

BY repealing and reenacting, with amendments,

Article - Natural Resources  
Section 8-808  
Annotated Code of Maryland  
(1983 Replacement Volume and 1983 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

8-808.

(A) Appropriation or use of any waters of the State, construction or beginning construction, making or beginning any change, addition, reconstruction, or repair of any reservoir, dam or waterway obstruction, only shall be in conformity with any term, condition, regulation, or restriction of the Department's permit, or with any rule or regulation the Department prescribes concerning any construction, change, addition, or repair.

(B) (1) ANY TERM, CONDITION, REGULATION, OR RESTRICTION IMPOSED ON AN APPROPRIATION OR USE OF WATERS OF THE STATE OR ON A RESERVOIR, DAM, WATERWAY OBSTRUCTION, OR CHANGE IN THE COURSE, CURRENT OR CROSS SECTION OF ANY STREAM, THROUGH A PERMIT ISSUED PURSUANT TO THIS SUBTITLE, SHALL BE BINDING ON THE OWNER OF THE PERMITTED LAND OR FACILITY AT THE TIME SUCH PERMIT IS ISSUED AND ON ANY HEIRS, SUCCESSORS, OR ASSIGNS OF THE OWNER'S INTEREST IN THE LAND OR FACILITY.

(2) AS A CONDITION OF PERMIT ISSUANCE OR RENEWAL UNDER THIS SUBTITLE TO CONSTRUCT, RECONSTRUCT, CHANGE, ADD TO, OR REPAIR ANY DAM OR RESERVOIR, THE DEPARTMENT MAY SHALL REQUIRE THE OWNER OF THE PERMITTED LAND OR FACILITY TO RECORD, IN ACCORDANCE WITH § 3-102 AND § 3-103 OF THE REAL PROPERTY ARTICLE, A MEMORANDUM PREPARED BY THE DEPARTMENT OF THE TERMS, CONDITIONS, REGULATIONS, OR RESTRICTIONS APPLICABLE TO THAT LAND OR FACILITY. THE RECORDING SHALL BE AT THE EXPENSE OF THE LANDOWNER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 29, 1984.

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