

**CRITICAL AREA COMMISSION**  
**CHESAPEAKE AND ATLANTIC COASTAL BAYS**  
1804 West Street, Suites 100  
Annapolis, Maryland 21401

**MEMORANDUM**

To: Critical Area Commissioners

From: Kate Durant, Natural Resources Planner

Date: April 23, 2025

Subject: New Enforcement Regulations (DRAFT COMAR 27.01.15)

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**Discussion**

At the direction of Chair Fisher, Commission staff are preparing a new set of regulations entitled COMAR 27.01.15- Enforcement. These regulations are intended to consolidate existing language for enforcement and further specify several requirements of the current statute (Natural Resources Article §§8-1808, 8-1815). The majority of the language used for the proposed enforcement regulations comes directly from the statute; additional specificity is provided for timelines and notice.

**Necessity for Regulations**

Local resolutions to outstanding enforcement actions have varied across jurisdictions in terms of timelines. Additionally, the current statute lists maximum fines, and states that mitigation should be provided as part of the resolution of enforcement actions. These new regulations will provide the tools and processes to foster consistent enforcement of the Critical Area law across all jurisdictions.

**Summary of New Regulations**

The proposed regulations will address the following enforcement provisions:

- Property access;
- Active violations and stop work orders;
- Notices of violation;
- Fees and penalties;
- Abatement, restoration, and mitigation plans;
- Timeframes for notifying the property owner of a violation;
- Deadlines for response to a violation from the property owner;
- Appeals processes; and
- Processes for local jurisdictions to request enforcement assistance from the Commission Chair.

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Most of the draft regulations are based on the minimum requirements for an enforcement program found in statute. The draft regulations will also provide additional specificity for various enforcement timeframes as well as required information to be included in a notice of violation.

Further details of this proposal will be provided during the presentation of these regulations to the Commission. A draft will be sent to Commissioners in the coming weeks.

If you have any questions prior to the April 23, 2025 Commission meeting, please contact Kate Durant at (410) 260-3477 or [kathryn.durant@maryland.gov](mailto:kathryn.durant@maryland.gov).