

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2011 Legislative Session

Legislative Day No. 2

Bill No. 4 -2011

Introduced by: Greg Fox

AN ACT amending an uncodified section in Council Bill No. 14-2007, as amended by Council Bills No. 11-2008, 2-2009, and 62-2009, that required certain connections to the Planned Service Area for water and sewer within a certain time in order to extend the time to make the connections; and providing for the application of this Act.

Introduced and read first time _____, 2011. Ordered posted and hearing scheduled.

By order _____
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2011.

By order _____
Stephen LeGendre, Administrator

This Bill was read the third time on _____, 2011 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2011 at ____ a.m./p.m.

By order _____
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive _____, 2011

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, on April 4, 2007, the County Council of Howard County passed
2 Council Bill No. 14-2007 (“CB 14-2007”) and CB 14-2007 was enacted by the County
3 Executive on April 5, 2007; and

4
5 **WHEREAS**, CB 14-2007 amended the 2000 General Plan by adjusting the
6 Planned Service Area boundary of the Master Plan for Water and Sewerage to include
7 3.28 acres of land with an address of 11795 Scaggsville Road, Fulton, Maryland (the
8 “Property”) owned by St. Paul’s Evangelical Lutheran Church (the “Property Owner”);
9 and

10
11 **WHEREAS**, uncodified Section 2 of CB 14-2007 provided that the authority to
12 connect to the Planned Service Area for water and sewer would be null and void with no
13 further action required by the Council if the connection was not completed within one
14 year from the effective date of CB 14-2007; and

15
16 **WHEREAS**, CB 14-2007 was effective on June 6, 2007; and

17
18 **WHEREAS**, on March 3, 2008, the County Council passed Council Bill No. 11-
19 2008 that amended CB 14-2007 to extend the time to connect to the Planned Service
20 Area for water and sewer until December 5, 2008; and

21
22 **WHEREAS**, due to ongoing delays in the dedication process for State rights-of-
23 way, the Property Owner did not complete connection by December 5, 2008 and
24 requested a second extension of time with Council Bill 2-2009 to complete connection by
25 December 5, 2009 and a third extension of time with Council Bill 62-2009 to complete
26 connection by December 5, 2010; and

27
28 **WHEREAS**, due to personnel changes at the Church, the down turn in the
29 economy, and continued complications with the State right-of-way process, the Property
30 Owner is requesting a fourth extension of time; and

31

1 **WHEREAS**, consistent with CB 14-2007, the Planned Service Area extension is
2 intended to provide public water and sewer to the Property for an institutional use only.

3
4 **NOW, THEREFORE,**

5
6 ***Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that
7 Section 2 of Council Bill No. 14-2007, as amended by Council Bills No. 11-2008, 2-2009,
8 and 62-2009 is amended to provide the Property Owner with an additional year from the
9 extension granted in Council Bill No. 62-2009 to make the connection as follows:*

10
11 ***“Section 2. And Be It Further Enacted** by the County Council of Howard County,
12 Maryland, that if the connection is not made on or before December 5, [[2010]] 2011,
13 then the provisions of this Act providing for the expansion of the Planned Service Area
14 and the Metropolitan District inclusion, if applicable, shall be null and void and the
15 Planned Service Area and the Metropolitan District, as it relates to this Property, shall
16 revert to the boundary area in place prior to this Act approving the expansion without
17 any additional action of the County Council.”*

18
19 ***Section 2. And Be It Further Enacted** by the County Council of Howard County,
20 Maryland, that this Act shall apply beginning on December 5, 2010.*

21
22 ***Section 3. And Be It Further Enacted** by the County Council of Howard County,
23 Maryland, that this Act shall become effective 61 days after its enactment.*