

Subdivision Regulation No.: 06-02
Concerning: Fees – Preliminary
Subdivision Plans
Plan Review Fees
Draft No.: 1 – 9/6/06
Introduced: September 19, 2006
Public Hearing: 10/24/06; 1:30 PM
Adopted:
Effective:
Ordinance No.:

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council at the Request of the County Executive

AN AMENDMENT to the Subdivision Regulations to:

- require a subdivider or an agent to provide evidence of payment of a fee to the Department of Public Works and Transportation with an application for review of preliminary subdivision plans.

By amending the following section of the Montgomery County Code, Chapter 50:

Section 50-34 “Preliminary subdivision plans-Filing and specifications”

EXPLANATION: **Boldface** indicates a heading or a defined term
 Underlining indicates text that is added to existing law by the original bill
 [Single boldface brackets] indicate text that is deleted from existing law by the original bill
 Double underlining indicates text that is added to the bill by amendment
 [[Double boldface brackets]] indicate text that is deleted from existing law or the bill by amendment
 * * * indicates existing law unaffected by the bill

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following Ordinance:

1 **Sec 1. Section 50-34 is amended as follows:**

2 **50-34. Preliminary subdivision plans-Filing and specifications.**

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4 (a) *General.* Every proposed subdivision or resubdivision shall be submitted to
5 the board for tentative or conditional approval in the form of a preliminary
6 plan prior to the submission of a subdivision record plat. The plan shall show
7 graphically all facts needed to enable the board and other public agencies to
8 determine whether the proposed layout of the land in question is satisfactory
9 from the standpoint of the public health, safety and welfare and the
10 regulations, ordinances and laws applicable.

11 (b) *Filing of plan with application and processing fee.* The subdivider or [his] an
12 agent shall file the preliminary subdivision plan with the board in the form of a
13 tracing drawing, together with the application for its approval and at the same
14 time shall deposit the appropriate fee for its processing. Fees for processing
15 shall be established by resolution adopted by the board from time to time.
16 Such fees shall not be higher than reasonably necessary to cover the cost of
17 processing and administration. The subdivider or an agent must also file with
18 the application, a receipt from Montgomery County showing payment of the
19 fee required by the Department of Public Works and Transportation in
20 connection with the Department's review and participation in the subdivision
21 review process.

22 * * *

23 **Sec. 2. Effective Date.** This ordinance takes effect 20 days after the date of
24 Council adoption.

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26 This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

_____ Date

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34 Approved:

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Douglas M. Duncan, County Executive

_____ Date

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