

Section 8-1103(a)
Annotated Code of Maryland
(1983 Replacement Volume and 1983 Supplement)

BY adding to

Article - Natural Resources
Section 8-1103(d) and (e)
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

8-1103.

(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 of Natural Resources. [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 of Natural Resources and the appropriate county unit.]

(D) EACH SOIL CONSERVATION DISTRICT SHALL REQUIRE AN APPLICANT FOR GRADING AND SEDIMENT CONTROL PLAN APPROVAL TO SUBMIT A SUFFICIENT NUMBER OF COPIES OF THE PLAN TO ENABLE THE DISTRICT TO FORWARD COPIES OF THE PLAN TO APPROPRIATE STATE AND LOCAL AGENCIES. WHERE ENFORCEMENT AUTHORITY HAS BEEN RETAINED BY THE DEPARTMENT OF NATURAL RESOURCES, EACH DISTRICT SHALL FORWARD 1 COPY OF EACH APPROVED PLAN TO THE DEPARTMENT OF NATURAL RESOURCES IMMEDIATELY UPON APPROVAL.

(E) (1) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW OR LOCAL ORDINANCE, EFFECTIVE JANUARY-1 APRIL 1, 1985, IT SHALL BE THE SOLE RESPONSIBILITY OF THE DEPARTMENT OF NATURAL RESOURCES TO ENFORCE COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE AND OF ANY APPROVED PLAN, EXCEPT IN THOSE COUNTIES AND MUNICIPALITIES TO WHICH ENFORCEMENT AUTHORITY HAS BEEN DELEGATED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(2) (1) THE SECRETARY OF NATURAL RESOURCES SHALL DELEGATE ENFORCEMENT AUTHORITY UNDER THIS SUBTITLE TO ANY COUNTY