

(3) (I) [In either event, the commission] THE WSSC may require the owner's bond or the contribution of a pro rata share of the net cost for the construction of facilities in adjacent or nearby land in the same drainage area which the [commission] WSSC may determine will be required [subsequently by reason] BECAUSE of the development of the [first mentioned] owner's land.

(II) Easements and rights of way required by the [commission] WSSC shall [bear such] HAVE THE restrictions [as] THAT the [commission] WSSC may require as to:

1. [grading] GRADING; and
2. [a] A prohibition against the location of structures, fences, or plantings [in or] on the easement area.

(4) (I) The Maryland-National Capital Park and Planning Commission [shall] MAY not approve any plat for subdivision of land until it [shall first ascertain] ASCERTAINS from the [Washington Suburban Sanitary Commission] WSSC whether or not rights of way or easement areas for storm drainage facilities are required[.].

(II) [and if such] IF THESE rights of way or easement areas are required, the Maryland-National Capital Park and Planning Commission [shall] MAY not approve [such] THE plat for recordation until [and unless] the easements or rights of way are included [thereon] ON THE PLAT.

[(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.]

(E) THE WSSC: