

## COUNTY LOCAL LAWS

department of public works, or by other public agencies, or by engineering studies by the applicant for the building permit in lieu thereof, the following minimum setbacks for structures shall apply:

There shall be a minimum setback of five hundred feet for all buildings from the banks of the Potomac River, the Great and Little Seneca Creeks, and Rock Creek, and from the Patuxent River; and there shall be such setbacks required from streams or tributaries in the watersheds of such creeks and rivers as may be found justifiable by the county health officer to protect the health and welfare of the citizens of the county; provided, however, that all land lying between the five hundred foot setback line and the Great and Little Seneca Creeks, and Rock Creek, and the Patuxent River, contiguous to the setback line and elevated twenty feet or more above the fifty-year highwater mark of such watercourses, shall not be subject to such setback; and all land elevated ten feet or more above the fifty-year highwater mark of any tributary of the watercourses shall not be subject to the provisions of this section; and, provided further, that setback line shall in no event include more than fifty percent of the slope of land containing the stream valley; and provided further, that this section shall not apply in any portion of the watershed of such watercourse where a park taking line has been established pursuant to applicable law after notice of public taking.

SECTION 2. Emergency Legislation. The Council hereby declares that an emergency exists and that this legislation is necessary for the immediate protection of public health and safety. Therefore, this Act shall take effect on the date on which it becomes law.

Not approved.

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