

THEIR ACCESSORY BUILDINGS ON LOTS OF TWO ACRES OR MORE. REGARDLESS OF PLANNING, ZONING, OR SUBDIVISION CONTROLS, A COUNTY OR MUNICIPALITY MAY NOT ISSUE A PERMIT FOR GRADING OR CONSTRUCTION OF ANY BUILDING, OTHER THAN THOSE MATTERS EXEMPTED BY THE PROVISIONS OF THIS SECTION, UNLESS THE GRADING OR CONSTRUCTION CONFORMS WITH PLANS APPROVED AS PROVIDED IN THIS SUBTITLE.

REVISOR'S NOTE: This section presently appears as Article 96A, section 107 of the Code, as amended by Chapter 594, Acts of 1972. New language has been added to emphasize that a county or municipality may issue a permit only for those matters exempted by this section and not for matters exempted by county ordinances. The only other changes made are in style.

8-1103. GRADING AND BUILDING PERMITS; GRADING AND SEDIMENT CONTROL PLAN; CERTIFICATION BY DEVELOPER; AUTHORITY AND RESPONSIBILITY OF DEPARTMENT AND SOIL CONSERVATION DISTRICT; GRADING AND BUILDING ORDINANCES.

(A) A COUNTY OR MUNICIPALITY MAY ISSUE GRADING AND BUILDING PERMITS AS PROVIDED BY LAW. A GRADING OR BUILDING PERMIT MAY NOT BE ISSUED UNTIL THE DEVELOPER (1) SUBMITS A GRADING AND SEDIMENT CONTROL PLAN APPROVED BY THE APPROPRIATE SOIL CONSERVATION DISTRICT, AND (2) CERTIFIES THAT ALL LAND CLEARING, CONSTRUCTION, AND DEVELOPMENT WILL BE DONE UNDER THE PLAN. CRITERIA FOR SEDIMENT CONTROL AND THE PROCEDURE FOR REFERRING AN APPLICANT TO THE APPROPRIATE SOIL CONSERVATION DISTRICT SHALL BE ACCEPTABLE TO THE SOIL CONSERVATION DISTRICT AND THE DEPARTMENT. THE COUNTY OR MUNICIPAL UNIT RESPONSIBLE FOR ON-SITE INSPECTION AND ENFORCEMENT OF THE PROVISIONS OF THIS SUBTITLE SHALL MAKE A FINAL INSPECTION AND FORWARD ITS REPORT TO THE APPROPRIATE SOIL CONSERVATION DISTRICT. NOTICE OF VIOLATIONS OF THE PROVISIONS OF THIS SUBTITLE SHALL BE FILED WITH BOTH THE DEPARTMENT AND THE APPROPRIATE COUNTY UNIT.

REVISOR'S NOTE: This subsection presently appears as Article 96A, section 108(a) of the Code. The only changes made are in style.

(B) EACH COUNTY OR MUNICIPALITY SHALL ADOPT GRADING AND BUILDING ORDINANCES NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE, WITH THE ASSISTANCE