

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND  
LEGISLATIVE SESSION, 2011  
BILL NO. 2011-12

Introduced: December 6, 2011

BY: The Council President at the request of the County Executive.

**AN ACT** to temporarily amend Chapter 200, titled "Subdivision of Land" to extend for a period of two years, the approvals and deadlines for certain permits issued by Wicomico County for development projects.

PREAMBLE

WHEREAS, various segments of the economy, such as banking, real estate and construction, have been impacted significantly by the national recession; and

WHEREAS, as a result of the economic crisis, real estate developers, homebuilders, and commercial, office and industrial developers have experienced an industry-wide decline; and

WHEREAS, the process to obtain Planning Commission approvals for development projects, including but not limited to, preliminary and final subdivision plans can be difficult, time consuming, and expensive both for applicants and government entities; and

WHEREAS, existing permits, approvals and deadlines are and will be expiring or lapsing simply due to the passage of time; and

WHEREAS, the construction industry and related trades are sustaining severe economic losses, and the lapsing of development approvals would, if not addressed, exacerbate those losses; and

WHEREAS, Financial institutions that lend money to property owners, builders, and developers are experiencing erosion of their collateral as permits and approvals expire, and the extension of these permits and approvals is necessary to maintain the value of the collateral; and

WHEREAS, based on the above, the County Council finds and declares that an emergency measure extending certain development approval periods and deadlines is required and is in the best interests of the citizens of Wicomico County and will preserve and improve the health, safety and general welfare of Wicomico County.

**SECTION 1.** BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, as follows:

### Definitions.

In this Bill, unless the context indicates otherwise, all terms shall have the same meaning as provided in the Wicomico County Code.

### Approvals.

This Bill temporarily modifies the application of certain provisions of the Wicomico County Code, including Chapter 200 Sections 200-7, 200-8 and 200-10, to extend, for two years, the approval periods and deadlines for the following (collectively hereinafter referred to as "Approvals") beginning January 1, 2012 and ending December 31, 2013.

- Preliminary Plat Approvals
- Final Plat Approvals
- Phased Approvals
- Record Plat

### Applicability.

- A. This Bill shall apply and extend those approvals, described above, which were active and valid as of the effective date of this Bill. This Bill shall not apply to Approvals that may be granted or become effective after the effective date of this Bill.
- B. This Bill does not apply to
1. Any permit or approval that has an expiration date established under a law or regulation of the State of Maryland; or
  2. Any permit, license or approval issued under Title 4, Subtitle 1 or Subtitle 2, Title 5, Subtitle 5, or Title 9 of the Environment Article of the Annotated Code of Maryland.

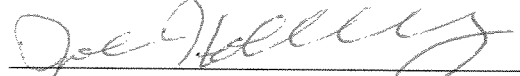
### Codification Unnecessary.

Due to the self-limiting nature of this Bill, it will not be codified in the Wicomico County Code but shall have the full force and effect of law as if published in the Wicomico County Code.

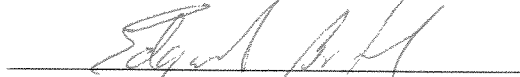
**SECTION II.** BE IT FURTHER ENACTED THAT this Bill is an emergency measure, necessary for the immediate preservation of the public health, safety and welfare. The Bill shall be known as Bill No. 2011-12 of Wicomico County, Maryland and shall take effect immediately upon becoming law. In the event a proper Petition for Referendum thereof shall be timely filed the Bill shall remain in force, but shall stand repealed thirty (30) days after rejection by a majority of the qualified voters of the County voting in any such referendum.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 3<sup>rd</sup> day of January, 2012.

WICOMICO COUNTY, MARYLAND

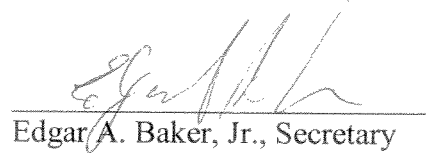


BY: Joe Holloway, President



BY: Edgar A. Baker, Jr., Secretary

I HEREBY CERTIFY that twenty-five (25) copies of the above Bill are available for distribution to the public and press at the time of its introduction.



Edgar A. Baker, Jr., Secretary

Explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

Strike out indicates material deleted from law.

CAPITAL - STRIKE OUT indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill

COUNTY COUNCIL  
OF  
WICOMICO COUNTY, MARYLAND

BILL NO. 2011-12

INTRODUCED BY: Council at request of Executive

Legislative Day No. 24

Date: December 6, 2011

Introduced, read first time, ordered posted and public hearing scheduled on:

Time:

**AN ACT** to temporarily amend Chapter 200, titled "Subdivision of Land" to extend for a period of two years, the approvals and deadlines for certain permits issued by Wicomico County for development projects.

**PUBLIC HEARING:** Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on Jun 3, 2012 and concluded on Jan 3, 2012.

Matthew E. Cream  
Council Administrator

**CERTIFICATION**

The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 3<sup>rd</sup> day of January, 2012.

Matthew E. Cream  
Council Administrator

Presented to the County Executive for approval this 9<sup>th</sup> day of January, 2012 at  
4:35 a.m./p.m.  
(5 days §411)

Matthew E. Cream  
Council Administrator

**BY THE EXECUTIVE:**

Rebecca Kelly  
County Executive

APPROVED

Date: Jan 10, 2012 (21 days §411)

VETOED

Date: \_\_\_\_\_

**EFFECTIVE DATE:**

This Bill having been approved by the County Executive and returned to the Council, becomes law on Jan 10, 2012 and effective on: Jan 10, 2012 (60 days §311)

**ENROLLMENT:**

Legislative Bill No. 2011-12 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Matthew E. Cream  
Council Administrator

Date:

ENROLLED

Joe H. Kelly  
Council President

Date: