

ORDINANCE NO. 2022-03

ORDINANCE AND RESOLUTION TO REPEAL, RE-ENACT AND AMEND

CHAPTER 23

***ORDINANCE ESTABLISHING FEES AND CHARGES FOR LICENSES, PERMITS, AND
ADMINISTRATION FEES OF GOVERNMENTAL FUNCTIONS,
TOWN OF KEEDYSVILLE CODE OF ORDINANCES***

RECITAL

WHEREAS, the Mayor and Council of the Town of Keedysville, Maryland as its duly constituted legislative body have determined that it is in the best interest of the citizenry of the Town of Keedysville to update certain administrative permit fees that were adopted in an Ordinance dated November 14, 2004, for the orderly administration of clerical matters within the geographical confines of the Town.

NOW THEREFORE, be it **RESOLVED, ENACTED AND ORDAINED** that Chapter 23 as it currently exists be and is hereby repealed in its entirety; and be it further

RESOLVED, ENACTED AND ORDAINED that Chapter 23, an *Ordinance Establishing Fees and Charges for Licenses, Permits, and Administration Fees of Governmental Functions* be and is hereby enacted, adopted, re-enacted, modified and/or amended as specifically set forth in **Exhibit A** which is attached hereto and incorporated herein by reference; and it is further

RESOLVED, ENACTED and ORDAINED that the Mayor is hereby authorized to execute this Resolution and any other documents necessary to effectuate the purposes of this Ordinance.

**WITNESS AND ATTEST
AS TO CORPORATE SEAL**



Lisa Riner, Town Administrator

TOWN OF KEEDYSVILLE



Ken Lord, Mayor

Date of Introduction: August 3, 2022

Date of Passage: September 7, 2022

Effective Date: September 27, 2022

EXHIBIT A

**AMENDMENT TO CHAPTER 23
AN ORDINANCE ESTABLISHING FEES AND
CHARGES FOR LICENSES, PERMITS, AND ADMINISTRATION
FEES OF GOVERNMENTAL FUNCTIONS**

1. AUTHORIZATION

This Amended Ordinance is enacted and authorized pursuant to the general police power of municipalities and the provisions of the Maryland Constitution Article XI, the Charter of the Town of Keedysville, and the provisions of the Local Government Article of the Annotated Code of the State of Maryland.

2. PURPOSE AND INTENT

The complexity and expense connected with the administration of municipal government necessitates the adoption and update of a standard and uniform schedule of fees to be collected by the Municipality in order to defray the costs of administration pertaining to licenses, permits, land development review, and all other applicable municipal functions.

3. APPLICABILITY

The fee schedule set forth herein is in addition to and not in derogation of any fees, administrative expense, requirement of the Subdivision Ordinance of the Town of Keedysville, or of any other ordinance, act, statute, or regulation of the Town or any other governmental agency.

This Amended Ordinance applies only to the fees and schedules enumerated herein as follows:

Infrastructure Improvement Plans:

All infrastructure improvement plans shall be reviewed by and approved by the Town's Engineering Consultant and/or Washington County Engineering Department at the sole expense of the Developer. The Developer shall place funds into an escrow account controlled by the Town equal to the Consultant's estimate of costs. At the completion of the review, the Developer shall be invoiced for any deficit in the account or shall receive the remaining balance of said escrow account.

The term "Developer" shall include a fee simple owner of the property in question and the contractor or sub-contractor engaged to perform the work.

Inspection of Improvements:

All new public infrastructure facilities constructed shall be inspected by the Town's Construction Services Consultant and/or Washington County Government at the sole expense of the Developer. The Developer shall place funds into an escrow account controlled by the Town equal to the Consultant's estimate of costs. At the completion of the construction and the

acceptance of infrastructure when satisfactorily completed, the Developer shall be invoiced for any deficit in the account or shall receive the remaining balance of said escrow account.

The term "Developer" shall include a fee simple owner of the property in question and the contractor or sub-contractor engaged to perform the work.

Ordinances Administered by Washington County, Maryland:

Administration of certain Ordinances has been delegated to Washington County and is the responsibility of Washington County, Maryland, pursuant to the provisions of the Local Government Article of the Annotated Code. The County, in essence, administers the following Keedysville Ordinances and regulates same:

- Chapter 4: Building Codes, Permits, and Inspections Ordinance
- Chapter 5: Grading Ordinance
- Chapter 6: Floodplain Ordinance
- Chapter 7: Conservation Ordinance
- Chapter 8: Storm Water Management

In addition thereto, the Town of Keedysville is serviced by sewer from the Washington County Sewer Department and system. This is administered by Washington County.

Fees, expenses, permits, plan reviews, and/or any other costs connected directly or indirectly shall be paid directly to the appropriate agency for Washington County, Maryland. Reviews and approval are subject to all Federal, state, county and other acts, ordinances, and regulations.

Preliminary/Final Subdivision Plan Fees:

- | | |
|--|----------------------------------|
| 1. Minor Subdivision (one or two lots in addition to the base lot) | \$350.00/each additional lot* |
| 2. Concept Subdivision Plan | \$1,350.00* |
| 3. Preliminary Subdivision Plan | \$3,700.00 + \$20.00/lot* |
| 4. Preliminary Subdivision Plan Revisions | |
| a. Change of number of lots, Lot Layout, Road Network | 50% of Original Preliminary Fee* |
| b. Change of Notes, Phasing, Lot Line Adjustment | \$350.00* |
| 5. Final Subdivision Plan | \$800.00 + \$10.00/lot* |
| 6. All Other | \$350.00* |

*Plus, any publication and advertising expenses, as well as legal fees incurred by the Town at the rate charged by the Town Attorney.

Utility Review & Site Utility Inspection Fees:

- | | |
|-------------------------------|--|
| 1. Water Utilities review fee | Variable – Fee charged by Engineering Contractor |
|-------------------------------|--|

Zoning Ordinance Amendment Fees:

- | | |
|--------------------|----------------------------|
| 1. Text Amendments | \$2,000.00* |
| 2. Map Amendments | \$2,000.00 + \$20.00/acre* |

*Plus, any publication and advertising expenses, as well as legal fees incurred by the Town at the rate charged by the Town Attorney.

Board of Zoning Appeals Fees:

- | | |
|--|-----------|
| 1. Variance Request | \$300.00* |
| 2. Special Exception and Change or
Expansion of a Non-Conforming Use | \$500.00* |
| 3. Variance/Special Exception for home
Occupation, home day care,
accessory uses, 1 or 2 family residential
units | \$150.00* |
| 4. Administrative Appeal | \$150.00* |

*Plus, any publication and advertising expenses, as well as legal fees incurred by the Town at the rate charged by the Town Attorney.

General Permit Fees:

- | | |
|--------------------|---|
| 1. Signs | \$50.00 |
| 2. Fences | \$20.00 |
| 3. Blasting | \$300.00 + cost of engineering studies,
supervision, and/or other expenses incurred
by the Town pursuant to Chapter 21,
compliance with all Chapter 21 regulations,
and proof of certificate of insurance |
| 4. Zoning Permit | \$65.00 |
| 5. Building Permit | See Washington County Rates (Payable to
Washington County) |

Park Pavilion Reservation Fees:

- | | |
|---------------------------------|-----------------|
| 1. Fee for Pavilion Reservation | \$40.00 per day |
|---------------------------------|-----------------|

Legal Review Fees:

- | | |
|---------------------|--|
| 1. All Legal Review | Variable - Hourly Rate charged by Town
Attorney |
|---------------------|--|

Publication & Advertising Fees:

- | | |
|------------------------------------|---------------------------------------|
| 1. All Publication and Advertising | Variable - Fee charged by Publication |
|------------------------------------|---------------------------------------|

Liber 13 Folio 844

Acts, Ordinances, Resolutions- Town
Clerk of the Circuit Clerk
Washington County

4. NON-APPLICABILITY

The provisions of this Amended Ordinance do not apply to

- (a) Taxes, special assessments, impact fees, land development fees;
- (b) Fees or sums collected under development agreements with developers and/or builders or any other persons, firms or corporations or entities;
- (c) Fees regulated by another ordinance either of the Municipality or Washington County, or the statutes or regulations of the State of Maryland or any other governmental agencies;
- (d) Connection fees;
- (e) Charges, expenses, fees, bonds, and other matters required by the Subdivision Ordinance and/or any other applicable ordinances;
- (f) Annexation agreements in effect and/or that may be entered into in the future.

5. CONFLICT

In the event of a conflict between the provisions of this Amended Ordinance and the provisions of any other ordinance or resolutions establishing or amending the fees to which this Amended Ordinance applies, the provisions of this Amended Ordinance shall govern.

6. SEVERABILITY

If any section, subsection, sentence, phrase or portion of this Amended Ordinance is held to invalid or unconstitutional by the final decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Amended Ordinance.

7. EFFECTIVE DATE

The provisions of this Amended Ordinance shall become effective on the 27th day of September, 2022. The current provisions of Chapter 23 shall remain in full force and effect until said Effective Date.

Date of Introduction: August 3, 2022

Date of Passage: September 7, 2022

Effective Date: September 27, 2022

Send Certification to:

Mr. Lisa Riner, Town Administrator
Town of Keedysville
Town Hall
P. O. Box 359
Keedysville, MD 21756

OCT 31 2022

Liber 13 Folio 846
Acts, Ordinances, Resolutions- Town
Clerk of the Circuit Clerk
Washington County

LR - Government
Instrument 0.00
Agency Name: Town of
Keedysville
Instrument List:
Agreement / Easement
Describe Other:
Ref:

Total: 0.00
12/28/2022 01:07
CC21-RD
#16739555 CC0403 -
Washington
County/CC04.03.01 -
Register 01

This page not to be counted in calculating Recording Fee

**Clerk of Circuit Court
Washington County, Maryland**

Kevin R. Tucker, Clerk
24 Summit Avenue
Hagerstown, MD 21740
301-790-7991

For Clerks Use Only

Improvement Fee _____
Recording Fee _____
County Transfer Tax _____
Recordation Tax _____
State Transfer Tax _____
Non-Resident Tax _____
TOTAL _____