
By: Delegate Morgan

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Historic Preservation - Right of Appeal**

3 FOR the purpose of enabling counties and municipalities to provide a certain right of
4 appeal from decisions of a historic district commission for certain persons;
5 correcting a reference; and generally relating to historic preservation and zoning.

6 BY repealing and reenacting, with amendments,
7 Article 66B - Zoning and Planning
8 Section 8.15
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1996 Supplement)

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

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

14 8.15.

15 (A) Any person or persons, firm, or corporation aggrieved by a decision of the
16 commission has a right of appeal therefrom similar to that provided from the decision of
17 the [zoning board or] PLANNING commission within the county or municipal
18 corporation.

19 (B) A COUNTY OR MUNICIPAL CORPORATION MAY BY ORDINANCE PROVIDE
20 FOR A RIGHT OF APPEAL FOR ANY PERSON AGGRIEVED BY A DECISION OF THE
21 COMMISSION TO THE LOCAL GOVERNING BODY OR THE BOARD OF APPEALS OF THE
22 JURISDICTION. IN DECIDING THE APPEAL, THE LOCAL GOVERNING BODY OR BOARD
23 OF APPEALS MAY ONLY OVERRULE THE DECISION OF THE COMMISSION BY A
24 TWO-THIRDS MAJORITY OR GREATER VOTE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 1997.