

RESOLUTION OF THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND

RESOLUTION NO. 22-42

RE: SUMMER 2022 WATER AND SEWER AMENDMENTS – CASE WS-22-11

Applicant: Division of Planning and Permitting

RECITALS

Pursuant to the authority contained in §9-503 of the Environment Article of the Maryland Code, the governing body of Frederick County, Maryland has the authority to approve or deny amendments to the Frederick County Water and Sewerage Plan (“W/S Plan”) after a duly advertised public hearing.

Case WS-22-11 proposes a text amendment to amend Section III of Chapter 1 of the Water and Sewerage Plan, regarding the fees related to filing a Water and Sewerage Plan amendment and the applicability to municipal governments.

The text amendment clarifies the standards applicable to municipal governments regarding requests for amendments. Additionally, the text amendments update the fees assessed to governmental units, and identifies the cases where the fees are assessed or waived for municipal projects. See attached Exhibit A.

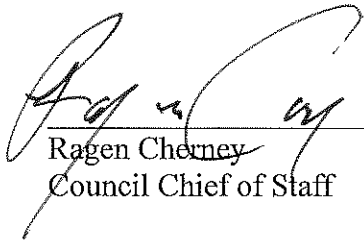
The County Council of Frederick County, Maryland, held a duly advertised public hearing on the proposed Water and Sewer Plan amendments on October 18, 2022, at which time the public had the opportunity to comment.



NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND that the following W/S Plan amendment requested in Case WS 22-11 is necessary and hereby approved: text amendments to Chapter 1, Section III of the Water and Sewerage Plan, clarifying the standards applicable to municipal governments regarding requests for amendments; updating the fees assessed to governmental units; and identifying the cases where the fees are assessed or waived for municipal projects, as shown in attached Exhibit A.

There undersigned hereby certifies that the amendment described in this Resolution was approved and adopted (by a vote of 7 - 0) on October 18, 2022.

ATTEST:

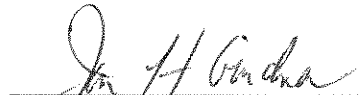
COUNTY COUNCIL OF
FREDERICK COUNTY, MARYLAND


Ragen Cherney
Council Chief of Staff

By: 
M.C. Keegan-Ayer, President 

Received by the County Executive on October 20, 2022

COUNTY EXECUTIVE ACTION: ☒ Approved ☐ Vetoed ☐ No Action


Jan H. Gardner, County Executive
Frederick County, Maryland

10/24/2022
Date

Exhibit A

Water and Sewerage Plan
Chapter 1, Policies and Procedures
Section III. Review and Amendment Procedures
B. Amendment Procedures
(3) Piecemeal Application Process

- (e) Requests to amend the water and sewer classification of a particular property may be made by the property owner, their agent or a contract purchaser with consent of the owner.

A municipality may also initiate AN applications with regard to **MUNICIPALLY OWNED infrastructure AND PROPERTY, or TO REVISE ITS PLANNED service area TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN FOR THE MUNICIPALITY.**

Water and Sewerage Plan
Chapter 1, Policies and Procedures
Section III. Review and Amendment Procedures
C. Fees

A ~~THE~~ fee schedule established by the County Governing Body ~~shall be applied~~ **APPLIES** to all **APPLICATIONS** ~~applicants, other than municipalities or public agencies, requesting an amendment to~~ **TO AMEND** the Water and Sewerage Plan, **INCLUDING DEVELOPER FUNDED PROJECTS THAT WILL ULTIMATELY BE OWNED BY A GOVERNMENT ENTITY.**

FEES FOR AMENDMENTS FILED BY A GOVERNMENT ENTITY FOR PROPERTY OR INFRASTRUCTURE OWNED BY THE GOVERNMENT ENTITY, OR AMENDMENTS RESULTING FROM CHANGES TO A LOCAL GOVERNMENT'S COMPREHENSIVE PLAN, SHALL BE WAIVED.

~~These Fees~~ **MUST BE PAID** ~~are not refundable and must be paid~~ at the time of application **AND ARE NOT REFUNDABLE.**