

Introduced December 7, 2009
Public Hearing December 21, 2009
Council Action January 4, 2010
Executive Action January 6, 2010
Effective Date March 9, 2010

County Council Of Howard County, Maryland

2009 Legislative Session

Legislative Day No. 16

Bill No. 62-2009

Introduced by:
Greg Fox, Councilmember

AN ACT amending an uncodified section in Council Bill No. 14-2007, as amended by Council Bills No. 11-2008 and 2-2009, 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 December 7, 2009. Ordered posted and hearing scheduled.

By order Stephen LeGendre
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 December 21, 2009.

By order Stephen LeGendre
Stephen LeGendre, Administrator

This Bill was read the third time on January 4, 2010 and Passed ☒ Passed with amendments ☐ Failed ☐.

By order Stephen LeGendre
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 6th day of January, 2010 at 9:00 a.m./p.m.

By order Stephen LeGendre
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive January 6, 2010

Ken Ulman
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
26

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

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 and 2-*
8 *2009, is amended to provide the Property Owner with an additional year from the*
9 *extension granted in Council Bill No. 2-2009 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 [[2009]],*
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, 2009.*

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.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

January 4, 2010.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2010.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2010.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2010.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2010.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2010.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council