

HOUSE BILL 213

L6, L1, L3

4lr0806

By: **Delegates McDermott, Afzali, Arentz, Aumann, Boteler, Cluster, Eckardt, Elliott, Frank, Haddaway–Riccio, Hough, Jacobs, K. Kelly, Krebs, McComas, Otto, Parrott, Smigiel, and Stocksdale**

Introduced and read first time: January 16, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Local Government – Permit Review and Explanation of Denial**

3 FOR the purpose of requiring that, if a municipality requires a certain permit, within
4 a certain time period a certain municipal official shall examine the application
5 for compliance with certain requirements, approve or deny the application, and,
6 if denying the application, provide a written explanation that includes certain
7 information; requiring that, if a county requires a certain permit, within a
8 certain time period a certain county official shall examine the application for
9 compliance with certain requirements, approve or deny the application, and, if
10 denying the application, provide a written explanation that includes certain
11 information; and generally relating to the processing of certain permit
12 applications by local governments.

13 BY adding to

14 Article – Local Government
15 Section 5–107 and 13–901.1
16 Annotated Code of Maryland
17 (2013 Volume)

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

20 **Article – Local Government**

21 **5–107.**

22 **IF A MUNICIPALITY REQUIRES A PERMIT FOR THE CONSTRUCTION,**
23 **ALTERATION, REPAIR, INSTALLATION, OR DEMOLITION OF A BUILDING OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 STRUCTURE OR A RELATED ELECTRICAL, GAS, MECHANICAL, OR PLUMBING
2 SYSTEM, WITHIN A REASONABLE TIME AFTER A PERMIT APPLICATION IS FILED,
3 AN APPROPRIATE MUNICIPAL OFFICIAL SHALL:

4 (1) DETERMINE WHETHER THE APPLICATION COMPLIES WITH
5 ALL APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS, INCLUDING
6 BUILDING CODES;

7 (2) APPROVE OR DENY THE APPLICATION; AND

8 (3) IF DENYING THE APPLICATION, PROVIDE A WRITTEN
9 EXPLANATION THAT INCLUDES A CITATION TO A SPECIFIC SECTION OF LAW OR
10 REGULATION WITH WHICH THE APPLICATION IS NOT IN COMPLIANCE.

11 **13-901.1.**

12 IF A COUNTY REQUIRES A PERMIT FOR THE CONSTRUCTION, ALTERATION,
13 REPAIR, INSTALLATION, OR DEMOLITION OF A BUILDING OR STRUCTURE OR A
14 RELATED ELECTRICAL, GAS, MECHANICAL, OR PLUMBING SYSTEM, WITHIN A
15 REASONABLE TIME AFTER A PERMIT APPLICATION IS FILED, AN APPROPRIATE
16 COUNTY OFFICIAL SHALL:

17 (1) DETERMINE WHETHER THE APPLICATION COMPLIES WITH
18 ALL APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS, INCLUDING
19 BUILDING CODES;

20 (2) APPROVE OR DENY THE APPLICATION; AND

21 (3) IF DENYING THE APPLICATION, PROVIDE A WRITTEN
22 EXPLANATION THAT INCLUDES A CITATION TO A SPECIFIC SECTION OF LAW OR
23 REGULATION WITH WHICH THE APPLICATION IS NOT IN COMPLIANCE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2014.