

may require the owner or owners to agree to construct the necessary facilities or to provide for such construction by posting a bond in an amount sufficient to construct the storm and surface water drainage facilities OR ON-SITE STORMWATER MANAGEMENT FACILITIES deemed necessary by the Commission.

(2) IF THE COMMISSION DEEMS IT DESIRABLE TO CONSTRUCT A STORMWATER MANAGEMENT FACILITY TO SERVE MORE THAN ONE DEVELOPMENT, THE COMMISSION MAY ENTER INTO AN AGREEMENT WITH THE DEVELOPERS OF NEW DEVELOPMENTS FOR PAYMENT BY THE DEVELOPERS OF A FEE IN LIEU OF ON-SITE STORMWATER MANAGEMENT FACILITIES. THE FEE IN LIEU OF ON-SITE STORMWATER MANAGEMENT FACILITIES SHALL BE BASED ON AN EQUITABLE PRO RATA SHARE OF THE NET COST OF THE FACILITY AFTER DEDUCTING ANY STATE OR FEDERAL GRANTS APPLIED TO THE CONSTRUCTION OF THE FACILITY.

(3) [In such connection,] IN EITHER EVENT, the commission may require the owner's bond OR THE CONTRIBUTION OF A PRO RATA SHARE OF THE NET COST for the construction of facilities in adjacent or nearby land in the same drainage area which the commission may determine will be required subsequently by reason of the development of the first mentioned owner's land. Easements and rights of way required by the commission shall bear such restrictions as the commission may require as to grading and a prohibition against the location of structures, fences, or plantings in or on the easement area.

(4) The Maryland-National Capital Park and Planning Commission shall not approve any plat for subdivision of land until it shall first ascertain from the Washington Suburban Sanitary Commission whether or not rights of way or easement areas for storm drainage facilities are required, and if such rights of way or easement areas are required the Maryland-National Capital Park and Planning Commission shall not approve such plat for recordation until and unless said easements or rights of way are included thereon.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.

Approved May 19, 1981.

CHAPTER 703

(House Bill 1676)

AN ACT concerning

Washington Suburban Sanitary District