

12/17/69

Release nothing
on this application

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for further details.

MARYLAND STATE DEPARTMENT OF HEALTH

301 West Preston Street
Baltimore, Maryland 21201

43L03 Regulations Governing Water Supply and Sewerage Systems in the Subdivision of Land in Maryland

Pursuant to authority conferred upon the State Board of Health and Mental Hygiene by Article 43, Annotated Code, Laws of Maryland, 1957 Edition, the following regulations governing provisions for water supply and sewage disposal installations when land is subdivided for development in Maryland are hereby established as minimum requirements of the State Board of Health and Mental Hygiene.

—01 DEFINITIONS

- 0101 **Subdivision.** Shall mean dividing any tract or parcel of land into two or more lots for immediate or future sale or building development. Subdivision of land into lots of three acres or more shall not be termed a subdivision.
- 0102 **Lot.** Shall mean a portion of a subdivision or parcel of land intended for building development whether immediate or future.
- 0103 **Developer or Subdivider.** Shall mean a person, persons, partnership, firm, corporation, or cooperative enterprise undertaking or participating in the development of a subdivision.
- 0104 **Approving Authority.** Shall be the Commissioner of the State Department of Health. He may delegate such authority to any Deputy State Health Officer, or in the Commissioner's discretion, to any other representative designated by the Deputy State Health Officer to act for him in his absence. Such delegation of authority may be revoked in writing at any time.
- 0105 **Principal Building.** Shall mean a building in which is conducted the main or principal use of the lot on which said building is located.
- 0106 **Lot Width.** Shall mean the horizontal distance between the side lot lines measured at the mid-points of the side lines.

- 0107 **Minimum Ownership Width.** Shall mean the horizontal distance between the side lines of a lot or lots measured at the mid-points of the side lines.
- 0108 **Lot Area.** Shall mean the total area included within the rear, side, and front lot lines excluding any areas falling within an existing or proposed public road or other right-of-way and excluding areas having land slopes exceeding 25 per cent and areas located within the 50-year flood plain.
- 0109 **Minimum Ownership Area.** Shall be the area contained in one or more lots, excluding any areas falling within an existing or proposed public road or other right-of-way and excluding areas having land slopes exceeding 25 per cent and areas located within the 50-year flood plain.
- 0110 **Minimum Ownership.** Shall mean the Minimum Ownership Area which may be titled in the name of a person or persons, partnership, firm, corporation, or cooperative enterprise when public sewerage is not available, and more than one lot may be included in the Minimum Ownership.
- 0111 **Preliminary Plan.** Shall mean a drawing of the subdivision containing the information required by these regulations prepared for review by the Approving Authority and other governmental agencies having jurisdiction.
- 0112 **Record Plat.** Shall mean a drawing containing all information required for recording land plats in accordance with the Laws of Maryland and may be only a portion of the area shown on the Preliminary Plan.
- 0113 **Public Water Supply System.** Shall mean a system of water mains and appurtenances for treatment and distribution of potable water operated as a community project by government, community residents or as a commercial enterprise.
- 0114 **Public Sewerage System.** Shall mean a system of sewers and appurtenances for the collection, transportation and treatment of sewage and industrial wastes operated as a community project by government, community residents or as a commercial enterprise.

- 02 **SUBMISSION OF PLANS AND PROCEDURES FOR SECURING APPROVAL**
- 0201 When any tract of land is to be divided into four lots or less, for residential purposes, any portion of these regulations may be waived by the Approving Authority.
- 0202 Any developer contemplating the subdivision of land, previous to offering a lot or lots for sale or beginning any construction, and before preparing a Preliminary Plan, may request a review by the Approving Authority and other agencies having jurisdiction to secure information concerning general requirements in the area in which the proposed subdivision is located prior to filing an application for approval. If individual water supply and sewerage systems are contemplated, rejection or tentative approval may be secured at this time by submitting a boundary plat of the proposed subdivision and by drilling test wells and performing standard percolation tests on the entire tract in such numbers and at such locations as the Approving Authority may require, but not less than one percolation test on each acre.
- 0203 Application for approval of a subdivision shall be made previous to offering a lot or lots for sale or beginning any construction. It shall be in a form required by the Approving Authority and shall include a Preliminary Plan of the subdivision and a description of the methods proposed for providing water supply and sewage disposal. When individual water supply or sewerage systems are contemplated, the Approving Authority shall require one percolation test on each lot at the approximate disposal site, and other pertinent tests, such as auger holes and tests wells for water supply as required, to be conducted under its supervision, such information to be made a part of the application. Percolation tests must be conducted at such elevation as to leave undisturbed soil for the underground sewage disposal area after grading is completed.

- 0204 The Preliminary Plan of a subdivision shall be clearly drawn to scale and shall show street arrangements, building lines, and approximate lot dimensions with all lots numbered. Topography shall be shown on 2-foot contours, provided, however, that if ground slope is sufficiently steep for 5-foot contours, to show the surface configuration, the Approving Authority may permit use of the larger contour interval. Smaller contour intervals may be required where 2-foot contours do not indicate existing surface conditions. A general site location map shall be inserted on the Preliminary Plan for reference identification of the area. White prints of the Preliminary Plan not to exceed six copies shall be submitted to the Approving Authority. If public water supplies and/or sewerage systems are to be provided, a statement that these public utilities will be made available shall appear on the plan.
- 0205 If individual water supply and/or sewage disposal systems are to be provided, the Preliminary Plan shall show the proposed location of water supply wells, sewage disposal areas and percolation tests, including existing wells and sewerage systems located within 100 feet of the subdivision boundaries.
- 0206 Within 30 days after completion of the required tests and submission of the Preliminary Plan, if the Approving Authority is satisfied that the site is suitable for proposed water supply and sewage disposal installations, a written approval to proceed with development of the subdivision shall be issued. No sale of a lot or lots or the beginning of any construction shall be permitted in any subdivision without approval. Such approval, with the notation required in Section 0303, shall be signed by the Approving Authority on the Preliminary Plan and on the Record Plat filed in the land records of the Clerk of the Circuit Court.
- 0207 Within 30 days after completion of the required tests and submission of the Preliminary Plan, if the Approving Authority is convinced that the site is not suitable for the proposed water supply and sewage disposal installations, approval to proceed with de-

velopment of the subdivision shall be denied in writing giving the reasons for denial.

—0208

When public water supply and sewerage systems are to be provided, the developer shall apply to the Approving Authority for approval, shall submit a Preliminary Plan, and shall comply with Section 0204 of these regulations.

—03

MINIMUM OWNERSHIP

—0301

In all subdivisions, individual sewage disposal facilities may be permitted, if suitable soil conditions exist, as determined by standard percolation tests performed under the supervision of the Approving Authority. Such tests shall be made in sufficient number and at such locations as specified by the Approving Authority to assure a reliable determination of subsurface conditions. Minimum ownership of property shall be determined in accordance with the following table:

Time Required for a 1 inch Drop (minutes)	Using Individual Wells & Sewerage Facilities		Using Public Water Facilities & Individual Sewerage Systems	
	Min. Width (feet)	Min. Area (sq. ft.)	Min. Width (feet)	Min. Area (sq. ft.)
1 to 5	100	20,000	100	15,000
6 to 15	125	25,000	100	17,500
16 to 25	150	30,000	100	20,000
26 to 30	150	40,000	150	30,000

Over 30 Considered Impervious
Not Approvable

Each lot area shall depend on the percolation test on that lot. Should the developer wish to use uniform lot areas, the area shall be based on the average of the time for 80 per cent of percolation tests conducted in the area excluding the low 10 per cent and high 10 per cent. No lot having a percolation rate exceeding 30 minutes shall be included on a plat.

Where less than two minutes is required for a 1-inch drop, the approval or rejection of the area for subdivision purposes shall be at the discretion of the Approving Authority.

partnership, or a utility corporation rather than a public agency, the operating entity shall comply with regulations of the Public Service Commission (Article 78, Annotated Code, Laws of Maryland) and shall be responsible for operation and maintenance of the system. If the system is to be operated by a cooperative group, the operating entity shall be approved by the State Department of Health.

—05

EXCEPTIONS

—0501

Provisions of any Section of these regulations may be waived by the State Board of Health and Mental Hygiene on application by a local authority where regulations have been enacted pursuant to Law which, in the opinion of the State Department of Health, adequately provide for water and sewerage services.

—06

APPEAL

—0601

Any developer or subdivider who is dissatisfied with the decisions of the Approving Authority or the State Department of Health may appeal to the Maryland State Board of Health and Mental Hygiene.

—07

PENALTY

—0701

Any person who violates the provisions of any of these regulations shall, upon conviction, be guilty of a misdemeanor and shall be punished by fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each offense and such other penalties as may be provided by law. Each day of such violation shall be a separate offense.

—08

EFFECTIVE DATE

—0801

These regulations shall become effective July 1, 1964. However, any Preliminary Plan or Record Plat of a subdivision which has been submitted to the Approving Authority prior to the date of adoption need not comply with these regulations if final approval and recordation, where required by law, is completed no later than twelve (12) months from the date of adoption.

Adopted: January 31, 1964. Effective: July 1, 1964.

Amended: May 28, 1965. Effective: June 8, 1965.

Amended: February 24, 1967. Effective: April 1, 1967.

velopment of the subdivision shall be denied in writing giving the reasons for denial.

—0208

When public water supply and sewerage systems are to be provided, the developer shall apply to the Approving Authority for approval, shall submit a Preliminary Plan, and shall comply with Section 0204 of these regulations.

—03

MINIMUM OWNERSHIP

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In all subdivisions, individual sewage disposal facilities may be permitted, if suitable soil conditions exist, as determined by standard percolation tests performed under the supervision of the Approving Authority. Such tests shall be made in sufficient number and at such locations as specified by the Approving Authority to assure a reliable determination of subsurface conditions. Minimum ownership of property shall be determined in accordance with the following table:

Time Required for a 1 inch Drop (minutes)	Using Individual Wells & Sewerage Facilities		Using Public Water Facilities & Individual Sewerage Systems	
	Min. Width (feet)	Min. Area (sq. ft.)	Min. Width (feet)	Min. Area (sq. ft.)
1 to 5	100	20,000	100	15,000
6 to 15	125	25,000	100	17,500
16 to 25	150	30,000	100	20,000
26 to 30	150	40,000	150	30,000

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Each lot area shall depend on the percolation test on that lot. Should the developer wish to use uniform lot areas, the area shall be based on the average of the time for 80 per cent of percolation tests conducted in the area excluding the low 10 per cent and high 10 per cent. No lot having a percolation rate exceeding 30 minutes shall be included on a plat.

Where less than two minutes is required for a 1-inch drop, the approval or rejection of the area for subdivision purposes shall be at the discretion of the Approving Authority.

Areas included in the table are subject to the exceptions designated in Sections 0108 and 0109.

Design criteria for individual sewage disposal facilities for each lot in a subdivision shall be based on percolation tests on original soil or on the resulting soil conditions after grading is performed.

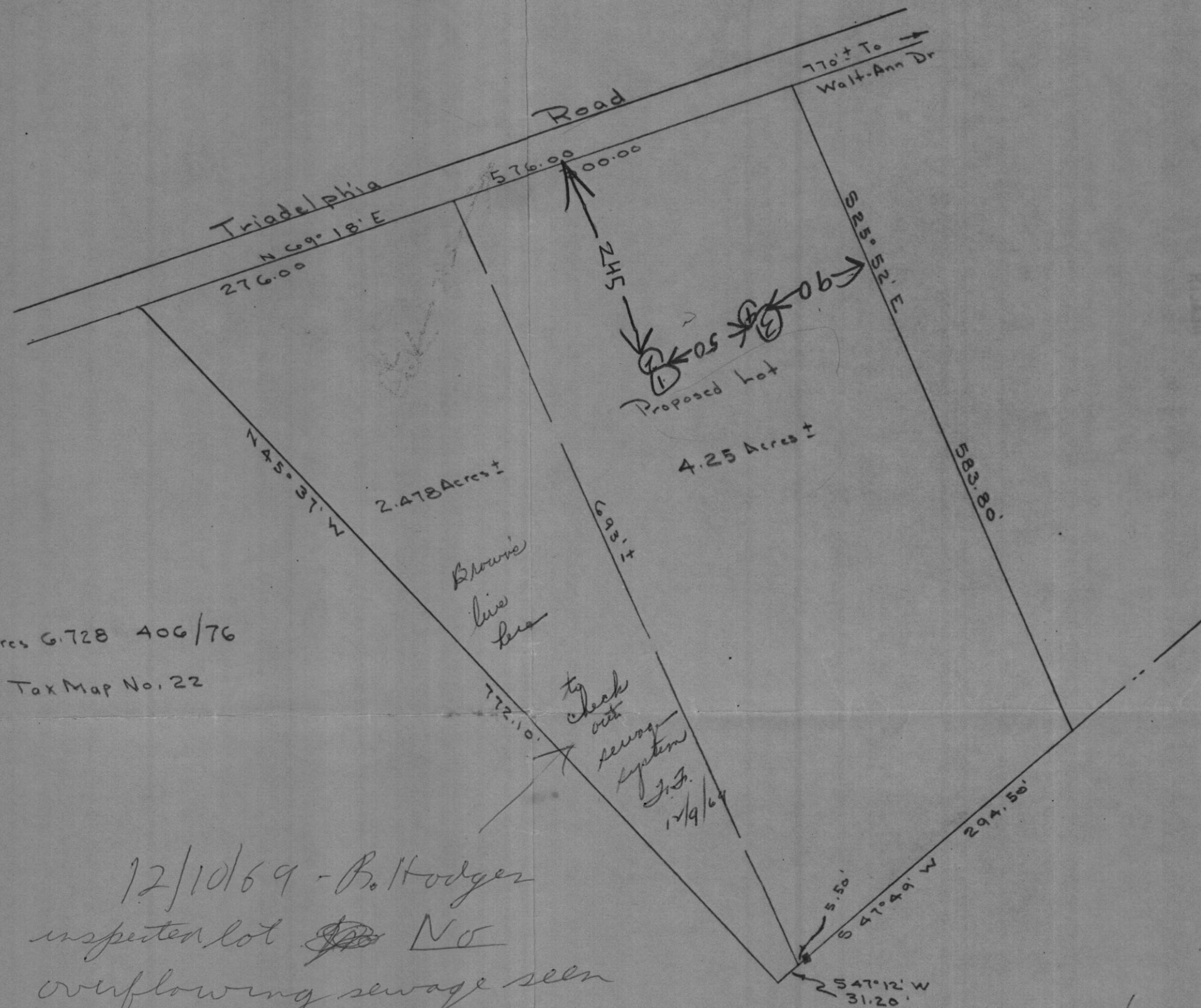
Minor variations in lot widths and areas given in the table not exceeding 2 per cent of the table values may be allowed when special conditions warrant such variations.

—0302 In all subdivisions when individual wells for water supply and individual sewage disposal facilities are proposed, if in the judgment of the Approving Authority, the disposal area will contaminate the water-bearing strata to be utilized for a potable water supply, all or part of the subdivision shall be rejected.

—0303 In subdivisions where individual wells for water supply and individual sewage disposal facilities are authorized, the developer may subdivide the property in a manner which will provide for smaller lots than determined by the table in Section 0301. However, a notation shall be made on the Preliminary Plan and on the Record Plat that the minimum ownership shall be equal to the minimum width and minimum area established by the table until public sewerage has been made available. Not more than one principal building may be erected or constructed on a lot or lots, contained in the minimum ownership area as established by the table, until public sewerage has been made available.

—0304 If only public sewerage is available, the minimum lot area shall be 10,000 square feet with a minimum width of 75 feet. In this situation the "Lot Area" may include the area having land slopes exceeding 25 per cent.

—0305 In subdivisions near or adjacent to existing or proposed potable water supply reservoirs, no lot located within 2,500 feet of the normal water level, measured horizontally, shall use an individual sewage disposal facility unless it has an area of not less than 40,000



Total Acres 6.728 406/76
Location Tax Map No. 22

12/10/69 - B. Hodger
inspected lot ~~for~~ NO
overflowing sewage seen

Acres paid
See new plat

Plat From Deed
For
Elmer J. Brown
Third Election District of Howard County
Ellicott City, Maryland
Scale: 1 in. = 100 ft November 25, 1969

Claude M. Skinner Jr.
Claude M. Skinner Jr. Reg. Eng. & Land Surveyor No. 2237

