

CHAPTER 699

(Senate Bill 662)

AN ACT to repeal and re-enact, with amendments, Sections 650 (b) (8), 652 (b), 653, 657, 663 and 666 of Article 43 of the Annotated Code of Maryland (1964 Supplement), title "Health", sub-title "Sanitary Districts"; and to add a new Section 666A to the said Article of the said Code to follow immediately after Section 666 thereof; to correct certain errors therein and relating generally to the creation of Sanitary Districts in the State, their functions and financing, and to grant Commissions the authority to condemn land for use thereof.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 650 (b) (8), 652 (b), 653, 657, 663 and 666 of Article 43 of the Annotated Code of Maryland (1964 Supplement), title "Health", sub-title "Sanitary Districts"; be and they are hereby repealed and re-enacted, with amendments, and that new Section 666A be and it is hereby added to the said Article of the said Code to follow immediately after Section 666 thereof, and to read as follows:

650.

(b) (8) To acquire by gift, purchase or *by* the exercise of the right of eminent domain, *in the manner prescribed by Article 33A of the Annotated Code of Maryland (1957 Edition), as from time to time amended,* lands or rights in land or water rights in connection therewith; provided, however, that no property or any interest or estate therein owned by any county, city, town or other political subdivision of the State shall be acquired by the exercise of the power of eminent domain without the consent of the governing body of such county, city, town or political subdivision, nor any existing privately owned and operated water or sewerage system without the consent of the owners and operators thereof. At any time after ten days after the return and recordation of the verdict or award in any condemnation proceedings, the [district] *District* may enter and take possession of the property so condemned, upon first paying to the clerk of the court the amount of said award and all costs taxed to that date, notwithstanding any appeal or further proceedings upon the part of the defendant. At the time of said payment, however, the [district] *District* shall give its corporate undertaking to abide by and fulfill any judgment in such appeal or further proceedings.

652.

(b) Whenever twenty-five property owners, residing in any locality in a county, shall in writing petition the [commission] *Commission* to have said locality (the boundaries whereof shall be definitely stated in said petition) constituted as a new sanitary district or added to an existing sanitary district to which such locality is contiguous, the [commission] *Commission*, if it approves, shall cause to be made a preliminary engineering survey, of the project to determine the feasibility and probable cost of providing such area with utilities, whether water, sewer or otherwise. If the [commission] *Commission* disapproves of the project or is unable or unwilling to undertake or obtain such preliminary engineering survey, it shall