



## The Mayor and Commissioners of the Town of Elkton

### Resolution R5-2005

**A RESOLUTION** of the Mayor and Commissioners of the Town of Elkton adopting a *Sewer Capacity Management Plan*, consistent with the requirements of the *Administrative Complaint, Consent Order and Penalty CO-05-0065*.

**WHEREAS**, the Town of Elkton and the Maryland Department of the Environment, Water Management Administration (hereinafter the "Administration"), executed *Administrative Complaint, Consent Order and Penalty CO-05-0065*, effective January 5, 2005 (hereinafter the "Consent Order"); and

**WHEREAS**, the Consent Order required that the Town develop and submit a *Sewer Capacity Management Plan* to the Administration within ninety (90) days of the effective date of the Consent Order, whereby the Town, through its regulation of building permits and concomitantly the allocation of sewer capacity, would limit its annual sewer capacity allocation to 60,000 gallons per day; and

**WHEREAS**, the Town submitted its draft *Sewer Capacity Management Plan* to the Administration on February 1, 2005, and said plan was approved by the Administration on March 25, 2005.

**NOW, THEREFORE, THE MAYOR AND COMMISSIONERS HEREBY RESOLVE THE FOLLOWING:**

1. That the *Sewer Capacity Management Plan*, dated January 31, 2005, and approved by the Administration on March 25, 2005, (the "Plan") is hereby adopted, attached hereto and incorporated into this resolution, effective *nunc pro tunc* January 5, 2005, and shall remain in effect until such time as the Administration and the Town mutually agree to its expiration; and
2. That the Plan may be amended hereinafter upon the joint approval of the Administration and the Town; and
3. That the Town Administrator shall be generally responsible for the implementation and maintenance of the Plan; and
4. That a copy of the resolution be submitted to the Administration.

Read and Passed this 6<sup>th</sup> day of April, 2005.

The Mayor and Commissioners of the Town of Elkton

Mayor Joseph L. Fisona

Commissioner John K. Burkley, II

Commissioner Charles H. Givens, Sr.

Commissioner Earl M. Piner, Sr.

Commissioner C. Gary Storke