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

Introduced and read first time: February 10, 2000
Assigned to: Commerce and Government Matters

A BILL ENTITLED

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:

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

19 6-113.

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

23 (I) [in] IN the WSSC Capital Improvement Program and the
24 10-year Comprehensive Water Supply and Sewerage System Plan adopted by one of
25 the County Councils[, and are];

26 (II) MAJOR PROJECTS INCLUDED IN THE WSSC CAPITAL
27 IMPROVEMENT PROGRAM; OR

1 (III) PROJECTS THAT INCLUDE A SEWER MAIN OR A WATER MAIN
2 THAT:

- 3 1. PROVIDES ONLY LOCAL SERVICE;
4 2. IS 2,000 FEET OR LESS;
5 3. HAS A DIAMETER OF:
6 A. 15 INCHES OR MORE IF IT IS A SEWER MAIN; OR
7 B. 16 INCHES OR MORE IF IT IS A WATER MAIN; AND
8 4. IS BUILT TO AVOID UNNECESSARY AND UNECONOMICAL
9 DUPLICATION WHEN A MAJOR PROJECT IS CONSTRUCTED.

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

- 12 (i) The standards utilized by the WSSC; and
13 (ii) All applicable laws, regulations, and written policies of the
14 WSSC.

15 [(2)] (3) After the WSSC approves facilities constructed by a developer
16 under this subsection, the WSSC shall:

- 17 (i) Accept the facilities as part of the WSSC system; and
18 (ii) Subject to the provisions of paragraph [(3)] (4) of this
19 subsection, grant the developer a credit against any charge imposed under this
20 section in an amount equal to the cost of constructing those facilities.

21 [(3)] (4) The internal auditor of the WSSC shall review and approve the
22 costs incurred by the developer.

23 [(4)] (5) The WSSC and the developer shall enter into an agreement
24 incorporating the provisions of this subsection.

25 [(5)] (6) If the WSSC rejects a developer's request to design and
26 construct facilities under this subsection, the WSSC shall submit to the developer a
27 written explanation of the reasons for the rejection.

28 [(6)] (7) The WSSC shall submit a report at the end of each fiscal year to
29 the House and Senate Delegations of both counties and to the County Councils. The
30 report shall state the number of requests made by developers under this subsection
31 including the number of acceptances and rejections by the WSSC and the justification
32 for any rejections.

1 7-101.

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

4 (2) "Major projects" includes:

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

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

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

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

11 (i) Provides only local service;

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

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

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