

COUNCIL FOR THE TOWN OF INDIAN HEAD

RESOLUTION NO: 10-02-13
INTRODUCED BY: Mayor and Council
DATE INTRODUCED: October 7, 2013
DATE ADOPTED: October 7, 2013
DATE EFFECTIVE: October 7, 2013

A RESOLUTION concerning

BAY RESTORATION FUND HARDSHIP EXEMPTIONS

FOR the purpose of establishing a hardship exemption from payment of the Bay Restoration Fee for certain residential dwellings as mandated by State law; and matters generally related thereto.

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EXPLANATORY STATEMENT: Section 16-1605.2(d) of the Environment Article of the Maryland Annotated Code, as enacted by Chapter 150 of the Laws of Maryland of 2012, requires political subdivisions in Maryland to establish a program to exempt from the payment of the Bay Restoration Fee established by that Section a residential dwelling that is able to demonstrate substantial financial hardship as a result of the restoration fee. In order to comply with this requirement of State law, the Town Council establishes the exemption program set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIAN HEAD TOWN COUNCIL that it hereby establishes the following program for exemptions from the payment of the Bay Restoration Fee for those owner-occupied residential dwellings that demonstrate substantial financial hardship resulting from the payment of the fee:

1. Eligibility for Exemption. An residential dwelling is eligible for an exemption from the payment of the Bay Restoration Fee if the dwelling is owner-occupied and the owner meets at least two of the following criteria:
 - a. The owner is receiving an energy assistance subsidy for the dwelling from the Department of Social Services.
 - b. The owner is receiving public assistance such as supplemental security income (SSI) or food stamps.
 - c. The owner is receiving veterans or social security disability benefits.
 - d. The owner has applied for and received the Homeowner's Property Tax Credit for the dwelling for the same fiscal year.
 - e. The owner meets the following income criteria:

Income Eligibility Limits		
Household Size	Maximum Gross Monthly Income Standards	Maximum Gross Yearly Income Standards
1	\$1,675.62	\$20,107.50
2	\$2,261.87	\$27,142.50
3	\$2,848.12	\$34,177.50
4	\$3,434.37	\$41,212.50
5	\$4,020.62	\$48,247.50
6	\$4,606.87	\$55,282.50
For each additional person, add	\$586.25	\$7,035.00

2. Application for Exemption. An owner must apply for an exemption not later than May 30 immediately preceding the fiscal year for which the exemption is requested. An application for exemption must be submitted to the Town Manager, or the Town Manager's designee, on a form prescribed by the Town Manager. An application must be accompanied by all supporting documentation demonstrating the owner's eligibility for the requested exemption that the Town Manager requires.

3. Action on Application. The Town Manager shall approve an application for exemption that is filed in proper form, is accompanied by all required supporting documentation, and is filed in a timely manner. The Town Manager shall deny all other applications.

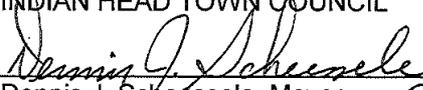
4. Duration of Exemption. An exemption is valid for one fiscal year commencing July 1 and ending the following June 30. An owner must apply for an exemption each year in the manner prescribed by Paragraph 2 above. The Town will not send reminders to owners that the owners must reapply for an exemption for an ensuing fiscal year.

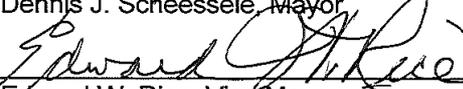
5. Administrative and Operating Procedures and Forms. The Town Manager may promulgate and implement reasonable administrative and operating policies and procedures, and related forms, necessary for the implementation and administration of the exemption program.

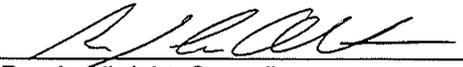
AND BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent, promptly after its adoption, by certified mail, return receipt requested, to the Maryland Water Quality Financing Administration.

AND BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its adoption by the Council.

INDIAN HEAD TOWN COUNCIL


Dennis J. Scheessele, Mayor


Edward W. Rice, Vice Mayor


Randy Albright, Councilman

ATTEST:


Andrea Brady, Town Clerk

10/7/13
Date