

FOR 2 SUCCESSIVE WEEKS IN AT LEAST TWO NEWSPAPERS OF GENERAL CIRCULATION IN THIS STATE. THE NOTICE SHALL SPECIFY A TIME AND PLACE FOR THE PUBLIC HEARING.

(2) AFTER THE HEARING, THE ADMINISTRATION MAY ADOPT THE PROPOSED RULE OR REGULATION.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 89B, §241.

8-809. CERTAIN PREEXISTING JUNK YARDS TO BE SCREENED OR RELOCATED.

(A) SCREENING OF JUNK YARD.

(1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF A JUNK YARD THAT LAWFULLY EXISTED ON JANUARY 1, 1968, IS WITHIN 1,000 FEET OF THE NEAREST EDGE OF THE RIGHT-OF-WAY OF AN INTERSTATE OR PRIMARY HIGHWAY, IS VISIBLE FROM THE MAIN TRAVELED WAY OF THAT HIGHWAY, AND IS NOT LOCATED IN AN AREA DESCRIBED IN §8-807 (A) (3) OR (4) OF THIS SUBTITLE, THE ADMINISTRATION SHALL SCREEN THE JUNK YARD SO THAT IT IS NOT VISIBLE FROM THE MAIN TRAVELED WAY OF THE HIGHWAY.

(2) A JUNK YARD SHALL BE SCREENED UNDER THIS SECTION:

(I) IF FEASIBLE, ON THE HIGHWAY RIGHT-OF-WAY;
OR

(II) OTHERWISE, ON OTHER PROPERTY ACQUIRED FOR THAT PURPOSE.

(B) RELOCATION OF JUNK YARD.

IF THE ADMINISTRATION DETERMINES THAT THE TOPOGRAPHY OF THE LAND OR ECONOMIC FACTORS PREVENT ADEQUATE SCREENING OF A JUNK YARD UNDER THIS SECTION, THE ADMINISTRATION, WITH THE APPROVAL OF THE LOCAL GOVERNMENT, SHALL:

(1) ACQUIRE ANY REAL PROPERTY NECESSARY TO RELOCATE THE JUNK YARD; AND

(2) PAY THE COST OF RELOCATING, REMOVING, OR DISPOSING OF THE JUNK YARD.

(C) ACQUISITION OF PROPERTY.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, PROPERTY MAY BE ACQUIRED UNDER SUBTITLE 3 OF THIS TITLE FOR ANY PURPOSE SPECIFIED IN THIS SECTION.

(2) PROPERTY TO RELOCATE A JUNK YARD UNDER SUBSECTION (B) OF THIS SECTION MAY BE ACQUIRED BY