

34-16.

(A) IN THIS SECTION, "RESIDENTIAL UNIT" INCLUDES:

- (1) A HOUSE;
- (2) AN APARTMENT;
- (3) A RESIDENTIAL CONDOMINIUM;
- (4) A MOBILE HOME; AND
- (5) ANY OTHER STRUCTURE USED PRIMARILY AS A DWELLING.

~~(A)~~ (B) (1) THE BOARD OF COUNTY COMMISSIONERS OF CECIL COUNTY MAY IMPOSE, BY LAW, A DEVELOPMENT EXCISE TAX ~~WHEN A SUBDIVISION LOT IS INITIALLY SOLD OR TRANSFERRED~~, FOR FINANCING, IN WHOLE OR IN PART, THE CAPITAL COSTS OF ADDITIONAL OR EXPANDED PUBLIC FACILITIES OR IMPROVEMENTS IN THE COUNTY.

(2) (I) BEFORE PASSING A LOCAL LAW IMPOSING A DEVELOPMENT EXCISE TAX OR ALTERING THE AMOUNT OF THE TAX, THE BOARD SHALL HOLD A PUBLIC HEARING.

(II) NOTICE OF THE HEARING SHALL BE PUBLISHED IN AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION IN CECIL COUNTY NOT LESS THAN 3 OR MORE THAN 14 DAYS BEFORE THE HEARING.

(III) THE NOTICE SHALL STATE THE SUBJECT OF THE HEARING AND THE TIME AND PLACE THAT THE HEARING WILL OCCUR.

~~(B)~~ (C) A DEVELOPMENT EXCISE TAX IMPOSED UNDER THIS SECTION:

- (1) SHALL BE:

(I) IMPOSED ON A COUNTY-WIDE BASIS, INCLUDING WITHIN MUNICIPAL CORPORATIONS IN THE COUNTY, ~~BASED ON A RATE PER SQUARE FOOT OF DEVELOPMENT ON ALL NEW RESIDENTIAL UNITS~~; AND

(II) PAID AT THE TIME A BUILDING PERMIT IS ISSUED FOR ~~THE DEVELOPMENT OF PROPERTY~~ ANY NEW RESIDENTIAL UNIT; AND

- (2) MAY NOT EXCEED \$3,500 PER ~~LOT~~ RESIDENTIAL UNIT.

~~(C)~~ (D) THE BOARD SHALL ENTER INTO AGREEMENTS WITH MUNICIPAL CORPORATIONS IN CECIL COUNTY THAT ISSUE BUILDING PERMITS FOR COLLECTION OF THE DEVELOPMENT EXCISE TAX FOR DEVELOPMENT WITHIN THE MUNICIPAL CORPORATIONS.

~~(D)~~ (E) (1) THE BOARD OF COUNTY COMMISSIONERS SHALL DEPOSIT THE REVENUE FROM THE DEVELOPMENT EXCISE TAX IN A SPECIAL ACCOUNT KNOWN AS THE "PUBLIC CAPITAL FACILITIES IMPROVEMENT FUND".