

COUNTY ORDINANCE NO. 04-37

A BILL ENTITLED

AN ACT CONCERNING a Reduction of the Threshold Requirement for Existing and Projected School Population for Determination of Adequacy under the Interim Adequate Public Facilities Ordinance of Queen Anne's County, Maryland (IAPFO), Title 28 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.).

FOR THE PURPOSE of reducing the threshold for adequacy under the IAPFO from 120% to 100% of the state-rated capacity per school affected;

BY AMENDING Section 28-502(a) of the Code of Public Local Laws of Queen Anne's County, (1996 Ed.).

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Section 28-502(a) of the Code of Public Local Laws of Queen Anne's County (1996 Ed.) be amended to read as follows:

28-502. Threshold requirements.

(a) Public Schools.

Public schools in the service area of the proposed development shall be considered adequate if:

- (1) The existing and projected school population, together with the school population projected to be generated from the proposed development, is 100% or less of the state-rated capacity per school affected or the Board of Education determines that exceeding capacity will not be detrimental to the curriculum or quality of education; or
- (2) The County is scheduled to initiate construction within the first two years of the adopted six-year CIP, such additional schools or school improvements as are necessary in combination with existing schools to comply with paragraph (1) above; or
- (3) The applicant agrees to undertake school

construction or improvements necessary to meet paragraph (1) above; or

- (4) The applicant agrees to contribute to the financing of specific improvements in accordance with the CIP that will comply with paragraph (1) above.

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall be effective on the forty-sixth day following its passage.

INTRODUCED BY: Commissioner Ransom_____

DATE: 6-15-04_____

PUBLIC HEARING HELD: 8-17-04 Placed on hold_____

VOTE: _____ Yea _____ Nay

DATE OF ADOPTION: _____