



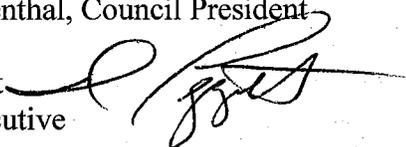
OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

May 21, 2015

TO: George Leventhal, Council President

FROM: Isiah Leggett
County Executive 

SUBJECT: Department of Permitting Services (DPS) Executive Regulation 8-15
Schedule of Fees for Permits, Licenses and Inspections – Method 3

Enclosed please find Executive Regulation 8-15, Schedule of Fees for Permits, Licenses and Inspections—Method 3. This regulation was advertised in the April, 2015 Montgomery County Register, a hearing was held on April 9, 2015 and the public comment period closed on April 30, 2015. Executive Regulation 8-15 supersedes Executive Regulation 15-13 and establishes fees based upon functional analysis, provides additional flat fees including for utilities, moves payment of the balance of sediment control permit fee from second review to one year after permit issuance for certain sediment control permits and applies a factor to address revenue volatility and avoid excess reserves.

The proposed fees are the result of a comprehensive fee study undertaken this fiscal year. The study made numerous recommendations related to determination of fees by functional analysis. As a result of the study and the comprehensive review, proposed changes include, among other things a reduction to right-of-way permit fees, an increase to fees for engineered sediment control plans, utility fees and certain flat fees and a new fee for certain maintenance of traffic plans.

Several comments were received and are summarized on the attached table along with the Department of Permitting Services' responses to comments raised. As a result of review of the comments received and related information, the transmitted regulation includes the following changes:

- Language was added to clarify that utility fee rates in excess of the minimum fee are on a linear foot basis.
- Clarify the circumstances in which the fee for maintenance of traffic plans applies.
- Language was added to make clear that sediment control extension fees are \$210 for open permits that have received as-built approval.

George Leventhal, Council President

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- Language has been provided to clarify that refund of filing fees is allowed to correct administrative errors in the application process.
- Modify the indexing of fees to labor and operating cost changes and to manage reserves to rename the index multiplier the Enterprise Fund Stabilization Factor (EFSF), require publication of the EFSF by March 15 prior to the next fiscal year and establish thresholds of the EFSF that would trigger a requirement for DPS to review its fee rates.

A Fiscal Impact Statement will be provided under separate cover. Staff from the Department of Permitting Services is available to assist with any questions that the County Council may have.

Attachments

Public Comments
Proposed Executive Regulation 8-15 Schedule of Fees for Permits, Licenses and Inspections - Method 3

COMMENT	SUBMITTED BY	DPS RESPONSE
Proposed Utility Permit Fees result in significant cost increases, including permits for critical work	Charles L. Washington Jr., PEPCO	The results of the fee study showed DPS was not recovering all costs associated with processing, reviewing and inspecting utility permit activity.
The cost of PEPCO's most commonly requested permits would nearly triple	Charles L. Washington Jr., PEPCO	The results of the fee study showed DPS was not recovering all costs associated with processing, reviewing and inspecting utility permit activity.
The filing fee for underground utility work would increase by approximately 550%	Charles L. Washington Jr., PEPCO	The results of the fee study showed DPS was not recovering all costs associated with processing, reviewing and inspecting utility permit activity.
The proposed fee increase comes at a time when PEPCO has increased permit applications to improve service reliability in Montgomery County	Charles L. Washington Jr., PEPCO	No Comment
PEPCO is concerned how the proposed fee increase will impact electricity rates	Charles L. Washington Jr., PEPCO	No Comment
PEPCO requests the County commit to a formal timeframe for permit processing within two weeks.	Charles L. Washington Jr., PEPCO	DPS routinely processes, reviews and issues utility permits within the timeframe requested.

DPS proposes the following clarification: 1. Longitudinal Underground Trenches and Construction which run lengthwise to the road surface: \$0.775 per linear foot, \$775 Minimum. 2. Individual Underground House Connections: \$425 per Connection. 3. Other Underground Activities that do not require open trenching or minimal trenching: \$0.425 per linear foot, \$425 Minimum. 4. Surface and Aerial construction activities that do not disturb existing pavement: \$0.425 per linear foot, \$425 Minimum. Traffic Management Plans: language has been added to make clear that a fee for maintenance of traffic plans applies in limited circumstances.

Charles L. Washington Jr., PEPCO

The utility fees are not clearly defined. PEPCO requests DPS clearly define "Major Permits", "Minor Permits", "Traffic Management Plan" and "Special Use and Roadway Occupancy" permits.

PEPCO proposes "Major Permits" be defined as underground work on circuits that are 69kv or greater. Additionally, if a specific project distance is assigned for the \$775 fee, we request the fee be prorated for projects that extend beyond the specified distance.

Charles L. Washington Jr., PEPCO

PEPCO proposes "Minor Permits" be defined as work on aerial infrastructure; underground work that is less than 69kv; and for service connections to individual customers. If a specific project distance is assigned for the \$425 fee, we request the fee be prorated for projects that extend beyond the specified distance.

Charles L. Washington Jr., PEPCO

PEPCO requests that "Traffic Management Plans" be limited to projects that require traffic control for at least ten days and occur in Central Business Districts.

Charles L. Washington Jr., PEPCO

DPS agrees to prorate.

DPS agrees to prorate.

See Line 18.

The combination of increased application and extension fees negatively impact business.

Robert J. Spalding, Miller and Smith

It is unclear whether changes will be made to the current estimation of construction costs table. Since construction costs are part of the fee calculation formula, changes to the current table should be made through Method 3.

Robert J. Spalding, Miller and Smith

The reduction of fees for Engineered Public Right of Way, Driveways, Permit Revisions and Extension from 14.93% to 14.65% is more than offset by the 50% increase to extension fees. We propose keeping the extension fee at 10% or alternatively extending the life of the permit and extensions to reduce overall cost.

Robert J. Spalding, Miller and Smith

Proposed fees are based on costs to the Department which must be recovered for each permit type.

A recent study conducted by the Department showed no changes were needed to bond amounts at this time. Any future revision to the table would be proposed under Method 3 Fee Regulations.

Permits that need to be extended need to cover the then current costs of those services. The FY16 budget is the base year for setting the rate. Costs increase year over year. For example typically staff costs go up due to cost of living adjustments and merit increases (an estimated annual 3.5% and 3.25%) each year. Rent and pass-throughs increase each year with the 2 recent years totaling a 14.8% increase. DPS costs of services provided to it also increase based on increases in the costs of those services year over year. DPS believes that 15% is a reasonable amount.

The combination of the increased permit fee and extension fee for Sediment Control permits results in a 108% increase in the cost to extend a permit. We propose keeping the current fee (\$.062) per square foot and extension fee (10%) in place.

Robert J. Spalding, Miller and Smith

We propose language that "permit extension fees after acceptance of the as-built plan is the minimum fee of \$210"

Robert J. Spalding, Miller and Smith

Clarify if the minimum and maximum fee for SPA Water Quality Plan Review is the fee at submittal or an additional fee.

Robert J. Spalding, Miller and Smith

Revise language that "Filing fees are non-refundable" to include "except in the case of an administrative error"

Robert J. Spalding, Miller and Smith

Regarding "Indexing of Fees" language, we recommend any changes be made through Method 3 to allow for public review and comment.

Robert J. Spalding, Miller and Smith

Permits that need to be extended need to cover the then current costs of those services. The FY16 budget is the base year for setting the rate. Costs increase year over year. For example typically staff costs go up due to cost of living adjustments and merit increases (an estimated annual 3.5% and 3.25%) each year. Rent and pass-throughs increase each year with the 2 recent years totaling a 14.8% increase. DPS costs of services provided to it also increase based on increases in the costs of those services year over year. DPS believes that 15% is a reasonable amount.

DPS will maintain the \$210 Sediment Control permit extension fee if an as-built plan has been submitted and approved by the Department.

The SPA Water Quality Plan Review fee is the fee at submittal.

DPS will include clarifying language.

Indexing of fees has been in regulations for years. ER8-15 has a modification to clarify how it will work. DPS has modified the advertised ER to provide for publication of the enterprise fund stabilization factor by March 15 prior to next budget year and to provide for thresholds that would trigger a review of rates.

Requests that Washington Gas be given the opportunity to review the proposed fees after review by the County Executive and before the new fees are enacted.

Robert M. Glidewell, Washington Gas

DPS can forward you the final proposed fees; however, the record is no longer open for submission of formal comments.

Washington Gas requests in the case of both "minor" and "major permits where the price is based on linear feet, that the permit cost beyond the first 1,000 feet be charged on a prorated basis.

Robert M. Glidewell, Washington Gas

See Line 18

Washington Gas applies for over 1,500 minor permits per year. This proposal will increase costs by 300% that will be passed on to the consumer. This is an undue hardship on those customers who are working to reduce their carbon footprint and bring down their energy costs. We propose this fee be capped at \$250.

Robert M. Glidewell, Washington Gas

No Comment

Due to MD State Bill 9, commonly known as STRIDE, Washington Gas embarked on the largest pipe replacement program in its history. Pipe mains that are 8" or less do not require open trenching to install; a new plastic pipe is installed inside the existing (to be abandoned) pipe. We request the County categorize main replacement work where the pipe size is 8" in diameter and smaller as a minor permit and replacement work where the pipe size is 10" and larger be categorized as a "major" permit.

Robert M. Glidewell, Washington Gas

See Line 18

The consultant's report analyzed the costs it takes to operate DPS, but does not address any correlation between the work by the county and the cost of the proposed new types of permits. We are left to speculate how the proposed fee costs were arrived at.

Robert M. Glidewell, Washington Gas

DPS disagrees, the consultant's report and model are very specific.



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

Montgomery County Regulation on:

SCHEDULE OF FEES FOR PERMITS, LICENSES AND INSPECTIONS – METHOD 3

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No. 8-15
COMCOR No. 19.67.02

Authority: Montgomery County Code (2004) Sections 49-35, 19-6, 19-17, 19-30, 19-45, 19-67, [30-2],
[30-4] 27A-5(e)

Supersedes: Regulation No. 15-13

Council Review: Method 3 under Code Section 2A-15

Comment Deadline: April 30, 2015

Effective Date: July 1, 2015

SUMMARY: This Executive regulation simplifies several elements of the Department of Permitting Services fee structure, adjusts fees based upon functional analysis, provides additional flat fees including for utilities, moves payment of the balance of sediment control permit fee from second review to one year after permit issuance for certain sediment control permits and applies a rate stabilization factor to address revenue volatility and avoid excess reserves. This Executive Regulation supersedes Executive Regulation 15-13 in its entirety.

STAFF CONTACT: Rick Brush, Chief
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Division of Land Development
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Rockville, Maryland 20850



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BACKGROUND INFORMATION: The Department of Permitting Services was established as a fee-supported enterprise within the Executive Branch of Montgomery County in 1996. Revenues that support the Department are established under these Method 3 Regulations and by Council resolution. The Department of Permitting Services is funded through its collection of fees. In Fiscal 2015 the Department of Permitting Services engaged in a comprehensive study of its fee structure. As a result of this study, certain recommendations were made including to simplify several elements of its fee structure, adjust fees based upon functional analysis, provide additional flat fees, move payment of balance of permit fee from second review to one year after permit issuance for certain sediment control permits and apply a rate stabilization factor to address revenue volatility and avoid excess reserves.

[19.67.02.01 Road And Right-Of-Way Construction

All roadway-construction projects, or any construction activity within the boundaries of a dedicated public right-of-way; including roads, sidewalks/bikeways, curbs, gutters, and drainage systems; require a permit and will be charged a fee by the Department of Permitting Services.

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the filing fee as specified.
2. All remaining fees must be paid prior to any subsequent submission for review or prior to permit issuance, whichever occurs first.
3. The estimated project cost is determined by the Director of the Department of Permitting Services based on average costs submitted on recent County capital-improvement project bids for comparable work.
4. Permit fees are not transferable.
5. The minor plat fee must be paid at the time of application or before the Department initiates reviews.
6. The fee for a revision to a Public Right-of-Way Permit for changes of ownership is the minimum permit fee.
7. The fee for a change of legal description or other administrative revision to a Right of Way Permit after permit issuance is 50% of the minimum permit fee.
8. All fees noted in this regulation are subject to a 5 % Automation Enhancement fee per COMCOR 08.24B.02.

B. Work in Public Right-of-Way Permit (for Driveway Permits, Roadway Occupancy Permits, Special Use Permits)

The fee is based on 14.930% of the estimated project cost.



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A non-refundable filing fee of \$135 is required for all Work in Public Right-of-Way Permit applications.

C. Engineered Public Right-of-Way Permits

For the following permit types,

- Roadway Grading Permit,
- Paving Permit,
- Storm Drain Permit

the permit fee is calculated as the greater of:

1. Minimum fee \$1,895, or
2. 14.930% of the estimated project cost.

A filing fee must be paid at time of application in the amount of the minimum fee or 30% of the total permit fee whichever is greater. An engineered cost estimate fully detailing estimated project cost based on work proposed by application must be included with the initial application.

D. Minor Subdivision Record Plat Review

For review and approval of Subdivision Record Plats created per requirements of Chapter 50 Section 35A for Minor Subdivisions, a non-refundable filing fee of \$500 is due at application.

E. Permit Revisions

The fee for a revision to a Public Right-of-Way permit is:

1. For Work in Public Right of Way Permits, the fee is the greater of:
 - a. Minimum fee of \$135 or
 - b. 14.930% of the estimated revision cost
2. For Engineered Right-of-Way Permits, the fee is the greater of:
 - a. Minimum fee of \$1895 or
 - b. 14.930% of the estimated revision cost

A filing fee must be paid at time of application in the amount of the minimum fee or 30% of the total permit fee whichever is greater. An engineered cost estimate fully detailing estimated project cost based on work proposed by application must be included with the initial revision application.

F. Public Right-of-Way Permit Extensions

Road and Right of Way construction permits are valid for a period of 18 months. Upon



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written request, prior to the expiration of the permit and the payment of an extension fee, the permit may be extended for 12 months. The fee to extend a permit is ten percent (10%) of the current fee, but not less than \$175.00.

G. Temporary Construction Activities

A permit is required for any temporary structure placed within a road or public right-of-way. A minimum fee of \$175 will be charged for a crane, dumpster, storage container, or scaffolding/pedestrian walkway-permit.

19.67.02.02 Sediment Control, Stormwater Management, And Floodplain Districts

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
2. All remaining fees must be paid prior to any subsequent submission for review or prior to permit issuance, whichever occurs first.
3. All Stormwater Management Concept fees, Floodplain Study fees and Floodplain-District Permit fees must be paid at the time of application or before the Department initiates reviews
4. Permit fees are not transferable.
5. Sediment-Control Permits are not transferable.
6. The fee for a revision to a Sediment Control Permit or a Floodplain District Permit for changes of ownership is the minimum permit fee.
7. The fee for a change-of-legal description or other administrative revision to a Sediment Control Permit or a Floodplain District Permit after permit issuance is 50% of the minimum permit fee for the permit type being revised.
8. All fees noted in this regulation are subject to a 5 % Automation Enhancement fee per COMCOR 08.24B.02.

B. Stormwater Management

1. Stormwater Management Concept Fee
All SWMC fees must be paid before the Department initiates reviews. Stormwater Concept Plan filing fees are:
 - a. For concepts of onsite stormwater management for a separate single-family residential lot \$1,040
 - b. All other stormwater management concept plans which are for development of 25 acres or fewer \$2,440
 - c. All other stormwater management concept plans which are for



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	development of greater than 25 acres	\$3,120
	d. Fees for revisions to previously approved Stormwater Concept plans are 50% of the current fee.	
	If the Stormwater Management Concept and the Site Development Stormwater Management Plan are combined as allowed in Chapter 19 then only the Stormwater Concept fee applies.	
2.	Stormwater Management Administrative Waiver Review for Grandfathering The filing fees are as follows:	
	a. For administrative waiver review of onsite stormwater management for a single-family residential lot	\$520
	b. All other stormwater management administrative waiver reviews which are for development of 25 acres or fewer	\$1,220
	c. All other stormwater management administrative waiver reviews which are for development of greater than 25 acres	\$1,560
3.	Site Development Stormwater Management Plan The filing fees are as follows:	
	a. For Site Development Stormwater Management Plan review of onsite stormwater management for a separate single-family residential lot	\$520
	b. All other stormwater management Site Development Stormwater Management Plan reviews which are for development of 25 acres or fewer	\$1,220
	c. All other stormwater management Site Development Stormwater Management Plan reviews which are for development of greater than 25 acres	\$1,560
	d. Fees for revisions to approved Site Development Stormwater Management Plans are the same as for new submittals.	
4.	Sediment Control Permits	
	a. Engineered Permits A filing fee must be paid at time of application in the amount of the minimum fee or 30% of the total permit fee whichever is greater.	
	1. For New applications of Engineered Sediment Control Permits, the permit fee is the greater of:	
	a. Minimum fee of \$1895, or	
	b. \$0.062 per square feet of disturbed area	



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2. For Permit Revisions with increased disturbed area, the revision fee is the greater of:
 - a. Minimum fee of \$1895, or
 - b. \$0.062 per square feet of disturbed area
3. For Permit Revisions with no increase of disturbed area, the revision fee is the greater of:
 - a. 35% of the current fee based on total disturbed area,
 - b. Minimum fee of \$1895, or
 - c. Maximum fee of \$4,160

b. **Small Land Disturbance Permits**

For Small Land Disturbance Permits, which are those that do not require stormwater management to be addressed as determined by the Department, the filing fee, which is paid at application is

1. For construction of a primary building or addition on single family residential lots or parcels as based on total lot size, the filing fee is:

a. 10,000 square feet or fewer	\$ 630
b. 10,001 – 20,000 square feet	\$1,265
2. For construction activities that do not require the use of an engineered sediment control plan, as determined by the department and is based on the total disturbed area, the filing fee is:

a. 10,000 square feet or fewer	\$ 630
b. 10,001 – 20,000 square feet	\$1,265
3. For Permit Revisions, the revision filing fee is:

a. 10,000 square feet or fewer	\$ 315
b. 10,001 – 20,000 square feet	\$ 633

c. **Forest Harvest Activities Sediment Control Permits**

Harvest Activities permit filing fee \$ 210

d. **Maintenance of Stormwater Management Facilities Sediment Control Permits**

Maintenance of Stormwater Management Facilities permit filing fee \$ 545

e. **Post Construction Monitoring Sediment Control Permits**

Post construction monitoring of Stormwater Management Facilities permit filing fee \$ 545



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f. Stormwater Management As-Built Plans
The fee for the review and approval of stormwater management as-built plans is \$1,895. An additional fee of \$1,895 will be assessed when as-built plans are submitted for stormwater management facilities which have not been constructed in accordance with Department approved plans

g. Sediment Control Plan and Permit Extension
Sediment Control Plans and Permits are valid for a period not to exceed two (2) years from the date of issuance or approval. Plan and permit extensions are valid for one (1) year. Upon written request, prior to the expiration of the permit and the payment of an extension fee, the permit may be extended for 12 months. The fee to extend all Sediment Control Permits is \$0.0062 per square feet of disturbed area, as designated on the original permit or plan approval. The minimum fee for an extension is \$210. Expiration of a plan prior to permit issuance requires that the plan be revised to update approvals on the plan. A sediment control revision fee is required.

- 5. Floodplain District and Floodplain Study
 - a. Floodplain District Permit filing fee \$ 730
 - b. Filing fee for review and approval of Dam-Breach studies using the TR-60Q, Max estimation method \$ 730
 - c. Filing fee for review and approval of all other Dam Breach Analyses \$2,080
 - d. Certification of Floodplain District limits not covered by F.1, F.2, F.3 or F.4 \$ 180
 - e. Floodplain District Permits are valid for two (2) years from the date of issuance. The fee to extend a Floodplain District Permit is \$190 and the extension is valid for one (1) year

19.67.02.03 Water Quality Review And Monitoring In Special Protection Areas

All Water Quality Review fees must be paid at the time of application or before the Department initiates reviews.

A. Preliminary-Water-Quality-Plan-Review Filing Fees

- 1. Five or fewer acres \$ 1,425
- 2. More than 5 – 15 Acres \$ 2,670



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3.	More than 15 – 25 Acres	\$ 3,905
4.	More than 25 – 75 Acres	\$ 6,960
5.	More than 75 – 125 Acres	\$ 8,705
6.	More than 125 – 175 Acres	\$ 10,420
7.	More than 175 – 225 Acres	\$ 12,145
8.	More than 225 – 275 Acres	\$ 13,855
9.	More than 275 – 325 Acres	\$ 15,455
10.	More than 325 – 375 Acres	\$ 17,310
11.	More than 375 Acres	\$ 19,030

B. Final Water-Quality-Plan-Review Filing Fees

1.	5 Acres or less	\$ 1,170
2.	More than 5 – 15 Acres	\$ 2,370
3.	More than 15 – 25 Acres	\$ 3,530
4.	More than 25 – 75 Acres	\$ 6,835
5.	More than 75 – 125 Acres	\$ 9,035
6.	More than 125 – 175 Acres	\$ 11,250
7.	More than 175 – 225 Acres	\$ 13,570
8.	More than 225 – 275 Acres	\$ 15,645
9.	More than 275 – 325 Acres	\$ 17,845
10.	More than 325 – 375 Acres	\$ 20,050
11.	More than 375 Acres	\$ 22,260

C. Stream-Monitoring Fees: Stream-monitoring fees in the amount of \$ 860 per acre must be paid by the permittee prior to issuance of the Sediment-Control Permit for the development site. For the purpose of fee calculation, the total acreage of the site as shown on the approved record plat shall be used. All fractions of acreage will be rounded to the nearest whole number. If the acreage fraction is .5, the next higher whole number will be used. The Department of Permitting Services collects this fee for the Department of Environmental Protection.

D. Revisions: A revision fee in the amount of 35% of the current fee must be paid by the permittee for any significant amendments to the approved preliminary or final water-quality plan. Minor revisions to the approved preliminary or final water-quality plan do not require an additional plan-review fee.

19.67.02.04 Benefit Performances



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A bona fide non-profit organization may conduct a performance for the exclusive benefit of a volunteer fire department, or a charitable, benevolent, patriotic, fraternal, educational, religious or civic object. A benefit performance includes an outdoor or indoor carnival, fair, picnic, dance, card party, bazaar, concert, contest, horse show, exhibition, lecture, barbecue, or dinner, to which the public is invited or admitted, with or without charge for admission. The net proceeds must benefit solely the non-profit organization.

- | | |
|------------------------|-------|
| A. Benefit Performance | \$ 57 |
| B. Duplicate License | \$ 16 |

19.67.02.05 Storage Of Vendor-Confiscated Goods

This regulation sets a fee for the storage of goods confiscated by the Department of Permitting Services enforcement staff from vendors illegally offering goods for sale.

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|-------------|-------|
| Storage Fee | \$ 73 |
|-------------|-------|

19.67.02.06 Individual Water-Supply And Sewage-Disposal Systems

- A. General
 - 1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
 - 2. All remaining fees must be paid prior to any subsequent submission for review or prior to permit issuance, whichever occurs first.
 - 3. Permits are valid for a period of one year.
 - 4. Permit fees are not transferable.
 - 5. The fee for revisions to permit information after submission by the applicant is \$135.
 - 6. The fee for minor plan revisions is the Minor Plan Review Fee.
 - 7. The fee for investigation, review and issuance of a permit to repair an existing sewage-disposal system is the Minor Plan Review Fee
 - 8. All fees noted in this regulation are subject to a 5 % Automation Enhancement fee per COMCOR 08.24B.02.

- B. Conventional Percolation Tests Per Lot (each visit) \$ 520

- C. Percolation Tests Per Lot for Mound Systems (each visit) \$ 935

- D. Percolation Tests Per Lot for Alternative and Innovative Systems



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(each visit)	\$ 935
E. Water-Table-Level Check (each visit)	\$ 410
F. Individual-Sewage-Disposal-System Permit	\$ 935
G. Plans Review for Subdivision and platted Lots and Revisions (Per Lot)	\$ 500
H. Minor Plan Review (Including Environmental Health Survey)	\$ 275
I. Partial Environmental Health Survey	\$ 140
J. Septage-Hauler-Permit Inspection (per truck)	\$ 210
K. Permit Extensions	
Permits are valid for a period of 12 months. Upon written request, prior to the expiration of the permit and the payment of an extension fee, the permit may be extended for 6 months. The fee to extend a permit is \$135.00.	

19.67.02.07 Indexing Of Fees To Labor Cost Increases

The Director of Permitting Services must adjust each fee set in or under this regulation on July 1 of each year by a percentage that does not exceed the rate of the increase (if any) in the department’s approved personnel costs for the then-current fiscal year compared to the approved personnel costs for the preceding fiscal year. For fees of \$100 or more, the Director must calculate the revised fee to the nearest five dollars. For fees under \$100, the Director must calculate the revised fee to the nearest dollar.

The Director must publish the amount of this adjustment not later than July 1 of each year.

19.67.02.08 Miscellaneous

Filing fees and permit fees are based on fees in effect on the date the application was filed. All other fees are based on fees in effect at the time the service is requested (revision fee, extension fee, etc.).

- A. Responsible Personnel Certification Program
Registration fee for Sediment Control Green Card Training \$ 50
- B. Permit Application Revisions



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The fee for revisions to permit information after submission by the applicant and prior to permit issuance is \$ 59

C. Refunds

Fee refunds are categorized as follows:

1. Filing fees are not refundable
2. In the case of an abandonment or discontinuance of a project under permit, a refund of up to 50 percent of the fee paid (excluding filing fees) may be granted provided:
 - a. No construction has occurred, and
 - b. A written request for refund is made prior to the expiration date of the permit.
 - c. Revoked, suspended, or invalid licenses or permits or permits or licenses in litigation are not eligible for refunds

D. Bonding Alterations

Bonds must be posted for permitted projects in accordance with the applicable Code. Fees for alterations to a posted bond are as follows:

1. Fee to replace a Performance Bond, Irrevocable Letter of Credit, Cash Bond or Certificate of Guarantee \$110
2. If the purpose of the replacement is to reduce the amount of the instrument due to partial completion of work, the fee for the partial reduction is \$220

19.67.02.09 Severability

If a court holds that part of this regulation is invalid, the invalidity does not affect other parts.]

COMCOR 19.67.02 Schedule of Fees for Permits Licenses and Inspections – Method 3

19.67.02.01 Road And Right-Of-Way Construction

All roadway-construction projects, or any construction activity within the boundaries of a dedicated public right-of-way; including roads, sidewalks/bikeways, curbs, gutters, and drainage systems; require a permit and will be charged a fee by the Department of Permitting Services.

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the filing fee as specified.
2. All remaining fees must be paid before permit issuance.



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
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3. The estimated project cost is determined by the Director of the Department of Permitting Services based on average costs submitted on recent County capital-improvement project bids for comparable work or a current professionally prepared cost estimate for the average costs of such work. Information regarding estimation of construction costs can be found at this link:
<http://permittingservices.montgomerycountymd.gov/DPS/bond/BondsEstimate.aspx>
4. Where a maintenance of traffic or traffic control plan is required, a permit must be obtained for activity in the right-of-way and the permit fee must be paid before permit issuance.
5. The minor plat fee must be paid prior to Department approval.
6. The fee for a revision to an Engineered Public Right-of-Way Permit for changes of ownership is the minimum permit fee.
7. The fee for a change of legal description or other administrative revision to a Right of Way Permit after permit issuance is 50% of the minimum permit fee.
8. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).

B. Work in Public Right-of-Way Permits

- **Driveway Permits**
 1. Fee is **14.65%** of the estimated project cost.
 2. Non-refundable filing fee of \$150 is required.

- **Utility Permits**

1. Under Roadway Work	\$0.775/LF, Minimum \$775
2. Above Roadway Work (minimal or no trenching)	\$0.425/LF, Minimum \$425
3. Aerial Work	\$0.425/LF, Minimum \$425
4. House Connections	\$425/Connection

- **Special Use and Roadway Occupancy Permits** **\$215**
(Includes dumpsters, cranes, storage container, temporary pedestrian access, and tree planting)

- **Stump and Hazardous Tree Removal** **\$0**
(Includes removal of a roadside tree which has been determined by a licensed tree expert and approved by the Department to immediately endanger a person or property)



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C. Engineered Public Right-of-Way Permits

- Roadway Grading Permit
- Paving Permit
- Storm Drain Permit

1. Fee is 14.65% of the estimated project cost, or \$1,910, whichever is greater.
2. A nonrefundable filing fee of 50% of the estimated project cost, or \$1,910, whichever is greater is required.
3. Must include best available information on project costs when the initial application is submitted.

D. Traffic Management Plans \$2,600

This fee applies to: 1. Maintenance of traffic plans in Central Business Districts; 2. Rights of way 80 feet or greater; 3. Work in any other area that is two weeks or greater in duration; 4. Any site specific non-standard workzone temporary traffic control plans.

E. Minor Record Plats

1. For review and approval of Subdivision Record Plats created per requirements of Chapter 50 Section 35A for Minor Subdivisions.
2. Nonrefundable Filing Fee \$500

F. Permit Revisions

1. Engineered Right-of-Way Permits
 - a. 14.65% of the estimated project revision cost, or \$1,910, whichever is greater.
 - b. An engineered cost estimate, fully detailing estimated project cost, must accompany the revision application.
2. All Other Right of Way Permit Revisions \$150

G. Public Right-of-Way Permit Extensions

1. Road and Right of Way construction permits are valid for a period of 18 months.
2. The fee to extend an Engineered Right of Way Permit is 15% of the bond in place when the extension is requested.
3. The fee to extend all other Right of Way Permits \$150



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
2. All remaining fees must be paid within one year after permit issuance or before final inspection, whichever occurs first.
3. All Stormwater Management Concept fees, Floodplain Study fees and Floodplain-District Permit fees must be paid when the application is submitted or before the Department initiates reviews.
4. The fee for a revision to a Sediment Control Permit or a Floodplain District Permit for changes of ownership is the minimum permit fee.
5. The fee for a change-of-legal description or other administrative revision to a Sediment Control Permit or a Floodplain District Permit after permit issuance is 50% of the minimum permit fee for the permit type being revised.
6. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).

B. Stormwater Management Concept or SPA Water Quality Inventory

- | | |
|----------------------------|----------------|
| 1. <u>Fee at Submittal</u> | \$2,765 |
| 2. <u>Fee to Revise</u> | \$1,385 |

C. Site Development SWM Plan Review **\$1,385**

D. Stormwater Concept/Site Development Stormwater Plan Combo **\$2,765**

E. SPA Water Quality Plan Review (Preliminary)

- | | |
|----------------------------|-------------------|
| 1. <u>Fee at Submittal</u> | \$815/Acre |
| 2. <u>Minimum Fee</u> | \$2,765 |
| 3. <u>Maximum Fee</u> | \$16,300 |

F. SPA Water Quality Plan Review (Final) **\$1,385**

G. SPA Water Quality Plan Review (Preliminary & Final)

- | | |
|----------------------------|-------------------|
| 1. <u>Fee at Submittal</u> | \$815/Acre |
| 2. <u>Minimum Fee</u> | \$2,765 |
| 3. <u>Maximum Fee</u> | \$16,300 |



MONTGOMERY COUNTY EXECUTIVE REGULATION

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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District (Con't)

- H. Other Revisions to Stormwater Concept Plans \$1,385**
- I. Other Revisions to Water Quality Plans \$1,385**
- J. Stream Monitoring \$860/Acre**
 1. Fee must be paid before issuance of the Sediment Control Permit.
 2. The fee will be calculated based on the total acreage of the site as shown on the approved record plat.
 3. All fractions of acreage will be rounded to the nearest whole number.
 4. If the acreage fraction is .5, the next higher whole number will be used.
 5. The Department of Permitting Services collects this fee for the Department of Environmental Protection.
- K. Sediment Control Permits**
 - 1. Engineered Permits**
 - a. Fee is \$.086 per square feet of disturbed area, or \$1,910, whichever is greater.
 - b. A nonrefundable filing fee of 50% of the total permit fee, or \$1,910, whichever is greater, is required when the application is submitted.
 - c. Fee to Revise is \$.086 per square feet of additional disturbed area plus the **Minimum fee of \$1,910.**
 - 2. Engineered Permits for Single Family Lots**
 - a. Fee at Submittal \$1,910
 - b. Applies to work on one single family lot.
 - c. Does not apply to plans that include work on multiple lots or which include road construction.
 - d. Must be for single family use.
 - e. A Stormwater Concept Submission is not required.
 - 3. Small Land Disturbance Activity Permits**
 - a. Fee at Submittal \$815
 - b. May be used for projects that do not require stormwater management.
 - c. May be used for single family residential lots when the disturbed area is less than 20,000 square feet or for the maintenance of existing stormwater management facilities unless otherwise approved by the Department.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
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K. Sediment Control Permits (Con't)

- 4. Forest Harvest Activity Permits \$815
- 5. Stormwater Management As-Built Plans
 - a. Fee at Submittal \$1,910
 - b. Any extension fees will be due when the As-Built Plans are submitted.
- 6. Permit Extensions
 - a. The fee to extend an Engineered Sediment Control permit is 15% of the total permit fee in effect when the extension request is submitted. If an as-built plan has been submitted and approved, the fee is \$210.
 - b. Initial Sediment Control permits are valid for 24 months.
 - c. The fee to extend all other Sediment Control permits \$150

L. Floodplain District Permits

- 1. Fee at Submittal \$900
- 2. One Year Extension Fee \$135

M. Floodplain Studies

- 1. Fee at Submittal \$1,140
- 2. A Floodplain Study may include a dam breach analysis.

19.67.02.03 Individual Water Supply and Sewage Disposal Systems

A. General

- 1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
- 2. All remaining fees must be paid before any subsequent submission for review or before permit issuance, whichever occurs first.
- 3. Permits are valid for a period of one year.
- 4. Permit fees are not transferable.
- 5. The fee for minor plan revisions is the Minor Plan Review Fee.
- 6. The fee for investigation, review and issuance of a permit to repair an existing sewage-disposal system is the Minor Plan Review Fee.
- 7. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13, COMCOR 08.24B.02, unless otherwise noted.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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19.67.02.03 Individual Water Supply and Sewage Disposal Systems (Con't)

B.	<u>Conventional Percolation Tests Per Lot, Per Visit</u>	<u>\$780</u>
C.	<u>Percolation Tests Per Lot, Per Visit, for Mound Systems</u>	<u>\$1,050</u>
D.	<u>Water Table Level Checks, Per Visit</u>	<u>\$440</u>
E.	<u>Individual Sewage Disposal Permit</u>	<u>\$1,200</u>
F.	<u>Plans Review for Subdivision and Platted Lots and Revisions</u>	<u>\$510/Lot</u>
G.	<u>Minor Plan Review and Environmental Health Survey</u>	<u>\$375</u>
H.	<u>Partial Environmental Health Survey</u>	<u>\$235</u>
I.	<u>Review Repair of Existing Sewage Disposal Systems</u>	<u>\$375</u>
J.	<u>Septage Hauler Permit Inspection (Including Truck Inspection)</u>	<u>\$375</u>
K.	<u>Septage Hauler Permit Inspection (Reciprocal Truck Inspection)</u>	<u>\$235</u>
L.	<u>Permit Extensions</u>	
	1. <u>Fee at Submittal</u>	<u>\$170</u>
	2. <u>Permits are valid for 12 months.</u>	
	3. <u>Upon written request a permit may be extended for an additional six months.</u>	
M.	<u>Well Permits</u>	<u>\$160</u>
	1. <u>Not subject to Automation Enhancement Fee.</u>	



MONTGOMERY COUNTY EXECUTIVE REGULATION

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19.67.02.04 Miscellaneous Fees

Filing fees and permit fees are based on fees in effect on the date the application was filed. All other fees are based on fees in effect when the service is requested (revision fee, extension fee, etc.).

- A. Administrative Permit Application Revisions \$70**
- B. Refunds**
 - 1. Filing fees are nonrefundable except in the case of an administrative error.
 - 2. In the case of an abandonment or discontinuance of a project under permit, a refund of up to 50 percent of the fee paid (excluding filing fee) may be granted provided:
 - a. No construction has occurred, and
 - b. A written request for refund is made before the expiration date of the permit.
 - c. Revoked, suspended, or invalid licenses or permits, or permits or licenses in litigation are not eligible for refunds.
- C. Bonding Alterations**

Bonds must be posted for permitted projects under the applicable Code. Fees for alterations to a posted bond are as follows:

 - 1. Fee to replace a Performance Bond, Irrevocable Letter of Credit, Cash Bond or Certificate of Guarantee \$140
 - 2. If the purpose of the replacement is to reduce the amount of the instrument due to partial completion of work, the fee for the partial reduction is \$280
- D. Expedited Plan Reviews**
 - 1. Fee is \$125% of total permit fee.
 - 2. Per County Council Resolution 16-600, Executive Regulation 9-08.



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19.67.02.05 Indexing of Fees to Labor and Operating Cost Changes and to Manage Reserves

The Director of Permitting Services must calculate an enterprise fund stabilization factor (EFSF) each year to be applied to each fee set in or under this regulation on July 1 of each year. The EFSF is the factor by which the fee calculation is adjusted, up or down, to cover DPS labor and operating costs and to manage the DPS reserve policy in accordance with the 2002 Principles of the Fiscal Management of the Permitting Services Fund. The Director must publish the EFSF for each upcoming fiscal year not later than March 15 of the current fiscal year. For any year in which the EFSF will be less than .80 or greater than 1.20, the Department must review its fee rates and functional analysis behind the fee rates to determine if changes need to be made to the fee rates.

19.67.02.06 Severability

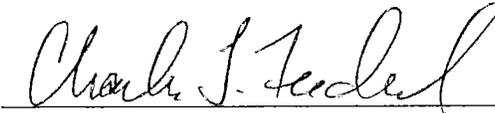
If a court holds that part of this regulation is invalid, the invalidity does not affect other parts.

EFFECTIVE DATE: This regulation becomes effective July 1, 2015


Isiah Leggett, County Executive

5/21/15
Date

Approved as to form and legality:


Office of the County Attorney

21 May 2015
Date



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

Montgomery County Regulation on:

SCHEDULE OF FEES FOR PERMITS, LICENSES AND INSPECTIONS – METHOD 3

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No. 8-15
COMCOR No. 19.67.02

Authority: Montgomery County Code (2004) Sections 49-35, 19-6, 19-17, 19-30, 19-45, 19-67,
27A-5(e)

Supersedes: Regulation No. 15-13

Council Review: Method 3 under Code Section 2A-15

Comment Deadline: April 30, 2015

Effective Date: July 1, 2015

SUMMARY: This Executive regulation simplifies several elements of the Department of Permitting Services fee structure, adjusts fees based upon functional analysis, provides additional flat fees including for utilities, moves payment of the balance of sediment control permit fee from second review to one year after permit issuance for certain sediment control permits and applies a rate stabilization factor to address revenue volatility and avoid excess reserves. This Executive Regulation supersedes Executive Regulation 15-13 in its entirety.

STAFF CONTACT: Rick Brush, Chief
Division of Land Development
240-777-6343

Linda Kobylski, Manager
Division of Land Development
240-777-6346

ADDRESS: Department of Permitting Services
255 Rockville Pike, Second Floor
Rockville, Maryland 20850



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
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BACKGROUND INFORMATION: The Department of Permitting Services was established as a fee-supported enterprise within the Executive Branch of Montgomery County in 1996. Revenues that support the Department are established under these Method 3 Regulations and by Council resolution. The Department of Permitting Services is funded through its collection of fees. In Fiscal 2015 the Department of Permitting Services engaged in a comprehensive study of its fee structure. As a result of this study, certain recommendations were made including to simplify several elements of its fee structure, adjust fees based upon functional analysis, provide additional flat fees, move payment of balance of permit fee from second review to one year after permit issuance for certain sediment control permits and apply a rate stabilization factor to address revenue volatility and avoid excess reserves.

COMCOR 19.67.02 Schedule of Fees for Permits Licenses and Inspections – Method 3

19.67.02.01 Road And Right-Of-Way Construction

All roadway-construction projects, or any construction activity within the boundaries of a dedicated public right-of-way; including roads, sidewalks/bikeways, curbs, gutters, and drainage systems; require a permit and will be charged a fee by the Department of Permitting Services.

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the filing fee as specified.
2. All remaining fees must be paid before permit issuance.
3. The estimated project cost is determined by the Director of the Department of Permitting Services based on average costs submitted on recent County capital-improvement project bids for comparable work or a current professionally prepared cost estimate for the average costs of such work. Information regarding estimation of construction costs can be found at this link:
<http://permittingservices.montgomerycountymd.gov/DPS/bond/BondsEstimate.aspx>
4. Where a maintenance of traffic or traffic control plan is required, a permit must be obtained for activity in the right-of-way and the permit fee must be paid before permit issuance.
5. The minor plat fee must be paid before Department approval.
6. The fee for a revision to an Engineered Public Right-of-Way Permit for changes of ownership is the minimum permit fee.
7. The fee for a change of legal description or other administrative revision to a Right of Way Permit after permit issuance is 50% of the minimum permit fee.
8. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).



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B. Work in Public Right-of-Way Permits

- **Driveway Permits**
 1. Fee is **14.65%** of the estimated project cost.
 2. A nonrefundable filing fee of **\$150** is required.

- **Utility Permits**

1. Under Roadway Work	\$0.775/LF, Minimum \$775
2. Above Roadway Work (minimal or no trenching)	\$0.425/LF, Minimum \$425
3. Aerial Work	\$0.425/LF, Minimum \$425
4. House Connection	\$425/Connection

- **Special Use and Roadway Occupancy Permits** **\$215**
 (Includes dumpsters, cranes, storage container, temporary pedestrian access, and tree planting)

- **Stump and Hazardous Tree Removal** **\$0**
 (Includes removal of a roadside tree which has been determined by a licensed tree expert and approved by the Department to immediately endanger a person or property)

C. Engineered Public Right-of-Way Permits

- Roadway Grading Permit
- Paving Permit
- Storm Drain Permit

1. Fee is **14.65%** of the estimated project cost, or **\$1,910**, whichever is greater.
2. A nonrefundable filing fee of **50%** of the estimated project cost, or **\$1,910**, whichever is greater is required.
3. Must include best available information on project costs when the initial application is submitted.

D. Traffic Management Plans **\$2,600**

This fee applies to: 1. Maintenance of traffic plans in Central Business Districts; 2. Rights of way 80 feet or greater; 3. Work in any other area that is two weeks or greater in duration; 4. Any site specific non-standard workzone temporary traffic control plans.



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19.67.02.01 Road And Right-Of-Way Construction (Con't)

E. Minor Record Plats

1. For review and approval of Subdivision Record Plats created per requirements of Chapter 50 Section 35A for Minor Subdivisions.
2. Nonrefundable Filing Fee **\$500**

F. Permit Revisions

1. Engineered Right-of-Way Permits
 - a. **14.65%** of the estimated project revision cost, or **\$1,910**, whichever is greater.
 - b. An engineered cost estimate, fully detailing estimated project cost, must accompany the revision application.
2. All Other Right of Way Permit Revisions **\$150**

G. Public Right-of-Way Permit Extensions

1. Road and Right of Way construction permits are valid for a period of 18 months.
2. The fee to extend an Engineered Right of Way Permit is **15%** of the bond in place when the extension is requested.
3. The fee to extend all other Right of Way Permits **\$150**

19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
2. All remaining fees must be paid within one year after permit issuance or before final inspection, whichever occurs first.
3. All Stormwater Management Concept fees, Floodplain Study fees and Floodplain-District Permit fees must be paid when the application is submitted or before the Department initiates reviews.
4. The fee for a revision to a Sediment Control Permit or a Floodplain District Permit for changes of ownership is the minimum permit fee.
5. The fee for a change-of-legal description or other administrative revision to a Sediment Control Permit or a Floodplain District Permit after permit issuance is 50% of the minimum permit fee for the permit type being revised.
6. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02),



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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District (Con't)

- | | |
|--|------------|
| B. Stormwater Management Concept or SPA Water Quality Inventory | |
| 1. Fee at Submittal | \$2,765 |
| 2. Fee to Revise | \$1,385 |
| C. Site Development SWM Plan Review | \$1,385 |
| D. Stormwater Concept/Site Development Stormwater Plan Combo | \$2,765 |
| E. SPA Water Quality Plan Review (Preliminary) | |
| 1. Fee at Submittal | \$815/Acre |
| 2. Minimum Fee | \$2,765 |
| 3. Maximum Fee | \$16,300 |
| F. SPA Water Quality Plan Review (Final) | \$1,385 |
| G. SPA Water Quality Plan Review (Preliminary & Final) | |
| 1. Fee at Submittal | \$815/Acre |
| 2. Minimum Fee | \$2,765 |
| 3. Maximum Fee | \$16,300 |
| H. Other Revisions to Stormwater Concept Plans | \$1,385 |
| I. Other Revisions to Water Quality Plans | \$1,385 |
| J. Stream Monitoring | \$860/Acre |
| 1. Fee must be paid before issuance of the Sediment Control Permit. | |
| 2. The fee will be calculated based on the total acreage of the site as shown on the approved record plat. | |
| 3. All fractions of acreage will be rounded to the nearest whole number. | |
| 4. If the acreage fraction is .5, the next higher whole number will be used. | |
| 5. The Department of Permitting Services collects this fee for the Department of Environmental Protection. | |



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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District (Con't)

K. Sediment Control Permits

1. Engineered Permits

- a. Fee is **\$.086** per square feet of disturbed area, or **\$1,910**, whichever is greater.
- b. A nonrefundable filing fee of **50%** of the total permit fee, or **\$1,910**, whichever is greater, is required when the application is submitted.
- c. Fee to Revise is **\$.086** per square feet of additional disturbed area plus the **Minimum fee of \$1,910**.

2. Engineered Permits for Single Family Lots

- a. Fee at Submittal **\$1,910**
- b. Applies to work on one single family lot.
- c. Does not apply to plans that include work on multiple lots or which include road construction.
- d. Must be for single family use.
- e. A Stormwater Concept Submission is not required.

3. Small Land Disturbance Activity Permits

- a. Fee at Submittal **\$815**
- b. May be used for projects that do not require stormwater management.
- c. May be used for single family residential lots when the disturbed area is less than 20,000 square feet or for the maintenance of existing stormwater management facilities unless otherwise approved by the Department.

4. Forest Harvest Activity Permits **\$815**

5. Stormwater Management As-Built Plans

- a. Fee at Submittal **\$1,910**
- b. Any extension fees will be due when the As-Built Plans are submitted.

6. Permit Extensions

- a. The fee to extend an Engineered Sediment Control permit is **15%** of the total permit fee in effect when the extension request is submitted. If an As-Built plan has been submitted and approved, the fee is **\$210**.
- b. Initial Sediment Control permits are valid for 24 months.
- c. The fee to extend all other Sediment Control permits **\$150**



MONTGOMERY COUNTY EXECUTIVE REGULATION

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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District (Con't)

- L. Floodplain District Permits**
 - 1. Fee at Submittal \$900
 - 2. One Year Extension Fee \$135

- M. Floodplain Studies**
 - 1. Fee at Submittal \$1,140
 - 2. A Floodplain Study may include a dam breach analysis.

19.67.02.03 Individual Water Supply and Sewage Disposal Systems

- A. General**
 - 1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
 - 2. All remaining fees must be paid before any subsequent submission for review or before permit issuance, whichever occurs first.
 - 3. Permits are valid for a period of one year.
 - 4. Permit fees are not transferable.
 - 5. The fee for minor plan revisions is the Minor Plan Review Fee.
 - 6. The fee for investigation, review and issuance of a permit to repair an existing sewage-disposal system is the Minor Plan Review Fee.
 - 7. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13, COMCOR 08.24B.02, unless otherwise noted.

- B. Conventional Percolation Tests Per Lot, Per Visit \$780**

- C. Percolation Tests Per Lot, Per Visit, for Mound Systems \$1,050**

- D. Water Table Level Checks, Per Visit \$440**

- E. Individual Sewage Disposal Permit \$1,200**

- F. Plans Review for Subdivision and Platted Lots and Revisions \$510/Lot**

- G. Minor Plan Review and Environmental Health Survey \$375**

- H. Partial Environmental Health Survey \$235**



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

19.67.02.03 Individual Water Supply and Sewage Disposal Systems (Con't)

- | | | |
|-----------|--|--------------|
| I. | Review Repair of Existing Sewage Disposal Systems | \$375 |
| J. | Septage Hauler Permit Inspection (Including Truck Inspection) | \$375 |
| K. | Septage Hauler Permit Inspection (Reciprocal Truck Inspection) | \$235 |
| L. | Permit Extensions
1. Fee at Submittal
2. Permits are valid for 12 months.
3. Upon written request a permit may be extended for an additional six months. | \$170 |
| M. | Well Permits
1. Not subject to Automation Enhancement Fee. | \$160 |

19.67.02.04 Miscellaneous Fees

Filing fees and permit fees are based on fees in effect on the date the application was filed. All other fees are based on fees in effect when the service is requested (revision fee, extension fee, etc.).

- | | | |
|-----------|--|-------------|
| A. | Administrative Permit Application Revisions | \$70 |
| B. | Refunds
1. Filing fees are nonrefundable except in the case of an administrative error.

2. In the case of an abandonment or discontinuance of a project under permit, a refund of up to 50 percent of the fee paid (excluding filing fee) may be granted provided: <ul style="list-style-type: none"> a. No construction has occurred, and b. A written request for refund is made before the expiration date of the permit. c. Revoked, suspended, or invalid licenses or permits, or permits or licenses in litigation are not eligible for refunds. | |



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19.67.02.04 Miscellaneous Fees (Con't)

C. Bonding Alterations

Bonds must be posted for permitted projects under the applicable Code.
Fees for alterations to a posted bond are as follows:

1. Fee to replace a Performance Bond, Irrevocable Letter of Credit, Cash Bond or Certificate of Guarantee **\$140**
2. If the purpose of the replacement is to reduce the amount of the instrument due to partial completion of work, the fee for the partial reduction is **\$280**

D. Expedited Plan Reviews

1. Fee is **\$125%** of total permit fee.
2. Per County Council Resolution 16-600, Executive Regulation 9-08.

19.67.02.05 Indexing of Fees to Labor and Operating Cost Changes and to Manage Reserves

The Director of Permitting Services must calculate an enterprise fund stabilization factor (EFSF) each year to be applied to each fee set in or under this regulation on July 1 of each year. The EFSF is the factor by which the fee calculation is adjusted, up or down, to cover DPS labor and operating costs and to manage the DPS reserve policy in accordance with the 2002 Principles of the Fiscal Management of the Permitting Services Fund. The Director must publish the EFSF for each upcoming fiscal year not later than March 15 of the current fiscal year. For any year in which the EFSF will be less than .80 or greater than 1.20, the Department must review its fee rates and functional analysis behind the fee rates to determine if changes need to be made to the fee rates.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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19.67.02.06 Severability

If a court holds that part of this regulation is invalid, the invalidity does not affect other parts.

EFFECTIVE DATE: This regulation becomes effective July 1, 2015


Isiah Leggett, County Executive

5/24/15
Date

Approved as to form and legality:


Office of the County Attorney

21 May 2015
Date