

COUNTY LOCAL LAWS

WATERS FLOW IN A DEFINITE DIRECTION OR COURSE, EITHER CONTINUOUSLY OR INTERMITTENTLY; AND INCLUDING ANY AREA ADJACENT THERETO WHICH IS SUBJECT TO INUNDATION BY REASON OF OVERFLOW OR FLOOD WATER.

SECTION 83A-2. PERMIT REQUIRED

A. NO PERSON SHALL DO ANY GRADING, STRIPPING, EXCAVATING OR FILLING OF LAND, OR CREATE BORROW PITS, SPOIL AREAS, QUARRIES, MATERIAL PROCESSING FACILITIES OR ANY OTHER FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM THE DIVISION OF ENVIRONMENTAL HEALTH SERVICES, DEPARTMENT OF HEALTH, EXCEPT AS PROVIDED FOR IN THIS CHAPTER.

B. NOTHING SET FORTH IN THIS CHAPTER SHALL BE CONSTRUED TO BE IN CONFLICT WITH SECTIONS 105 THROUGH 110, ARTICLE 96A OF THE ANNOTATED CODE OF MARYLAND.

SECTION 83A-3. PERMIT-WHEN NOT REQUIRED

1. NO PERMIT SHALL BE REQUIRED UNDER THIS CHAPTER OF THE FOLLOWING:

(A) AN EXCAVATION BELOW FINISHED GRADE FOR BASEMENTS AND FOOTINGS OF A BUILDING, RETAINING WALLS, FOR SWIMMING POOLS OR STRUCTURES ATTENDANT TO THE PRINCIPAL BUILDING AUTHORIZED BY A VALID BUILDING PERMIT. THE RESULTING FILL SHALL COMPLY WITH SECTION 83A-3.1.C.

B. AN EXCAVATION WHICH:

1. IS LESS THAN FOUR (4) FEET IN VERTICAL DEPTH AT ITS DEEPEST POINT AS MEASURED FROM THE NATURAL GROUND SURFACE,

2. DOES NOT RESULT IN A TOTAL QUANTITY OF MORE THAN 100 CUBIC YARDS OF MATERIAL ON ANY LOT, PARCEL OR SUBDIVISION THEREOF,

3. DOES NOT IMPAIR EXISTING SURFACE DRAINAGE, CONSTITUTE A POTENTIAL EROSION HAZARD, OR ACT AS A SOURCE OF SEDIMENTATION TO ANY ADJACENT LAND OR WATERCOURSE,

4. HAS NO FINAL SLOPES STEEPER THAN ONE (1) FOOT VERTICAL IN THREE (3) FEET HORIZONTAL, AND

5. HAS ALL DISTURBED AREAS PROMPTLY SEEDED