

# CHAPTER 701

(House Bill 303)

AN ACT concerning

## Anne Arundel County – Well Drillers – Permit Fee

FOR the purpose of requiring the Anne Arundel County Board of Health to set the permit ~~fee fees~~ for well drillers so as to produce funds to ~~approximate the~~ reflect the actual cost of certain services; establishing a certain limitation on the amount of the fee charged for a well drilled to replace an existing well; and generally relating to the well drillers permit fee in Anne Arundel County.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1307

Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

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

### Article – Environment

9–1307.

(a) In applying for a permit to drill a well, the well driller shall give the Department any information the Department requires.

(b) As a condition to issuing a permit to drill a well, the Department may require that samples of the materials encountered in drilling the well be preserved and submitted to the Department.

(c) (1) (i) A county board of health may establish a permit fee to defray county expenses in inspecting wells, collecting water samples, and issuing certificates of potability.

(ii) For an interim certificate of potability, a county board of health shall accept initial test results prepared by a private State certified laboratory.

(2) (i) The fee may be charged before a permit required under § 9–1306 of this subtitle is issued.

(ii) [The] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE** fee may not exceed \$160 per well or \$160 per cluster of wells to be used exclusively to transfer heat to or from the ground or groundwater.

**(III) IN ANNE ARUNDEL COUNTY ONLY:**

**1. SUBJECT TO ~~SUBPARAGRAPH~~ ITEM 2 OF THIS SUBPARAGRAPH, THE FEE CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO ~~APPROXIMATE THE~~ REFLECT THE ACTUAL COST OF INSPECTING WELLS, COLLECTING WATER SAMPLES, AND ISSUING CERTIFICATES OF POTABILITY BY THE ANNE ARUNDEL COUNTY BOARD OF HEALTH; AND**

**2. FOR A WELL DRILLED TO REPLACE AN EXISTING WELL THE FEE CHARGED SHALL BE NO MORE THAN 50% OF THE FEE AS CALCULATED UNDER ~~SUBPARAGRAPH~~ ITEM 1 OF THIS SUBPARAGRAPH.**

(3) A permit shall be issued within a reasonable period of time after receipt of the application and shall be valid for a period of 12 months from the date of issuance by the approved delegated permitting authority.

(d) A county board of health may waive a fee for a well that is drilled to replace a well not in conformity with the regulations adopted under § 9-1305 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 24, 2008.**