

(A) THE BOARD MAY PREPARE A PLAN OR PLANS WHICH IN ITS JUDGMENT ARE NECESSARY OR REQUIRED FOR THE CONTROL AND DISPOSITION OF SURFACE WATERS WITHIN THE LIMITS, OR ANY PART OF, THE SERVICE AREA AND SHALL THEN DIVIDE THE SERVICE AREA, OR ANY PART THEREOF, INTO SEPARATE DRAINAGE AREAS. EACH SEPARATE DRAINAGE AREA SHALL COMPRISE, INSOFAR AS PRACTICABLE, ALL LAND FROM WHICH SURFACE WATER DRAINS BY GRAVITY ALONG A STREAM OR A NATURAL WATER COURSE TO ITS NEAREST MAJOR OUTLET TO TIDEWATER. THE DIVISION OF THE SERVICE AREA, OR ANY PART THEREOF, INTO DRAINAGE AREAS SHALL BE EFFECTED BY A RESOLUTION ADOPTED BY THE BOARD, AFTER A HEARING DULY HELD NOT LESS THAN 10 DAYS AFTER NOTICE OF THE HEARING, PUBLISHED IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE DRAINAGE AREA TO BE CREATED, WHICH RESOLUTION SHALL CONTAIN A DEFINITE DESCRIPTION OF THE BOUNDARIES OF THE DRAINAGE AREA OR AREAS AND SHALL IDENTIFY EACH DRAINAGE AREA BY A DISTINCTIVE NAME. AFTER THE PASSAGE OF THE RESOLUTION, THE BOARD SHALL CAUSE A PLAT OF THE DRAINAGE AREA OR AREAS TO BE PREPARED, ONE COPY OF WHICH PLAT SHALL BE FILED WITH THE ADMINISTRATIVE ASSISTANT TO THE BOARD AND ONE COPY OF WHICH SHALL BE INDEXED AND FILED AMONG THE LAND RECORDS OF FREDERICK COUNTY. UPON THE FILING OF THIS PLAT, ANY DRAINAGE AREA SHOWN ON THE PLAT IS DESIGNATED AND CONSTITUTED FOR THE PURPOSE OF THIS CHAPTER TO BE A SEPARATE DRAINAGE AREA AND A TAXING DISTRICT FOR THE PURPOSE OF IMPOSING THE DRAINAGE AREA ASSESSMENTS AND TAXES AUTHORIZED BY SECTION 10A-25 OF THIS CHAPTER, AND THE FILING OF THIS PLAT SHALL CONSTITUTE LEGAL NOTICE TO THE PUBLIC OF THE ACTION OF THE BOARD.

(B) THE BOARD MAY ADOPT STORM WATER AND DRAINAGE MANUALS PROVIDING FOR THE TYPE OF INSTALLATIONS NECESSARY IN VARIOUS AREAS TO ACCOMMODATE THE PROPER DRAINAGE OF GIVEN LOCATIONS.

10A-3.1 10A-9.

(a) Whenever it is deemed necessary by the [commission] COUNTY to take or acquire any land, structure, or buildings, or any stream bed, waterway, water rights, or watershed, either in fee or as an easement, within or without Frederick County, for the construction, extension or maintenance of any water main, sewer, or appurtenance thereof, or any sewage treatment plant, reservoir, water treatment plant, storage tank, or pumping station OF ANY SURFACE WATER DRAINAGE FACILITY or for the execution by the [commission] COUNTY of any other power or function vested in it by this chapter, the [commission] COUNTY, if it be unable to acquire the property of right by purchase, may condemn the property or right by proceedings in the circuit court for the county in which the property or right is located, as provided for condemnation of land[ by public service corporations] in the Public General Laws of Maryland, now or hereafter in effect; and the [commission] COUNTY may likewise condemn the interest of any tenant, lessee, or other person having any right or interest in the property