

HOUSE BILL 1506

M3

0lr0720

By: **Montgomery County Delegation**

Introduced and read first time: March 4, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Septic System and Well Easements – Rural Zones**

3 **MC 11-10**

4 FOR the purpose of providing that, with certain exceptions, in Montgomery County a
5 subdivision located in a certain rural zone may be served by a septic system or a
6 well located on a contiguous property under certain easements; establishing
7 certain exceptions; clarifying that this Act does not authorize the creation of
8 additional lots; defining certain terms; and generally relating to septic system
9 and well easements in Montgomery County.

10 BY adding to

11 Article – Environment

12 Section 9-1110

13 Annotated Code of Maryland

14 (2007 Replacement Volume and 2009 Supplement)

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

17 **Article – Environment**

18 **9-1110.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
20 MEANINGS INDICATED.

21 (2) “RURAL ZONE” MEANS AN AREA OF MONTGOMERY COUNTY
22 DESIGNATED AS A RURAL CLUSTER ZONE, RURAL DENSITY TRANSFER ZONE,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 OR RURAL SERVICE ZONE AS DESCRIBED IN THE MONTGOMERY COUNTY CODE
2 ZONING ORDINANCE.

3 (3) "SUBDIVISION" HAS THE MEANING STATED IN § 9-501 OF THIS
4 TITLE.

5 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IN
6 MONTGOMERY COUNTY, A SUBDIVISION LOCATED IN A RURAL ZONE MAY BE
7 SERVED BY:

8 (1) A SEPTIC SYSTEM LOCATED ON A CONTIGUOUS PROPERTY
9 UNDER A SEPTIC SYSTEM EASEMENT; OR

10 (2) A WELL LOCATED ON A CONTIGUOUS PROPERTY UNDER A
11 WELL EASEMENT.

12 (C) A SEPTIC SYSTEM OR WELL UNDER SUBSECTION (B) OF THIS
13 SECTION MAY NOT:

14 (1) SERVE LAND THAT IS DESIGNATED BY THE STATE OR THE
15 GOVERNING BODY OF MONTGOMERY COUNTY AS A SPECIAL PROTECTION AREA
16 OR GREEN INFRASTRUCTURE; OR

17 (2) THROUGH THE USE OF ABOVE-GROUND TECHNOLOGY,
18 INCLUDING SAND MOUNDS, INTERFERE WITH LAND OTHERWISE AVAILABLE FOR
19 CULTIVATION.

20 (D) THIS SECTION DOES NOT AUTHORIZE THE CREATION OF ANY
21 ADDITIONAL LOTS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2010.