

COMMISSIONERS OF LEONARDTOWN
Ordinance No. 61C

Date Introduced on First Reading:	March 8, 2004
Town Commissioners Public Hearing:	February 9, 2004
Date Adopted on Second Reading:	April 12, 2004
Date Effective:	May 3, 2004

1 **AN ORDINANCE** concerning

2
3 **WATER AND SEWER IMPACT FEES**

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5 **FOR** the purpose of increasing the amounts of water and sewer impact fees
6 payable upon the issuance of occupancy permits in the Town of Leonardtown;
7 providing certain exceptions from the payment of such increased water and
8 sewer impact fees for a certain period of time under certain conditions; and all
9 matters generally relating to the imposition and collection of water and sewer
10 impact fees in the Town of Leonardtown.

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12 **EXPLANATORY STATEMENT:** Chapter 62 of the Code of the Town of Leonardtown
13 provides for the imposition of certain impact fees in connection with the issuance of
14 building permits in the Town of Leonardtown, such impact fees payable upon the
15 issuance of occupancy permits. The current Development Impact Fee Schedule for
16 the imposition and collection of water and sewer impact fees was enacted by the
17 Town Council in 1990 pursuant to Ordinance No. 61. Section 62-4 of the
18 Leonardtown Town Code authorizes the Town Council to review and revise the
19 Development Impact Fee Schedule periodically. The Town Council, with the
20 assistance of the Town Treasurer and Town Administrator, has reviewed existing
21 water and sewer impact fees and has determined that increases in such fees are
22 warranted for new development. Now, therefore,

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24 **SECTION I. BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF**
25 **LEONARDTOWN** that the Town's Development Impact Fee Schedule is amended by
26 increasing the amount of the Water Impact Fee for all land use types from \$960 per
27 EDU (Equivalent Dwelling Unit) to \$1,800 per EDU, and by increasing the amount of
28 the Sewer Impact Fee for all land use types from \$810 per EDU to \$2,850 per EDU.
29 The Town Treasurer shall promulgate and maintain a revised Development Impact
30 Fee Schedule that includes the changes to the Water and Sewer Impact Fees
31 adopted by this Ordinance.

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33 **SECTION II: AND BE IT FURTHER ORDAINED,** that, notwithstanding the provisions
34 of Section I of this Ordinance, water and sewer impact fees at the rates in effect prior
35 to the enactment of this Ordinance shall continue to apply to any lot or

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36 land use that received building permits prior to the effective date of this Ordinance
37 and for all projects that have received final subdivision approval prior to the effective
38 date of this Ordinance, provided that in any of such cases both water and sewer
39 impact fees are paid on or before June 30, 2006. Water and sewer impact fees at
40 the rates established in Section I of this Ordinance shall apply to any such lot or land
41 use that has not paid both water and sewer impact fees prior to July 1, 2006.
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43 **SECTION III: AND BE IT FURTHER ORDAINED**, That if any provision of this
44 Ordinance, or the application thereof to any person or circumstance, is held
45 invalid for any reason, such invalidity shall not affect the other provisions or any
46 other application of this Ordinance which can be given effect without the invalid
47 provisions or application, and to this end, all the provisions of this Ordinance are
48 hereby declared to be severable.

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50 **SECTION IV: AND BE IT FURTHER ORDAINED**, that this Ordinance shall become
51 effective twenty (20) days following approval by the Mayor or passage by the
52 affirmative vote of four-fifths of the whole Council after veto by the Mayor.
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54 **SEAL:**

COMMISSIONERS OF LEONARDTOWN

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Walter R. Gillette, Vice President



Charles R. Faunce, Councilmember



Bernard Y. Delahay, Councilmember



J. Maguire Mattingly, III, Councilmember



Walter Wise, Councilmember

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ATTEST:

Laschelle E. Miller
Laschelle E. Miller, Town Administrator

Date April 12, 2004

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section 210 of the Charter of the Town of Leonardtown this 12th day of April, 2004.

Laschelle E. Miller
Laschelle E. Miller, Town Administrator

In accordance with Section 210 of the Charter of the City of Town of Leonardtown, I hereby [(Approve) or (Disapprove)] APPROVE this Ordinance this 12th day of April, 2004.

J. Harry Norris, III
J. Harry Norris, III, Mayor