

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2010 Legislative Session, Legislative Day No.: July 27, 2010

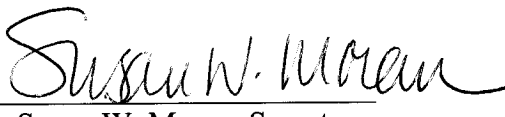
Resolution No.: 173

Introduced by: Mr. Bartlett

**A RESOLUTION TO CLARIFY THE POLICY OF TALBOT COUNTY
CONCERNING CONNECTION TO THE LOW-PRESSURE COLLECTION
SYSTEM FORCE MAIN FROM COPPERVILLE, TUNIS MILLS AND
UNIONVILLE TO THE REGION II WASTEWATER TREATMENT PLANT**

By the Council: July 27, 2010

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, August 10, 2010 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: 
Susan W. Moran, Secretary

**A RESOLUTION TO CLARIFY THE POLICY OF TALBOT COUNTY
CONCERNING CONNECTION TO THE LOW-PRESSURE COLLECTION
SYSTEM FORCE MAIN FROM COPPERVILLE, TUNIS MILLS AND
UNIONVILLE TO THE REGION II WASTEWATER TREATMENT PLANT**

1 WHEREAS, by Resolution dated November 30, 1993 the County adopted a
2 policy for connection to the low-pressure connection system force main from
3 Copperville, Tunis Mills and Unionville to the Region II Wastewater Treatment Plant.
4 and,

5
6 WHEREAS, the Resolution states that, "... it is the intent of the Talbot County
7 Council that access to the force main will be restricted to the properties identified above
8 and that, consistent with the Resource Conservation designation in the 1990 Talbot
9 County Comprehensive Plan, no service is intended to other properties along the
10 proposed force main..."; and,

11
12 WHEREAS, the Resolution has been the subject of varied interpretations; the
13 1990 Comprehensive Plan has been superseded by two intervening Comprehensive Plans,
14 adopted in 1997 and 2005 respectively; the Comprehensive Water and Sewer Plan has
15 also been updated during the intervening 20 years, and it is now appropriate for the
16 County to re-visit and clarify its policy for connection to the low-pressure collection
17 system force main from Copperville, Tunis Mills and Unionville to the Region II
18 Wastewater Treatment Plant; and,

19
20 WHEREAS, the Office of the Maryland Attorney General (90 Md. Op. Atty. Gen.
21 60 (April 13, 2005), has indicated there is no legal requirement to provide sewerage
22 service outside defined service areas, that placement of an interceptor line necessary to
23 connect a service area to a treatment facility does not make properties that abut that line
24 outside the service area eligible for sewer service; and,

25
26 WHEREAS, the force main was constructed exclusively as an interceptor line to
27 transport sewage from the Unionville/Tunis Mills/Copperville service area to the
28 treatment plant, and was never funded or intended to provide sewer service to properties
29 abutting the force main.

30
31 NOW, THEREFORE, BE IT RESOLVED, by the Talbot County Council that:

32 1. Connection to the force main will be permitted only from:

33 a. The Unionville/Tunis Mills/Copperville service areas lying within the
34 "Planning Area" identified on the map dated January 5, 1993, taken from the

- 35 *"Wastewater Facility Plan, Amendment No 1, April 12, 1993"* attached hereto
36 as Exhibit "A", which is incorporated by reference herein; or,
- 37 b. Any residential dwellings along the force main constructed as of November
38 30, 1993, with failing on-site septic systems that have no alternative means for
39 on-site sewage treatment other than connection to the force main; or,
- 40 c. Any undeveloped lots of record along the force main existing as of November
41 30, 1993, that have no alternative means for on-site sewage treatment other
42 than connection to the force main may be connected exclusively for
43 residential use.
- 44 2. The following conditions apply to connection of any lot or property outside the
45 "Planning Area" shown on Exhibit "A":
- 46 a. No connection may be authorized for any use other than a single-family
47 residence.
- 48 b. The property must have been an existing lot of record as of November 30,
49 1993 in the same configuration and area existing as of that date;
- 50 c. The phrase "along the force main" means the force main passes directly
51 through the property seeking connection; no property may be connected
52 through any other lot, parcel, or property, or under any public or private road;
- 53 d. Any connection shall be limited exclusively to single-family dwellings, and
54 shall not include commercial uses or a combination of commercial and
55 residential uses;
- 56 e. All alternative methods of on-site sewage disposal, including all existing
57 available technologies must be evaluated by the Talbot County Health
58 Department and exhausted by a showing they are either too expensive or
59 impracticable before consideration is given to connection to the force main;
- 60 f. Compliance with all terms and conditions of this Resolution permits but shall
61 not require the County to permit connection to the force main. The County
62 retains full discretion within the requirements of law to evaluate each proposal
63 individually and to impose appropriate conditions or limitations upon any
64 such connection.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of
Resolution No. _____ having been published, a public hearing was held on
_____ in the Bradley Meeting Room, South Wing, Courthouse, 11 North
Washington Street, Easton, Maryland on _____..

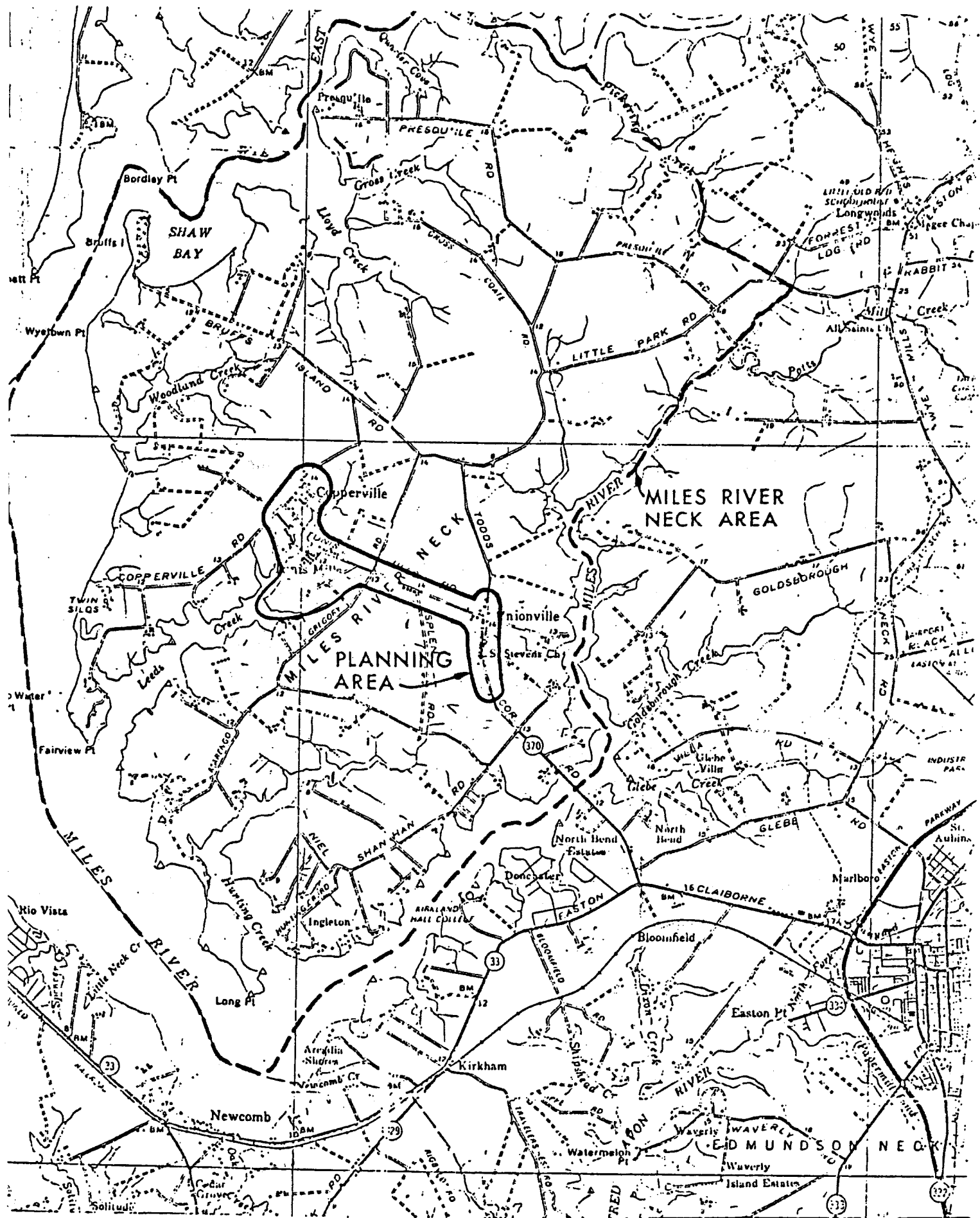
BY THE COUNCIL

Read the second time:

Enacted: _____

By Order: _____
Secretary

Harrison	-
Pack	-
Duncan	-
Foster	-
Bartlett	-



**UNIONVILLE-TUNIS MILLS-COPPERVILLE
PLANNING AREA**