

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 1506 (Montgomery County Delegation)
Environmental Matters

Montgomery County - Septic System and Well Easements - Rural Zones
MC 11-10

This bill authorizes a septic system or well located in a Montgomery County Rural Zone to serve contiguous subdivided property under an easement, except if the property being served is also designated as a special protection area or green infrastructure, or if the septic system or well interferes, through the use of above-ground technology, with land meant for cultivation. The bill does not authorize the creation of any additional lots.

Fiscal Summary

State Effect: None.

Local Effect: The bill does not materially affect Montgomery County finances as it merely clarifies and codifies existing practice.

Small Business Effect: None.

Analysis

Bill Summary: A “rural zone” is an area designated by Montgomery County as a Rural Cluster Zone, Rural Density Transfer Zone, or Rural Service Zone as described in the Montgomery County Code Zoning Ordinance. The bill also defines a “subdivision” with reference to an existing definition in the Environment Article, which is any division of a tract or parcel of land, including a change in street or lot lines, into at least two lots, for the purpose of sale or building development. Exempted by definition are divisions of land into parcels of more than three acres for agricultural purposes, if the divisions do not involve any new streets or easements of access.

Current Law: State water supply and sewerage regulations express intent that all subdivisions developed in the State are served by an adequate community water supply and community sewerage system or, when developed in the absence of such systems, provide for an adequate and safe supply of drinking water and for the safe disposal of sewerage on each building site until such community systems are available. Individual water supply and sewage disposal facilities, which may serve only a single subdivided lot, may be permitted under certain circumstances. The Montgomery County Code authorizes on-site water and sewage treatment and disposal systems to serve contiguous subdivided lots with the approval of relevant authorities and under specified conditions.

Background: The Montgomery County Code Zoning Ordinance states that the intent of the rural zone is to preserve rural areas of the county for agriculture and other natural resource development, residential uses of a rural character, extensive recreational facilities, and protection of scenic and environmentally sensitive areas.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Maryland Department of the Environment, Department of Legislative Services

Fiscal Note History: First Reader - March 19, 2010
mpc/lgc

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