

***APPENDIX A***

***The State Environment Article  
Title 9, Subtitle 5***



**§ 9-425. Eligible costs.**

The eligible cost of a project for State financial assistance under this subtitle may include the costs of reports, plans, specifications, legal and administrative services, equipment, construction, rehabilitation, or improvement, and may include land, easements, and rights-of-way. (1990, ch. 187, § 2.)

**§ 9-426. County water and sewer plans.**

To receive financial assistance from the Fund, the project must be included in the county water and sewer plan approved by the county governing body and the Maryland Department of the Environment. (1990, ch. 187, § 2.)

*Subtitle 5. County Water and Sewerage Plans.***§ 9-501. Definitions.**

(a) *In general.* — In this subtitle the following words have the meanings indicated.

(b) *Community sewerage system.* — “Community sewerage system” means a publicly or privately owned sewerage system that serves at least 2 lots.

(c) *Community water supply system.* — “Community water supply system” means a water supply system that serves at least 2 lots.

(d) *County plan.* — (1) “County plan” means a comprehensive plan for adequately providing throughout the county, including all towns, municipal corporations, and sanitary districts in the county, the following facilities and services by public or private ownership:

- (i) Water supply systems;
- (ii) Sewerage systems;
- (iii) Solid waste disposal systems;
- (iv) Solid waste acceptance facilities; and
- (v) Systematic collection and disposal of solid waste, including litter.

(2) “County plan” includes a revised or amended county plan.

(e) *Individual sewerage system.* — “Individual sewerage system” means a sewerage system that serves only 1 lot.

(f) *Individual water supply system.* — “Individual water supply system” means a water supply system that supplies water to only 1 lot.

(g) *Litter.* — “Litter” means any:

- (1) Waste material;
- (2) Refuse;
- (3) Garbage;
- (4) Trash;
- (5) Debris;
- (6) Dead animal; or
- (7) Other discarded material.

(h) *Lot.* — “Lot” means a parcel of land, including a part of a subdivision, that:

- (1) Is used or is intended to be used as a building site; and

(2) Is not intended to be further subdivided.

(i) *Multiuse sewerage system*. — "Multiuse sewerage system" means a sewerage system that:

- (1) Serves only 1 lot;
- (2) Serves a number of individuals;
- (3) Has a treatment capacity of more than 5,000 gallons a day; and
- (4) Is not publicly owned or operated.

(j) *Multiuse water supply system*. — "Multiuse water supply system" means an individual water supply system that:

(1) Has the capacity to supply more than 5,000 gallons of water a day; and

(2) Serves a number of individuals.

(k) *Proposed county plan*. — (1) "Proposed county plan" means a county plan that:

- (i) Has been adopted by the county governing body; and
- (ii) Has not been approved by the Department.

(2) "Proposed county plan" includes any proposed amendment or revision of the county plan.

(l) *Sewage*. — "Sewage" means any human or animal excretion, street wash, domestic waste, or industrial waste.

(m) *Sewerage system*. — (1) "Sewerage system" means:

(i) The channels used or intended to be used to collect and dispose of sewage; and

(ii) Any structure and appurtenance used or intended to be used to collect or prepare sewage for discharge into the waters of this State.

(2) "Sewerage system" includes any sewer of any size.

(3) "Sewerage system" does not include the plumbing system inside any building served by the sewerage system.

(n) *Solid waste acceptance facility*. — "Solid waste acceptance facility" means any sanitary landfill, incinerator, transfer station, or plant whose primary purpose is to dispose of, treat, or process solid waste.

(o) *Solid waste disposal system*. — (1) "Solid waste disposal system" means any publicly or privately owned system that:

- (i) Provides a scheduled or systematic collection of solid waste;
- (ii) Transports the solid waste to a solid waste acceptance facility; and
- (iii) Treats or otherwise disposes of the solid waste at the solid waste acceptance facility.

(2) "Solid waste disposal system" includes each solid waste acceptance facility that is used in connection with the solid waste disposal system.

(p) *Subdivision*. — (1) "Subdivision" means any division of a tract or parcel of land into at least 2 lots, for the purpose of sale or building development.

(2) "Subdivision" includes any change in street lines or lot lines.

(3) "Subdivision" does not include any division of land into parcels of more than 3 acres, if the division:

- (i) Is for agricultural purposes; and
- (ii) Does not involve any new street or easement of access.

(q) *Water supply system.* — (1) "Water supply system" means a publicly or privately owned or operated:

(i) Source and the surrounding area from which water is supplied for drinking or domestic purposes; and

(ii) Structure, channel, or appurtenance used or intended to be used to prepare water for use or to deliver water to a consumer.

(2) "Water supply system" does not include the plumbing system inside any building that is served by the water supply system. (1983, ch. 542, § 2; 1984, ch. 762; 1992, ch. 295.)

**Revision of subtitle.** — Chapter 542, Acts 1983, effective July 1, 1983, repealed former §§ 9-501 through 9-517 and the subtitle heading "County Plans" and enacted present §§ 9-501 through 9-521 to be under the new subtitle heading "County Water and Sewerage Plans."

**University of Baltimore Law Review.** — For comment concerning federal, State and local regulation of hazardous and nonhazardous waste management, see 17 U. Balt. L. Rev. 114 (1987).

**Grant of authority to adopt or amend plan.** — This subtitle does not authorize a

county council itself to adopt or amend a county's solid waste management plan. That authority is granted to the "county governing body" or the "governing body of the county." *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**Stated** in *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 513 A.2d 893 (1986).

**Cited** in *Sugarloaf Citizens Ass'n v. Northeast Md. Waste Disposal Auth.*, 323 Md. 641, 594 A.2d 1115 (1991); *Gregory v. Board of County Comm'rs*, 89 Md. App. 635, 599 A.2d 469 (1991).

§ 9-502. Scope of subtitle.

(a) *Systems not requiring water for human or animal consumption.* — Unless the operation of a water supply system would interfere with a cleanup or remediation action of the Department, this subtitle does not prohibit the installation or operation of a water supply system that is used only to supply water for purposes other than human or animal consumption.

(b) *Counties exempt from subtitle.* — If a county is exempt from the provisions of this subtitle, the county may not receive funds from the sanitary facilities fund.

(c) *Conflict with other laws, rules, or regulations.* — Any rule or regulation adopted under this subtitle does not limit or supersede any other county, municipal, or State law, rule, or regulation that provides greater protection to the public health, safety, or welfare. (1983, ch. 542, § 2; 1989, ch. 25.)

**Quoted** in *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 513 A.2d 893 (1986).

**Stated** in *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert.

dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**§ 9-503. County plans — Required; review by governing body of county; revision or amendment.**

(a) *Requirement.* — Each county shall have a county plan or a plan with adjoining counties that:

- (1) Is approved by the Department;
- (2) Covers at least the 10-year period next following adoption by the county governing body; and
- (3) Deals with:
  - (i) Water supply systems;
  - (ii) Sewerage systems;
  - (iii) Solid waste disposal systems;
  - (iv) Solid waste acceptance facilities; and
  - (v) The systematic collection and disposal of solid waste, including litter.

(b) *Review by governing body of county.* — Except as provided in § 9-515 of this subtitle, each county governing body shall review its county plan at least once every 3 years in accordance with a schedule set by the Department.

(c) *Revision or amendment.* — Each county governing body shall adopt and submit to the Department a revision or amendment to its county plan if:

- (1) The governing body considers a revision or amendment necessary; or
- (2) The Department requires a revision or amendment.

(d) *Public hearing prior to adoption.* — (1) Before a county governing body adopts any revision or amendment to its county plan or adopts a new county plan, the governing body shall:

(i) Conduct a public hearing on the county plan, revision, or amendment that may be conducted jointly with other public hearings or meetings; and

(ii) Give the principal elected official of each municipal corporation that is affected notice of the county plan, revision, or amendment at least 14 days before the hearing.

(2) (i) Notice of the time and place of the public hearing, together with a summary of the plan, revision, or amendment, shall be published in at least 1 newspaper of general circulation in the county once each week for 2 successive weeks, with the first publication of notice appearing at least 14 days before the hearing.

(ii) Notice of the public hearing may be a part of the general notice listing all other items to be considered during the public hearing or meeting. (1983, ch. 542, § 2; 1985, ch. 224; 1988, ch. 101; 1989, ch. 820; 1990, ch. 6, § 2; 1994, ch. 661, § 2.)

**EXPLANATION**

Section 9-503 (b) of the Environment Article requires counties to conduct at least a biennial review of their ten-year plans concerning water and sewage systems and solid waste facilities. Staff recommends this requirement be

modified to require review at least every three years. The Department of the Environment has agreed with this change; the triennial review would be consistent with the review of several other programs under the Department

## § 9-504

## ANNOTATED CODE OF MARYLAND

of the Environment. Section 9-515 (b) of the Environment Article is modified for consistency.

**Effect of amendments.** — The 1994 amendment, effective Oct. 1, 1994, substituted "3 years" for "2 years" in (b).

**Editor's note.** — Section 3, ch. 661, Acts 1994, provides that "the explanation notes contained in this Act are not law and may not be considered to have been enacted as part of this Act. The explanation notes are included for information only."

**University of Baltimore Law Review.** — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

**Permit review authority.** — County council's resolution deleting proposed landfill site from county's solid waste management plan because of potential threat to groundwater was an impermissible invasion on State's permit review authority. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

*Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**Final approval authority.** — State Department of Environment has final approval authority over county solid waste management plans. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**Quoted in** *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**Stated in** *Howard County v. Davidsonville Civic & Potomac River Ass'ns*, 72 Md. App. 19, 527 A.2d 772, cert. denied, 311 Md. 286, 533 A.2d 1308 (1987).

**Cited in** *East v. Gilchrist*, 296 Md. 368, 463 A.2d 285 (1983); *Northwest Land Corp. v. Maryland Dep't of Env't*, 104 Md. App. 471, 656 A.2d 804 (1995).

## § 9-504. Same — Incorporation of subsidiary plans.

(a) **Required incorporation.** — To the extent that the incorporation will promote the public health, safety, and welfare, each county plan shall incorporate all or part of the subsidiary plans of each town, municipal corporation, sanitary district, privately owned facility, or local, State, or federal agency that has existing or planned development in that county.

(b) **Permitted incorporation.** — If the governing body of each county that is affected adopts a subsidiary plan for a multicounty area, the county may incorporate in its county plan all or part of the subsidiary plan. (1983, ch. 542, § 2.)

**University of Baltimore Law Review.** — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

**Stated in** *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**Cited in** *State Dep't of Env't v. Showell*, 316 Md. 259, 558 A.2d 391 (1989); *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

## § 9-505. Same — Contents; recycling reductions; effect of increase in population; regional plans.

(a) **Required contents.** — In addition to the other requirements of this subtitle, each county plan shall:

(1) Provide for the orderly expansion and extension of the following systems in a manner consistent with all county and local comprehensive plans

prepared under § 3.05 of Article 66B, § 5 (X) of Article 25A, § 13 of Article 25B, and § 7-108 of Article 28 of the Code:

- (i) Community water supply systems and multiuse water supply systems;
- (ii) Community sewerage systems and multiuse sewerage systems; and
- (iii) Solid waste disposal systems and solid waste acceptance facilities;
- (2) Provide for the sizing and staging of facilities construction that is consistent with the county plan;
- (3) Show compliance with paragraphs (1) and (2) of this subsection by using graphic and tabular information;
- (4) Provide:
  - (i) For sewage treatment facilities that are adequate to prevent the discharge of any inadequately treated sewage or other liquid waste into any waters; or
  - (ii) Otherwise for safe and sanitary treatment of sewage and other liquid waste;
- (5) Provide for facilities that are adequate to treat, recover, or dispose of solid waste in a manner that is consistent with the laws of this State that relate to air pollution, water pollution, and land use;
- (6) Contain adequate information about:
  - (i) The existing sewage treatment capacity in each drainage basin or sewage treatment plant service area in the county;
  - (ii) The present level of use of sewage treatment plants in each drainage basin; and
  - (iii) Projections for use of sewage treatment plant capacity based on:
    - 1. Outstanding building permits and subdivision plats if the county has subdivision authority; or
    - 2. Zoning commitments if the county does not have subdivision authority;
- (7) Taking into account all relevant planning, zoning, population, engineering, and economic information and all State, regional, municipal, and local plans, describe, with all practical precision, those parts of the county that reasonably may be expected to be served in the next 10 years by any:
  - (i) Community water supply system;
  - (ii) Multiuse water supply system;
  - (iii) Community sewerage system;
  - (iv) Multiuse sewerage system;
  - (v) Solid waste disposal system; and
  - (vi) Solid waste acceptance facility;
- (8) Set procedures for identifying and acquiring, on a time schedule that conforms to the time requirement in paragraph (7) of this subsection, any rights-of-way or easements that are necessary for any:
  - (i) Community water supply system;
  - (ii) Multiuse water supply system;
  - (iii) Community sewerage system;
  - (iv) Solid waste disposal system; or
  - (v) Solid waste acceptance facility;



(9) Taking into account all relevant planning, zoning, population, engineering, and economic information and all State, regional, municipal, and local plans, describe, with all practical precision, any parts of the county in which it is not reasonably foreseeable to have service in the next 10 years by any:

- (i) Community water supply system;
- (ii) Multiuse water supply system;
- (iii) Community sewerage system;
- (iv) Multiuse sewerage system;
- (v) Solid waste disposal system; and
- (vi) Solid waste acceptance facility;

(10) Set a time schedule and a proposed method for financing the construction and operation of each planned:

- (i) Community water supply system;
- (ii) Multiuse water supply system;
- (iii) Community sewerage system;
- (iv) Solid waste disposal system; and
- (v) Solid waste acceptance facility;

(11) Set forth the estimated cost of constructing and operating each planned:

- (i) Community water supply system;
- (ii) Multiuse water supply system;
- (iii) Community sewerage system;
- (iv) Solid waste disposal system; and
- (v) Solid waste acceptance facility;

(12) Indicate:

- (i) Any source of supply from the waters of this State;
- (ii) The approximate amount of water to be withdrawn from the waters of this State; and
- (iii) The quantity and quality of waste to be discharged into the waters of this State;

(13) Describe, in accordance with the provisions of this subtitle, each area in the county where:

- (i) A community water supply system must be provided;
- (ii) A multiuse water supply system may be installed and used;
- (iii) An individual water supply system may be installed and used for an interim period until a planned community water supply system is available;
- (iv) An individual water supply system may be installed and used indefinitely;
- (v) A community sewerage system must be provided;
- (vi) A multiuse sewerage system may be installed and used;
- (vii) Except as provided in § 9-517 of this subtitle, an individual sewerage system may be installed and used for an interim period until a planned community sewerage system is available;
- (viii) An individual sewerage system may be installed and used indefinitely;

(ix) A community solid waste disposal system must be provided; or  
(x) A community solid waste acceptance facility must be provided for use by residents of the described area during an interim period until a planned community solid waste disposal system is available;

(14) Except as provided in § 9-515 of this subtitle, provide for amendment or revision of the county plan at least once every 2 years in accordance with a schedule adopted by the Department;

(15) Designate an appropriate agency of the county to be responsible for creating a workable plan:

(i) To keep the environment of the county free of solid waste, including litter; and

(ii) To prevent scenic pollution of both public and private property in the county;

(16) By July 1, 1987, treat each publicly owned community sewerage system as a separate entity for fiscal purposes within the local operating agency;

(17) Document compliance with and report on actions taken and plans to enforce §§ 12-605 and 12-606 of the Business Occupations and Professions Article;

(18) For a county with a population greater than 150,000 according to the latest Office of Planning projections, include a recycling plan by July 1, 1990 that:

(i) Provides for a reduction through recycling of at least 20 percent of the county's solid waste stream by weight or submits adequate justification, including economic and other specific factors, as to why the 20 percent reduction cannot be met;

(ii) Provides for recycling of the solid waste stream to the extent practical and economically feasible, but in no event may less than a 10 percent reduction be submitted; and

(iii) Requires full implementation of the recycling plan by January 1, 1994; and

(19) For a county with a population less than 150,000 according to the latest Office of Planning projections, include a recycling plan by July 1, 1990 that:

(i) Provides for a reduction through recycling of at least 15 percent of the county's solid waste stream or submit adequate justification, including economic and other specific factors, as to why the 15 percent reduction cannot be met;

(ii) Provides for recycling of the solid waste stream to the extent practical and economically feasible, but in no event may less than a 5 percent reduction be submitted; and

(iii) Require full implementation of the recycling plan by January 1, 1994.

(b) *Use of prisoners.* — A plan created under subsection (a) (15) of this section may include the use of prisoners from the State correctional system or from county jails or detention centers.

(c) *Recycling reductions not maximum percentages.* — The recycling reductions of 20 percent and 15 percent provided in subsection (a) (18) and (19) of this section are not intended to be the maximum percentage that a county can achieve. A county that can practically and economically achieve a higher rate of recycling is encouraged to submit a recycling plan for a higher percentage.

(d) *Effect of increase in population.* — If a county with a population less than 150,000 increases to a population of above 150,000, the county shall have 2 years to revise the recycling plan to be consistent with the recycling goals under subsection (a) (18) of this section.

(e) *Regional recycling plans.* — (1) The governing bodies of 2 or more counties may adopt a regional recycling plan to comply with subsection (a) (18) or (19) of this section.

(2) A regional recycling plan which otherwise satisfies the requirements of this subtitle for each of the participating counties shall constitute the county recycling plan for each county which participates in the plan. (1983, ch. 542, § 2; 1984, chs. 255, 798; 1985, ch. 10, § 3; 1988, ch. 536; ch. 647, § 1; 1989, ch. 89; ch. 236, § 4; ch. 540, § 1; ch. 820; 1990, ch. 6, § 13.)

**University of Baltimore Law Review.** — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

**Permit review authority.** — County council's resolution deleting proposed landfill site from county's solid waste management plan because of potential threat to groundwater was an impermissible invasion on State's permit review authority. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864,

cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**Stated in** *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 513 A.2d 893 (1986).

**Cited in** *State Dep't of Env't v. Showell*, 316 Md. 259, 558 A.2d 391 (1989); *Gregory v. Board of County Comm'rs*, 89 Md. App. 635, 599 A.2d 469 (1991); *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**§ 9-506. Same — Review by official planning agencies; progress reports; submitting reports to Department.**

(a) *Review by official planning agencies.* — (1) Except as provided in paragraphs (2) and (3) of this subsection, before a county governing body may adopt a county plan or a revision or amendment to the county plan:

(i) The county governing body shall submit the county plan, revision, or amendment to each official planning agency that has jurisdiction in the county, including any comprehensive planning agency with areawide jurisdiction, for review and comment within a 30-day period for consistency with planning programs for the area; and

(ii) The county planning agency shall certify that the plan, revision, or amendment is consistent with the county comprehensive plan prepared under Article 66B, § 3.05; Article 25A, § 5 (X); or Article 25B, § 13 of the Code.

(2) In Montgomery County and Prince George's County, the review and comments of the Maryland-National Capital Park and Planning Commission in accordance with § 9-516 of this subtitle constitute full compliance with the requirement for review by an official planning agency under this subsection.

(3) (i) This paragraph applies only in St. Mary's County.

(ii) A new public sewerage system or an expansion of an existing public sewerage system may not be allowed in St. Mary's County unless the adoption, revision, or amendment to the county plan containing the public sewerage system:

1. Is reviewed by the St. Mary's County Planning Commission in conformity with the provisions of this paragraph; and

2. Is approved by the Board of County Commissioners.

(iii) The County Commissioners may not approve the adoption, revision, or amendment of the county plan that contains a new public sewerage system or an expansion of an existing public sewerage system until the Planning Commission:

1. Conducts a complete review of the county plan; and

2. Holds at least one public hearing on the county plan.

(iv) In its review and recommendation to the County Commissioners, the St. Mary's County Planning Commission shall consider and make specific findings of fact with respect to the following objectives and policies of the county plan that contains a new public sewerage system or an expansion of an existing public sewerage system:

1. Compatibility with the Comprehensive Land Use Plan;

2. Planning and zoning issues;

3. Population estimates;

4. Engineering;

5. Economics;

6. State, regional, and municipal plans; and

7. Comments received from other agencies in the county.

(b) *Submitting reports to Department — In general.* — Each county governing body shall submit to the Department:

(1) Progress reports on the development of its county plan; and

(2) A report of its review conducted at least every 2 years, including any revision or amendment of the county plan that has been adopted.

(c) *Same — Notice and other administrative actions for failure to submit certain reports.* — (1) If the Secretary determines that a county governing body has failed to submit a timely and adequate report of its review of its county plan or any required revision or amendment of its county plan to the Department, the Secretary shall give the county governing body a written notice of:

(i) The county's failure to submit a report; or

(ii) Any specific inadequacy in the county's plan.

(2) If within 90 days of this notice a county does not submit its report or an adequate revision or amendment of its plan to the Department, the Secretary:

(i) May not issue any permit to install or alter a water supply system, sewerage system, or solid waste disposal system in that county under § 9-204 of this title;

(ii) Shall give the county notice of its right to administrative review by the Secretary under this subsection; and

(iii) Shall give the county notice of its right to appeal the Secretary's decision to the Board of Review. (1983, ch. 542, § 2; 1985, ch. 224; 1987, ch. 612, § 2; 1991, ch. 212.)

**University of Baltimore Law Review.** — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

**Permit review authority.** — County council's resolution deleting proposed landfill site from county's solid waste management plan because of potential threat to groundwater was an impermissible invasion on State's permit review authority. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

*Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**Final approval authority.** — State Department of Environment has final approval authority over county solid waste management plans. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

**Stated in Ad + Soil, Inc. v. County Comm'rs.** 307 Md. 307, 513 A.2d 893 (1986).

**§ 9-507. Same — Approval by Department; use of county plans after approval by county governing body.**

(a) *Powers of Department and Secretary.* — When a county governing body submits its proposed county plan or a proposed revision or amendment of its county plan to the Department, the Department may:

- (1) Approve the proposal;
- (2) Disapprove the proposal;
- (3) If the part approved includes all of the required elements of a county plan, approve the proposal in part and disapprove it in part; or
- (4) Modify or take other appropriate action on the proposal.

(b) *Required consultation by Department.* — Before the Department approves or disapproves, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan, the Department shall submit the proposal:

- (1) To the Department of Natural Resources for advice on natural resources matters;
- (2) To the Office of Planning for advice on the consistency of the proposal with the local master plan and other appropriate matters; and
- (3) To the Department of Agriculture for advice on the impact of water and sewerage service and solid waste facilities on productive or potentially productive agricultural land.

(c) *Review period.* — (1) Except as otherwise provided in this subsection, the Department shall approve, disapprove, or partially approve and partially disapprove each proposed county plan or proposed revision or amendment to a county plan within 90 days after the proposal is submitted to the Department.

(2) For good cause and after notice to the county involved, the Department may extend the 90-day review period of paragraph (1) of this subsection for an additional 90 days.

(d) *Failure of Department to act within review period.* — If the Department does not disapprove, in whole or in part, a proposed county plan or a proposed

revision or amendment of a county plan within the review period provided in subsection (c) of this section, the proposal is approved.

(e) *Effect of county plans after adoption by county governing body.* — (1) Before the Department takes any action under subsection (a) of this section, a county may use its proposed county plan or proposed revision or amendment of its county plan at the county's own risk, if the county governing body has adopted the proposed county plan, revision, or amendment.

(2) After the county governing body adopts the proposed county plan, a person shall follow the provisions of that plan except to the extent that the Department modifies or disapproves that plan. (1983, ch. 542, § 2; 1989, ch. 540, § 1.)

**University of Baltimore Law Review.** — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

**Stated in County Council v. Maryland Reclamation Assocs.,** 328 Md. 229, 614 A.2d 78 (1992).

**Cited in Holmes v. Maryland Reclamation Assocs.,** 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. County Council v. Maryland Reclamation Assocs., 328 Md. 229, 614 A.2d 78 (1992).

### § 9-508. Same — Notice of departmental disapproval; reconsideration of disapproval.

(a) *Notice of departmental disapproval.* — If the Department disapproves, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan, the Department shall give the county a written notice of disapproval that states the reasons for disapproval.

(b) *Reconsideration of disapproval of proposed county plan.* — At any time up to 6 months after a county receives the notice of disapproval, the county governing body may ask the Secretary to reconsider the disapproval in accordance with the rules and regulations of the Department. (1983, ch. 542, § 2.)

**University of Baltimore Law Review.** — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

### § 9-509. Same — Cost of preparing county plans.

As provided in § 9-218 of this title, a county may finance in part the cost of preparing its county plan or any revision or amendment of its county plan. (1983, ch. 542, § 2; 1986, ch. 5, § 1; 1987, ch. 612, § 2.)

**University of Baltimore Law Review.** — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

**§ 9-510. Miscellaneous powers and duties of Department.**

(a) *Powers.* — In addition to the powers set forth elsewhere in this subtitle, the Department may:

- (1) Conduct surveys and research to carry out the provisions of this subtitle; and
- (2) Specify the location for any sewage treatment facility discharge point that is included in any county plan.

(b) *Duties.* — In addition to the duties set forth elsewhere in this subtitle, the Department shall adopt rules and regulations:

- (1) To carry out the provisions of this subtitle;
- (2) To control, limit, or prohibit the installation and use of:
  - (i) Water supply systems; and
  - (ii) Sewerage systems;
- (3) To require that, before installation of individual water supply systems or individual sewerage systems, consideration be given to:
  - (i) Present and future population density;
  - (ii) Size of parcels;
  - (iii) Contour of the land;
  - (iv) Porosity and absorbency of the soil;
  - (v) Ground water conditions;
  - (vi) Availability of water from unpolluted aquifers;
  - (vii) Type of construction of community water supply systems;
  - (viii) Type of construction of community sewerage systems;
  - (ix) Size of the proposed development; and
  - (x) Any other pertinent factors;
- (4) To require that, giving consideration to the factors in item (3) of this subsection, areas be served by community facilities if the Department finds them to be reasonably necessary:
  - (i) By installation of the community water supply system, community sewerage system, or solid waste disposal system; and
  - (ii) By connection of all premises to or service to all premises by the community water supply system, community sewerage system, or solid waste disposal system;
- (5) To require that community water supply systems, community sewerage systems, and solid waste disposal systems be constructed to allow the connection of those systems to a larger system, if that larger system becomes available;
- (6) To allow a person to install an individual water supply system or an individual sewerage system in any area where a community water supply system or a community sewerage system is not available or required to be installed in the area if:
  - (i) The Department finds that the individual system is adequate and safe for use before a community system is scheduled to be available in the area; and
  - (ii) The individual system is constructed in the most economical and convenient way to permit connection to a community system in the area, and the person guarantees the connection to a community system:

1. When the county governing body where the area is located sets a time; and

2. In accordance with this subtitle, any rules and regulations adopted under this subtitle, and any other State law or county requirement by:

A. Posting a bond to secure actual construction and installation of the systems with satisfactory surety for the benefit of the county governing body; or

B. Making any other arrangement that the Department considers necessary and adequate to carry out the provisions of this subtitle;

(7) If a solid waste disposal system is not available or required to be installed in any area as provided in item (4) of this subsection, to allow a person to provide a solid waste acceptance facility in the area without a systematic collection and transportation system;

(8) To require that, before issuance of a permit for construction of a community or multiuse sewerage system, a financial management plan sufficient to ensure the dependable and safe operation of the system has been adopted within the county plan and approved by the Department; and

(9) To require that:

(i) Before issuance of a permit for construction of a privately owned community water supply system that will serve 4 or more residential lots or 2 or more other lots, the applicant has proposed a financial management plan sufficient to ensure the dependable and safe operation of the system, and the plan has been approved by the Department; and

(ii) The applicant shall comply with the plan as approved by the Department. (1983, ch. 542, § 2; 1984, chs. 255, 798; 1992, ch. 295.)

**University of Baltimore Law Review.** — For comment concerning federal, State and local regulation of hazardous and nonhazardous waste management, see 17 U. Balt. L. Rev. 114 (1987).

Cited in *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

### § 9-511. Conformance to county plans required — In general.

Unless they conform to the county plan or revision or amendment of the county plan, the following systems and facilities may not be installed or extended:

- (1) A water supply system;
- (2) A sewerage system;
- (3) A solid waste disposal system; and
- (4) A solid waste acceptance facility. (1983, ch. 542, § 2.)

**Applicability to discharge permit process.** — Although this section may require that an installation and/or extension permit issued pursuant to § 9-204 of this article comply with the county water and sewer plan, it is not

applicable to the discharge permit process contemplated by § 9-323 of this article. *Northwest Land Corp. v. Maryland Dep't of Env't.* 104 Md. App. 471, 656 A.2d 804 (1995).



**§ 9-512. Same — Building permits; subdivision plats.**

(a) *"Building permit" defined.* — In this section, "building permit" means any permit that allows any building construction and is issued by any State or local authority.

(b) *Building permits — Conformity with county plan; issuance of building permits.* — (1) A State or local authority may not issue a building permit unless:

(i) The water supply system, sewerage system, or solid waste acceptance facility is adequate to serve the proposed construction, taking into account all existing and approved developments in the service area;

(ii) Any water supply system, sewerage system, or solid waste acceptance facility described in the application will not overload any present facility for conveying, pumping, storing, or treating water, sewage, or solid waste;

(iii) Except for essential public services, after January 1, 1992, the county in which the proposed construction is located has an approved recycling plan under § 9-505 of this subtitle and § 9-1703 of this title; and

(iv) Except for essential public services, after January 1, 1994, the county in which the proposed construction is located has met the recycling reductions submitted in an approved recycling plan under § 9-505 of this subtitle and § 9-1703 of this title.

(2) A water supply system, sewerage system, or solid waste acceptance facility referenced in a subdivision plat shall conform to the applicable county plan.

(3) If an allocation of water or wastewater is needed, and before a State or local authority may issue a building permit, the State shall:

(i) Have an allocation of water and wastewater from the county whose facilities are affected by the proposed building construction; or

(ii) Show evidence of being able to provide an acceptable on-site sewage disposal system or well system until an allocation becomes available, or on a permanent basis if the State elects.

(4) The county shall timely review any State request for an allocation of water or wastewater, and report its findings to the State within 45 days from the date of such request.

(5) The Department may grant a waiver from the sanctions of subsection (b) (1) (iii) and (iv) of this section if the county demonstrates to the satisfaction of the Secretary that it cannot achieve the recycling goal due to unforeseen or emergency circumstances beyond the county's control.

(6) (i) In the event that sanctions are imposed under this subsection, and the county submits an application for removing the sanctions, the Secretary shall promptly approve or deny the application.

(ii) In the event that the Secretary has neither approved nor denied the application within 30 days of its submission, the application shall be deemed approved and the sanctions shall be removed.

(c) *Same — Applications.* — To apply for a building permit, an applicant shall:

(1) Submit an application to a State or local authority on the form that the authority requires; and

(2) Provide any information that the authority reasonably requires to comply with subsection (b) of this section.

(d) *Subdivision plats — Conformity with county plan; recording or approving subdivision plats.* — (1) A State or local authority may not record or approve a subdivision plat unless any approved facility for conveying, pumping, storing, or treating water, sewage, or solid waste to serve the proposed development would be:

(i) Completed in time to serve the proposed development; and

(ii) Adequate to serve the proposed development, once completed, without overloading any water supply system, sewerage system, or solid waste acceptance facility.

(2) Each water supply system, sewerage system, and solid waste acceptance facility in a subdivision shall:

(i) Conform to the applicable county plan; and

(ii) Take into consideration all present and approved subdivision plats and building permits in the service area.

(3) If an allocation of water or wastewater is needed, and before a State or local authority may record or approve a subdivision plat, the State shall:

(i) Have an allocation of water and wastewater from the county whose facilities are affected by the proposed development; or

(ii) Show evidence of being able to provide an acceptable on-site sewage disposal system or well system until an allocation becomes available, or on a permanent basis if the State elects.

(4) The county shall timely review any State request for an allocation of water or wastewater, and report its findings to the State within 45 days from the date of such request.

(e) *Same — Applications.* — To apply for approval of a subdivision plat, an applicant shall:

(1) Submit an application to the appropriate State or local authority on the form that the authority requires; and

(2) Provide any information that the authority reasonably requires to comply with subsection (d) of this section. (1983, ch. 542, § 2; 1984, ch. 762; 1988, ch. 536.)

*University of Baltimore Law Review.* — Need for State Regulation," see 16 U. Balt. L. For article, "Maryland's Growing Pains: The Rev. 201 (1987).

### § 9-513. Exceptions to county plan in Baltimore County and Carroll County.

In Baltimore County or Carroll County, the county approving authority may grant an exception to the county plan that allows a person to install an individual water supply system or an individual sewerage system for an individual residence if the Secretary or a designee of the Secretary:

(1) Finds that this exception to the county plan is justified and necessary to alleviate extreme hardship; and

(2) Approves the exception to the county plan. (1983, ch. 542, § 2.)

**§ 9-514. Exceptions to county plan in Harford County.**

(a) *Incorporation of subsidiary plans.* — (1) If the Harford County governing body does not approve and incorporate in its county plan all or part of the subsidiary plans of each town, municipal corporation, and sanitary district in Harford County, the Harford County governing body shall send to the Department a written notice of:

- (i) This action; and
- (ii) The specific reasons for this action.

(2) If the Harford County governing body or the governing body of a town, municipal corporation, or sanitary district in Harford County requests, the Department may:

- (i) Arbitrate the dispute; and
- (ii) Decide whether to approve and incorporate all or part of this subsidiary plan in the Harford County plan.

(b) *Prerequisites to issuance of building permits and zoning permits.* — In Harford County, except as provided in subsection (c) of this section, a building permit or a zoning permit may not be issued for a new subdivision in an area where a community water supply system or a community sewerage system is scheduled to be built within 10 years under the county plan, unless there is a county approved water supply system and a county approved sewerage system for the subdivision.

(c) *Waiver in Harford County.* — On their unanimous consent, the Harford County Health Officer, the Director of Planning and Zoning for Harford County, and the Director of Public Works for Harford County may recommend a waiver to the County Executive for his approval from the provisions of subsection (b) of this section if:

- (1) Any lot created is a residential lot with a minimum size of 60,000 square feet;
- (2) A septic reserve area with a minimum size of 20,000 square feet is established and recorded on the final plan;
- (3) The subdivision site is shown in the comprehensive water and sewer plan for the 5-year to 10-year construction category;
- (4) The responsible agencies conclude that the failure to install an approved sewerage collection system at the subject time on the subject property is not detrimental to the overall county water and sewer system; and
- (5) The subdivision site and all the lots in the subdivision site meet other local guidelines to include applicable health, environmental, and physical characteristics including, but not limited to:
  - (i) Minimum lot width at building line of 150 feet;
  - (ii) Maximum slope in septic reserve area of 15 percent;
  - (iii) Percolation rate between 2 and 20 minutes; and
  - (iv) Soils within septic reserve areas with slight to moderate limitations for homes with septic systems.

(d) *Same — Inclusion of site or lot granted waiver in county plan.* — Before adopting any amendment or revision to the county water and sewer plan, the Harford County governing body shall determine whether a subdivision site or lot that has been granted a waiver under subsection (c) of this section shall be included in the amended or revised county plan.

(e) *Consideration of population density estimates.* — In the planning for water supply systems, sewerage systems, and solid waste disposal systems in its county plan, the Harford County governing body shall consider estimates of population density for Harford County. (1983, ch. 542, § 2; 1986, ch. 250.)

**§ 9-515. Special provisions for county plan in Montgomery County and Prince George's County — Preparation; revision or amendment; approval; submission to Department; annual review.**

(a) *Scope of section.* — This section applies only in Montgomery County and Prince George's County.

(b) *Objectives and policies of county plan.* — The county council of each county shall at least once every 3 years:

- (1) Prepare a county plan;
- (2) Prepare, review, and revise, as the county council considers necessary, a separate statement of objectives and policies to be achieved and implemented by the county plan in the county; and
- (3) Consider the following in the statements of objectives and policies of the county plans:

- (i) Planning;
- (ii) Zoning;
- (iii) Population estimates;
- (iv) Engineering;
- (v) Economics; and
- (vi) State, regional, municipal, local, and area plans.

(c) *Drafts and annual revisions or amendments of county plans.* — To achieve the objectives and policies set by the county council, the county executive of each county shall:

- (1) Prepare a preliminary draft of the county plan;
- (2) From time to time review and, as the county executive or county council considers necessary, prepare amendments to the county plan including revisions to service area category designations; and
- (3) Submit to the county council for the county council's consideration, revision, modification, comment, and approval:
  - (i) The draft; and
  - (ii) Any revision or amendment to the draft.

(d) *Proposed county plans — Preparation and submission by county executive.* — The county executive of each county shall prepare and submit to the county council:

- (1) A final draft of the county plan to conform to the action of the county council in approving the draft; and

§ 9-515

ANNOTATED CODE OF MARYLAND

(2) A final revision or amendment to the county plan that takes into consideration any significant change in the intervening planning or development in the county.

(e) *Same — Submission to Washington Suburban Sanitary Commission and Maryland-National Capital Park and Planning Commission.* — At least 30 days before the date set for a public hearing under subsection (f) of this section, the county council of each county shall submit its final draft or the final draft of any revision or amendment of the county plan for recommendation to:

- (1) The Washington Suburban Sanitary Commission; and
- (2) The Maryland-National Capital Park and Planning Commission.

(f) *Same — Public hearing; notice.* — The county council of each county shall:

- (1) Hold a public hearing on:
  - (i) Its final draft of the county plan; and
  - (ii) The final draft of any revision or amendment to the county plan;

and

(2) Publish a notice of the time and place of the public hearing at least 10 days before the hearing in a newspaper of general circulation in the county.

(g) *Same — Actions by the county councils; when action is final; review and recommendations by county executives.* — (1) After the public hearing in each county, the county council shall review, may amend as the county council considers necessary, and shall adopt the county plan or the revision or amendment to the county plan.

(2) The adoption of the county plan or a revision or amendment of the county plan by the county council of the county is not final until 10 days after the action adopting it.

(3) During the 10-day period provided by paragraph (2) of this subsection, the county executive may:

- (i) Review the county plan or any revision or amendment to the county plan; and
- (ii) Recommend for the consideration of the county council whatever change to the county plan or any revision or amendment to the county plan that the county executive considers necessary or desirable.

(h) *Submission of county plan to Department.* — After the time periods required for adoption under this section, the county council of each county shall submit to the Department, as required by § 9-506 (b) and (c) of this subtitle:

(1) The county plan; or

(2) Any revision or amendment to the county plan. (1983, ch. 542, § 2; 1988, ch. 101; 1994, ch. 661, § 2.)

EXPLANATION

Section 9-503 (b) of the Environment Article requires counties to conduct at least a biennial review of their ten-year plans concerning water and sewage systems and solid waste fa-

cilities. Staff recommends this requirement be modified to require review at least every three years. The Department of the Environment has agreed with this change; the triennial re-

view would be consistent with the review of several other programs under the Department of the Environment. Section 9-515 (b) of the

Environment Article is modified for consistency.

**Effect of amendments.** — The 1994 amendment, effective Oct. 1, 1994, substituted "3 years" for "2 years" in the introductory language of (b).

**Editor's note.** — Section 3, ch. 661, Acts

1994, provides that "the explanation notes contained in this Act are not law and may not be considered to have been enacted as part of this Act. The explanation notes are included for information only."

**§ 9-516. Same — Information and assistance from Washington Suburban Sanitary Commission and Maryland-National Capital Park and Planning Commission.**

(a) *Scope of section.* — This section applies only in Montgomery County and Prince George's County.

(b) *In general.* — The Washington Suburban Sanitary Commission and the Maryland-National Capital Park and Planning Commission shall provide any information and assistance requested by the county council or the county executive for preparing, reviewing, adopting, revising, or amending a county plan.

(c) *Procedures to accomplish purposes of this section.* — The county council and county executive of each county, the Washington Suburban Sanitary Commission, and the Maryland-National Capital Park and Planning Commission shall adopt procedures for:

- (1) Requesting information or assistance under this section;
- (2) Responding to the request; and
- (3) Setting a reasonable timetable for response to a request.

(d) *What the Washington Suburban Sanitary Commission shall provide.* — The Washington Suburban Sanitary Commission shall provide any requested information about the comprehensive plan for water supply systems and sewerage systems in each county as to:

- (1) Engineering;
- (2) Design;
- (3) Present and future capacities;
- (4) Available service projections;
- (5) Fiscal elements; and
- (6) Annual revisions of this information.

(e) *What the Maryland-National Capital Park and Planning Commission shall provide.* — The Maryland-National Capital Park and Planning Commission shall provide any requested information to each county as to:

- (1) Population;
- (2) Growth projections;
- (3) Planning factors; and
- (4) Other developmental standards. (1983, ch. 542, § 2.)

**§ 9-517. Same — Individual sewerage systems.**

In Montgomery County or Prince George's County, the comprehensive plan for water supply systems and sewerage systems may allow the installation and use of an individual sewerage system for an interim period until the necessary sewerage transmission and treatment capacity in the area is available to provide adequate community sewerage service if:

- (1) A community sewerage system otherwise is required in the area; but
- (2) Access to a community sewerage system is prohibited by an order of:
  - (i) The Department;
  - (ii) Montgomery County;
  - (iii) Prince George's County; or
  - (iv) The Washington Suburban Sanitary Commission. (1983, ch. 542, § 2.)

**§ 9-518. Same — Individual septic systems.**

(a) *Definitions.* — (1) In this section the following words have the meanings indicated.

- (2) "Commission" means the Washington Suburban Sanitary Commission.
- (3) "Health officer" means the health officer for:
  - (i) Montgomery County; or
  - (ii) Prince George's County.
- (4) "Issuing authority" means any 1 of the following authorities that is authorized to issue or approve a permit:
  - (i) The Department;
  - (ii) The health officer;
  - (iii) The Montgomery County Health Department; or
  - (iv) The Prince George's County Health Department.
- (5) "Permit" means a permit issued or approved by the issuing authority for Montgomery County or Prince George's County to install, connect to, or use an individual septic system.

(b) *Scope of section.* — This section applies only in Montgomery County and Prince George's County.

(c) *Permit required.* — In each county, a person shall have a permit from an issuing authority before the person may install, connect to, or use an individual septic system.

(d) *Applications for permits — In general.* — An applicant for a permit shall submit an application to the issuing authority on the form that the issuing authority requires.

(e) *Same — Submission to Commission required; exceptions; multiple applications in area or subdivision.* — (1) The health officer shall:

- (i) Submit each application for a permit to the Commission; and
- (ii) Notify the Commission if there is more than 1 application for a permit in an area or subdivision of each county when:

1. The original permit application is submitted to the Commission;
- or

2. This fact reasonably becomes known to the health officer.

(2) This subsection does not apply to an area of each county in which a community sewerage system is not planned within 10 years under the county's comprehensive plan for sewerage systems.

(f) *Same — Review and comment on applications; combining applications for review and comment.* — (1) Within 30 days after the Commission receives an application under subsection (e) (1) of this section, the Commission shall review the application and comment to the health officer, in writing, on the application.

(2) If there is more than 1 application for a permit in an area or subdivision of each county, the Commission may group these applications together for purposes of review and comment.

(3) In its review and comments under this subsection, the Commission shall include:

(i) A determination of the location of the nearest collection line of a community sewerage system;

(ii) The capacity, feasibility, cost, and engineering conditions or requirements for an extension of this collection line; and

(iii) If available, an estimate of the time required for this extension.

(g) *Issuance of permit; failure of Commission to act within review period.* — (1) The issuing authority shall issue a permit to any applicant who meets the requirements of this subtitle.

(2) If the Commission does not respond as required by subsection (f) of this section, and if the permit otherwise complies with this section, the local health officer may issue the permit.

(h) *Contents of permit; rules and regulations of issuing authority.* — (1) The issuing authority shall include on each permit that the issuing authority issues a requirement that the holder of a permit shall notify, in writing, any buyer or lessee of the permitted property:

(i) That the permitted property is served by an individual septic system;

(ii) Of the conditions, estimate of time, and other factors that concern the subsequent extension of a community sewerage system to the permitted property; and

(iii) If applicable, that the Commission did not review and comment on the application for a permit because the permitted property was in an area of the county in which at the time of the application a community sewerage system was not planned within 10 years under the county's comprehensive plan for sewerage systems.

(2) The health officer:

(i) Shall adopt rules and regulations to carry out the provisions of this subsection; and

(ii) May require the holder of a permit to record the information required by paragraph (1) of this subsection in the land records of the county in which the permitted property is located. (1983, ch. 542, § 2; 1984, ch. 255.)



**§ 9-519. Installation of sanitary sewer line.**

Repealed by Acts 1991, ch. 547, § 3, effective October 1, 1991.

**Cross references.** — For provisions similar to those of the repealed section, see § 5-606 of the Labor and Employment Article.

**§ 9-520.**

Reserved.

**§ 9-521. Penalties.**

(a) *In general.* — A State or local authority that violates any provisions of § 9-512 (b) or (d) of this subtitle is liable for a civil penalty not exceeding \$100 to be collected in a civil action brought by the Department in the circuit court for any county. Each day a violation continues is a separate violation under this section.

(b) *No bar to other relief or penalty.* — A civil penalty imposed under this section does not bar any other applicable relief or penalty.

(c) *Violation of financial management plan provisions.* — (1) An applicant who violates § 9-510 (b) (9) of this subtitle, or who violates any regulation adopted under § 9-510 (b) (9) of this subtitle, is liable for a civil penalty not to exceed \$500 per violation to be collected in a civil action filed by the Department in the circuit court for any county.

(2) Each day a violation continues under this subsection constitutes a separate violation of this subsection. (1983, ch. 542, § 2; 1992, ch. 295; 1993, ch. 5, § 1.)

**Cross references.** — See notes to § 9-501 of this article.

*Subtitle 6. Sanitary Commissions.***Part I. Definitions; General Provisions.****§ 9-601. Definitions.**

(a) *In general.* — In this subtitle the following words have the meanings indicated.

(b) *Bond.* — “Bond” means any bond, note, or other evidence of indebtedness or obligation that a district is authorized to issue under this subtitle.

(c) *Cost.* — (1) “Cost”, as applied to any project, includes the cost of and all expenses incident to the construction, acquisition, improvement, or placement in operation of a project, including the cost and expenses of:

(i) The purchase price of a project;

(ii) The cost of acquiring all the capital stock of a corporation that owned a project;

*This page intentionally left blank*