

~~or private wetlands in Dorchester County~~ under certain circumstances; authorizing the Secretary of the Environment to issue a ~~license~~ permit for the construction of a dwelling unit or other non-water dependent structure on a pier located on State private wetlands under certain circumstances; and generally relating to construction of dwelling units or other non-water dependent structures on piers.

BY repealing and reenacting, with amendments,
Article - Environment
Section 16-104
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

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

Article - Environment

16-104.

(a) This section does not apply to any project involving the construction of a dwelling unit or other non-water dependent structure on a pier located on State or private wetlands in ~~DORCHESTER AND~~ Prince George's ~~{County}~~ ~~COUNTIES~~.

(b) (1) Except as provided in paragraphs (2) ~~and~~, (3), and (4) of this subsection, notwithstanding any other provision of law, the Board of Public Works may not issue a license under this title for any project involving the construction of a dwelling unit or other non-water dependent structure on a pier located on State wetlands.

(2) This section does not prohibit or restrict the Board of Public Works from issuing a license for a project involving the construction of a dwelling unit or other non-water dependent structure on a pier located within the Critical Area that was issued a permit by the Secretary on or before January 1, 1989.

(3) THE BOARD OF PUBLIC WORKS MAY ISSUE A LICENSE FOR A PROJECT INVOLVING THE CONSTRUCTION OF A NON-WATER DEPENDENT STRUCTURE ON A PIER LOCATED ON STATE WETLANDS IF:

(I) THE PROJECT IS LOCATED IN A MARINA OWNED BY THE STATE, A COUNTY, OR A MUNICIPAL CORPORATION;

(II) THE PROJECT WILL ENHANCE MARITIME TRANSPORTATION, THE PRESERVATION OF HISTORIC LIGHTHOUSES, OR THE CONSTRUCTION OF HISTORICALLY ACCURATE REPLICAS;