

HOUSE BILL 190

M3

9lr1198

By: **Delegate Lafferty**

Introduced and read first time: January 23, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Failing On-Site Sewage Disposal System – Definition**

3 FOR the purpose of defining the term “failing on-site sewage disposal system” for purposes
4 of certain provisions of law relating to on-site sewage disposal systems; requiring
5 each county to adopt by local law or ordinance the definition of “failing on-site
6 sewage disposal system”; and generally relating to on-site sewage disposal systems.

7 BY repealing and reenacting, without amendments,

8 Article – Environment

9 Section 9–101(a)

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2018 Supplement)

12 BY adding to

13 Article – Environment

14 Section 9–101(d–1) and 9–1113

15 Annotated Code of Maryland

16 (2014 Replacement Volume and 2018 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Environment**

20 9–101.

21 (a) In this title the following words have the meanings indicated.

22 **(D–1) (1) “FAILING ON-SITE SEWAGE DISPOSAL SYSTEM” MEANS THE**
23 **CONDITION OF AN ON-SITE SEWAGE DISPOSAL SYSTEM OR A COMPONENT OF AN**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ON-SITE SEWAGE DISPOSAL SYSTEM THREATENS OR IMPACTS PUBLIC HEALTH DUE
2 TO:

3 (I) THE INADEQUATE TREATMENT OF SEWAGE; OR

4 (II) THE POTENTIAL FOR DIRECT OR INDIRECT CONTACT
5 BETWEEN SEWAGE AND MEMBERS OF THE PUBLIC.

6 (2) "FAILING ON-SITE SEWAGE DISPOSAL SYSTEM" INCLUDES AN
7 ON-SITE SEWAGE DISPOSAL SYSTEM OR A COMPONENT OF AN ON-SITE SEWAGE
8 DISPOSAL SYSTEM THAT:

9 (I) FAILS TO PREVENT SEWAGE FROM:

10 1. REACHING THE SURFACE OF THE GROUND;

11 2. BACKING UP INTO A STRUCTURE DUE TO SLOW SOIL
12 ABSORPTION OF SEWAGE EFFLUENT; OR

13 3. LEAKING FROM A SEWAGE TANK OR COLLECTION
14 SYSTEM;

15 (II) FAILS TO PREVENT GROUNDWATER OR SURFACE WATER
16 DEGRADATION FROM CESSPOOLS OR SEEPAGE PITS;

17 (III) FAILS TO PREVENT GROUNDWATER OR SURFACE WATER
18 CONTAMINATION FROM INADEQUATELY TREATED SEWAGE EFFLUENT;

19 (IV) IS A CESSPOOL; OR

20 (V) DOES NOT COMPLY WITH THE STANDARDS AND CONDITIONS
21 OF AN ON-SITE SEWAGE DISPOSAL SYSTEM PERMIT.

22 9-1113.

23 EACH COUNTY SHALL ADOPT BY LOCAL LAW OR ORDINANCE THE DEFINITION
24 OF "FAILING ON-SITE SEWAGE DISPOSAL SYSTEM" AS DEFINED IN § 9-101 OF THIS
25 TITLE.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2019.