

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2026, Legislative Day No. 6

Bill No. 24-26

Introduced by Mr. Volke

By the County Council, March 19, 2026

Introduced and first read on March 19, 2026
Public Hearing set for April 20, 2026
Bill Expires on June 22, 2026

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Zoning – Baltimore City Sewer Service
2 Area – Moratorium

3
4 FOR the purpose of establishing a temporary moratorium on capacity allocation approvals
5 for any new development in the Baltimore City Sewer Service Area; and making this
6 Ordinance an emergency measure.

7
8 WHEREAS, Under Section 9-512(b)(1)(i) and (ii) of the Environment Article of
9 the Maryland Code State and local authorities may not issue building permits unless
10 “the water supply system, sewerage system, or solid waste acceptance facility is
11 adequate to serve the proposed construction, taking into account all existing and
12 approved developments in the service area; [and] any water supply system,
13 sewerage system, or solid waste acceptance facility described in the application will
14 not overload any present facility for conveying, pumping, storing, or treating water,
15 sewage, or solid waste”; and

16
17 WHEREAS, Section 9-512(d) further provides that “a State or local authority may
18 not record or approve a subdivision plat unless any approved facility for conveying,
19 pumping, storing, or treating water, sewage, or solid waste to serve the proposed
20 development would be:

21
22 (i) Completed in time to serve the proposed development; and

23
24 (ii) Adequate to serve the proposed development, once completed, without
25 overloading any water supply system, sewerage system, or solid waste acceptance
26 facility”; and

27
28 WHEREAS, Section 9-521 Environment Article of the Maryland Code further
29 provides that any “State or local authority that violates any provisions of § 9-512(b)

1 or (d) ... is liable for a civil penalty not exceeding \$100 to be collected in a civil
2 action brought by the [Maryland Department of the Environment] in the circuit
3 court for any county”; and
4

5 WHEREAS, Section 13-5-408 of the Anne Arundel County Code establishes the
6 Allotment Committee consisting of the Planning and Zoning Officer, the Director
7 of Public Works, and the Director of Inspections and Permits to determine the
8 allotment of, among several factors, public water and sewer capacity “on a service-
9 area basis as set forth in the Master Plan for Water Supply and Sewerage Systems”;
10 and

11
12 WHEREAS, The Allotment Committee determined on February 27, 2026 that, due
13 to Anne Arundel County reaching critical peak flow capacity limitations within the
14 Baltimore City Sewer Service Area (SSA), there are no allocations available for
15 any new development in the SSA.
16

17 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
18 that a moratorium on the approval of allocations for projects with proposed sewage flows
19 into the Baltimore City SSA via the Patapsco Sewage Pumping Station is hereby
20 declared, provided that allocations may continue to be approved for infill lots with failing
21 septic systems, and any tenant fit-out permits requiring one or more EDUs as approved by
22 the Allocation Committee on a case-by-case basis, which moratorium shall continue until
23 the Department of Public Works completes a Wastewater Strategic plan to evaluate
24 diverting flows to other facilities and that diversion becomes operational, or increased
25 capacity limitations are approved by Baltimore City and Baltimore County.
26

27 SECTION 2. *And be it further enacted,* That the moratorium created by the Ordinance
28 shall apply to all requests for allocations for project flows into the Baltimore City SSA
29 submitted on or after February 27, 2026.
30

31 SECTION 3. *And be it further enacted,* That this Ordinance is hereby declared to be an
32 emergency ordinance and necessary for immediate preservation of the public peace, health,
33 safety, and welfare, and being passed by the affirmative vote of five members of the County
34 Council the same shall take effect the date it becomes law.