

## Article - Natural Resources

8-1808.4.

(A) THIS SECTION DOES NOT APPLY TO ANY PROJECT INVOLVING THE CONSTRUCTION OF A DWELLING UNIT OR OTHER NON-WATER DEPENDENT STRUCTURE ON A PIER LOCATED ON STATE OR PRIVATE WETLANDS WITHIN THE CRITICAL AREA IN PRINCE GEORGE'S COUNTY.

(B) (1) IN THIS SECTION, "PIER" MEANS ANY PIER, WHARF, DOCK, WALKWAY, BULKHEAD, BREAKWATER, PILES, OR OTHER SIMILAR SIMILAR STRUCTURE THAT IS CONSTRUCTED ON PILING IN ORDER TO:

(1)--PERMIT THE UNOBSTRUCTED FLOW OF THE TIDE; AND

(2)--PRESERVE THE NATURAL CONTOUR OF THE LAND.

(2) "PIER" DOES NOT INCLUDE ANY STRUCTURE ON PILINGS OR STILTS THAT WAS ORIGINALLY CONSTRUCTED BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS.

(C) THIS SECTION APPLIES NOTWITHSTANDING:

(1) ANY OTHER PROVISION OF THIS SUBTITLE; AND

(2) ANY CRITERIA OR REGULATION ADOPTED BY THE COMMISSION UNDER THIS SUBTITLE.

(D) THIS SECTION PREEMPTS ANY OTHER REQUIREMENT CONCERNING PIERS IN THE CRITICAL AREA.

(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) PARAGRAPHS (2) AND (3) (2), (3), AND (4) OF THIS SUBSECTION, A LOCAL JURISDICTION MAY NOT ISSUE A BUILDING PERMIT FOR ANY PROJECT INVOLVING THE CONSTRUCTION OF A DWELLING UNIT OR OTHER NON-WATER DEPENDENT STRUCTURE ON A PIER LOCATED ON STATE OR PRIVATE WETLANDS WITHIN THE CRITICAL AREA.

(2) NOTHING IN THIS SECTION SHALL PROHIBIT OR RESTRICT A LOCAL JURISDICTION FROM ISSUING A BUILDING PERMIT FOR A PROJECT INVOLVING THE CONSTRUCTION OF A DWELLING UNIT OR OTHER NON-WATER DEPENDENT STRUCTURE ON A PIER LOCATED ON STATE OR PRIVATE WETLANDS WITHIN THE CRITICAL AREA THAT WAS ISSUED A PERMIT BY THE SECRETARY ON OR BEFORE JANUARY 1, 1989.

(3) A LOCAL JURISDICTION MAY ISSUE A BUILDING PERMIT FOR A PROJECT INVOLVING THE CONSTRUCTION OF A DWELLING UNIT OR OTHER NON-WATER DEPENDENT STRUCTURE ON A PIER LOCATED ON STATE OR PRIVATE WETLANDS WITHIN THE CRITICAL AREA IF:

(1) THE PROJECT IS CONSTRUCTED ON A PIER IN EXISTENCE AS OF DECEMBER 31, 1985 THAT CAN BE VERIFIED BY A