENT a proper Petition for Referendum thereof shall be TIMELY filed ~~prior to said date; in which event, the Bill shall not take effect until the~~ expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum THE BILL SHALL REMAIN IN FORCE, BUT SHALL STAND REPEALED THIRTY (30) DAYS AFTER REJECTION BY A MAJORITY OF THE QUALIFIED VOTERS OF THE COUNTY VOTING IN ANY SUCH REFERENDUM.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 21<sup>st</sup> day of April, 2015.

WICOMICO COUNTY, MARYLAND

  
BY: John T. Cannon, President

  
BY: Edgar A. Baker, Jr., Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

  
Edgar A. Baker, Jr., Secretary

Explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

~~Strike-out indicates material deleted from law.~~

~~CAPITAL STRIKE-OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill.

COUNTY COUNCIL  
OF  
WICOMICO COUNTY, MARYLAND

BILL NO. 2015-02

Legislative Day No. 05

INTRODUCED BY: President of the Council upon recommendation of the County Executive

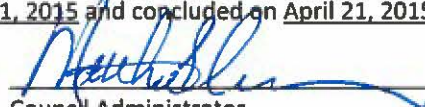
Date: March 17, 2015

Introduced, read first time, ordered posted and public hearing scheduled on: April 21, 2015

Time: 10:30 a.m.

AN ACT to impose and declare a moratorium of six months on the imposition and collection of the Public School Impact Fee for all new residential dwelling units, as provided for in Chapter 130 of the Wicomico County Code, in order to allow the study of the issue and the possible implementation of new legislation to address same.

**PUBLIC HEARING:** Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on April 21, 2015 and concluded on April 21, 2015.

  
\_\_\_\_\_  
Council Administrator

**CERTIFICATION**

The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 21<sup>st</sup> day of April, 2015.

  
\_\_\_\_\_  
Council Administrator

Presented to the County Executive for approval this 22<sup>nd</sup> day of April, 2015 at 4:00 a.m./p.m. (5 days §411)

  
\_\_\_\_\_  
Council Administrator

**BY THE EXECUTIVE:**

  
\_\_\_\_\_  
County Executive

APPROVED  
Date: April 23, 2015  
(21 days §411)

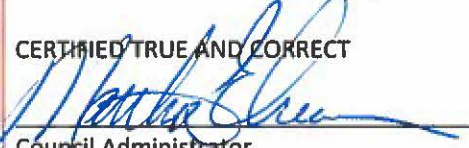
VETOED  
Date: \_\_\_\_\_

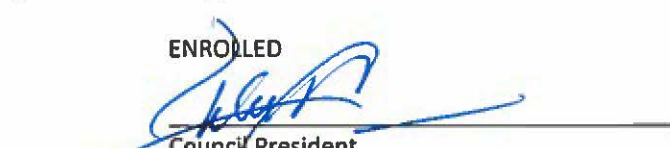
**EFFECTIVE DATE:**

This Bill having been approved by the County Executive and returned to the Council, becomes law on April 23, 2015 and effective on: April 23, 2015. (60 days §311)

**ENROLLMENT:**

Legislative Bill No. 2015-02 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT  
  
\_\_\_\_\_  
Council Administrator  
Date: 4-23-15

ENROLLED  
  
\_\_\_\_\_  
Council President  
Date: 04/23/15