

AND BORDERED ON THE WEST BY A LINE WHICH COINCIDES, MORE OR LESS, WITH THE WEST CREST OF THE EXISTING NATURAL DUNE ON ASSATEAGUE ISLAND, AND IN OCEAN CITY, IS A MUTUALLY APPROVED LINE TO BE KNOWN AS THE STATE-OCEAN CITY BUILDING LIMIT LINE WHICH COINCIDES, MORE OR LESS, WITH THE EXISTING OCEAN CITY BUILDING LIMIT LINE AND ON OCCASION MAY COINCIDE WITH THE CREST OF THE LITTORAL SYSTEM. THE DEPARTMENT, AFTER SURVEYING, [[PLATING]] PLATTING AND RECORDING THE STATE-OCEAN CITY BUILDING LIMIT LINE, HAS THE AUTHORITY TO DESCRIBE BY REGULATION THE STATE-OCEAN CITY BUILDING LIMIT LINE. THE DEPARTMENT SHALL PERFORM THE SURVEY, PLATING AND RECORDING AT ITS OWN EXPENSE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS ACT.

(B) FOR THE PURPOSES OF MAINTAINING THE ATLANTIC COAST BEACHES OF THE STATE AND THE BEACH EROSION CONTROL DISTRICT, THE INTEGRITY AND CONTINUITY OF THE DUNAL SYSTEM AND ASSURING ADEQUATE MAINTENANCE THEREOF, TO PROVIDE FOR SHORE EROSION AND SEDIMENT CONTROL AND STORM PROTECTION, AND TO MINIMIZE STRUCTURAL INTERFERENCE WITH THE LITTORAL DRIFT OF SAND AND ANY ANCHORING VEGETATION, ANY LAND CLEARING, CONSTRUCTION ACTIVITY, OR THE CONSTRUCTION OR PLACEMENT OF PERMANENT STRUCTURES WITHIN THE BEACH EROSION CONTROL DISTRICT IS PROHIBITED. THIS PROHIBITION DOES NOT APPLY TO ANY PROJECT OR ACTIVITY APPROVED BY THE DEPARTMENT AND THE APPROPRIATE SOIL CONSERVATION DISTRICT SPECIFICALLY FOR STORM CONTROL, BEACH EROSION AND SEDIMENT CONTROL, AND MAINTENANCE PROJECTS DESIGNED TO BENEFIT THE BEACH EROSION CONTROL DISTRICT.

(C) IF THE PROHIBITIONS IMPOSED FOR THE BEACH EROSION CONTROL DISTRICT WOULD CONSTITUTE A TAKING OF A PROPERTY RIGHT WITHOUT JUST COMPENSATION IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES OR THE CONSTITUTION OF MARYLAND, FUNDS UNDER PROGRAM OPEN SPACE MAY BE USED TO PURCHASE OR OTHERWISE PAY FOR ANY PROPERTY TAKEN.

(D) THE PROVISIONS OF THIS SECTION ARE IN ADDITION TO THE PROVISIONS OF SECTION 8-1103 AND SECTION 8-1104.

SECTION [[2.]] 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1975.

Approved April 1, 1975.

---

CHAPTER 92

(Senate Bill 1033)