

Resolution No.: 17-1090  
Introduced: April 1, 2014  
Adopted: May 14, 2014

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: Council President at the Request of the County Executive

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**SUBJECT:** Water Quality Protection Charge for FY15

**Background**

1. Under County Code Section 19-35(c), each fiscal year, the County Council must, by resolution, set the rate or rates for the Water Quality Protection Charge.
2. Under County Code Section 19-35(d), the County Council may set a different rate for each type of property defined by regulation. If different rates are set, the rates must generally reflect the relative amount of impervious surface on each type of property.
3. The Equivalent Residential Unit (ERU) is the base unit of assessment for the Water Quality Protection Charge and is defined in Section 19.35.01.02 of the Code of Montgomery Regulations (COMCOR) as the statistical median of the total horizontal impervious area of developed single-family detached residences in the County. The designated ERU for Montgomery County equals 2,406 square feet of impervious surface.
4. Under COMCOR Section 19.35.01.04, the Charge for different types of property is based on the following methodology:
  - a. The Charge for each Single Family Residential Property is based on a percent of the base rate for one ERU in accordance with its assigned Tier Classification;
  - b. The Charge for each Multifamily Residential Property is based on the number of ERUs assigned to the property after dividing the property's actual impervious area by the ERU. If the property is a condominium development, the Charge is assessed in equal shares to the owners of the development by dividing the total ERUs calculated for the property by the number of individual condominium units and then multiplying the sum by the base rate to determine the amount billable to each unit owner;

- c. The Charge for each Nonresidential Property is based on the number of ERUs assigned to the property after dividing the property's actual impervious area by the ERU. If the property is a condominium development, the Charge is assessed in equal shares to the owners of the development by dividing the total ERUs calculated for the property by the number of individual condominium units and then multiplying the sum by the base rate to determine the amount billable to each unit owner;
  - d. If a property is owned by a Non-profit Organization, the Charge for each property must not exceed the percent of the base rate for one ERU in accordance with its assigned Tier Classification;
  - e. The Charge for each agricultural property is based on a percent of the base rate for one ERU in accordance with the applicable Single Family Residential Tier.
5. Under County Code Section 19-35(g), the Charge does not apply to any property located in a municipality which notifies the County that it has imposed or intends to impose a similar charge to fund its stormwater management program in that municipality.

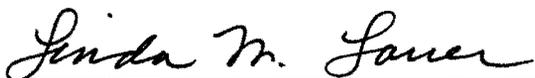
**Action**

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

The base rate for the Water Quality Protection Charge for Fiscal Year 2015 is \$88.40 per equivalent residential unit (ERU).

This resolution takes effect on July 1, 2014.

This is a correct copy of Council action.

  
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Linda M. Lauer, Clerk of the Council