

(1) ESTABLISH A DEPARTMENT OR DIVISION OF PUBLIC WORKS FOR THE COUNTY;

(2) APPROVE, AT A FORMAL MEETING OF THE BOARD, AN ADEQUATE FACILITIES PLAN FOR THE COUNTY; AND

(3) APPROVE AND ADOPT A PLAN FOR PERIODIC REVIEW AND MODIFICATION OF THE COUNTY COMPREHENSIVE PLAN AND ADEQUATE FACILITIES PLAN.

~~(B)~~ (C) (1) PRIOR TO THE ADOPTION OF THE IMPACT FEE ORDINANCE OR RESOLUTION UNDER SUBSECTION (A) OF THIS SECTION, THE COUNTY COMMISSIONERS SHALL HOLD A PUBLIC HEARING ON THE PROPOSAL.

(2) AT THE HEARING, THE BOUNDARIES OF THE AREA THAT IS TO BE SUBJECT TO THE IMPACT FEE SHALL BE FULLY DESCRIBED.

~~(C)~~ (D) ANY IMPACT FEE IMPOSED BY THE COUNTY COMMISSIONERS UNDER THIS SECTION SHALL:

(1) BE LEVIED ONLY UPON THE PROPERTY LOCATED WITHIN THE DISTRICT DESCRIBED IN THE ORDINANCE OR RESOLUTION;

(2) BE USED ONLY FOR ADDITIONAL OR EXPANDED PUBLIC WORKS, IMPROVEMENTS, AND FACILITIES WITHIN THAT DISTRICT; AND

(3) BE RETURNED PRO RATA, WITH INTEREST, TO THE PERSONS FROM WHOM THE FEE WAS COLLECTED (OR THE SUCCESSORS OR ASSIGNS OF SUCH PERSONS), IF THE MONEY IS NOT SPENT FOR THE DESIGNATED PUBLIC WORKS, IMPROVEMENTS, AND FACILITIES WITHIN THE DISTRICT WITHIN 5 YEARS FROM THE DATE THE FEE IS COLLECTED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July 1, 1990~~ March 1, 1991.

Approved May 29, 1990.

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CHAPTER 544

(House Bill 183)

AN ACT concerning

**Creation of a State Debt - Hagerstown YMCA**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$125,000 the proceeds to be used as a grant to the Board of Directors of the YMCA in