

CHAPTER 519

(House Bill 722)

AN ACT concerning

Frederick County - Real Property Transfers - Lots in
Unapproved Subdivisions

FOR the purpose of exempting the transfer, sale, or negotiation of certain unapproved real property in Frederick County from certain requirements under certain conditions; and generally relating to the transfer, sale, or negotiation of real property in Frederick County.

BY repealing and reenacting, with amendments,

Article 66B - Zoning and Planning
Section 5.05
Annotated Code of Maryland
(1988 Replacement Volume and 1988 Supplement)

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

Article 66B - Zoning and Planning

5.05.

(a) Except as provided in [subsection] SUBSECTIONS (b) AND (C) of this section, whoever, being the owner or agent of the owner of any land located within a subdivision transfers or sells or agrees to sell or negotiate to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before the plat has been approved by the planning commission and recorded or filed in the office of the appropriate county clerk, shall forfeit and pay a civil penalty of not less than \$200 and not more than \$1,000 in the discretion of the court, for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of the lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transfer or other document used in the process of selling or transferring shall not exempt the transaction from the penalties or from the remedies herein provided. The county or municipal corporation may enjoin the transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the penalty by civil action in any court of competent jurisdiction.