

Suburban Sanitary District (1969 Edition, as amended), being also Section 86-5-3 of the Public Local Laws of Montgomery County being Article 16 of the Public Local Laws of Maryland (1972 Edition and 1975 Supplement, as amended), being also Section 83-73 of the Public Local Laws of Prince George's County being Article 17 of the Public Local Laws of Maryland (1963 Edition and 1967 Supplement, as amended) be and they are hereby repealed and reenacted, with amendments, to read as follows:

The Code of the Washington Suburban Sanitary District

5-3. (86-5-3) (83-73)

Whenever the state, county or any municipal corporation, commission, board, or agency of the state or county EXCEPT THE HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY acquires for public use property which is subject to a front foot benefit charge levied by the Washington Suburban Sanitary Commission, the benefit charge shall be paid and extinguished by the payment to the commission of a sum necessary to pay off said benefit charge, computed in accordance with requirements of section 5-1 (86-5-1; 83-71(f)), and said sum shall become a lien against the property. FRONT FOOT BENEFIT CHARGES LEVIED AGAINST PROPERTY ACQUIRED BY THE HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY SHALL BE PAID IN THE SAME MANNER AS BY NONGOVERNMENTAL PROPERTY OWNERS AND SHALL REMAIN A LIEN AGAINST THE PROPERTY. IF THE HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY ALLOWS FRONT FOOT BENEFIT CHARGE PAYMENTS TO BECOME DELINQUENT, THE COUNTY COUNCIL OF MONTGOMERY COUNTY SHALL AUTHORIZE AND APPROPRIATE SUFFICIENT FUNDS TO PAY THE DELINQUENT CHARGES AND ALL PENALTIES AND INTEREST ON THE CHARGES NO LATER THAN THE FIRST MONTH OF THE NEXT SUCCEEDING FISCAL YEAR. THE COUNTY EXECUTIVE OF MONTGOMERY COUNTY SHALL PROMPTLY PAY OVER TO THE WASHINGTON SUBURBAN SANITARY COMMISSION ALL FUNDS SO APPROPRIATE. When the property is acquired as aforesaid without eminent domain proceedings the amount necessary to pay and extinguish the benefit charge shall be paid to the commission before the deed evidencing the transfer may be recorded among the land records of the county wherein the property lies. If the property is acquired through eminent domain, the Washington Suburban Sanitary Commission shall be named a party to the proceedings and the jury shall make a separate award in favor of the commission for the sum required to pay and extinguish the front foot benefit charge. If by oversight or mistake the commission is not named a party to the eminent domain proceedings or if no separate award for the sum necessary to pay the front foot benefit assessment is specified in the jury's inquisition, then the condemning authority shall pay to the commission the amount required to extinguish the front foot benefit assessment at the same time it pays the amount awarded to the property owner in the proceedings.