

CHAPTER 220

(Senate Bill 345)

AN ACT to repeal and re-enact, with amendments, Section 26 of Article 66B of the Annotated Code of Maryland (1967 Replacement Volume), title "Zoning and Planning," subtitle "Planning," subheading "Title 3—Subdivision Control," amending the laws concerning subdivision requirements and control in order to permit regulations concerning soil erosion and sediment control, and dividing this section into subsections.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 26 of Article 66B of the Annotated Code of Maryland (1967 Replacement Volume), title "Zoning and Planning," subtitle "Planning," subheading "Title 3—Subdivision Control," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

26.

(a) Before exercising the powers referred to in Section 25, the planning commission shall prepare regulations governing the subdivision of land within its jurisdiction. Such regulations may provide for adequate shore erosion control, the proper arrangement of streets, in relation to other existing planned streets and to the master plan, for adequate and convenient open spaces for traffic, utilities, access of fire-fighting apparatus, recreation, light and air, and for the avoidance of congestion of population, including minimum width and area of lots.

(b) Such regulations may include provision as to the extent to which streets and other ways shall be graded and improved, *to which soil erosion or sediment control shall be provided*, and to which water and sewer and other utility mains, piping, or other facilities shall be installed as a condition precedent to the approval of the plat. The regulations or practice of the commission may provide for a tentative approval of the plat previous to such installation; but any such tentative approval shall be revocable and shall not be entered on the plat. In lieu of the completion of such improvements and utilities prior to the final approval of the plat, the commission may accept a bond with surety to secure to the municipality the actual construction and installation of such improvements or utilities at a time and according to specifications fixed by or in accordance with the regulations of the commission. The municipality is hereby granted the power to enforce such bond by all appropriate legal and equitable remedies.

(c) In Anne Arundel County, the commission may accept a cash payment from the developer or contractor in lieu of the actual construction and installation of all or any part of such improvements or utilities, which cash payment shall thereafter be used by the county, from time to time, only for the construction and installation of such utilities, facilities and improvements.

(d) Before any regulations shall be submitted to council for adoption a public hearing shall be held thereon and all such regulations, or, if in the opinion of the commission it is best, a brief synopsis of such regulations, sufficient to inform a person of ordinary intelligence of the nature and contents of such regulations, together