HOUSE BILL 34

M3 9lr0809

(PRE–FILED)

By: **Delegate Cardin**
Requested: October 20, 2008
Introduced and read first time: January 14, 2009
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Impervious Surface – Statewide Database**

3 FOR the purpose of requiring the Department of the Environment, in consultation
4 with the Department of Planning, to develop and maintain a database of
5 impervious surface in the State; requiring a county to report the amount of its
6 impervious surface to the Department of the Environment in a certain manner;
7 authorizing the Department of the Environment to adopt certain regulations;
8 defining a certain term; and generally relating to impervious surface in the
9 State.

10 BY adding to
11 Article – Environment
12 Section 9–1623
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2008 Supplement)

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

Article – Environment

18 **9–1623.**

19 (A) (1) IN THIS SECTION, "IMPERVIOUS SURFACE" INCLUDES:

20 (I) STRUCTURES, BUILDINGS, DWELLING UNITS, ROADS,
21 PARKING LOTS, DRIVEWAYS; AND

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1   (II) **AREAS THAT ARE COVERED WITH GRAVEL, STONE,**
2   **SHELL, IMPERMEABLE DECKING, PAVERS, OR ANY OTHER IMPERVIOUS**
3   **MATERIAL.**

4   (2) **"IMPERVIOUS SURFACE" DOES NOT INCLUDE:**

5   (I) **A FENCE OR WALL THAT IS LESS THAN 1 FOOT IN WIDTH**
6   **THAT HAS NOT BEEN CONSTRUCTED WITH A FOOTER;**

7   (II) **A WOOD MULCH PATHWAY; OR**

8   (III) **A DECK WITH GAPS TO ALLOW WATER TO PASS FREELY.**

9   (B) **THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF**
10 **PLANNING, SHALL DEVELOP AND MAINTAIN A DATABASE OF IMPERVIOUS**
11 **SURFACE IN THE STATE.**

12   (C) **EACH COUNTY SHALL REPORT THE AMOUNT OF ITS IMPERVIOUS**
13 **SURFACE TO THE DEPARTMENT IN A MANNER AND ACCORDING TO A SCHEDULE**
14 **DETERMINED BY THE DEPARTMENT.**

15   (D) **THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS**
16 **SECTION.**

17   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2009.