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By: **Frederick County Delegation**

Introduced and read first time: January 31, 2003

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Environment - County Water and Sewerage Plan - Appeal**

3 FOR the purpose of authorizing a certain person to appeal to the circuit court a  
4 reclassification by the county governing body of a specific property in the county  
5 water and sewerage plan; authorizing a county governing body to be a party to  
6 the appeal; providing that this Act does not affect the standards for review of  
7 certain actions taken by the county governing body; and generally relating to  
8 county water and sewerage plans.

9 BY repealing and reenacting, with amendments,  
10 Article - Environment  
11 Section 9-503  
12 Annotated Code of Maryland  
13 (1996 Replacement Volume and 2002 Supplement)

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

16 **Article - Environment**

17 9-503.

18 (a) Each county shall have a county plan or a plan with adjoining counties  
19 that:

20 (1) Is approved by the Department;

21 (2) Covers at least the 10-year period next following adoption by the  
22 county governing body; and

23 (3) Deals with:

24 (i) Water supply systems;

25 (ii) Sewerage systems;

- 1 (iii) Solid waste disposal systems;
- 2 (iv) Solid waste acceptance facilities; and
- 3 (v) The systematic collection and disposal of solid waste, including  
4 litter.

5 (b) Except as provided in § 9-515 of this subtitle, each county governing body  
6 shall review its county plan at least once every 3 years in accordance with a schedule  
7 set by the Department.

8 (c) Each county governing body shall adopt and submit to the Department a  
9 revision or amendment to its county plan if:

10 (1) The governing body considers a revision or amendment necessary; or

11 (2) The Department requires a revision or amendment.

12 (d) (1) Before a county governing body adopts any revision or amendment to  
13 its county plan or adopts a new county plan, the governing body shall:

14 (i) Conduct a public hearing on the county plan, revision, or  
15 amendment that may be conducted jointly with other public hearings or meetings;  
16 and

17 (ii) Give the principal elected official of each municipal corporation  
18 that is affected notice of the county plan, revision, or amendment at least 14 days  
19 before the hearing.

20 (2) (i) Notice of the time and place of the public hearing, together with  
21 a summary of the plan, revision, or amendment, shall be published in at least 1  
22 newspaper of general circulation in the county once each week for 2 successive weeks,  
23 with the first publication of notice appearing at least 14 days before the hearing.

24 (ii) Notice of the public hearing may be a part of the general notice  
25 listing all other items to be considered during the public hearing or meeting.

26 (E) (1) A PERSON WHO IS AGGRIEVED BY A RECLASSIFICATION MADE BY  
27 THE COUNTY GOVERNING BODY OF A SPECIFIC PROPERTY IN THE COUNTY PLAN  
28 MAY APPEAL TO THE CIRCUIT COURT IN ACCORDANCE WITH TITLE 7, CHAPTER 200  
29 OF THE MARYLAND RULES.

30 (2) THE COUNTY GOVERNING BODY MAY BE A PARTY TO THE APPEAL.

31 (3) THIS SUBSECTION DOES NOT AFFECT STANDARDS FOR REVIEW OF  
32 ANY LEGISLATIVE ACTION THE COUNTY GOVERNING BODY TAKES TO ADOPT,  
33 REVISE, OR AMEND THE COUNTY PLAN.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
35 effect October 1, 2003.