

Local Laws of Maryland (1972 Edition and 1974 Supplement, as amended) being also Section 83-60A of the Public Local Laws of Prince George's County being Article 17 of the Code of Public Local Laws of Maryland (1963 Edition and 1967 Supplement, as amended) be and [[they are]] it is hereby added to read as follows:

Washington Suburban Sanitary District Code

2-2. CONDEMNATION: "ADVANCE TAKING ALTERNATIVE" IN MONTGOMERY COUNTY.

(A) AUTHORIZATION. PURSUANT TO AUTHORITY PROVIDED IN SECTION 40D of Article [[111]] III OF THE CONSTITUTION OF MARYLAND, THE MONTGOMERY COUNTY [[COUNCIL MAY]] GOVERNMENT IS HEREBY AUTHORIZED TO ENACT LOCAL LEGISLATION WHICH SHALL BE EFFECTIVE ONLY IF ENACTED BY JANUARY 1, 1976, PROVIDING FOR THE TAKING BY THE COMMISSION OF LAND OR INTERESTS IN LAND LOCATED IN MONTGOMERY COUNTY NEEDED IMMEDIATELY IN ACCORDANCE WITH THE COUNTY'S ADOPTED TEN YEAR WATER AND SEWERAGE PLAN AND ADOPTED CAPITAL IMPROVEMENTS PROGRAM FOR THE CONSTRUCTION OF WASTEWATER TREATMENT FACILITIES, INCLUDING DELIVERY FACILITIES, OR FOR WATER SUPPLY AND/OR SANITARY SEWERAGE PROJECTS REQUIRED FOR THE CORRECTION OF IMMEDIATE HEALTH PROBLEMS. LEGISLATION ENACTED BY THE COUNTY [[COUNCIL]] PURSUANT TO THIS SECTION SHALL INCLUDE, AT A MINIMUM, THE PROCEDURE AND REQUIREMENTS SET FORTH IN THIS SECTION.

(B) PROCEDURE. THE FOLLOWING PROCEDURE SHALL TAKE EFFECT ONLY AFTER IT IS ENACTED AS LOCAL LEGISLATION BY THE MONTGOMERY COUNTY COUNCIL.

(1) WHENEVER, IN THE JUDGMENT OF THE COMMISSION, LAND OR INTERESTS IN LAND LOCATED IN MONTGOMERY COUNTY IS NEEDED IMMEDIATELY IN ACCORDANCE WITH THE COUNTY'S ADOPTED TEN YEAR WATER AND/OR SEWERAGE PLAN AND ADOPTED CAPITAL IMPROVEMENTS PROGRAM FOR THE CONSTRUCTION OF WASTEWATER TREATMENT FACILITIES, INCLUDING DELIVERY FACILITIES, OR FOR WATER SUPPLY AND SANITARY SEWERAGE PROJECTS REQUIRED FOR THE CORRECTION OF IMMEDIATE HEALTH PROBLEMS, AND GOOD FAITH NEGOTIATIONS WITH [[AFFECTED PROPERTY]] THE OWNER OR [[PROPERTY]] OWNERS OF THE PROPERTY HAVE FAILED, THE COMMISSION MAY ADOPT A RESOLUTION PROPOSING TAKING OF THE LAND OR INTERESTS IN LAND. THE RESOLUTION SHALL SPECIFY THAT IMMEDIATE POSSESSION OF THE LAND OR INTERESTS IN LAND IS REQUIRED IN ACCORDANCE WITH THE COUNTY'S ADOPTED TEN YEAR WATER AND/OR SEWERAGE PLAN AND ADOPTED CAPITAL IMPROVEMENTS PROGRAM FOR THE CONSTRUCTION OF WASTEWATER TREATMENT FACILITIES, INCLUDING DELIVERY FACILITIES, OR FOR WATER SUPPLY AND SANITARY SEWERAGE PROJECTS REQUIRED FOR THE CORRECTION OF IMMEDIATE HEALTH PROBLEMS. THIS