

(d) In connection with its review and approval of the requirements for storm drainage, the commission may require the owner or owners to provide right of way or easement areas for storm drainage facilities, and may require the owner or owners to agree to construct the necessary facilities or to provide for such construction by posting a bond in an amount sufficient to construct the storm and surface water drainage facilities deemed necessary by the commission. In such connection, the commission may require the owner's bond for the construction of facilities in adjacent or nearby land in the same drainage area which the commission may determine will be required subsequently by reason of the development of the first mentioned owner's land. Easements and rights of way required by the commission shall bear such restrictions as the commission may require as to grading and a prohibition against the location of structures, fences, or plantings in or on the easement area. The Maryland-National Capital Park and Planning Commission shall not approve any plat for subdivision of land until it shall first ascertain from the Washington Suburban Sanitary Commission whether or not rights of way or easement areas for storm drainage facilities are required, and if such rights of way or easement areas are required the Maryland-National Capital Park and Planning Commission shall not approve such plat for recordation until and unless said easements or rights of way are included thereon.

(e) The commission is authorized to require the owner of any land who is developing the same to enclose existing drainage streams by means of approved drainage systems or drains, whether located in dedicated streets or otherwise, except in rural areas where side ditches or equivalents may be permitted as specified by the commission. The commission may further require the owner to provide performance and maintenance bonds for the maintenance and operation of the system until the same is taken over for maintenance by the commission. The commission will take over for maintenance and operation all storm drainage systems or parts thereof which are constructed pursuant to its direction and in accordance with approved plans. The commission may allow open drainage to be carried in a natural undisturbed stream or in open improved channels for the carrying of storm water drainage. Where open improved channels are permitted, however, the commission may require easement or right of way areas and restrict such areas to the planting and maintenance of grass.

(f) The commission shall, from time to time as public health, safety, convenience and economy require, make and revise such rules and regulations not inconsistent with law as it may deem necessary to enable it to carry out the provisions of this section. The rules and regulations promulgated hereunder and any revisions thereof shall be adopted and promulgated in accordance with the procedures specified by chapter 608 of the Laws of 1961, being section [83-59 of this subtitle] 9-1 OF THIS CODE, including the