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COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session

1992

Bill No. CB-69-

1992

Chapter No.

60

Proposed and Presented by Council Member
Castaldi

Introduced by Council Members Castaldi, Bell and
Mills

Co-Sponsors

Date of Introduction July 7,
1992

BILL

AN ACT concerning

Property Tax Credit

FOR the purpose of providing a partial property tax credit for certain residential real property located in an area adversely impacted by a sanitary landfill.

BY adding:

SUBTITLE 10. FINANCE AND TAXATION.

Section 10-194.02,

The Prince George's County Code
(1991 Edition).

BY repealing and reenacting with amendments:

SUBTITLE 21. REFUSE.

Section 21-123,

The Prince George's County Code
(1991 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 10-194.02 of the Prince George's County Code be and the same is hereby added:

SUBTITLE 10. FINANCE AND TAXATION.

DIVISION 8. TAX ASSESSMENT, LEVY, AND COLLECTION.

Subdivision 1A. Property Tax.

Sec. 10-194.02. Same; Residential property adversely impacted by sanitary landfills.

(a) All improved residential property, purchased prior to June 30, 1987, by the person requesting the credit, or purchased prior to the initial date that a new or expanded sanitary landfill is included within the County's Ten Year Solid Waste Plan, impacted by its proximity to a sanitary landfill is hereby exempted from a portion of the County property tax in accordance with Section 9-318, Tax - Property Article, Annotated Code of Maryland, provided that the improved residential property is:

(1) Located within one-half mile of the boundary of the area permitted by the State for the landfilling of solid waste;

(2) Abutting Old Laurel-Bowie Road between Chestnut Avenue and new Maryland Route 197, Ninth Street between Chestnut Avenue and Lanham- Severn Road, Lanham-Severn Road between Springfield Road and Ninth Street, or within the Huntington subdivision in Bowie; or

(3) Abutting White House Road between Maryland Route 202 and Ritchie-Marlboro Road, Brown Road between Ritchie-Marlboro Road and Brown Station Road, Brown Station Road between White House Road and Old Marlboro Pike, or Ritchie-Marlboro Road between Interstate 95 and Brown Road.

(b) The partial property tax credit shall be granted for the full fiscal year following any portion of the immediately preceding fiscal year in which landfilling operations commence or continue pursuant to a State refuse disposal permit:

(c) The partial property tax credit shall be payable from the site development and environmental surcharge collected pursuant to Section 10- 257.01 and shall be in an amount equal to the average cost of refuse collection for the eligible property.

(d) Application and proof of eligibility for exemption shall be filed with the Director of Finance on forms approved by the Director of Finance no later than October 1 of the tax year for which exemption is sought.

SECTION 2. BE IT FURTHER ENACTED that Section 21-123 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 21. REFUSE.

DIVISION 1. REFUSE COLLECTION AND DISPOSAL.

Sec. 21-123. Site development/Environmental Surcharge.

(a) There is hereby established a site development/environmental surcharge, payable to the County, for the purpose of funding acquisition, development, expansion, preservation and maintenance of solid waste management sites and facilities in the County and costs associated with the environmental impact thereof and other public purposes related to the environmental improvement of the County.

(b) This surcharge shall be set in the amount of Twenty-three Dollars (\$23.00) per ton of refuse disposed of at any sanitary landfill site in the County. Any change in the surcharge shall be established by legislative act, and any increase must be proposed on or before the March 31 preceding the fiscal year during which the surcharge will be collected.

(c) The operator of each landfill shall collect the fees and transmit them to the County in accordance with such procedures as may be established by the Chief Administrative Officer.

(d) No funds collected pursuant to this Section shall be expended for any purpose except those listed below:

(1) The reimbursement of the advance land acquisition fund for the purchase of land to provide for expansion or buffering of existing solid waste acceptance facilities or to provide sites for new solid waste acceptance facilities.

(2) Studies to design programs to better control or eliminate disposal of special wastes as defined in the County Comprehensive Ten Year Solid Waste Management Plan and hazardous wastes within the County.

(3) Public information programs aimed at informing County residents and waste haulers of the proper techniques for solid waste disposal and of items which may not be disposed at a landfill or other solid waste acceptance facility.

(4) Provision for intensive monitoring of wastes arriving at waste acceptance facilities within the County.

(5) Development and implementation of a program to monitor the air and water pollution effects of active and completed landfills and rubble fills within the County.

(6) Construction of a new access road into the Brown Station Road Sanitary Landfill which does not require that waste haulers travel on Brown Station Road.

(7) Planning of a new access route to the Sandy Hill Creative Disposal Project which will reduce the impact of truck traffic on the Old Bowie area.

(8) Provide regular roadway cleanup on nearby access roads to solid waste acceptance facilities within the County.

(9) Development and implementation of programs relating to environmental improvement in the County limited to litter removal, blight abatement, beautification and code enforcement.

(10) Planning new solid waste acceptance facilities.

(11) Provide property tax credits to eligible

persons.

[[11]] (12) Such other purposes as may be approved by Resolution of the County Council, upon request of the County Executive.

(e) The provisions of this Section shall not apply to rubble fills as defined in Section 21-126 or to landfills accepting only flyash and/or bottom ash produced by a franchised utility serving Prince George's County. SECTION

3. BE IT FURTHER ENACTED that this Act shall take effect on July 1, 1993.

Adopted this 28th day of July, 1992.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:

Richard J. Castaldi
Chairman

ATTEST:

Joyce T. Sweeney
Acting Clerk of the Council

APPROVED:

DATE: _____

BY:

Parris N. Glendening
County Executive

KEY:

Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.