

WHEREAS, Washington County's agricultural heritage enhances the quality of life and enriches the lives of all of its citizens; and

WHEREAS, The business of agriculture in Washington County provides significant benefit to the community, and by preserving and nurturing its farmland, Washington County achieves greater economic development in its urban areas by containing sprawl throughout the rural parts of the county; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 25 - County Commissioners

[9K.

(a) In accordance with this section, the County Commissioners of Washington County, by ordinance or resolution, may fix, impose, and collect development impact fees for financing, in whole or in part, the capital costs of additional or expanded public works, improvements, and facilities required to accommodate new construction or development.

(b) Before the County Commissioners of Washington County may exercise the authority provided under subsection (a) of this section, the County Commissioners shall:

(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.

(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.

(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.]