

ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

• LEGISLATIVE SESSION, 2020

• BILL No. 2020-02

Introduced: March 17, 2020

BY: The Council President

AN ACT TO EXTEND THE MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR AN AGRICULTURAL STORAGE TANK WHICH WILL STORE DISSOLVED AIR FLOTATION (DAF) WASHDOWN WATER FROM A RENDERING PROCESS PURSUANT TO WICOMICO COUNTY CODE CHAPTERS 225, 125 AND 128.

WHEREAS, the Wicomico County Code, Chapter 225, provides for the construction of storage tanks in the A-1 Agriculture Rural Zone and Chapters 125 and 128 describe the process for issuance of a building permit; and

WHEREAS, residents of Wicomico County have expressed concerns about the permitting process of DAF washdown water storage facilities; and

WHEREAS, the County Council considers the issuance of a building permit for an agricultural storage tank to store DAF washdown water from a rendering process to be a matter that needs further study; and

WHEREAS, on November 5, 2019, the County Council adopted Legislative Bill No. 2019-07, which established a six-month moratorium that will end on May 5, 2020; and

WHEREAS, there is currently pending in the Circuit Court for Wicomico County litigation challenging the validity of such storage tank and the permit issued for same in the A-1 Agriculture Rural Zone; and

WHEREAS, the County Council needs additional time to consider possible amendments to the Wicomico County Code, Chapters 225, 125 and 128, to address concerns about the permitting process of DAF washdown water storage facilities; and

WHEREAS, the County Council desires to renew the moratorium on the issuance of building permits for an agriculture storage tank which will store dissolved air flotation (DAF) washdown water from a rendering process for an additional 6-month period.

SECTION I: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, AS FOLLOWS:

- A. A Moratorium is hereby imposed and declared on the issuance of building permits for an agriculture storage tank which will store dissolved air flotation (DAF) washdown water from a rendering process, as provided in Chapters 225, 125 and 128 of the Wicomico County Code.

- B. The moratorium shall apply for a period of 6 months, beginning on the effective date of Legislative Bill No. 2020-02.

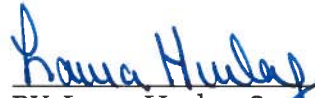
SECTION II: BE IT ENACTED that this Legislative Bill shall be known 2020-02 of Wicomico County, Maryland, and shall take effect sixty (60) days after its final passage, unless a proper Petition for Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 7th day of April, 2020.

WICOMICO COUNTY, MARYLAND



BY: Larry Dodd, President



BY: Laura Hurley, Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.



Laura Hurley, Secretary

Explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

~~Strike out~~ indicates material deleted from law.

~~CAPITAL - STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill.

COUNTY COUNCIL
OF
WICOMICO COUNTY, MARYLAND

2020 Legislative Session

Legislative Day No. 08

LEGISLATIVE BILL NO. 2020-02

INTRODUCED BY: President of the Council.

Bill No. 2020-02: An act to extend the moratorium on the issuance of building permits for an agricultural storage tank which will store dissolved air flotation (DAF) washdown water from a rendering process pursuant to Wicomico County Code Chapters 225, 125, and 128.

Introduced and read first time on March 17, 2020. Ordered posted and public hearing scheduled for April 7, 2020 at 6:00 p.m.



Laura Hurley, Council Administrator

PUBLIC HEARING: Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing held by teleconference in which public comments were accepted via email or by mail was held on April 7, 2020.



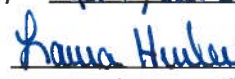
Laura Hurley, Council Administrator

CERTIFICATION: The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 7th day of April, 2020.



Laura Hurley, Council Administrator

Presented to the County Executive for approval this 8th day of April, 2020 at 1:30 p.m. (5 days §411)



Laura Hurley, Council Administrator

BY THE EXECUTIVE:



County Executive

APPROVED
Date: _____
(21 days §411)

VETOED
Date: 7/14/2020

BY THE COUNCIL:

Option One: This Bill, having been approved by the County Executive and returned to the Council, becomes law on _____ and effective on: _____.
(60 days §311)

Option Two: This Bill, having received neither the approval nor the disapproval of the Executive within 21 days of its presentation, stands enacted on _____ and becomes effective on _____.
(60 days §311)

Option Three: This Bill, being exempt from the Executive Veto stands enacted on _____ and becomes effective on _____. (Charter Section 305)

ENROLLMENT: Legislative Bill No. 2020-02 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed. - Veto override on April 21, 2020.



Laura Hurley, Council Administrator