

3-201.

(a) (3) (I) “Stormwater management” means and includes the planning, designing, acquisition, construction, demolition, maintenance, and operation of facilities, practices, and programs for the control and disposition of storm and surface waters, including floodproofing and flood control and navigation programs.

(II) IN PRINCE GEORGE’S COUNTY, “STORMWATER MANAGEMENT” ALSO MEANS AND INCLUDES THE PROTECTION, CONSERVATION, REGULATION, CREATION, AND ACQUISITION OF PROPERTY DESCRIBED IN §§ 8-1201(G) AND 9-101(J) OF THE NATURAL RESOURCES ARTICLE, CONSISTENT WITH FEDERAL AND STATE LAWS AND REGULATIONS ON THE SUBJECT OF NONTIDAL AND PRIVATE WETLANDS.

3-202.

(a) (1) [On] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ON and after July 1, 1987, each county shall exercise within its boundaries all the rights, powers, and duties relating to stormwater management, including those formerly exercised by the WSSC[, except that].

(2) Prince George’s County may not exercise this authority within the City of Bowie unless the City and the County otherwise agree.

(3) MONTGOMERY COUNTY AND PRINCE GEORGE’S COUNTY MAY NOT EXERCISE THIS AUTHORITY WITHIN THE CITY OF TAKOMA PARK UNLESS THE CITY AND THE COUNTIES OTHERWISE AGREE.

(b) (1) Prince George’s County may establish a stormwater management district, which may include all the land within the boundaries of Prince George’s County, except for the land within the City of Bowie AND THE LAND WITHIN THE CITY OF TAKOMA PARK.

(2) Montgomery County may establish a stormwater management district, which may include all the land within its boundaries, EXCEPT FOR THE LAND WITHIN THE CITY OF TAKOMA PARK.

(3) Within its district, each county shall exercise all the rights, powers, and responsibilities for stormwater management, as defined in this subtitle, in order to make available to the residents and property owners of the district an efficient, operating service with adequate facilities for development and promotion of the safety of life and property.

(4) The district shall be a special taxing district for the purpose of stormwater management. The counties may establish one or more special taxing areas within their districts.

(c) The WSSC may enter into agreements with Prince George’s County and Montgomery County to perform any stormwater management activities on behalf of the county as each county deems necessary and appropriate to maintain effective