

10J-1.

EXCEPT AS PROVIDED IN §§ 10-I(F) AND 10J(C) OF THIS ARTICLE, ARTICLE 66B, §§ 5.05(D) AND 7.01(C) OF THE CODE, AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, IN ST. MARY'S COUNTY, THE COUNTY COMMISSIONERS MAY PROVIDE THAT:

(1) VIOLATIONS OF COUNTY ORDINANCES AND RESOLUTIONS SHALL BE PUNISHABLE AS MISDEMEANORS AND ENFORCED IN THE SAME MANNER AND TO THE SAME EXTENT AS MUNICIPAL VIOLATIONS UNDER ARTICLE 23A, § 3(A) OF THE CODE; AND

(2) VIOLATIONS OF COUNTY ORDINANCES SHALL BE PROSECUTED IN THE SAME MANNER AND TO THE SAME EXTENT AS SET FORTH FOR MUNICIPAL INFRACTIONS IN ARTICLE 23A, § 3(B) OF THE CODE.

Article 66B - Zoning and Planning

5.05.

(a) Except as provided in subsections (b) [and (c)] THROUGH (D) 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.

(b) In Charles and St. Mary's Counties this section does not apply to the sale or negotiation for sale of industrial property.

(c) In Frederick and Carroll Counties, this section does not apply to the contract for sale or negotiation for sale of property zoned industrial, commercial, or both industrial and commercial, if a plat is approved and recorded in accordance with this article prior to the transfer of land.

(D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, IN ST. MARY'S COUNTY THE COUNTY COMMISSIONERS MAY PROVIDE A CIVIL PENALTY FOR A SUBDIVISION VIOLATION. IN A PROCEEDING BEFORE THE DISTRICT COURT, THE SUBDIVISION VIOLATION SHALL BE ENFORCED IN THE SAME MANNER AND TO THE SAME EXTENT AS SET FORTH FOR MUNICIPAL INFRACTIONS IN ARTICLE 23A, § 3(B) OF THE CODE.