

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 1093 (Prince George's County Delegation and Montgomery County Delegation)

Commerce and Government Matters

**Washington Suburban Sanitary Commission - Easements - Property Use
PG/MC 16-00**

This bill entitles the owner of land subject to a Washington Suburban Sanitary Commission (WSSC) easement to full use and enjoyment of the land. This includes the right to alter the grade of the land and to construct improvements on the land, so long as the improvements do not interfere with the installed water and sewer lines. If the WSSC finds it necessary to alter or reinstall water or sewer lines to avoid new constructions, the WSSC is responsible for covering the costs.

Fiscal Summary

State Effect: None.

Local Effect: The WSSC would be required to pay for reinstallation and alteration of water and sewer lines that would need to be moved to avoid new construction that property owners build on easement land. WSSC expenditures would increase depending on the number and type of improvements property owners build.

Small Business Effect: Potential minimal.

Analysis

Current Law: On property subject to a WSSC easement, WSSC pipelines have the “right of way.” A property owner wishing to construct over top of pipelines must enter into an agreement with the WSSC that relieves the commission of the financial responsibility for moving or altering pipes.

Local Expenditures: The WSSC receives over 200 requests per year to build improvements on easement property. Once property owners realize that the WSSC would have to pay to move water and sewer lines in accordance with property owners’ plans, the WSSC could realize significant pipe relocation costs. The WSSC advises that the cost of any alterations and reinstallations would be retrieved through increased rates, effectively creating a situation where all ratepayers pay for alterations the WSSC is forced to perform.

Small Business Effect: Small businesses that own land subject to a WSSC easement would, like other property owners, be entitled to build improvements on their property. However, if higher rates result from the bill, small businesses would be impacted negatively.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Prince George’s County, Washington Suburban Sanitary Commission, Department of Legislative Services

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