Ordinance No.: 15-89
Subdivision Regulation No.: 06-02
Concerning: Fees – Preliminary Subdivision Plans
Plan Review Fees
Draft No.: 2 – 10/31/06
Introduced: September 19, 2006
Public Hearing: 10/24/06; 1:30 PM
Adopted: October 31, 2006
Effective: November 20, 2006

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

AN AMENDMENT to the Subdivision Regulations to:

- require a subdivider or an agent to provide evidence of payment of a fee to the **[[**Department of Public Works and Transportation**]]** County with an application for review of preliminary subdivision plans.

By amending the following section of the Montgomery County Code, Chapter 50:

Section 50-34 "Preliminary subdivision plans-Filing and specifications"

EXPLANATION: **Boldface** indicates a heading or a defined term
Underlining indicates text that is added to existing law by the original bill
[Single boldface brackets**]** indicate text that is deleted from existing law by the original bill
Double underlining indicates text that is added to the bill by amendment
[[Double boldface brackets**]]** indicate text that is deleted from existing law or the bill by amendment
* * * indicates existing law unaffected by the bill

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following Ordinance:

Sec 1. Section 50-34 is amended as follows:

50-34. Preliminary subdivision plans-Filing and specifications.

(a) *General.* Every proposed subdivision or resubdivision shall be submitted to the board for tentative or conditional approval in the form of a preliminary plan prior to the submission of a subdivision record plat. The plan shall show graphically all facts needed to enable the board and other public agencies to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public health, safety and welfare and the regulations, ordinances and laws applicable.

(b) *Filing of plan with application and processing fee.* The subdivider or [his] an agent shall file the preliminary subdivision plan with the board in the form of a tracing drawing, together with the application for its approval and at the same time shall deposit the appropriate fee for its processing. Fees for processing shall be established by resolution adopted by the board from time to time. Such fees shall not be higher than reasonably necessary to cover the cost of processing and administration. The subdivider or an agent must also file with the application[[,]] a receipt from [[Montgomery]] the County showing payment of [[the]] any [[fee]] fees required [[by the Department of Public Works and Transportation]] in connection with the [[Department's]] County's review [[and participation in the subdivision review]] process.

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23 **Sec. 2. Effective Date.** This ordinance takes effect 20 days after the date of
24 Council adoption.
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26 This is a correct copy of Council action.
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30 Linda M. Lauer 11/1/06
31 Linda M. Lauer, Clerk of the Council Date
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34 Approved:
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38 11/6/2006
39 Douglas M. Duncan, County Executive Date
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