

COUNTY COUNCIL
OF
DORCHESTER COUNTY, MARYLAND

BILL NO. 2026-9

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND TO AMEND CHAPTER 68 (CHESAPEAKE BAY CRITICAL AREA) OF THE DORCHESTER COUNTY CODE BY AMENDING THE DEFINITION OF "CRITICAL AREA" FOR CONSISTENCY WITH MD. CODE ANN., NATURAL RESOURCES § 8-1807; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO THE CRITICAL AREA IN DORCHESTER COUNTY, MARYLAND.

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 10-317(a)(4), the County Council of Dorchester County, Maryland (the "County Council") is authorized and empowered to enact local laws to protect and promote public safety, health, morals, comfort, and welfare relating to the erection, construction, repair, and use of buildings and other structures in Dorchester County, Maryland (the "County"); and

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 10-324(a)(1), the County Council is authorized and empowered to enact local laws relating to zoning and planning and to promote public safety, health, morals, and welfare; and

WHEREAS, pursuant to Md. Code Ann., Natural Resources § 8-1808, each local jurisdiction, including the County, shall have primary responsibility for developing and implementing a Critical Area Program, subject to review and approval by the Maryland Critical Area Commission (the "CAC"); and

WHEREAS, the Critical Area Program for the County is set forth in Chapter 68 (Chesapeake Bay Critical Area) of the Dorchester County Code (the "County Code"); and

WHEREAS, pursuant to a letter dated June 17, 2024, the Chair of the CAC advised the County of the need for the County to develop and adopt updated Critical Area Maps for the County and stated that the definition of "Critical Area" may need to be amended to reference the newly adopted maps; and

WHEREAS, on May 11, 2026, the County submitted the proposed amendments set forth herein to the CAC for review and comment; and

WHEREAS, on May 13, 2026, the CAC notified the County that it approved the proposed amendments set forth herein; and

WHEREAS, on July 21, 2026, the County Council held a public hearing regarding the proposed amendments set forth herein, notice of which was published on July 4, 2026, and July 11, 2026, in The Star Democrat, a newspaper of general circulation in the County, in accordance with § 68-18(D) of the County Code; and

WHEREAS, having considered the comments made during the July 21, 2026, public hearing, the County Council is desirous of amending Chapter 68 of the County Code for the purpose of amending the definition of “Critical Area” for consistency with Md. Code Ann., Natural Resources § 8-1807; and

WHEREAS, the County Council finds that the enactments set forth herein are necessary to promote and protect the public health, safety, and welfare.

SECTION ONE: Acting under Md. Code Ann., Local Gov’t §§ 10-317(a)(4), and 10-324(a)(1) and Chapter 68 of the County Code, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 68 (Chesapeake Bay Critical Area) of the County Code be and it is hereby amended to read as follows:

§ 68-1 Definitions.

* * *

B. Terms defined.

* * *

CRITICAL AREA - CA

~~All lands and waters defined in § 8-1807 of the Natural Resources Article, Annotated Code of Maryland. They include:~~

~~(1) All waters of and lands under the Chesapeake Bay and Atlantic Coastal Bays and their tributaries to the head of tide as indicated on state wetland maps;~~

~~(2) All state and private wetlands designated under Title 16 of the Environment Article, Annotated Code of Maryland;~~

~~(3) All land and water areas within 1,000 feet beyond the landward boundaries of state or private wetlands and the heads of tides designated under Title 16 of the Environment Article, Annotated Code of Maryland; and~~

~~(4) Modification to these areas through inclusions or exclusions proposed by local jurisdictions and approved by the Critical Area Commission as specified in § 8-1807 of the Natural Resources Article, Annotated Code of Maryland.~~

(1) The initial planning area of the Chesapeake Bay Critical Area, consisting of all waters of and lands under the Chesapeake Bay and its tributaries to the head of tide as indicated on the State wetlands maps, and all State and private wetlands designated under Title 16 of the Environment Article of the Annotated Code of Maryland; and

(2) Modification to the areas set forth in (1) above through inclusions or exclusions proposed by local jurisdictions and approved by the Critical Area Commission as specified in Md. Code Ann., Natural Resources § 8-1807.

SECTION TWO: With respect to the substantive provisions of this Bill set forth in Section 1, additions are shown in bold, underlined font and deletions are shown in strikethrough. Substantive language added after the date of introduction is in bold, italicized font and substantive language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION THREE: And be it further enacted and ordained that if any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Bill, it being the intent of the County Council that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION FOUR: And be it further enacted and ordained that all bills, ordinances, or parts thereof inconsistent with the provisions of this Bill are hereby repealed to the extent of such inconsistency.

SECTION FIVE: And be it further enacted and ordained that General Code Publishers is directed to codify the above amendments to the Dorchester County Code accordingly.

SECTION SIX: And be it further enacted and ordained pursuant to § 308 of the Charter of Dorchester County, Maryland that promptly after enactment of this Act, the County Manager shall cause a fair summary of this Act to be published at least once in a newspaper of general circulation in Dorchester County, Maryland.

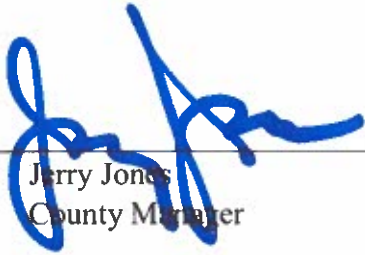
SECTION SEVEN: And be it further enacted and ordained that this Bill shall be known as Bill No. 2026-7 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 21st day of July, 2026.

ATTEST:

COUNTY COUNCIL OF DORCHESTER
COUNTY, MARYLAND

BY:


Jerry Jones
County Manager

BY:


George L. Pfeffer, Jr.
President

Pfeffer - Aye

Detmer - Aye

Kramer - Aye

Nichols - Absent

Travers - Aye