

# HOUSE BILL 536

M3  
HB 1506/10 – ENV

11r0862

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By: **Montgomery County Delegation**  
Introduced and read first time: February 8, 2011  
Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Septic System and Well Easements – Rural Zones**

3 **MC 17-11**

4 FOR the purpose of providing that, with certain exceptions, in Montgomery County a  
5 subdivision located in a certain rural zone may be served by a septic system or a  
6 well located on a contiguous property under certain easements; establishing  
7 certain exceptions; clarifying that this Act does not authorize the creation of  
8 additional lots; defining certain terms; and generally relating to septic system  
9 and well easements in Montgomery County.

10 BY adding to  
11 Article – Environment  
12 Section 9-1110  
13 Annotated Code of Maryland  
14 (2007 Replacement Volume and 2010 Supplement)

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

17 **Article – Environment**

18 **9-1110.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
20 MEANINGS INDICATED.

21 (2) “RURAL ZONE” MEANS AN AREA OF MONTGOMERY COUNTY  
22 DESIGNATED AS A RURAL CLUSTER ZONE, RURAL DENSITY TRANSFER ZONE,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 OR RURAL SERVICE ZONE AS DESCRIBED IN THE MONTGOMERY COUNTY CODE  
2 ZONING ORDINANCE.

3 (3) "SUBDIVISION" HAS THE MEANING STATED IN § 9-501 OF THIS  
4 TITLE.

5 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IN  
6 MONTGOMERY COUNTY, A SUBDIVISION LOCATED IN A RURAL ZONE MAY BE  
7 SERVED BY:

8 (1) A SEPTIC SYSTEM LOCATED ON A CONTIGUOUS PROPERTY  
9 UNDER A SEPTIC SYSTEM EASEMENT; OR

10 (2) A WELL LOCATED ON A CONTIGUOUS PROPERTY UNDER A  
11 WELL EASEMENT.

12 (C) A SEPTIC SYSTEM OR WELL UNDER SUBSECTION (B) OF THIS  
13 SECTION MAY NOT:

14 (1) SERVE LAND THAT IS DESIGNATED BY THE STATE OR THE  
15 GOVERNING BODY OF MONTGOMERY COUNTY AS A SPECIAL PROTECTION AREA  
16 OR GREEN INFRASTRUCTURE; OR

17 (2) DECREASE THE LAND AVAILABLE FOR AGRICULTURAL  
18 PRODUCTION BY MORE THAN 4,000 SQUARE FEET.

19 (D) THIS SECTION DOES NOT AUTHORIZE THE CREATION OF ANY  
20 ADDITIONAL LOTS.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2011.