
By: **Prince George's County Delegation and Montgomery County Delegation**

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Assigned to: Commerce and Government Matters

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CHAPTER 149

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Design and Construction of**
3 **Facilities - Projects**
4 **PG/MC 3-00**

5 FOR the purpose of altering the authority of the Washington Suburban Sanitary
6 Commission to allow a developer to design and construct certain facilities
7 necessary for a certain project of the developer if the facilities are considered a
8 certain project; altering an exclusion to a certain definition; and generally
9 relating to the authority of the Washington Suburban Sanitary Commission over
10 certain projects.

11 BY repealing and reenacting, with amendments,
12 Article 29 - Washington Suburban Sanitary District
13 Section 6-113(e) and 7-101(b)
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 1999 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 29 - Washington Suburban Sanitary District**

2 6-113.

3 (e) (1) The WSSC may allow a developer to design and construct any on-site
4 or off-site facilities necessary for a project of the developer, as long as those facilities
5 are:

6 (I) [in] IN the WSSC Capital Improvement Program and the
7 10-year Comprehensive Water Supply and Sewerage System Plan adopted by one of
8 the County Councils[, and are];

9 (II) MAJOR PROJECTS INCLUDED IN THE WSSC CAPITAL
10 IMPROVEMENT PROGRAM; OR

11 (III) PROJECTS THAT INCLUDE A SEWER MAIN OR A WATER MAIN
12 THAT:

13 1. PROVIDES ONLY LOCAL SERVICE;

14 2. IS 2,000 FEET OR LESS;

15 3. HAS A DIAMETER OF:

16 A. 15 INCHES OR MORE IF IT IS A SEWER MAIN; OR

17 B. 16 INCHES OR MORE IF IT IS A WATER MAIN; AND

18 4. IS BUILT TO AVOID UNNECESSARY AND UNECONOMICAL
19 DUPLICATION WHEN A MAJOR PROJECT IS CONSTRUCTED.

20 (2) A FACILITY CONSTRUCTED UNDER THIS SUBSECTION SHALL BE
21 designed, constructed, and inspected in accordance with:

22 (i) The standards utilized by the WSSC; and

23 (ii) All applicable laws, regulations, and written policies of the
24 WSSC.

25 [(2)] (3) After the WSSC approves facilities constructed by a developer
26 under this subsection, the WSSC shall:

27 (i) Accept the facilities as part of the WSSC system; and

28 (ii) Subject to the provisions of paragraph [(3)] (4) of this
29 subsection, grant the developer a credit against any charge imposed under this
30 section in an amount equal to the cost of constructing those facilities.

31 [(3)] (4) The internal auditor of the WSSC shall review and approve the
32 costs incurred by the developer.

1 [(4)] (5) The WSSC and the developer shall enter into an agreement
2 incorporating the provisions of this subsection.

3 [(5)] (6) If the WSSC rejects a developer's request to design and
4 construct facilities under this subsection, the WSSC shall submit to the developer a
5 written explanation of the reasons for the rejection.

6 [(6)] (7) The WSSC shall submit a report at the end of each fiscal year to
7 the House and Senate Delegations of both counties and to the County Councils. The
8 report shall state the number of requests made by developers under this subsection
9 including the number of acceptances and rejections by the WSSC and the justification
10 for any rejections.

11 7-101.

12 (b) (1) "Major projects" means extensions, projects, or programs of water
13 and sewer facilities.

14 (2) "Major projects" includes:

15 (i) Sewer mains at least 15 inches in diameter;

16 (ii) Water mains at least 16 inches in diameter; and

17 (iii) Sewage or water pumping stations, force mains, and storage
18 and other major facilities.

19 (3) "Major projects" does not include a SEWER MAIN OR A water main
20 that:

21 (i) Provides only local service;

22 (ii) [Is 16 inches or more in diameter for only a small segment of a
23 future main] IS 2,000 FEET OR LESS; and

24 (iii) Is built to avoid unnecessary and uneconomical duplication
25 when a major project is constructed.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2000.