
By: **Prince George's County Delegation and Montgomery County
Delegation**

Introduced and read first time: February 6, 2002

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Permit**
3 **Process**
4 **PG/MC 114-02**

5 FOR the purpose of requiring issuance of a building permit under the provisions of
6 law relating to the Maryland-National Capital Park and Planning Commission
7 by a certain date under certain circumstances; making stylistic changes; and
8 generally relating to building and construction permits in Montgomery and
9 Prince George's counties.

10 BY repealing and reenacting, with amendments,
11 Article 28 - Maryland-National Capital Park and Planning Commission
12 Section 8-119
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 2001 Supplement)

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

17 **Article 28 - Maryland-National Capital Park and Planning Commission**

18 8-119.

19 (a) A building or other structure may not be erected or structurally altered in
20 the regional district without the issuance of a building permit[, and a].

21 (B) (1) A permit may not be given except in conformity with the provisions of
22 this article and of the regulations enacted by the respective district councils.

23 (2) UNLESS THE CONSTRUCTION PROJECT IS OPPOSED, A BUILDING
24 PERMIT SHALL BE ISSUED WITHIN 14 DAYS AFTER ITS SUBMISSION.

1 (3) IF A PORTION OF A CONSTRUCTION PROJECT IS OPPOSED, A
2 BUILDING PERMIT SHALL BE ISSUED WITHIN 14 DAYS AFTER ITS SUBMISSION FOR
3 THE PORTION OF THE PROJECT NOT OPPOSED.

4 (C) A building permit is not required for buildings and structures to be used
5 exclusively for purposes of agriculture upon land used exclusively for agriculture.

6 (D) In any part of the regional district in which there does not now exist
7 provision of law or ordinance designating an administrative official by whom building
8 permits are to be issued, the appropriate district council shall designate this official.

9 (E) (1) An act, ordinance, or regulation issued under the authority of this
10 article does not require the approval by the Commission of any building permit in
11 Montgomery County or Prince George's [County, and] COUNTY.

12 (2) ANY [any] acts, ordinances, or regulations inconsistent [herewith]
13 WITH THIS SECTION are repealed to the extent of the inconsistency.

14 (3) [However, in] IN Montgomery County, all building permit
15 applications shall be referred to the Commission for review and recommendations as
16 to zoning requirements.

17 (4) In Prince George's County, the County Council may provide by
18 ordinance for the referral of some or all building permit applications to the
19 Commission for review and recommendations as to zoning requirements.

20 [(b)] (F) A district council may provide in its zoning regulations for the
21 issuance of use and occupancy permits and for certificates by means of which zoning
22 questions may be raised prior to the preparation of all structural specifications of a
23 building as may be required for a complete building permit.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2002.