

THE TOWN OF MOUNT AIRY, MARYLAND

**TOWN COUNCIL
RESOLUTION NO. 2026-4**

**FOR THE PURPOSE OF ESTABLISHING
THE TOWN'S AVAILABLE WATER AND SEWER
CAPACITY YIELD FROM 2026 THROUGH 2027
PURSUANT TO THE TOWN CODE,
SECTION 109-19.2A and B AND
SECTION 91-6B**

This Resolution No. 2026-4 amends and replaces Resolution No. 2026-2 approved by the Council to correct a clerical error. The methodology to determine the capacity yields is below followed by the net capacity yields.

WHEREAS, the Maryland Department of the Environment issued Water Appropriation and Use Permits to the Town of Mount Airy to allocate water withdrawal limited to a daily average of 927,000 gallons on a yearly basis and a daily average of 1,353,800 gallons for the month of maximum use; and

WHEREAS, the Town of Mount Airy's Adequate Public Facilities Ordinance, section 25-6.A. of the Town Code, permits development without exceeding 88% of the overall water system capacity. The maximum water source allocations by the Town, therefore, cannot exceed 815,760 gallons per day (gpd); and

WHEREAS, the Town of Mount Airy's APFO certification calculations take into account the maximum average daily demand from the last five calendar years which from 2022 through 2026 the maximum average daily demand was in 2026 in the amount of 732,673 gpd. Subtracting this amount reduces the allocable water to 83,087 gpd; and

WHEREAS, the Town of Mount Airy's Planning Commission has approved or conceptually approved "pipeline" and "potential pipeline" development as listed in the APFO calculations the calculated or anticipated additional demands total of 63,815 gpd further reducing the allocable water to 19,272 gpd; and

WHEREAS, the Maryland Department of the Environment issued a State Discharge Permit to the Town of Mount Airy to discharge an annual average flow of 1.2 million gallons per day of treated wastewater from the Mount Airy Wastewater Treatment Plant (WWTP); and

WHEREAS, the Town of Mount Airy's Adequate Public Facilities Ordinance, section 25-6.A. of the Town Code, permits development without exceeding 88% of the overall wastewater (sewer) system capacity. The maximum wastewater (sewer) allocations by the Town, therefore, cannot exceed 1,056,000 gallons per day (gpd); and

WHEREAS, the Town of Mount Airy's APFO certification calculations take into account the WWTP's maximum average daily discharge flow from the last five calendar years which from 2022 through 2026 the maximum average daily discharge flow was in 2021 in the

amount of 769,333 gpd. Subtracting this amount reduces the allocable wastewater (sewer) to 286,667 gpd; and

WHEREAS, the Town of Mount Airy’s Planning Commission has approved or conceptually approved “pipeline” and “potential pipeline” development as listed in the APFO calculations the calculated or anticipated additional discharge flow total of 63,815 gpd further reducing the allocable wastewater (sewer) to 222,852 gpd.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF MOUNT AIRY:

Pursuant to the Town Code, Section 109-19.2A and B and Section 91-6B, be it RESOLVED, by the Town Council:

- (1) That the Town will for the period from 2026 through 2027 have available water capacity of 19,272 gpd based on the APFO Water and Sewer System calculations. This 19,272 gpd shall be the Available Water Capacity Yield from 2026 through 2027 which shall be available to be allocated in that time frame in accordance with the Town’s Water and Sewer Allocation Ordinance to “New Demand” as defined therein.
- (2) That the Town will for the period from 2026 through 2027 have available sewer capacity of 222,852 gpd based on the APFO Water and Sewer System calculations. This 222,852 gpd shall be the Available Sewer Capacity Yield from 2026 through 2027 which shall be available to be allocated in that time frame in accordance with the Town’s Water and Sewer Allocation Ordinance to “New Demand” as defined therein.
- (3) That in the first quarter of 2026 the Town anticipates receiving an increase in appropriation from 79,000 gpd to 113,000 gpd from Maryland Department of the Environment (MDE) for permit FR2001G022(03), or well number 9. Once received this 34,000 gpd will add 29,920 gpd (or 88%) to the Available Water Capacity Yield bringing the total from 19,272 gpd to 49,192 gpd.

ADOPTED:

This 2nd day of March, 2026 by a vote of ___ in favor and ___ opposed.

ATTEST:

Jason P. Evans, Secretary

Tim J. Washabaugh, President of the Council

Approved this 2nd day of March, 2026.

ATTEST:

Jason P. Evans , Secretary

Larry G. Hushour, Mayor

Reviewed and approved as to legal sufficiency.
This 2nd day of March, 2026.

Thomas V. McCarron, Town Attorney