COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Elrich

AN EXPEDITED ACT to:

(1) temporarily suspend the requirement to adjust certain impact tax rates for inflation;
and
(2) generally amend the law governing impact tax rates.

By amending
Laws of Montgomery County 2009

The County Council for Montgomery County, Maryland approves the following Act:
The Laws of Montgomery County 2009 are amended as follows:

Sec. 1. Temporary Suspension of Impact Tax Rate Adjustments.

Notwithstanding any provision of County Code Section 52-57(f) or 52-90(f) to the contrary:

(a) the Director of Finance must not adjust the rates of the development impact taxes for transportation or public school improvements to reflect inflation in construction costs, effective July 1, 2009;

(b) any impact tax rate adjustment that was published in 2009 as required by either Section 52-57(f) or 52-90(f) must not take effect as scheduled on July 1, 2009; and

(c) any tax rate adjustment that is scheduled to take effect on July 1, 2011, must reflect the annual average increase or decrease in a published construction cost index specified by regulation for the 4 full calendar years immediately preceding July 1, 2011, except to the extent the underlying rates have been modified by any amendment to Chapter 52 which takes effect after July 1, 2009.

Sec. 2. Expedited Effective Date; Applicability.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect as of July 1, 2009. This Act applies only to the impact tax rate adjustment that was scheduled to take effect on July 1, 2009 and the impact tax rate adjustment scheduled to take effect on July 1, 2011, as required by County Code Sections 52-57(f) and 52-90(f).

Approved:

Philip M. Andrews, President, County Council
Approved:

Isiah Leggett, County Executive   Date

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council   Date