

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2018, Legislative Day No. 14

Bill No. 68-18

Mrs. Cathy Bevins, Councilwoman

By the County Council, September 4, 2018

A BILL
ENTITLED

AN ACT concerning

Stormwater Management

FOR the purpose of allowing certain approved erosion and sediment control plans and stormwater management plans or permits to be governed by the stormwater management law and regulations in effect at the time of the approval if not otherwise subsequently abrogated or superseded by other law; and generally relating to Stormwater Management.

BY repealing and re-enacting, with amendments
Section 33-4-114
Article 33 – Environmental Protection and Sustainability
Title 4 – Stormwater Management
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 33 – ENVIRONMENTAL PROTECTION AND SUSTAINABILITY

5 Title 4 – Stormwater Management

6 § 33-4-114. Miscellaneous Exceptions.

7 (a) *Plat recordation.* Plats may be recorded in advance of final stormwater management plan
8 approval if the recording is approved by the Department based upon sufficient evidence that
9 stormwater management can be achieved in the locations designated on the plat.

10 (b) *Approval for planned unit developments.* Notwithstanding any other provision of law, a
11 planned unit development shall receive development stormwater management plan approval
12 before final approval under § 32-4-245 of the code.

13 (c) *Authority to comply with former requirements.*

14 (1) Any site with an approved erosion and sediment control plan and stormwater
15 management plan approved by the Department before May 4, 2010 shall be governed by the
16 stormwater management law and regulations in effect at the time of the approval IF THE LAW
17 AND REGULATIONS WERE NOT OTHERWISE SUBSEQUENTLY ABROGATED OR
18 SUPERSEDED BY OTHER LAW.

19 (2) A stormwater management permit issued before May 4, 2010 shall remain valid in
20 accordance with its terms IF THE LAW AND REGULATIONS UPON WHICH THE PERMIT
21 WAS ISSUED WERE NOT OTHERWISE SUBSEQUENTLY ABROGATED OR
22 SUPERSEDED BY OTHER LAW, provided a final erosion and sediment control plan has been
23 approved by the Soil Conservation District.

1 (d) *Exemption, waiver, variance.*

2 (1) Any exemption, waiver, or variance granted by the Department to a site before May 4,
3 2010 shall remain valid in accordance with its terms provided:

4 (i) A grading or building permit has been issued; or

5 (ii) An erosion and sediment control plan has been approved.

6 (2) All subsequent site development shall comply with this title.

7 (3) Any modification to a previously approved exemption, waiver, or variance shall require
8 compliance with this title.

9
10 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
11 the affirmative vote of five members of the County Council, shall take effect on October 15,
12 2018.