Clerk's note: *Superseded by Resolution No.: 18-317, adopted November 3, 2015.*

Resolution No: 16-551
Introduced: April 1, 2008
Adopted: May 14, 2008

COUNTY COUNCIL FOR MONTGOMERY COUNTY MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND

By: District Council at the request of the County Executive

SUBJECT: Increasing Fees Collected by the Department of Permitting Services

Background

1. Section 59-A-1.10 of the County Code states: "The Director may establish fees, if approved by Council Resolution, to cover the cost of administration of this chapter."

2. The Department of Permitting Services was established as a fee-supported enterprise within the Executive Branch of Montgomery County in 1996. Revenues that support the Department are established by Method 2 or Method 3 Executive Regulations and by County Council resolution.

3. The fees noted in this resolution were established by various County Council resolutions and have been increased by subsequent County Council resolutions in order to support the departmental functions associated with the collection and enforcement of each fee.

4. Existing resolutions for each of these fees allow the Department of Permitting Services to raise this fee annually by regulation by a percentage that does not exceed the rate of the increase (if any) in the department's approved personnel costs for the then-current fiscal year compared to the approved personnel costs for the preceding fiscal year. For fees of $100 or more, the Director must calculate the revised fee to the nearest five dollars. For fees under $100, the Director must calculate the revised fee to the nearest dollar. The Director must publish the amount of this adjustment not later than July 1 of each year.

5. This resolution increases each of the fees by 2.3% in accordance with paragraph #4 above. An additional one time fee increase of 2% has been added to cover costs associated with the new credit card payment option for DPS customers. The total fee increase is 4.3%.

6. In addition to the increases mentioned in paragraph 5, special exemption enforcement fees are recommended to increase an additional 40% in order to improve cost recovery for the existing administrative and enforcement functions associated with special exceptions.

7. This resolution also revises the language in paragraph 4 above and will allow the Department of Permitting Services to increase fees consistent with the existing indexing language without the need for an Executive Regulation or Council resolution.

Action

The County Council for Montgomery County Maryland approves the following resolution:

1. The following schedule of fees is approved as described in Table 1, attached, and goes into effect on July 1, 2008.

2. The Director of Permitting Services must adjust each fee included in Table 1 of this resolution by July 1 of each year by a percentage that does not exceed the rate of the increase (if any) in the department's approved personnel costs for the then-current fiscal year compared to the approved personnel costs for the preceding fiscal year. For fees of $100 or more, the Director must calculate the revised fee to the nearest five dollars. For fees under $100, the Director must calculate the revised fee to the nearest dollar. The Director must publish the amount of this adjustment not later than July 1 of each year.

This is a correct copy of Council action.

Linda M. Lauer

Linda M. Lauer, Clerk of the Council

TABLE 1: DEPARTMENT OF PERMITTING SERVICES FEES

	Approved Charge (as of July 1, 2008)
Equestrian Event Permit[1] (Section 59-C-9.31. (a)(4))	$185
Home Occupation Fees[2] (Section 59-A-1.10)	
Registered Home Occupation Certificates	$185
Nonconforming Use Certificates[3] (Section 59-A-1.10)	$185
Request to waive parking standards[4] (Sec. 59-E-4.5. "Waiver - parking standards")	$780
Enforcement of special exceptions[5] (Section 59-A-1.10)	$290
Zoning Compliance Letters[6] (Section 59-A-1.10)	
Residential (single family dwelling)	$100
Commercial (other than single family dwelling)	$210
Sign Fees (Sec. 59-F.,"Signs")	
a. Sign Permit Fees	
i. a permanent sign	$255
ii. a limited duration sign	$32
iii. bulk limited duration signs (only available to licensed limited duration sign installers) is	$0.00
iv. a sign concept plan	$110
v. a request for a sign review board variance per sign or sign concept plan	$435
b. Sign Installer License	
i. a sign installer license is	$365

[1] The fee for an Equestrian Event Permit must be paid at the time of application submittal.

[2] The fee for Registered Home Occupation Certificates must be paid at the time of application submittal.

[3] The fee for Nonconforming Use Certificates must be paid at the time of application submittal.

[4] The fee for requests to the Department of Permitting Services to waive parking standards must be paid at the time the request is made.

[5] The annual fee for enforcement of special exceptions will be paid by the holder of the Special Exception. The special exception fee must be paid within the first 30 days of each fiscal year. If the annual fee for enforcement of special exceptions is not paid, the Department must notify the Board of Appeals in writing.

[6] The fee for Zoning Compliance Letters must be paid when the request is made.

ii. a limited duration sign installer license is $220

1. The following schedule of fees is approved for licenses and permits issued and subject to MNCPPC site plans under Article 59-F., "Signs".

   a. Sign Permit Fees - The fee for:

      i. a permanent sign is $410
      ii. a limited duration sign is $52
      iii. bulk limited duration signs (only available to licensed limited duration sign installers) is $0
      iv. a sign concept plan is $175
      v. a request for a sign review board variance per sign or sign concept plan is $695

   b. Sign Installer License – The fee for:

      i. a sign installer license is $590
      ii. a limited duration sign installer license is $345

3. All fees must be paid at the time of application.