

Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–116(c)
Annotated Code of Maryland
(1993 Replacement Volume and 1994 Supplement)

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–121
Annotated Code of Maryland
(1993 Replacement Volume and 1994 Supplement)

BY repealing and reenacting, with amendments,

Article 66B – Zoning and Planning
Section 1.00 and 7.03
Annotated Code of Maryland
(1988 Replacement Volume and 1994 Supplement)

BY adding to

Article 66B – Zoning and Planning
Section 13.01 to be under the new subtitle “Subtitle 13. Development Rights and Responsibilities Agreements”
Annotated Code of Maryland
(1988 Replacement Volume and 1994 Supplement)

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

Article 28 – Maryland–National Capital Park and Planning Commission

7–116.

(c) (I) ~~A~~ IN MONTGOMERY COUNTY, THE PLANNING BOARD OF THE COMMISSION; OR ITS DESIGNEE; MAY ENTER INTO REGULATORY PLAN ENFORCEMENT AGREEMENTS, DECLARATIONS, EASEMENTS, COVENANTS, AND OTHER INSTRUMENTS, WITH APPROPRIATE PERSONS OR ENTITIES REGARDING ANY ACTION IT IS AUTHORIZED TO TAKE UNDER THIS ARTICLE. THE AGREEMENT MAY ESTABLISH TERMS AND CONDITIONS REQUIRED TO IMPLEMENT THE ACTION AND PROVIDE FOR ENFORCEMENT AND APPROPRIATE REMEDIES. A REGULATORY ENFORCEMENT AGREEMENT, OR INSTRUMENT, IS NOT A DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENT AS PROVIDED IN § 7–121 OF THIS ARTICLE, UNLESS THE PARTIES AGREE THAT SOME OR ALL TERMS OF THE REGULATORY ENFORCEMENT AGREEMENT SHOULD BE INCORPORATED INTO A DEVELOPMENT RIGHTS AND RESPONSIBILITIES AGREEMENT.

(II) The Commission or EITHER county ~~also~~ may institute injunction, mandamus, or other appropriate action [of] OR proceeding to compel the actual construction and installation of the improvements and conservation of the resources at a