

**CHAPTER 406**

**(House Bill 1210)**

AN ACT concerning

**Washington County - Adequate Public Facilities**

FOR the purpose of authorizing the Washington County Board of County Commissioners to adopt an ordinance that grants the Washington County Board of County Commissioners certain powers with regard to adequate public facilities; providing for certain provisions that may be included in certain ordinances adopted by the Washington County Board of County Commissioners with regard to adequate public facilities; defining a certain term; providing for the application of this Act; and generally relating to adequate public facilities in Washington County.

BY adding to

Article 66B - Land Use

Section 14.08

Annotated Code of Maryland

(2003 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article 66B - Land Use**

14.08.

(A) IN THIS SECTION, "PUBLIC FACILITIES" MEANS SCHOOLS, ROADS, ~~WATER AND SEWER~~ WATER, WASTEWATER, AND STORMWATER MANAGEMENT FACILITIES, AND OTHER INFRASTRUCTURE SUPPORTED BY THE FEDERAL, STATE, OR LOCAL GOVERNMENT FOR PUBLIC PURPOSES.

(B) EXCEPT FOR LAND WITHIN A MUNICIPAL CORPORATION IN WASHINGTON COUNTY, THIS SECTION APPLIES TO WASHINGTON COUNTY.

(C) IN ADDITION TO THE AUTHORITY GRANTED IN § 10.01 OF THIS ARTICLE, THE COUNTY COMMISSIONERS MAY PROVIDE, BY ORDINANCE, FOR THE PROVISION AND FINANCING OF ADEQUATE PUBLIC FACILITIES CONCURRENTLY WITH THE NEED FOR THOSE FACILITIES.

(D) THE ORDINANCE MAY INCLUDE THE AUTHORITY FOR THE COUNTY COMMISSIONERS TO:

(1) DETERMINE THE FUNCTIONAL OR DESIGN CAPACITY OF PUBLIC FACILITIES;

(2) ESTABLISH STANDARDS FOR DETERMINING THE ADEQUACY OF PUBLIC FACILITIES;