

retitling the Chapter to include storm water management; by adding an Article I, title "Erosion and Sediment Control" to include Sections 19-1 through 19-19; by amending Section 19-10, title "Performance Bond" to allow the applicant to have the option of combining the sediment control bond with the storm water management bond; and by adding a new Article II, title "Storm Water Management" to include Sections 19-20 through 19-35, to provide for a purpose and authority clause, definitions, the preparation of functional master plans by the Montgomery County Planning Board, the preparation of a Storm Water Management Chapter as a part of the Ten-Year Water Supply and Sewerage Systems Plan, the recommendation for the design and construction of off-site storm water management facilities by the County Executive in the Capital Improvements Program, the requirement of a storm water management plan for all development in the County, the requirement of on-site storm water management unless waived by the Montgomery Soil Conservation District, the acceptance by the County of monetary contributions based on a fee schedule or the dedication of land in lieu of the required on-site storm water management, participation by the County with developers in on-site storm water management facilities, inspection and maintenance provisions for both on-site and off-site storm water management facilities, including emergency authority, and acceptance by the County of the facilities, the promulgation by the County Executive, with the approval of the County Council of Executive rules and regulations to administer the Article, the requirement of a performance bond from the applicant to insure the proper construction of the on-site storm water management facility, the cooperation of the County and other units of local government in dealing with mutual problems and the cooperation of the County, the Planning Board, and other units of local governments in entering into agreements relating to storm water management, the enforcement of this Article by both civil and criminal remedies, and a procedure whereby the applicant or owner may apply to the Director of the Department of Environmental Protection or the Planning Board for reconsideration under the provisions of the Article.

Effective Date June 2, 1980.

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Bill No. 90-79

Chapter 61

AN ACT to amend Chapter 45, title "Sewers, Sewage Disposal and Drainage", of the Montgomery County Code 1972, as amended, by repealing in its entirety Article III, title "Storm Drainage Districts", Sections 45-19 through 45-26.

Effective Date June 2, 1980.

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