

## RESOLUTION NO. 2911

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND APPROVING THE EXTENSION OF A MORATORIUM FOR BUILDING PERMIT FEES, PLAN REVIEW FEES, PLUMBING PERMIT FEES, MECHANICAL PERMIT FEES, CAPACITY FEES, AND CENTRAL LINE FEES FOR SINGLE FAMILY OWNER OCCUPIED DETACHED DWELLINGS.

WHEREAS, the Mayor of the City of Salisbury and the City Council desire to continue the infill building lot incentive program in designated areas throughout the city to encourage single family homeownership and enhance the economic welfare of the community as a whole; and

WHEREAS, the City of Salisbury, Department of Infrastructure and Development requires a plan review, building permit, plumbing permit, and mechanical permit as required by the International Building Code, 2015 Edition, and also plan review, building permit, permit, and mechanical permit fees to be paid in connection with the construction of a new single-family detached dwelling; and

WHEREAS, the City of Salisbury, Department of Infrastructure and Development requires capacity fees, water & sewer tap fees, and central line fees to be paid for the construction of a new single-family detached dwelling; and

WHEREAS, for public safety and the general welfare and protection of the public, construction of a single-family detached dwelling is performed by qualified persons with appropriate permits and inspections of the work performed; and

WHEREAS, the Mayor has recommended that the City approve a moratorium of fees as set forth in the Resolution; and

WHEREAS, the comprehensive connection charge tied to the City's water and sewer system consists of four specific fees, which are, capacity fee, facility fee, line fee, and sewer connection and water-meter/tap fee; and

WHEREAS, Section 13.02.070.A.9. of the Salisbury Municipal Code allows the Mayor and Council to adopt, by separate resolution, discounts for the comprehensive connection charge to encourage water and sewer usage that is consistent with the City's goals; and

WHEREAS, City policy requires the approval of the City Council in order to waive any fee that is associated with a project not being performed directly by the City.

NOW, THEREFORE BE IT RESOLVED THAT, on this 11<sup>th</sup> day of February, 2019, the Council of the City of Salisbury, Maryland, does approve an additional twenty-four (24) month moratorium on the building permit fees, plan review fees, plumbing permit fees, mechanical permit fees, capacity fees, and central line fees, imposed by the City of Salisbury, with regard to the construction of new single-family detached dwelling units, as follows:

1. The fees waived for the construction of new single-family detached dwellings shall apply only to new homes built for and sold to individuals who will reside in the structures as homeowner-occupied dwellings (to be confirmed through the records of the Maryland Department of Assessments & Taxation upon sale and closing of the real estate transaction and by the homeowner upon demand by the City).
2. The structure shall remain homeowner-occupied for a period of not less than five (5) years.
3. In the event the homeowner ceases to occupy the property or if the property is sold and no longer remains a homeowner-occupied structure, prior to the end of the five (5) year period, waived permit fees, utility fees, and other waived fees shall be due and payable to the City.
4. The single-family detached dwelling proposed to be built shall conform to the existing single-family detached homes in the neighborhood in which it is to be constructed and meet all required square footage and architecture requirements.
5. This Resolution shall be valid for a period of two years from the date of approval and any structure for which a valid building permit shall have been issued during this two year time period shall qualify for the fee waiver program.
6. The fees waived as part of this program shall be a lien against the real property in question and shall be recorded, charged and collected as real property taxes owed upon a property on which there is a structure that ceased to be utilized as a homeowner-occupied structure during the (5) year period. A notice of lien shall be recorded with the City's Finance Department and also in the Land Records of Wicomico County, if desired, by the City, detailing the types and amounts of fees that were waived in connection with the design, permitting, and construction process for each single-family home covered by the program described in the Resolution. A copy of the notice of lien shall also be provided to the homeowner. An administrative fee of \$500 shall also be collected if a structure ceases to be utilized as a homeowner-occupied structure during the five (5) year period referenced above.
7. The fees to be recovered pursuant to the lien will decline by twenty percent (20%) for each full year that the property remains homeowner-occupied. The administrative fee will not decline pursuant to this five (5) year schedule.

THE ABOVE RESOLUTION was introduced, read, and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on February 11, 2019, and is to become effective immediately upon adoption.

ATTEST:

Kimberly R. Nichols  
Kimberly R. Nichols, City Clerk

John R. Heath  
John R. Heath, President, City Council

APPROVED BY ME THIS 12<sup>th</sup> day of February, 2019.

Jacob R. Day  
Jacob R. Day, Mayor

# Memorandum

**To:** Amanda Pollack, Director Infrastructure & Development

**From:** William T. Holland 

**Date:** January 11, 2019

**Re:** Permit Fee Moritorium Extension

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Attached is a Resolution extending the permit fee moritorium for 24-months. Over the past year and ten months, the City has issued thirty-nine building permits for new single-family home construction which has saved home buyers over \$165,000 in building, mechanical, plumbing, gas, and capacity fees. The new homes are being constructed in both planned developments and in-fill lots.

Please schedule this for the next City Council work session.