

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: E. Ford
Typed by: Linda
Stored – 02/24/10
Proofread by _____
Checked by _____

By: **Montgomery County Delegation**

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **9-1110.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
3 MEANINGS INDICATED.

4 (2) "RURAL ZONE" MEANS AN AREA OF MONTGOMERY COUNTY
5 DESIGNATED AS A RURAL CLUSTER ZONE, RURAL DENSITY TRANSFER ZONE,
6 OR RURAL SERVICE ZONE AS DESCRIBED IN THE MONTGOMERY COUNTY CODE
7 ZONING ORDINANCE.

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

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

13 (1) A SEPTIC SYSTEM LOCATED ON A CONTIGUOUS PROPERTY
14 UNDER A SEPTIC SYSTEM EASEMENT; OR

15 (2) A WELL LOCATED ON A CONTIGUOUS PROPERTY UNDER A
16 WELL EASEMENT.

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

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

22 (2) THROUGH THE USE OF ABOVE-GROUND TECHNOLOGY,
23 INCLUDING SAND MOUNDS, INTERFERE WITH LAND OTHERWISE AVAILABLE FOR
24 CULTIVATION.

25 (D) THIS SECTION DOES NOT AUTHORIZE THE CREATION OF ANY
26 ADDITIONAL LOTS.

0lr0720

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