HOUSE BILL 1621

L6 8lr3337

By: **Delegate Dwyer**

AN ACT concerning

1

Rules suspended

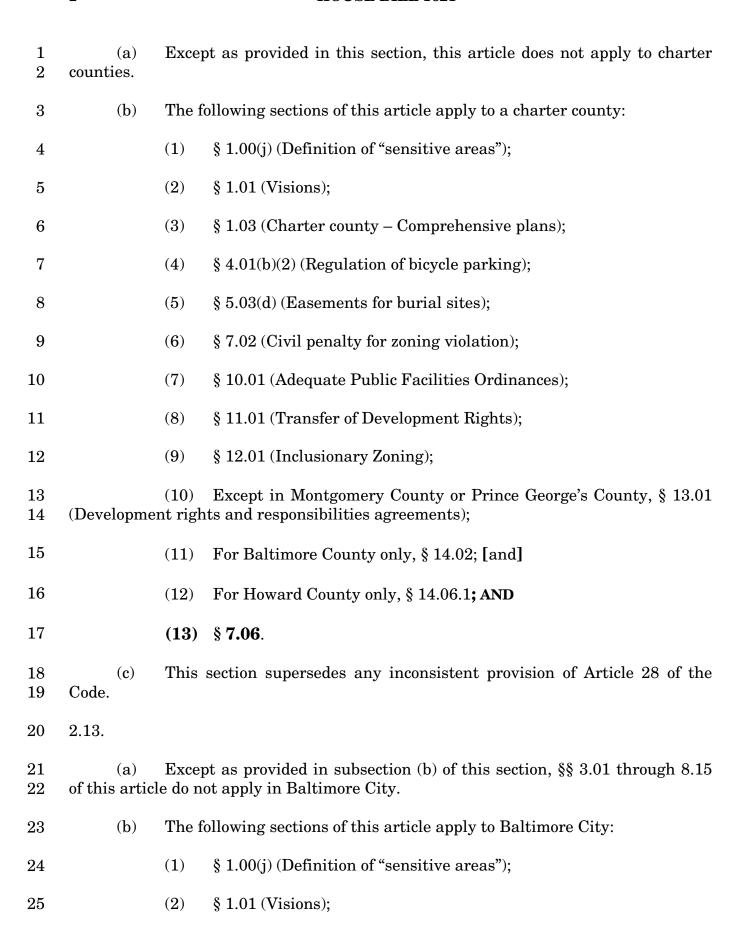
Introduced and read first time: March 14, 2008 Assigned to: Rules and Executive Nominations

A BILL ENTITLED

2	Local Jurisdictions - Grading Permits, Building Permits, and Zoning Letters
3	- Rights

- 4 FOR the purpose of providing that a person who is issued a grading permit, building 5 permit, or zoning letter by a local jurisdiction has the right to rely and act on the permit or letter even if the permit or letter was issued in error; requiring 6 7 local jurisdictions to grant, within a certain time period, a variance to a person to whom a grading or building permit or a zoning letter was issued in error; 8 9 prohibiting certain persons from appealing a certain decision of a local 10 jurisdiction to correct a certain grading or building permit or a certain zoning letter; providing for the application of this Act; and generally relating to zoning. 11
- 12 BY repealing and reenacting, with amendments,
- 13 Article 66B Land Use
- 14 Section 1.02 and 2.13
- 15 Annotated Code of Maryland
- 16 (2003 Replacement Volume and 2007 Supplement)
- 17 BY adding to
- 18 Article 66B Land Use
- 19 Section 7.06
- 20 Annotated Code of Maryland
- 21 (2003 Replacement Volume and 2007 Supplement)
- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
- 24 Article 66B Land Use
- 25 1.02.





- (3)1 § 1.03 (Charter county – Comprehensive plans); $\mathbf{2}$ (4) § 4.01(b)(2) (Regulation of bicycle parking); 3 **(5)** § 5.03(d) (Easements for burial sites); § 7.02 (Civil penalty for zoning violation); (6) 4 § 10.01 (Adequate Public Facilities Ordinances): 5 (7)6 (8)§ 11.01 (Transfer of Development Rights); 7 (9)§ 12.01 (Inclusionary Zoning); [and] 8 (10)§ 13.01 (Development Rights and Responsibilities Agreements); 9 AND 10 **(11)** § **7.06**.
- 7.06. 11
- 12 WHEN A LOCAL JURISDICTION ISSUES A GRADING PERMIT, 13 BUILDING PERMIT, OR ZONING LETTER, THE PERSON TO WHOM THE PERMIT OR 14 ZONING LETTER IS ISSUED HAS A RIGHT TO RELY AND ACT ON THAT PERMIT OR 15 ZONING LETTER EVEN IF THE PERMIT OR ZONING LETTER WAS ISSUED IN 16 ERROR.
- 17 IF A LOCAL JURISDICTION ISSUES A GRADING PERMIT, BUILDING 18 PERMIT, OR ZONING LETTER IN ERROR, WITHIN 30 DAYS AFTER THE LOCAL 19 JURISDICTION DISCOVERS ITS ERROR, THE LOCAL JURISDICTION SHALL GRANT 20A VARIANCE TO THE PERSON TO WHOM THE PERMIT OR ZONING LETTER WAS 21ISSUED.
- 22 WHEN A LOCAL JURISDICTION AGREES TO CORRECT A GRADING 23PERMIT, BUILDING PERMIT, OR ZONING LETTER ISSUED IN ERROR, NO PERSON 24OTHER THAN THE PERSON WHO REQUESTED THE CORRECTION MAY APPEAL 25THE LOCAL JURISDICTION'S DECISION TO CORRECT THE ERROR.
- 26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 27 October 1, 2008.