

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 24-O-01

Date Introduced: January 8, 2024

Sponsored by: Council President Adam Hiob and Councilman William H. Montgomery, III

Public Hearing: January 22, 2024

Amendments Adopted: None

Date Adopted: February 12, 2024

Date Effective: March 4, 2024

AN ORDINANCE concerning

TOD ECONOMIC DEVELOPMENT INCENTIVE PROGRAM

FOR the purpose of creating a Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program for the City of Aberdeen.

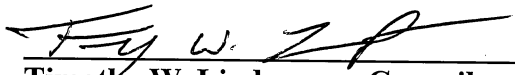
SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that it hereby establishes and adopts the Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program for the City of Aberdeen as set forth on Exhibit 1 attached to this Ordinance and incorporated by reference.

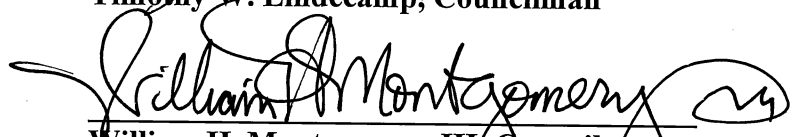
SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that this Ordinance shall become effective at the expiration of twenty (20) calendar days following its adoption by the Council.

COUNCIL OF THE CITY OF ABERDEEN


Patrick L. McGrady, Mayor


Adam M. Hiob, Council President


Timothy W. Lindecamp, Councilman


William H. Montgomery, III, Councilman


Tandra A. Ridgley, Councilwoman

ATTEST:


Monica A. Correll, City Clerk

SEAL:

Date February 12, 2024

Exhibit 1 to Ordinance No. 24-O-01

**TRANSIT ORIENTED DEVELOPMENT WATER AND SEWER AREA CONNECTION
CHARGE WAIVER ECONOMIC DEVELOPMENT INCENTIVE PROGRAM**

Creation of Incentive Program

There is a Transit Oriented Development Water and Sewer Area Connection Charge Waiver Economic Development Incentive Program ("Incentive Program") for the City of Aberdeen. The purpose of the Incentive Program is to increase the City's employment and tax bases by stimulating development and redevelopment in the City's Transit Oriented Development District ("TOD") as delineated by the City's TOD Regulating Plan, by waiving Water and Sewer Area Connection Charges imposed pursuant to Chapter 450, Article II and Chapter A550 of the Code of the City of Aberdeen. Because further development and redevelopment in the TOD District is a benefit to the City's property tax base and the City as a whole, this Incentive Program provides for payments from the General Fund's Fund Balance to the Water Fund and Sewer Fund to recoup revenues to be lost to the Water Fund and Sewer Fund by the granting of waivers under the Incentive Program.

Duration of Incentive Program

The Incentive Program shall commence upon its approval by the City Council and shall terminate on June 30, 2025 or when the number of Credits set forth in this program are exhausted, whichever comes first.

Administration of Incentive Program

The Incentive Program shall be administered by the Mayor or Mayor's designee. The Mayor or Mayor's designee shall provide an Incentive Program Application form and requirements for the submittal of supporting materials to demonstrate that an applicant is eligible to participate in the Incentive Program.

Eligibility for Participation in the Incentive Program

The following are eligible to participate in the Incentive Program:

1. Owners of land in the TOD on which new commercial or residential development require new connections to the City's water and sewer systems for which connection fees are payable.
2. Owners of land in the TOD on which commercial or residential redevelopment require connections to the City's water and sewer systems for which additional connection fees are payable.
3. Any use that is prohibited in the TOD District will not be eligible for a waiver under the Incentive Program (i.e., automobile carwash, automobile repair shop, construction services and supplies, etc.).
4. The TOD Economic Development Incentive shall limit the total available credits for the Incentive Program to thirty six (36) Equivalent Dwelling Units.

a. The Owner shall use the latest version of the Maryland Department of the Environment Wastewater Guidance Manual in determining the water capacity request for which the Equivalent Dwelling Unit credit will be determined.

b. One (1) Equivalent Dwelling Unit (EDU) means a measure of wastewater generated from the business or residential unit whose deemed average daily flow is two hundred and fifty (250) gallons.

c. No single project is eligible for a credit of more than one-third (1/3) of the total available EDUs, that being thirty six (36) EDUs, in this incentive program. An applicant approval shall not exceed twelve (12) EDUs per application.

d. Any water and sewer connection credits applied under this program are not transferrable.

Submittal of Applications

A person who is eligible to participate in the Incentive Program may apply to the Mayor or Mayor's designee for a waiver of the water and sewer area connection fees that would be charged for the connection to the City's water and sewer systems. An application for a connection fee waiver shall be filed before an application for a building permit is approved for development or redevelopment activities. To receive a connection fee waiver, the Application and supporting documents must be approved by the City Council before June 30, 2025.

Action on Applications; Payment Schedule

The Mayor or Mayor's designee shall review all Applications for waivers of water and sewer area connection fees and all supporting documentation. The Mayor or Mayor's designee may recommend to the City Council approval of a waiver request if the review of the Application and supporting documentation demonstrates that the eligibility requirements for participation in the Incentive Program have been satisfied and sufficient EDUs remain available for the credit. The City Council may approve a waiver request, in whole or in part, upon recommendation of the Mayor or Mayor's designee.

Concurrently with review of an Application for a waiver, the Mayor or Mayor's designee shall determine the value of area connection fee revenue that would be lost by the Water Fund and Sewer Fund if the waiver is granted and shall so advise the City Council. The City Council shall not approve a waiver of water and sewer area connection fees for an eligible project unless the Council concurrently appropriates sufficient funds from the City's General Fund Balance to the Water Fund and the Sewer Fund to allow the Water Fund and the Sewer Fund to recoup the amount of area connection fee revenue that would be lost by the granting of the waiver. Funds so appropriated from the Fund Balance shall be paid to the Water Fund and Sewer Fund concurrently with the project's connection to the water and sewer systems.

Upon the City Council's approval of a waiver request the project may connect to the City's water and sewer systems without the payment of water and sewer area connection fees.

Reports to the City Council

The Mayor or Mayor's designee will report annually prior to the fiscal budget approval, all waivers granted under this Incentive Program by the City Council.