

that part of Montgomery County in the City of Takoma Park which remains under the jurisdiction of the Washington Suburban Sanitary Commission with respect to storm drainage construction and maintenance under the provisions of the Storm Drainage Transfer Act [(chapter 703, Acts of 1968)] (SECTION 3-12), unless the plans and specifications therefor have first been approved by the commission. The construction, and maintenance items if any are required by the permit, shall be in conformity with the plans and specifications as approved. This subsection shall not apply to any structures installed by an individual for the protection of his home, unless such structure connects to a drainage system or part thereof subject to the commission's control or unless such structure is installed in a drainage easement theretofore established by plat or other dedication. Where under the [provision] PROVISIONS of this section [83-86A (71-36A)] a permit and approval for construction is required or was required at the time of the construction, and a storm drainage system or part thereof is or was constructed without the required permit and approval, the commission, upon ascertainment of the illegal construction, may require the owner or the party who constructed the drain, or the party who is then responsible for the drain, to bring it into conformity with the commission's requirements hereunder, or failing conformity, may require the same to be removed. A failure to comply with the commission's order shall be a violation of this section and subject the violator to the penalty provisions of subsection (k) hereof, and compliance may be enforced by injunction as provided in this [subtitle] CODE.

(c) All existing storm drainage systems or parts thereof which have heretofore been constructed in the Washington Suburban Sanitary District portion of Prince George's County in streets, alleys, public ways or public spaces, including those constructed within areas dedicated to the public use or granted to any public agency by deed or other appropriate conveyance and which have been constructed pursuant to plans and specifications which were approved by either the commission or by the county commissioners of Prince George's County, or with respect to which the commission may, following an inspection, determine to have been adequately constructed, shall be taken over for maintenance by the commission not later than July 1, 1966[, except that]. HOWEVER, THE FOLLOWING EXCEPTIONS SHALL BE MADE: (1) storm drainage systems in land owned by the Maryland-National Capital Park and Planning Commission shall not come within the provisions of this subsection but shall be maintained by the said Maryland-National Capital Park and Planning Commission[, and excepting]; (2) storm drainage systems and facilities within a road maintained by the state roads commission[.] SHALL BE MAINTAINED BY THE STATE; AND (3) AFTER JULY 1, 1978 THE CITY OF BOWIE SHALL HAVE CONTROL OF ALL STORM DRAINAGE SYSTEMS OR PARTS THEREOF WITHIN THE JURISDICTION OF THE CITY OF BOWIE INCLUDING ALL EXISTING STORM DRAINAGE SYSTEMS OR PARTS THEREOF WHICH HAVE BEEN UNDER THE CONTROL OF THE WASHINGTON SUBURBAN SANITARY COMMISSION PRIOR TO JULY 1, 1978.