

ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND
LEGISLATIVE SESSION, 2015
BILL 2015-14

Introduced: October 6, 2015

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

AN ACT to impose and declare a moratorium on the imposition and collection of the Public School Impact Fee for all new residential dwelling units until December 31, 2016, 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, Wicomico County previously issued a six month moratorium from April 23, 2015, through October 23, 2015; and

WHEREAS the County Council believes that the moratorium should be extended and the entire issue deserves further study 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 one year and 3 months is necessary for an adequate study of the subject and for this reason will impose an extended moratorium on the imposition and collection of the Public School Impact Fee for all new residential dwelling units.


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, 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 and ending until December 31, 2016.

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. 2015-14 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.

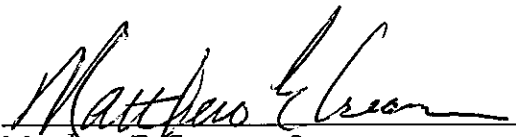
Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 3rd day of November, 2015.

WICOMICO COUNTY, MARYLAND


BY: John T. Cannon, President


BY: Matthew E. Creamer, Secretary

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



WICOMICO COUNTY, MARYLAND

OFFICE OF THE COUNTY EXECUTIVE

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Bob Culver
County Executive

R. Wayne Strausburg
Director of Administration

MEMORANDUM

To: Matthew E. Creamer
Council Administrator

From: R. Wayne Strausburg
Director of Administration

Date: October 26, 2015

Subject: Proposed Agenda Item

County Executive

The County Executive is requesting emergency legislation on an act to impose and declare a moratorium on the imposition and collection of the Public School Impact Fee for new single family detached residences as provided for in Chapter 130 of the Wicomico County Code due to the fact that the existing moratorium ended on October 23, 2015.

COUNTY COUNCIL
OF
WICOMICO COUNTY, MARYLAND

BILL NO. 2015-14

Legislative Day No. 20

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

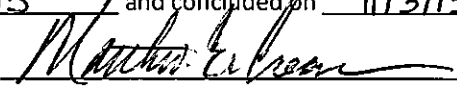
Date: October 6, 2015

Introduced, read first time, ordered posted and public hearing scheduled on: November 3, 2015

Time: 6:30 p.m.

AN ACT to impose and declare a moratorium on the imposition and collection of the Public School Impact Fee for all new residential dwelling units until December 31, 2016, 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 11/3/15 and concluded on 11/3/15.


Council Administrator

CERTIFICATION

The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 3rd day of November, 2015.


Council Administrator

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


Council Administrator

BY THE EXECUTIVE:


County Executive

APPROVED

Date: 11-6-15
(21 days §411)

VETOED

Date: _____

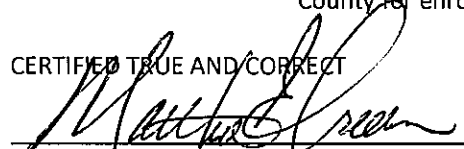
EFFECTIVE DATE:

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

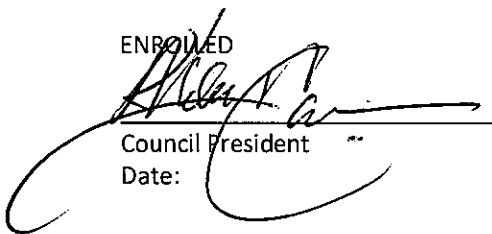
ENROLLMENT:

Legislative Bill No. 2015-14 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: _____