
By: **Senator Miller**
Introduced and read first time: March 1, 2001
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel and Calvert Counties - Stormwater Management Facilities**

3 FOR the purpose of prohibiting the construction of certain stormwater management
4 facilities in certain areas of Anne Arundel and Calvert counties for certain
5 purposes; providing an exception for certain stormwater management facilities
6 where construction began prior to a certain date; requiring the local legislative
7 body to provide for the enforcement of this Act; and generally relating to the
8 construction of stormwater management facilities in Anne Arundel and Calvert
9 counties.

10 BY repealing and reenacting, with amendments,
11 Article 66B - Land Use
12 Section 1.02
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 2000 Supplement)

15 BY adding to
16 Article 66B - Land Use
17 Section 14.10 and 14.11
18 Annotated Code of Maryland
19 (1998 Replacement Volume and 2000 Supplement)

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

22 **Article 66B - Land Use**

23 1.02.

24 (a) Except as provided in this section, this article does not apply to charter
25 counties.

26 (b) The following sections of this article apply to a charter county:

27 (1) § 1.00(j) (Definition of "sensitive areas");

- 1 (2) § 1.01 (Visions);
- 2 (3) § 1.03 (Charter county - Comprehensive plans);
- 3 (4) § 4.01(b)(2) (Regulation of bicycle parking);
- 4 (5) § 5.03(d) (Easements for burial sites);
- 5 (6) § 7.02 (Civil penalty for zoning violation);
- 6 (7) § 10.01 (Adequate public facilities ordinances);
- 7 (8) § 11.01 (Transfer of development rights);
- 8 (9) § 12.01 (Inclusionary zoning);
- 9 (10) Except in Montgomery County or Prince George's County, § 13.01
10 (Development rights and responsibilities agreements); [and]
- 11 (11) For Baltimore County only, § 14.02; AND
- 12 (12) FOR ANNE ARUNDEL COUNTY ONLY, § 14.10.

13 (c) This section supersedes any inconsistent provision of Article 28 of the
14 Code.

15 14.10.

16 (A) THIS SECTION APPLIES TO ANNE ARUNDEL COUNTY.

17 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PERSON
18 MAY NOT CONSTRUCT A PUBLIC OR PRIVATE STORMWATER MANAGEMENT FACILITY
19 ON PROPERTY ZONED FOR RESIDENTIAL USE FOR THE PURPOSE OF THE TREATMENT
20 OR MANAGEMENT OF STORMWATER DISCHARGED FROM A COMMERCIAL OR
21 INDUSTRIAL SITE THAT IS LOCATED WITHIN ONE-HALF MILE OF THE CHESAPEAKE
22 BAY OR ITS TRIBUTARIES.

23 (C) THIS SECTION DOES NOT APPLY TO CONSTRUCTION OF A PUBLIC OR
24 PRIVATE STORMWATER MANAGEMENT FACILITY THAT BEGAN ON OR BEFORE
25 JANUARY 1, 2001.

26 (D) THE LOCAL LEGISLATIVE BODY SHALL PROVIDE FOR THE ENFORCEMENT
27 OF THE PROVISIONS OF THIS SECTION UNDER §§ 7.01 AND 7.02 OF THIS TITLE.

28 14.11.

29 (A) THIS SECTION APPLIES TO CALVERT COUNTY.

30 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PERSON
31 MAY NOT CONSTRUCT A PUBLIC OR PRIVATE STORMWATER MANAGEMENT FACILITY
32 ON PROPERTY ZONED FOR RESIDENTIAL USE FOR THE PURPOSE OF THE TREATMENT

1 OR MANAGEMENT OF STORMWATER DISCHARGED FROM A COMMERCIAL OR
2 INDUSTRIAL SITE THAT IS LOCATED WITHIN ONE-HALF MILE OF THE CHESAPEAKE
3 BAY OR ITS TRIBUTARIES.

4 (C) THIS SECTION DOES NOT APPLY TO CONSTRUCTION OF A PUBLIC OR
5 PRIVATE STORMWATER MANAGEMENT FACILITY THAT BEGAN ON OR BEFORE
6 JANUARY 1, 2001.

7 (D) THE LOCAL LEGISLATIVE BODY SHALL PROVIDE FOR THE ENFORCEMENT
8 OF THE PROVISIONS OF THIS SECTION UNDER §§ 7.01 AND 7.02 OF THIS TITLE.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 July 1, 2001.