

# ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND  
LEGISLATIVE SESSION, 2012  
BILL 2012-10

Introduced: September 18, 2012

BY: The Council President at the request of the County Executive.

**AN ACT** to amend Chapter 200 of the Wicomico County Code, titled "Subdivision of Land" Article I, titled "General Provisions," Section 200-4, titled "Terms defined; general requirements," to add a definition of "Minor Subdivision".

WHEREAS, the State of Maryland enacted the Sustainable Growth and Agricultural Preservation Act of 2012 ("The Septic Bill"), which requires counties to make a number of changes to their subdivision codes; including the adoption of a four tier system for categorizing the development of land in the County and the determination of the type of sewerage system that will serve the subdivisions in these tiers;

WHEREAS, it appears advisable to amend Chapter 200 of the Wicomico County Code, titled "Subdivision of Land" upon the favorable recommendation of the Planning and Zoning Commission and the County Executive, to add the definition of a "Minor Subdivision" to allow for seven lots.

WHEREAS, the County Council desires to create a definition of a "Minor Subdivision" allowing up to seven lots that shall be consistent with the applicable phasing exemptions and in compliance with the density and procedural requirements of the County Code;

**SECTION I: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION,** that Chapter 200 of the Wicomico County Code, titled "Subdivision of Land" Article I, titled "General Provisions," Section 200-1, titled "Authority; purpose" and Section 200-4, titled "Terms defined; general requirements," be and the same are hereby amended, to read as follows:

Chapter 200  
Subdivision of Land

Article I  
General Provisions

\*\*\*

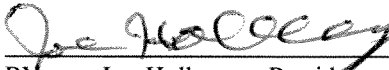
§200-4. Term defined; general requirements.

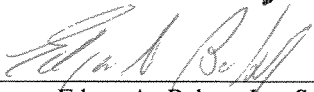
- A. Within these regulations, the term "subdivision" shall mean the division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale for any purposes or of building development. It includes any proposed development of a new street or the resubdivision or alteration of any existing plat of record. When appropriate to the context, it shall also apply to the process of subdividing a parcel or to the land so subdivided. Any owner of land within these areas wishing to subdivide land shall submit to the aforesaid Wicomico County Planning and Zoning Commission, hereinafter referred to as the "Planning Commission," a plat of the subdivision which:
- 1 ~~A~~: Shall be processed according to the procedures described in Article II.
  - 2 ~~B~~: Shall conform to the minimum requirements set forth in Article III.
  - 3 ~~C~~: Shall install or guaranty improvements to be installed as required by Article IV of these regulations.
- B. THE TERM "MINOR SUBDIVISION" SHALL MEAN ANY SUBDIVISION THAT MAY CONTAIN UP TO SEVEN OR FEWER LOTS, PLATS, SITES OR OTHER DIVISION OF LAND TO BE SERVED BY INDIVIDUAL ON-SITE SEWERAGE DISPOSAL SYSTEMS. MINOR SUBDIVISIONS OTHER THAN THOSE EXCLUDED IN SECTION 200-3 A SHALL BE SUBJECT TO ALL SET ASIDE REQUIREMENTS.

**SECTION II. BE IT FURTHER ENACTED THAT** this Bill shall be known as Bill No. 2012-10 of Wicomico County, Maryland and shall take effect sixty (60) days after its final passage, unless a proper Petition for Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.


16<sup>th</sup> Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this day of October, 2012.

WICOMICO COUNTY, MARYLAND

  
BY: Joe Holloway, President

  
BY: Edgar A. Baker, Jr., Secretary

I HEREBY CERTIFY that on introduction copies of the bill shall be made available for distribution to the public, press and other news media.

  
Edgar A. Baker, Jr., Secretary

Explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

~~Strike out~~ indicates material deleted from law.

~~CAPITAL - STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill.

COUNTY COUNCIL  
OF  
WICOMICO COUNTY, MARYLAND

BILL NO. 2012-10

INTRODUCED BY: Council at request of Executive

Legislative Day No. 22

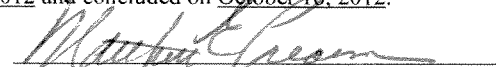
Date: September 18, 2012

Introduced, read first time, ordered posted and public hearing scheduled on: October 16, 2012

Time: 10:30 a.m.


**AN ACT** to amend Chapter 200 of the Wicomico County Code, titled "Subdivision of Land" Article I, titled "General Provisions," Section 200-4, titled "Terms defined; general requirements," to add a definition of "Minor Subdivision".

**PUBLIC HEARING:** Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on October 16, 2012 and concluded on October 16, 2012.


  
Council Administrator

**CERTIFICATION**

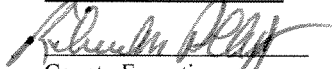
The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 16<sup>th</sup> day of October, 2012.

  
Council Administrator

Presented to the County Executive for approval this 18<sup>th</sup> day of October, 2012 at  
4:10 a.m./p.m.  
(5 days §411)

  
Council Administrator

**BY THE EXECUTIVE:**

  
County Executive

APPROVED  
VETOED

Date: 10/19/12  
(21 days §411)  
Date: \_\_\_\_\_


**EFFECTIVE DATE:**

This Bill having been approved by the County Executive and returned to the Council, becomes law on October 19 and effective on: Dec 18, 2012 (60 days §311)

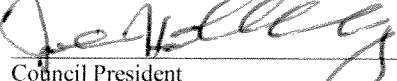
**ENROLLMENT:**

Legislative Bill No. 2012-10 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

  
Council Administrator  
Date: 10-26-12

**ENROLLED**

  
Council President  
Date: 10-26-12