

MONTGOMERY COUNTY SENATE DELEGATION

BILL REPORT: MC 11-10

Montgomery County – Septic System and Well Easements – Rural Zones (Senator Rob Garagiola)

Motion on Bill: FAVORABLE W/ AMENDMENTS (8-0) on April 5, 2010

Motion Offered By: GARAGIOLA

2nd By: KING

Voting For: FOREHAND, FROSH, GARAGIOLA, KING, KRAMER, LENETT, MADALENO, RASKIN

Voting Against: (NONE)

SUMMARY: The bill provides that a subdivision located in a rural zone may be served by a septic system or well located on a contiguous property under a septic system or well easement, requiring that any such septic system or well does not serve land that is designated by the State or County as a special protection area or green infrastructure. The bill also prohibits the creation of any such septic systems or well easements through the use of above ground technology that interferes with land otherwise available for cultivation and does not authorize the creation of additional lots.

As amended by the Montgomery County House Delegation on March 26, 2010, the bill authorizes a septic system or well located in a rural zone to serve a property subdivided from the property on which the septic system or well is located under the easement. As amended, an easement may be a lot-to-lot parcel easement if either lots or parcels originate from the same property. The House Delegation amendments to the bill also strike language relating to the interference with land available for cultivation by above ground technology and alter the effective dates of the legislation.

TESTIMONY:

Supporting: Montgomery County Executive (*written*), Montgomery County Council (*written*)

Opposing: (None)