

HOUSE BILL 185

M3

7lr1446

By: **Delegates Costa, Beidle, V. Clagett, Frush, George, Hubbard, J. King, Kipke, Love, McConkey, and Sophocleus**

Introduced and read first time: January 26, 2007

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Grading or Building Permit – Patuxent River Watershed**

3 FOR the purpose of authorizing Anne Arundel County to issue a grading or building
4 permit within the Patuxent River Watershed only under certain circumstances;
5 establishing certain conditions for the approval of certain development plans by
6 the Department of the Environment; prohibiting the construction, relocation, or
7 enlargement of certain State, county, or municipal roads, buildings, or
8 structures within the Patuxent River Watershed until certain plans have been
9 submitted to and approved by the soil conservation district; and generally
10 relating to grading and building permits issued within the Patuxent River
11 Watershed.

12 BY repealing and reenacting, with amendments,
13 Article – Environment
14 Section 4–308
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 2006 Supplement)

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

19 **Article – Environment**

20 4–308.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) **(1) SUBJECT TO SUBSECTION (B) OF THIS SECTION,** Anne Arundel
2 County or the City of Annapolis may issue a grading or building permit within the
3 Severn River Watershed only after the developer submits a plan of development
4 approved by the soil conservation district.

5 **(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, ANNE**
6 **ARUNDEL COUNTY MAY ISSUE A GRADING OR BUILDING PERMIT WITHIN THE**
7 **PATUXENT RIVER WATERSHED ONLY AFTER THE DEVELOPER SUBMITS A PLAN**
8 **OF DEVELOPMENT APPROVED BY THE SOIL CONSERVATION DISTRICT.**

9 **(B)** If the development plan contains any septic or private sewer facility, the
10 Department of the Environment shall approve it only if the facility will not contribute
11 in any way to pollution of the Severn River **OR PATUXENT RIVER.** The developer
12 shall submit a certificate from a professional engineer stating that the developer's plan
13 to control silt and erosion is adequate to contain the silt and erosion on the property
14 covered by the plan. Also, the developer shall submit another certificate stating that
15 any construction or development will be done according to the plan. A subdivision
16 developer shall obtain approval of the plan at the time of approving and recording of
17 the subdivision plat. In addition to any other penalty provided in this subtitle, if a
18 developer violates his certificate, then every permit issued pursuant to the certificate
19 is void.

20 **[(b)] (C)** A State, county, or municipal road, building, or structure may not
21 be constructed, relocated, or enlarged within the Severn River Watershed **AND**
22 **PATUXENT RIVER WATERSHED** until plans have been submitted to and approved by
23 the soil conservation district.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2007.