

# ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND  
LEGISLATIVE SESSION, 2015  
BILL NO. 2015-08

Introduced: July 7, 2015

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

**AN ACT** to amend Chapter 141 of the Wicomico County Code, titled "Fees" section 141-3 titled "Department of Planning, Zoning and Community Development" to charge one fee for all applications or appeals on matters to be heard by the Wicomico County Board of Appeals.

## PREAMBLE

WHEREAS, the Wicomico County Board of Appeals hears matters of original jurisdiction and appeals and the applicants or appellants seeking to have a case heard by the Board of Appeals pay certain fees; and

WHEREAS, the fees being charged by the Department of Planning, Zoning and Community Development for any case heard before the Board of Appeals has been three hundred dollars (\$300); and

WHEREAS, the Department of Planning, Zoning and Community Development asserts that one fee for all the types of applications is fair and consistent with their workload for the applications; and

WHEREAS, it appears advisable, upon favorable recommendation of the County Executive and the Department of Planning, Zoning and Community Development, to amend Section 141-3 of Chapter 141 of the Wicomico County Code, titled "Department of Planning, Zoning and Community Development" to charge one fee for all applications or appeals on matters to be heard by the Wicomico County Board of Appeals.

**SECTION I.** BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that, Chapter 141, titled "Fees" section 141-3 titled "Department of Planning, Zoning and Community Development" be and the same are hereby amended to read as follows:

## CHAPTER 141 Fees

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§141-3 Department of Planning, Zoning and community Development.

A. Fees enumerated. The following fees shall be collected by the Department of Planning, Zoning and Community Development:

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(2) Board of Appeals. The following application or review fee shall be collected:

- (a) ~~Variance under Chapter 125 or Chapter 225: \$300.~~ ALL REQUESTS OR APPEALS BEFORE THE BOARD OF APPEALS: \$300 INCLUSIVE OF ADVERTISING COSTS.
- (b) ~~Modifications/enlargement of nonconforming use or other actions requiring advertising: \$300.~~
- (c) ~~Special exception, mobile residency, temporary mobile residence, temporary mobile office and temporary travel trailer: \$200 inclusive of advertising costs.~~
- (d) ~~Special exception, all others: \$300.~~
- (e) ~~Appeal to the Board of Appeals: \$300.~~

**SECTION II.** BE IT FURTHER ENACTED that this Bill shall be known as Bill No. 2015-08 of Wicomico County, Maryland and shall take effect sixty (60) days after its enactment, unless a proper Petition for Referendum thereof shall be 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.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 4th day of August, 2015.

WICOMICO COUNTY, MARYLAND

  
BY: John T. Cannon, President

  
BY: Matthew E. Creamer, Secretary

I HEREBY CERTIFY that copies of the above Bill are available for distribution to the public and press at the time of its introduction.

  
Matthew E. Creamer, 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. 2015-08

Legislative Day No. 14

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

Date: July 7, 2015

Introduced, read first time, ordered posted and public hearing scheduled on: August 4, 2015

Time: 6:30 p.m.

AN ACT to amend Chapter 141 of the Wicomico County Code, titled "Fees" section 141-3 titled "Department of Planning, Zoning and Community Development" to charge one fee for all applications or appeals on matters to be heard by the Wicomico County Board of Appeals.

**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 8/4/15 and concluded on 8/4/15.

  
Council Administrator

**CERTIFICATION**

The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 4<sup>th</sup> day of August, 2015.

  
Council Administrator

Presented to the County Executive for approval this 6<sup>th</sup> day of August, 2015 at 8:30 a.m./p.m. (5 days §411)

  
Council Administrator

**BY THE EXECUTIVE:**

  
County Executive

APPROVED

Date: 8-6-15  
(21 days §411)

VETOED

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

**EFFECTIVE DATE:**

This Bill having been approved by the County Executive and returned to the Council, becomes law on August 6, 2015 and effective on: October 5, 2015 (60 days §311)

**ENROLLMENT:**

Legislative Bill No. 2015-08 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: \_\_\_\_\_

ENROLLED

  
Council President  
Date: \_\_\_\_\_