

1 HB790
2 117356-3
3 By Representatives McMillan, Faust, Shiver, Baker (A) and
4 Davis (N & P)
5 RFD: Baldwin County Legislation
6 First Read: 30-MAR-10

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ENROLLED, An Act,

Relating to Baldwin County; to amend Act 1094, 1973 Regular Session (Acts 1973, p. 1860), authorizing the Baldwin County Commission to regulate subdivisions, to limit the application of certain setback requirements after a subdivision has been approved.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act 1094, 1973 Regular Session (Acts 1973, p. 1860), is amended to read as follows:

"Section 2. (a) If any such public street, public road, or drainage structure is erected, constructed, or maintained in violation of the provisions of this act or any regulations made pursuant thereto, the county may institute appropriate action or proceedings to prevent such unlawful erection, construction, or maintenance, or to require such erection, construction, or maintenance to conform to the regulations prescribed therefor.

"(b) Notwithstanding any authority otherwise conferred by this act, after June 15, 1973, once a subdivision has been approved in accordance with the subdivision regulations applicable to the subdivision at the time of approval, the Baldwin County Commission shall have no authority to impose, by amendment to any subdivision regulations, zoning regulations, or otherwise, any new or

1 additional front, side, rear, or wetland setback requirements
2 on any lot contained within a previously approved subdivision
3 which would increase the setback requirements or impose a more
4 restrictive setback requirement on the use of the lot."

5 Section 2. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 06-APR-10.

Greg Pappas
Clerk

Senate

21-APR-10

Passed