

Expedited Bill No. 38-05
Concerning: Sewage Disposal – Septic
Systems – Temporary Prohibition
Revised: 11-7-05 Draft No. 1
Introduced: November 8, 2005
Expires: May 8, 2007
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: July 31, 2006
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Praisner and Council President Perez

AN EXPEDITED ACT to:

- (1) temporarily prohibit the use of certain individual sewage disposal systems; and
- (2) generally amend the law governing individual sewage disposal systems.

By amending

Laws of Montgomery County 2005

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **The Laws of Montgomery County 2005 are amended as follows:**

2 **Sec. 1. Temporary Prohibition.**

3 Notwithstanding any provision of County Code Chapter 27A, any other County law, or any
4 County regulation to the contrary, the Director of the Department of Permitting Services and any
5 other County department or office must not issue a permit for the construction or installation of any
6 mound septic system or innovative or alternative individual sewage disposal system.

7 **Sec. 2. Exceptions.**

8 This Act does not apply to the construction or installation of any septic system or other
9 individual sewage disposal system that is necessary to:

- 10 (a) replace a failed or malfunctioning system that serves a building built before this Act
11 takes effect; or
- 12 (b) respond to a public health emergency when no other alternative means of sewage
13 disposal is feasible.

14 **Sec. 3. Expedited Effective Date.**

15 The Council declares that this legislation is necessary for the immediate protection of the
16 public interest. This Act takes effect on the date on which it becomes law.

17 **Sec. 4. Expiration.**

18 This Act expires on July 31, 2006.

19 *Approved:*

20

Thomas E. Perez, President, County Council

Date

21 *Approved:*

22

Douglas M. Duncan, County Executive

Date

23 *This is a correct copy of Council action.*

24

Linda M. Lauer, Clerk of the Council

Date