

# SENATE BILL 778

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CF 3lr1405

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By: **Senator Mautz**

Introduced and read first time: February 6, 2023

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Wicomico County – Seasonal Restaurants – Potable Running Water and**  
3 **Graywater**

4 FOR the purpose of authorizing a seasonal restaurant in Wicomico County to operate  
5 without providing potable running water to customers under certain circumstances;  
6 requiring a certain owner or operator of a seasonal restaurant in Wicomico County  
7 to dispose of graywater in accordance with certain guidelines and regulations; and  
8 generally relating to potable running water and graywater at seasonal restaurants  
9 in Wicomico County.

10 BY adding to

11 Article – Environment

12 Section 9–1111.1

13 Annotated Code of Maryland

14 (2014 Replacement Volume and 2022 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
16 That the Laws of Maryland read as follows:

17 **Article – Environment**

18 **9–1111.1.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
20 **INDICATED.**

21 **(2) “COMMUNITY SEWERAGE SYSTEM” MEANS A PUBLICLY OR**  
22 **PRIVATELY OWNED SEWERAGE SYSTEM THAT SERVES AT LEAST TWO LOTS.**

23 **(3) (I) “GRAYWATER” MEANS UNTREATED WATER GENERATED BY**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 THE USE OF AND COLLECTED FROM A HANDWASHING SINK.

2 (II) "GRAYWATER" DOES NOT INCLUDE WATER FROM:

- 3 1. A SHOWER;
- 4 2. A TOILET;
- 5 3. A BATHTUB;
- 6 4. A LAVATORY SINK;
- 7 5. A KITCHEN SINK; OR
- 8 6. A DISHWASHING MACHINE.

9 (4) "GRAYWATER SYSTEM" MEANS:

10 (I) A HOLDING TANK CONNECTED TO A HANDWASHING SINK  
11 AND A THREE-COMPARTMENT SANITATION SINK USED TO COLLECT AND STORE  
12 GRAYWATER; AND

13 (II) A HOLDING TANK USED TO COLLECT AND STORE POTABLE  
14 WATER.

15 (5) "HANDWASHING SINK" MEANS A SINK USED FOR HANDWASHING  
16 ONLY.

17 (6) "SEASONAL RESTAURANT" MEANS A RESTAURANT THAT:

18 (I) OPERATES ON A SEASONAL BASIS; AND

19 (II) DOES NOT PROVIDE ANY INDOOR SEATING TO CUSTOMERS.

20 (B) THIS SECTION APPLIES ONLY IN WICOMICO COUNTY.

21 (C) A SEASONAL RESTAURANT MAY OPERATE WITHOUT PROVIDING  
22 POTABLE RUNNING WATER TO CUSTOMERS IF:

23 (1) THE RESTAURANT IS LOCATED:

24 (I) ON A FORMER DREDGE SITE; OR

1                   **(II) IN A REMOTE AREA WITH MINIMAL PUBLIC ACCESS;**

2                   **(2) THE RESTAURANT USES A GRAYWATER SYSTEM; AND**

3                   **(3) A COMMUNITY SEWERAGE SYSTEM IS NOT AVAILABLE TO SERVE**  
4 **THE RESTAURANT.**

5                   **(D) THE OWNER OR OPERATOR OF A SEASONAL RESTAURANT AUTHORIZED**  
6 **TO OPERATE WITHOUT PROVIDING POTABLE RUNNING WATER TO CUSTOMERS**  
7 **UNDER SUBSECTION (C) OF THIS SECTION SHALL SAFELY DISPOSE OF GRAYWATER**  
8 **IN ACCORDANCE WITH ANY GUIDELINES OR REGULATIONS ADOPTED BY THE**  
9 **DEPARTMENT, THE MARYLAND DEPARTMENT OF HEALTH, OR A FEDERAL AGENCY.**

10                   SECTION 2. AND BE IT FURTHER ENACTED, That the Department of the  
11 Environment shall notify the Department of Legislative Services within 5 days after an  
12 adequate water supply and community sewerage system is available to a seasonal  
13 restaurant operating under this Act.

14                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
15 1, 2023. It shall remain effective until 2 years after the day on which the Department of  
16 Legislative Services receives notice under Section 2 of this Act, and at the end of the second  
17 year, with no further action required by the General Assembly, this Act shall be abrogated  
18 and of no further force and effect.