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

Introduced and read first time: February 4, 2003

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Class 3 Grading Permits - Approval Process**
3 **MC/PG 116-03**

4 FOR the purpose of requiring in Prince George's County that certain Class 3 grading
5 permits may be granted or denied only after a public hearing, subject to certain
6 standards and under certain conditions; clarifying language; making a technical
7 correction; and generally relating to the approval process for Class 3 grading
8 permits in Prince George's County.

9 BY repealing and reenacting, with amendments,
10 Article 28 - Maryland-National Capital Park and Planning Commission
11 Section 8-119.1
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 2002 Supplement)

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

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

17 8-119.1.

18 (A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

19 (B) [Prince George's] SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE
20 County or a department of the [county] COUNTY responsible for issuing the permit
21 shall place conditions on a grading permit issued or to be issued under Subtitle 4,
22 Division 3 of the Prince George's County Code [(1995 Edition)] (1999 EDITION),
23 involving 10 acres of land or more in the [Prince George's] County portion of the
24 regional district, if the [county] COUNTY or the department finds there is or would be
25 an adverse effect, as a result of noise or traffic, on the safety, health, or welfare of the
26 residents in the immediate area of the land that is the subject of the grading permit.

1 (C) THE COUNTY SHALL PROVIDE IN ITS REGULATIONS THAT THE COUNTY OR
2 A DEPARTMENT OF THE COUNTY RESPONSIBLE FOR ISSUING A PERMIT UNDER
3 SUBTITLE 4, DIVISION 3 OF THE PRINCE GEORGE'S COUNTY CODE (1999 EDITION)
4 SHALL GRANT OR DENY A GRADING PERMIT, INVOLVING 10 ACRES OF LAND OR MORE
5 IN THE COUNTY PORTION OF THE REGIONAL DISTRICT, FOR A COMMON FILL FOR
6 LANDSCAPING OR OTHER NONLOAD-BEARING USAGE (CLASS 3 FILL) ONLY:

7 (1) AFTER A PUBLIC HEARING;

8 (2) SUBJECT TO APPROPRIATE PRINCIPLES, STANDARDS, RULES,
9 CONDITIONS, AND SAFEGUARDS ESTABLISHED IN THE REGULATIONS; AND

10 (3) ON CONDITIONS CONSIDERED NECESSARY TO CARRY OUT THE
11 PURPOSES OF THIS ARTICLE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 June 1, 2003.