

RESOLUTION NO. RS-08-09

*(Enacting Fee System for Washington County,
Maryland Forest Conservation Ordinance)*

RECITALS

On June 10, 2008, the Board of County Commissioners of Washington County, Maryland (the "County") repealed an ordinance entitled "An Ordinance Requiring a Comprehensive Local Forest Conservation Program" and the "Washington County, Maryland Forest Conservation Ordinance" and reenacted, with amendments, the Washington County, Maryland Forest Conservation Ordinance (the "Ordinance").

Pursuant to Article 11 of the Ordinance, if a person subject to the Ordinance demonstrates to the satisfaction of the County that requirements for reforestation or afforestation cannot be reasonably accomplished, or the person is eligible to use the Express Procedure as described in Article 6A of the Ordinance, the person shall contribute money into the Washington County Forest Conservation Fund, established by the County. The amount of the contribution ("Payment in Lieu of Planting Fee") shall be determined by application of a square footage rate to the area of required planting as determined in the forest conservation plan or on the forest conservation worksheet. The rate shall be established by the County by resolution.

Pursuant to Article 3 and Article 16 of the Ordinance, a person found to be in noncompliance with the Ordinance shall be required to pay a noncompliance fee ("Noncompliance Fee"), as established by the County by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND, that the Payment in Lieu of Planting Fee and the Noncompliance Fee are established as follows:


<u>Type of Fee</u>	<u>Amount of Fee</u>
Payment in Lieu of Planting	\$.10 per sq. ft.
Noncompliance	\$.30 per sq. ft.

Adopted this 10th day of June, 2008.
Effective the 1st day of July, 2008.

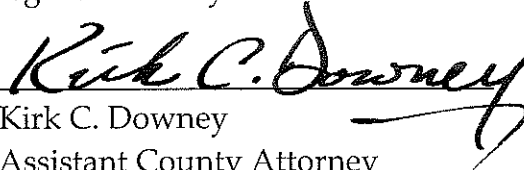
ATTEST:


Joni L. Bittner, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND


John F. Barr, President

Approved as to form and
legal sufficiency:


Kirk C. Downey
Assistant County Attorney

Mail to:
Office of the County Attorney
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Hagerstown, MD 21740