

SENATE BILL 893

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L6

2000 Regular Session  
0lr3016

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By: **Senator Middleton**

Introduced and read first time: March 3, 2000

Assigned to: Rules

Re-referred to: Economic and Environmental Affairs, March 6, 2000

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2000

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CHAPTER 428

1 AN ACT concerning

2 **Charles County - Subdivision - Reservation of Land**

3 FOR the purpose of authorizing the Charles County Planning Commission to include  
4 in its subdivision regulations certain provisions relating to the reservation of  
5 land for certain purposes; requiring that a certain reservation of land continue  
6 for no more than a certain number of years; requiring that certain property that  
7 is reserved for public use be exempt from ~~certain taxes~~; property tax; requiring  
8 the Charles County Planning Commission to provide certain notifications to the  
9 Supervisor of Assessments for Charles County; providing for the effective and  
10 termination dates of certain property tax exemptions; requiring that the  
11 regulations make certain provisions for public notice and public hearing;  
12 making stylistic changes; and generally relating to the Charles County Planning  
13 Commission and subdivision regulations regarding the reservation of land.

14 BY repealing and reenacting, with amendments,  
15 Article 66B - Zoning and Planning  
16 Section 5.03(b)  
17 Annotated Code of Maryland  
18 (1998 Replacement Volume and 1999 Supplement)

19 BY adding to  
20 Article - Tax - Property  
21 Section 7-241  
22 Annotated Code of Maryland  
23 (1994 Replacement Volume and 1999 Supplement)

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

3 **Article 66B - Zoning and Planning**

4 5.03.

5 (b) (1) [Such] THE regulations may [include provision as to] PROVIDE FOR  
6 the extent to which THE FOLLOWING ACTIONS MUST BE TAKEN AS A CONDITION  
7 PRECEDENT TO THE APPROVAL OF A PLAT:

8 (I) [streets and other ways shall be graded and improved, to which  
9 soil] THE GRADING AND IMPROVEMENT OF STREETS AND OTHER WAYS;

10 (II) THE PROVISION OF SOIL erosion or sediment control [shall be  
11 provided, and to which water]; AND

12 (III) THE INSTALLATION OF WATER and sewer and other utility  
13 mains, piping, or other facilities [shall be installed as a condition precedent to the  
14 approval of the plat].

15 (2) (I) The regulations or practice of the PLANNING commission may  
16 provide for a tentative approval of [the] A plat [previous to such] BEFORE  
17 [installation; but any such] INSTALLATION.

18 (II) ANY tentative approval OF A PLAT shall be revocable and  
19 [shall] MAY not be entered on the plat.

20 (3) (I) [In lieu] INSTEAD of REQUIRING the completion of [such]  
21 improvements and utilities [prior to] BEFORE the final approval of [the] A plat,  
22 [the] A PLANNING commission may accept a bond with surety to secure to the  
23 [county or municipal corporation] LOCAL JURISDICTION the actual construction and  
24 installation of [such] THE improvements or [utilities at a] UTILITIES.

25 (II) THE BOND SHALL SPECIFY THE time FOR COMPLETION and  
26 [according to] specifications fixed by or in accordance with the regulations of the  
27 PLANNING commission.

28 (III) The [county or municipal corporation is hereby granted the  
29 power to] LOCAL JURISDICTION MAY enforce [such] THE bond by [all] ANY  
30 appropriate legal [and] OR equitable [remedies] REMEDY.

31 (4) (I) SUBJECT TO THIS PARAGRAPH, IN CHARLES COUNTY THE  
32 REGULATIONS MAY PROVIDE FOR THE RESERVATION OF LAND FOR TRAFFIC,  
33 RECREATION, OR OTHER PUBLIC PURPOSES.

34 (II) A RESERVATION OF LAND IN ACCORDANCE WITH THIS  
35 PARAGRAPH MAY NOT CONTINUE FOR LONGER THAN 3 YEARS WITHOUT THE  
36 WRITTEN APPROVAL OF ALL PERSONS HAVING ANY LEGAL OR EQUITABLE INTEREST  
37 IN THE PROPERTY.

1 (III) ~~A PROPERTY RESERVED FOR PUBLIC USE IN ACCORDANCE~~  
2 ~~WITH THIS PARAGRAPH SHALL BE EXEMPT FROM ALL STATE, COUNTY, AND LOCAL~~  
3 ~~TAXES.~~

4 (IV) THE REGULATIONS SHALL PROVIDE FOR PUBLIC NOTICE AND  
5 AN OPPORTUNITY FOR A PUBLIC HEARING BEFORE A PROPERTY MAY BE RESERVED.

6 **Article - Tax - Property**

7 7-241.

8 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, PROPERTY RESERVED BY  
9 THE CHARLES COUNTY PLANNING COMMISSION UNDER ARTICLE 66B, § 5.03(B)(4) OF  
10 THE CODE IS NOT SUBJECT TO PROPERTY TAX.

11 (B) (1) THE COMMISSION SHALL NOTIFY THE CHARLES COUNTY  
12 SUPERVISOR OF ASSESSMENTS WHEN LAND IS RESERVED AND WHEN LAND IS  
13 RELEASED FROM RESERVATION.

14 (2) THE NOTICE TO THE SUPERVISOR SHALL IDENTIFY THE LAND THAT  
15 HAS BEEN RESERVED OR RELEASED FROM RESERVATION.

16 (C) THE EXEMPTION UNDER THIS SECTION SHALL BE:

17 (1) EFFECTIVE BEGINNING WITH THE FIRST TAXABLE YEAR AFTER THE  
18 DATE ON WHICH THE SUPERVISOR RECEIVES FROM THE COMMISSION  
19 NOTIFICATION OF THE RESERVATION; AND

20 (2) TERMINATED BEGINNING WITH THE FIRST TAXABLE YEAR AFTER  
21 THE DATE ON WHICH THE SUPERVISOR RECEIVES FROM THE COMMISSION  
22 NOTIFICATION OF THE RELEASE OF THE RESERVATION.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2000.