
By: **Prince George's County and Montgomery County Delegations**

Introduced and read first time: February 12, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary District - New Residential Development -**
3 **Subdivision Line Construction**
4 **PG/MC 2-98**

5 FOR the purpose of providing that, in the Washington Suburban Sanitary District,
6 the construction of certain water and sewer infrastructure related to certain
7 new residential construction is the responsibility of the owner or developer who
8 files an application for service with the Washington Suburban Sanitary
9 Commission (WSSC); requiring that the infrastructure be constructed in
10 accordance with WSSC regulations; authorizing the WSSC to require a contract
11 governing certain matters; authorizing the WSSC to require dedication of
12 certain infrastructure upon WSSC final approval; regulating how the cost of
13 certain subdivision lines are handled; requiring the WSSC to adopt certain
14 regulations; providing that certain provisions relating to service connections do
15 not apply under certain conditions; prohibiting the WSSC from incurring debt
16 for certain infrastructure; providing for the application of this Act; defining
17 certain terms; and generally relating to the financing and responsibility for
18 certain water and sewer infrastructure necessary to accommodate new
19 residential development in the Sanitary District.

20 BY adding to
21 Article 29 - Washington Suburban Sanitary District
22 Section 3-101.1, 4-101(g), 5-102(b)(3), and 5-106(a)(3)
23 Annotated Code of Maryland
24 (1997 Replacement Volume and 1997 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article 29 - Washington Suburban Sanitary District
27 Section 3-104(a) and 4-101(a)(1)(i)
28 Annotated Code of Maryland
29 (1997 Replacement Volume and 1997 Supplement)

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

3 **Article 29 - Washington Suburban Sanitary District**

4 3-101.1.

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (2) "APPLICATION FOR SERVICE" MEANS AN APPLICATION BY A
8 DEVELOPER OR PROPERTY OWNER TO THE WSSC FOR WATER OR SEWER SERVICE
9 THAT WILL REQUIRE THE CONSTRUCTION OF NEW SUBDIVISION LINES.

10 (3) "MAJOR PROJECTS" HAS THE MEANING STATED IN § 7-101 OF THIS
11 ARTICLE.

12 (4) (I) "SUBDIVISION LINES" MEANS WATER OR SEWER PIPELINES
13 AND RELATED FACILITIES, INCLUDING SERVICE CONNECTIONS FOR INDIVIDUAL
14 PROPERTIES:

15 1. SERVING NEW RESIDENTIAL DEVELOPMENT IN THE
16 SANITARY DISTRICT THAT CONSISTS OF TWO OR MORE DWELLING UNITS; AND

17 2. THE INSTALLATION OF WHICH IS NECESSARY TO PROVIDE
18 WATER OR SEWER SERVICE TO THE DEVELOPMENT.

19 (II) "SUBDIVISION LINES" DO NOT INCLUDE PIPELINES OR
20 FACILITIES CONSIDERED MAJOR PROJECTS.

21 (B) THIS SECTION APPLIES TO AN APPLICATION FOR SERVICE FILED WITH
22 THE WSSC ON OR AFTER JULY 1, 1999.

23 (C) THE CONSTRUCTION OF SUBDIVISION LINES FOR NEW RESIDENTIAL
24 DEVELOPMENT IN THE SANITARY DISTRICT:

25 (1) IS THE RESPONSIBILITY OF THE OWNER OR DEVELOPER OF THE
26 PROPERTY WHO FILES THE APPLICATION FOR SERVICE;

27 (2) SHALL BE CONSTRUCTED AT THE EXPENSE OF THE OWNER OR
28 DEVELOPER; AND

29 (3) SHALL BE CONSTRUCTED IN ACCORDANCE WITH WSSC
30 REGULATIONS.

31 (D) (1) THE WSSC MAY CONDITION APPROVAL OF SUBDIVISION LINES ON
32 THE OWNER OR DEVELOPER ENTERING A CONTRACT WITH THE WSSC GOVERNING:

1 (I) THE SUBMISSION OF PLANS AND SPECIFICATIONS FOR
2 SUBDIVISION LINE CONSTRUCTION, CONNECTIONS, AND RELATED MATTERS TO THE
3 WSSC AND REQUIRING WSSC APPROVAL;

4 (II) INSPECTION OF THE SUBDIVISION LINES BY THE WSSC AT
5 EACH PHASE OF CONSTRUCTION THAT THE WSSC CONSIDERS APPROPRIATE AND
6 INSPECTION BEFORE THE SUBDIVISION LINES ARE PLACED IN SERVICE; AND

7 (III) ANY OTHER MATTER THAT THE WSSC CONSIDERS
8 APPROPRIATE TO ENSURE THE PROPER CONSTRUCTION AND OPERATION OF WATER
9 AND SEWER FACILITIES.

10 (2) THE WSSC MAY REQUIRE THAT SUBDIVISION LINES CONSTRUCTED
11 UNDER THIS SECTION BE DEDICATED TO THE WSSC UPON FINAL WSSC APPROVAL.

12 (E) THE COST OF SUBDIVISION LINES:

13 (1) SHALL BE BORNE BY THE OWNER OR DEVELOPER AND
14 INCORPORATED INTO THE COST OF THE RESIDENTIAL DEVELOPMENT; AND

15 (2) MAY NOT BE IDENTIFIED AS A SEPARATE ITEM ON A SETTLEMENT
16 SHEET OR OTHERWISE IDENTIFIED AS A SEPARATE COST ASSOCIATED WITH THE
17 PROPERTY AT THE TIME OF TRANSFER TO THE INITIAL PURCHASER OF THE
18 DEVELOPED PROPERTY.

19 (F) THE WSSC SHALL ADOPT REGULATIONS IN ACCORDANCE WITH § 9-101 OF
20 THIS ARTICLE GOVERNING THE CONSTRUCTION OF SUBDIVISION LINES UNDER THIS
21 SECTION.

22 3-104.

23 (a) (1) (I) THIS PARAGRAPH DOES NOT APPLY TO A SERVICE
24 CONNECTION MADE PURSUANT TO § 3-101.1 OF THIS SUBTITLE.

25 (II) If property abuts on a street or right-of-way in which a water
26 main or sanitary sewer is installed, the WSSC shall provide a service connection from
27 the water main or sanitary sewer to the property line of the abutting lot.

28 [(2)] (III) The service connection shall be constructed by and at the
29 expense of the WSSC and shall be paid for in accordance with the provisions of this
30 article.

31 [(3)] (2) When a water main or sewer is declared by the WSSC as
32 complete and ready for the delivery of water or the reception of sewage, after due
33 notice every abutting property owner shall hook up all spigots or hydrants, toilets,
34 and waste drains with the water main or sewer within the time set by the WSSC.

35 [(4)] (3) If the fixtures described in paragraph (3) of this subsection do
36 not exist, or if they are judged by the WSSC as improper or inadequate, the property
37 owner shall install satisfactory equipment.

1 [(5)] (4) All cesspools, sink drains, and privies and wells that are
2 polluted or a menace to health shall be abandoned and left in such a way that they
3 cannot again be used nor injuriously affect the public health. The WSSC shall
4 determine the disposition of these facilities.

5 4-101.

6 (a) (1) (i) [For] SUBJECT TO SUBSECTION (G) OF THIS SECTION, FOR the
7 purpose of providing funds for the design, construction, reconstruction,
8 establishment, extension, enlargement, purchase or condemnation of the water and
9 sewerage systems in the sanitary district, or in any other areas where extension of
10 any of those systems may be authorized by law, or for the construction, remodeling,
11 enlargement or replacement of any office or operating building or buildings required
12 for the administration or operation of any of the systems, including the acquisition of
13 land or equipment, the WSSC may issue bonds of the sanitary district, from time to
14 time, in such amounts as it may deem necessary to carry on its work.

15 (G) THE WSSC MAY NOT ISSUE BONDS OF THE SANITARY DISTRICT OR ANY
16 OTHER INSTRUMENT OF INDEBTEDNESS TO FINANCE THE COST OF WATER OR
17 SEWER INFRASTRUCTURE THAT IS SUBJECT TO THE PROVISIONS OF § 3-101.1 OF
18 THIS ARTICLE.

19 5-102.

20 (b) (3) THE WSSC MAY NOT IMPOSE OR COLLECT A BENEFIT CHARGE TO
21 PAY FOR THE COST OF WATER OR SEWER INFRASTRUCTURE THAT IS SUBJECT TO
22 THE PROVISIONS OF § 3-101.1 OF THIS ARTICLE.

23 5-106.

24 (a) (3) THIS SECTION DOES NOT APPLY IF A WATER OR SEWER CONNECTION
25 IS MADE PURSUANT TO THE PROVISIONS OF § 3-101.1 OF THIS ARTICLE.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 1998.