

CHAPTER 383

(House Bill 1034)

AN ACT concerning

Setback Line Violations – Actions and Proceedings – Limitations

FOR the purpose of prohibiting certain persons from initiating an action or proceeding for setback line violations after a certain time period after the violation occurred; prohibiting certain governmental entities from initiating an action or proceeding for setback line violations more than a certain time period after certain permits or variances were granted; ~~establishing when time begins to run under certain circumstances~~ clarifying that this Act may not be construed to abrogate or affect certain defenses to certain actions or proceedings for a violation of a setback line restriction; altering and defining certain terms; providing for the application and construction of this Act; making provisions of this Act severable; and generally relating to the period of limitations on setback line violations.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5-114

Annotated Code of Maryland

(1989 Replacement Volume and 1991 Supplement)

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

Article – Courts and Judicial Proceedings

5-114.

(a) (1) In this section, the following words have the meanings indicated.

(2) “Building permit” or “permit” includes a site plan and other documentation submitted in support of an application for a building permit and providing the basis for the issuance of the building permit.

(3) “GOVERNMENTAL ENTITY” INCLUDES:

(I) THE STATE;

(II) A LOCAL GOVERNMENT; AND

(III) AN OFFICER, OFFICE, DEPARTMENT, AGENCY, BOARD, COMMISSION, OR OTHER UNIT OF STATE OR LOCAL GOVERNMENT.

(4) “Highway” means any way or thoroughfare, whether or not the way or thoroughfare has been dedicated to the public or a dedication has been accepted.

[(4)] (5) “Local government” means: