

Resolution No.: 16-367  
Introduced: October 23, 2007  
Adopted: November 13, 2007

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council

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**SUBJECT:** System Development Charge (SDC) Exemption for Youth Facilities

**Background**

1. The General Assembly enacted Chapter 559, Laws of Maryland 1993, which provides the enabling authority for the Montgomery and Prince George's County Councils to establish a system development charge which will be paid by applicants for new water and sewer service.
2. The General Assembly enacted Chapter 713, Laws of Maryland 1998, which, among other things, altered the schedule for the payment of the System Development Charge to the Washington Suburban Sanitary Commission for certain properties; established a new maximum System Development Charge per fixture unit; allowed for and limited the amount of certain exemptions; established a maximum System Development Charge based on the number of toilets per dwelling; and authorized a charge in the maximum System Development Charge for certain residential units based on the number of toilets per dwelling.
3. On May 16, 2007 the Montgomery County Council adopted Resolution 16-138, which modified the System Development Charge to help finance the capital costs of expanding and augmenting water and sewage to accommodate service to subscribers in the Washington Suburban Sanitary District (WSSD), including allowing certain exemptions and reductions contained in Schedules A to E.
4. In 2007 the Maryland General Assembly enacted Chapter 423, Laws of Maryland 2007, Washington Suburban Sanitary District – System Development Charge – Exemption, which took effect July 1, 2007. Chapter 423 authorizes the Montgomery and Prince George's County Councils to exempt properties used exclusively for programs and services for youth which are owned by community-based organizations that are exempt from taxation under 501(c)(3) of the Internal Revenue Code. The exemption is limited to a maximum of \$80,000 per qualifying project.

**Action**

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

The County Council hereby adopts a System Development Charge youth facilities exemption, as defined in Schedule F.

WSSC must grant an exemption from the System Development Charge for any qualified project, as defined in Schedule F. The exemption must not exceed \$80,000 per qualifying project.

The System Development Charge youth facilities exemption takes effect upon passage of implementing resolutions by both the Prince George's County and Montgomery County Councils and is effective on July 1, 2007.

This is a correct copy of Council action.



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Linda M. Lauer, Clerk of the Council

SCHEDULE F

1. "Property Used Exclusively for Programs and Services to Youth" means:

Real property, owned in fee simple, by a Community Based Organization, located within the Washington Suburban Sanitary District, which is used to advance the mission and purpose of providing program and services to youth in Prince George's and/or Montgomery County.

2. "Community Based Organization" means:

A not-for-profit entity duly incorporated in or authorized to do business by the State of Maryland and in good standing under the laws of the State of Maryland, which has as its exclusive mission and purpose to provide program and services to youth in Prince George's and/or Montgomery County.

3. "Exempt From Taxation" means:

A not-for-profit, charitable or educational organization as determined by the Internal Revenue Service, under Section 501(c) (3) of the Internal Revenue Code.