

# ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND  
LEGISLATIVE SESSION, 2022  
BILL No. 2022-03

Introduced: March 15, 2022

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, storage of a waste byproduct known as "DAF material" that includes matter removed from wastewater from poultry processing and possibly other sources by the Dissolved Air Flotation "DAF" process, is a concern voiced by County residents who reside near locations where such material is stored before being applied on land; and

WHEREAS, the County has previously determined further study of the DAF tank matter to be needed, and the County has undertaken such study, which is not complete; and

WHEREAS, the Council desires to avoid the issuance of permits for tanks or other facilities for such use by continuing the moratorium on the issuance of such permits imposed by Legislative Bill Nos. 2019-07, 2020-02, 2020-13 and 2021-05 to allow the County Council time to review legislative recommendations submitted by the Wicomico County Planning and Zoning Commission pertaining to the storage of DAF material.

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 six months, beginning on the effective date of Legislative Bill No. 2022-03.

SECTION II: BE IT ENACTED that this Legislative Bill shall be known 2022-03 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.

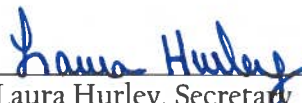
Certified correct as passed and adopted by the County Council of Wicomico County, Maryland  
this 5<sup>th</sup> day of April, 2022.

WICOMICO COUNTY, MARYLAND

  
BY: John T. Cannon, 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

2022 Legislative Session

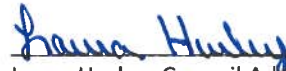
Legislative Day No. 06

LEGISLATIVE BILL NO. 2022-03

**INTRODUCED BY:** President of the Council

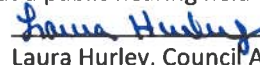
**Bill No. 2022-03:** An Act To Extend The Moratorium On The Issuance Of Building Permits For An Agricultural Storage Tank Which Will Store Dissolved Air Flotation (DAF) Washdown Water From A Rendering Process Pursuant To Wicomico County Code Chapters 225, 125 And 128.

Introduced and read first time on March 15, 2022. Ordered posted and public hearing scheduled for April 5, 2022 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 on April 5, 2022.



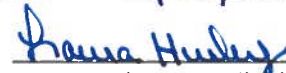
Laura Hurley, Council Administrator

**CERTIFICATION:** The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 5<sup>th</sup> day of April, 2022.



Laura Hurley, Council Administrator

Presented to the Acting County Executive for approval this 6<sup>th</sup> day of April, 2022 at 9:30 a.m. (5 days §411)



Laura Hurley, Council Administrator

**BY THE ACTING COUNTY EXECUTIVE:**

  
Acting County Executive

APPROVED

Date: 4/6/2022  
(21 days §411)

VETOED

Date: \_\_\_\_\_

**BY THE COUNCIL:**

Option One: This Bill, having been approved by the Acting County Executive and returned to the Council, becomes law on April 6, 2022 and effective on: June 6, 2022.  
(60 days §311)

Option Two: This Bill, having received neither the approval nor the disapproval of the Acting County Executive with 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. 2022-03 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.



Laura Hurley, Council Administrator