



Legislation Details (With Text)

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On agenda:		Final action:	7/18/2016		
Enactment date:		Enactment #:			
Title:	Stormwater Remediation Fees - Reduction FOR the purpose of reducing the Stormwater Remediation Fees imposed by City law; and providing for a special effective date.				
Sponsors:	Carl Stokes, Sharon Green Middleton, William "Pete" Welch, Eric T. Costello, Brandon M. Scott, Robert Curran, Warren Branch, Mary Pat Clarke, Edward Reisinger				
Indexes:	Reduction, Remediation Fees, Stormwater				
Code sections:					
Attachments:	1. 15-0577~1st Reader				

Date	Ver.	Action By	Action	Result
7/18/2016	0	City Council	Withdrawn	
9/24/2015	0	The City Council	Refer to Dept. of Public Works	
9/24/2015	0	The City Council	Refer to Dept. of Finance	
9/24/2015	0	The City Council	Refer to Board of Estimates	
9/24/2015	0	The City Council	Refer to City Solicitor	
9/21/2015	0	City Council	Assigned	
9/21/2015	0	City Council	Introduced	

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Stokes

A BILL ENTITLED

AN ORDINANCE concerning
Stormwater Remediation Fees - Reduction
FOR the purpose of reducing the Stormwater Remediation Fees imposed by City law; and providing

for a special effective date.

BY repealing and reordaining, with amendments

Article 27 - Stormwater Remediation Fees

Sections 3-3 and 3-4

Baltimore City Code

(Edition 2000)

BY repealing and reordaining, without amendments

Article 27 - Stormwater Remediation Fees

Sections 3-5

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 27. Stormwater Remediation Fees

Subtitle 3. Fee Imposition and Collection

§ 3-3. Assessment of base fee. All other properties.

(a) Scope of section.

This section applies to all properties in the City that are not single-family properties subject to § 3-2 {Assessment of base fee. Single-family properties} of this subtitle.

(b) Assessment formula.

(1) The fee for properties subject to this section is the rate per Equivalent Residential Unit (or ERU) set in accordance with § 3-4 {Initial ... rates} or § 3-5 {Subsequent rates} of this subtitle times the number of ERUs on the property.

(2) For this purpose, 1 ERU comprises 1,050 square feet of impervious surface area.

(c) Methods of measurement.

(1) For properties subject to this section, the following methods may be used, at the sole discretion of the Director of Public Works, to determine the impervious surface measurement of a property:

- (i) geographic information systems analysis of aerial photographs;
- (ii) measurement from approved as-built engineering drawings that are signed and sealed by a professional engineer;

(iii) field surveys that are signed and sealed by a professional engineer or professional land surveyor; and

(iv) the use of any additional information that can reliably supplement the data derived from the other measures.

(2) The resultant ERU count shall be rounded to the nearest whole number.

(3) The computations and back-up materials for all resultant ERU counts shall be maintained by the Department of Public Works and made available to the public, in the Department's main office and on the Department's website.

(d) Minimum assessed fee.

The minimum assessed stormwater fee for all properties subject to this section shall be equal to the fee for 1 ERU.

(e) Maximum assessed fee.

(1) In general.

The maximums set by paragraphs (2) and (3) of this subsection do not apply to any property or portion of a property for which a credit or exemption has been applied for under 3-6 {Credits; Exemptions} of this article.

(2) Maximum as percentage of property tax.

(i) Subject to subparagraph (ii) of this paragraph, the fee for any property that is subject to property tax and is subject to assessment under this section may not exceed an amount equal to 20% of the total of all State and local real property taxes levied on the property.

(ii) This paragraph (2) applies only to properties for which each of the following exceeds \$1,000:

(A) the net State and local real property taxes levied on the property; and

(B) the storm water remediation fee otherwise assessable under this article.

(e) Maximum assessed fee.

(3) Religious organizations.

Notwithstanding 3-4 {Initial ... rates} and 3-5 {Subsequent rates}, the fee for structures located on property owned by religious groups or organizations is [\$12] \$6 per ERU per year if:

(1) the property is not subject to State or City property tax; and

(2) the structures on the property are used exclusively for:

- (i) places of worship; or
- (ii) elementary, middle, or high school education.

◆ 3-4. Initial quarterly rates though FY 2017.

- (a) In general.

From July 1, 2013, through June 30, 2017, the rates per quarter are as provided in this section.

- (b) Single-family properties.

For single-family properties assessed under ◆ 3-2 {◆Assessment of base fee ◆ Single-family properties◆}, the rate per quarter is the following multiple of the rate-per-quarter-per-ERU established for properties assessed under ◆ 3-3 {◆Assessment of base fee ◆ All other properties◆}:

- (1) Tier 1 properties: 2/3 of the rate per ERU.
- (2) Tier 2 properties: the rate per ERU.
- (3) Tier 3 properties: twice the rate per ERU.

- (c) All other property.

For all properties assessed under ◆ 3-3 {◆Assessment of base fee ◆ All other properties◆}, the rate per quarter is [\$15] \$7.50 per ERU.

◆ 3-5. Subsequent rates.

- (a) In general.

For all fiscal years beginning on or after July 1, 2017, the Board of Estimates, on the recommendation of the Director of Public Works and the Director of Finance, may change the◆rates for the stormwater remediation fee.

- (b) Standard.

The rates shall be based on the share of stormwater management services related to a property and provided by the City.

- (c) Public notice.

At least 30 days before taking any action on the Directors◆ recommendation, the Board of Estimates shall:

- (1) publish notice of the recommendation;

- (2) send the recommendations to the members of the City Council; and
- (3) afford an opportunity for Councilmembers and the public to comment at a public hearing.
- (d) Adoption of rates.

After the notice and opportunity to comment, the Board of Estimates may:

- (1) adopt or modify the Directors' recommendation; and
- (2) set the rates accordingly.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect when it is enacted.

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