

CHAPTER 459
(House Bill 1124)

AN ACT concerning

Montgomery County - Soil Conservation Districts - Delegation of Approval Authority to Municipal Corporations

FOR the purpose of authorizing a soil conservation district to delegate certain approval authority of certain sediment control plans to certain municipal corporations in Montgomery County under certain circumstances; making stylistic changes; and generally relating to the delegation of approval authority of sediment control plan reviews to municipal corporations by soil conservation districts in Montgomery County.

BY repealing and reenacting, with amendments,

Article - Environment

Section 4-103(a) and 4-105(a)

Annotated Code of Maryland

(1996 Replacement Volume and 1999 Supplement)

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

Article - Environment

4-103.

(a) (1) A county or municipality may issue grading and building permits as provided by law.

(2) A grading or building permit may not be issued until the developer:

[(1)](I) [submits] SUBMITS a grading and sediment control plan approved by:

1. [the] THE appropriate soil conservation district[,]; OR

2. A MUNICIPAL CORPORATION IN MONTGOMERY COUNTY THAT IS DESIGNATED UNDER PARAGRAPH (4) OF THIS SUBSECTION; and

[(2)](II) [certifies] CERTIFIES that all land clearing, construction, and development will be done under the plan.

(3) 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 the Environment.

(4) A SOIL CONSERVATION DISTRICT MAY DELEGATE APPROVAL AUTHORITY OF A GRADING AND SEDIMENT CONTROL PLAN TO A MUNICIPAL CORPORATION IN MONTGOMERY COUNTY THAT: