
By: **Senator Middleton**
Introduced and read first time: March 3, 2000
Assigned to: Rules

A BILL ENTITLED

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; requiring that the
8 regulations make certain provisions for public notice and public hearing;
9 making stylistic changes; and generally relating to the Charles County Planning
10 Commission and subdivision regulations regarding the reservation of land.

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

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

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

19 5.03.

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

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

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

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

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

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

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

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

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

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

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

27 (III) A PROPERTY RESERVED FOR PUBLIC USE IN ACCORDANCE
28 WITH THIS PARAGRAPH SHALL BE EXEMPT FROM ALL STATE, COUNTY, AND LOCAL
29 TAXES.

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

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