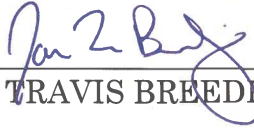


COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND

LEGISLATIVE BILL #2025-013

INTRODUCED BY: COMMISSIONERS BREEDING, PORTER, AND BARTZ

INTRODUCED ON: OCTOBER 14, 2025

ATTEST: 
J. TRAVIS BREEDING, PRESIDENT

PUBLIC HEARING: OCTOBER 21, 2025, BEGINNING AT 9:15 A.M.
COURTHOUSE, 109 MARKET STREET,
ROOM 106
DENTON, MARYLAND 21629

THIRD READING: OCTOBER 28, 2025

ENACTED: OCTOBER 28, 2025

EFFECTIVE: DECEMBER 13, 2025

A BILL ENTITLED

An Act to amend §§ C of § 175-29 Wastewater Treatment Facilities, of Article V Supplementary Regulations, of Chapter 175 - Zoning, of the Code of Public Local Laws of Caroline County by repealing and reenacting the same without sub-paragraphs (3) and (4), thus, eliminating from § 175-29 the requirements that (1) the wastewater treatment facility and the generating facility it serves be operated and owned by the same person or entity; and (2) the facility is not a shared facility as defined by either § 9-1110 (a) (4) of the Environment Article of the Annotated Code of Maryland or COMAR 26.04.05.01 for a non-accessory wastewater treatment facility to be permitted in the R, Rural Zoning District by Special Use Exception.

WHEREAS, the County Commissioners of Caroline County, Maryland (the "County Commissioners") are authorized under Article XI-F of the Maryland

Constitution and §9-308 of the Local Government Article of the Annotated Code of Maryland (the “Local Government Article”) to adopt public local laws in general;

WHEREAS, the County Commissioners are authorized under the Land Use Article, Title 4, of the Annotated Code of Maryland to enact and administer zoning and land use Bills and a Comprehensive Plan;

WHEREAS, pursuant to §197.B of Chapter 128 of the Code of Public Local Laws of Caroline County, the County Commissioners have received the positive recommendation of the Planning Commission and the staff of the Caroline County Department of Planning and Codes (the “Department”) regarding the provisions proposed in this Bill, which will have the effect of eliminating from § 175-29 the requirements that (1) the wastewater treatment facility and the generating facility it serves be operated and owned by the same person or entity; and (2) the facility is not a shared facility as defined by either § 9-1110 (a) (4) of the Environment Article of the Annotated Code of Maryland or COMAR 26.04.05.01 for a non-accessory wastewater treatment facility to be permitted in the R, Rural Zoning District by Special Use Exception; and

WHEREAS, this Bill may also be known by its short title “Chapter 175 – Zoning – Amending Conditions for Permitting Certain Non-accessory Wastewater Treatment Facilities in the R, Rural District by Special Use Exception”.

NOW, THEREFORE, in an exercise of the County’s police power as a Code Home Rule County, be it enacted by the County Commissioners of Caroline County, Maryland that:

SECTION 1. SUBSECTION §§ C OF § 175-29 “WASTEWATER TREATMENT FACILITIES” OF ARTICLE V OF CHAPTER 175 ZONING is hereby **REPEALED**.

SECTION 2. A NEW §§ C OF § 175-29 is hereby enacted in lieu thereof, to read:

C. Notwithstanding any other provision of Chapter 175, a non-accessory wastewater treatment facility may be permitted in the R, Rural District by Special Use Exception provided that:

- (1) The facility held an active Maryland Department of the Environment (MDE) State Discharge Permit within the five (5) years immediately preceding the effective date of enactment of this §§ C; and
- (2) The proposed operation is substantially similar in use and function to the facility’s prior operation under the previously issued State Discharge Permit; and

(3) All other local, State and federal regulations applicable to the proposed facility are met.

SECTION 3. The Recitals to this Bill are incorporated herein and deemed a substantive part of this Bill.

SECTION 4. This ordinance is necessary to protect the public health, safety, and welfare of the residents of Caroline County, and covers matters of local concern.

SECTION 5. The provisions of this Bill are declared to be severable. If any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the same shall be deemed separate, distinct, and independent from, and such holding shall not affect the validity of, the remaining portions of this Bill, it being the intent of the County that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 6. The Publishers of the Code of Public Local Laws of Caroline County, Maryland (the "Code"), the Caroline County Office of Law, or the Caroline County Department of Planning and Codes, in consultation with and subject to the approval of the County Administrator, shall be authorized to make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, organization, and any internal or external reference or citations to the County Code or the State Code that is incorrect or obsolete, with no further action required by the County Commissioners. All such corrections shall be adequately referenced and described in the editor's note following the section affected.

SECTION 7. The title and summary of this Bill shall be published in at least one newspaper of general circulation in Caroline County three times, at weekly intervals, and within the 4-week period after passage of the Bill, in accordance with §9-311 (i) of the Local Government Article of the Annotated Code of Maryland. The title of this Bill, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Bill for publication and all other purposes. The title is not a substantive part of this Bill for publication and all other purposes. If the Bill is amended, the title may be administratively revised to conform to the content of the Bill as finally enacted.


SECTION 8. AND BE IT FURTHER ENACTED, that when this Bill takes effect, this ordinance shall be retroactive and applicable, to the maximum extent permitted by law and subject to the severability clause above, to all proceedings,

and to all filed, pending, or future applications for building, use, special exception, or permits issuable by the Department of Planning and Codes.

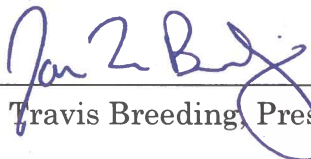
Enacted this 28th day of October, 2025.

ATTEST:

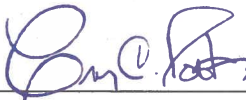
COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND



Jennifer F. Reibly
Public Information Officer




J. Travis Breeding, President



Larry C. Porter, Vice-President


(SEAL)





N. Franklin Bartz III, Member

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



Stewart Barroll
County Attorney