



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078

410-939-1800

WWW.HAVREDEGRACEMD.COM

Public Notice

Havre de Grace City Council Meeting

PLACE: City Council Chambers
City Hall
711 Pennington Avenue
Havre de Grace, Maryland 21078

TIME: 7:00 p.m.

DATE: Tuesday, February 21, 2023

The public may attend the meeting or view it live by visiting the City of Havre de Grace website at www.havredegracemd.com and click on the City YouTube Videos tab. The video will be available to view on the website immediately following the meeting.



COUNCIL MEETING AGENDA

February 21, 2023

711 Pennington Avenue, Havre de Grace, Maryland

7:00 p.m.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Opening Prayer: Rev. Gene Proud, Proud Evangelistic Association
5. Approval of the Minutes:
 - A. City Council Meeting Minutes – February 6, 2023
 - B. City Council Closed Session Meeting Minutes – February 6, 2023
6. Comments from Citizens
7. Appointments:
 - A. Tourism Advisory Board (CM Martin)
 - i. Katie Noe - Appointment
8. Oath of Office (Administered by Mayor Martin)
 - A. Tourism Advisory Board
 - i. Katie Noe
9. Recognitions: None
10. Proclamations: None
11. Presentations:
 - A. Arts Collective Update (Executive Director Katie Noe and Jim McFarland)
12. Resolutions: None
13. Ordinances:
 - A. **Ordinance No. 1091 concerning Amending City Code 70 Fees: Fourth Reading (CP Ringsaker)**
AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE 70: "FEES" BY REPEALING AND REENACTING ORDINANCE NO. 850, ORDINANCE NO. 856, ORDINANCE NO. 884 AND ORDINANCE NO. 986 TO UPDATE THE DEFINITIONS AND GENERAL SCHEDULE OF FEES CHARGED BY THE CITY FOR VARIOUS PERMITS, LICENSES, AND OTHER SERVICES THEREUNDER

- B. **Ordinance No. 1095 concerning the Transfer of 700 Congress Avenue from Harford County to Havre de Grace: Second Reading (CP Ringsaker)**
AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO RATIFY, AFFIRM, AND ACCEPT THE TRANSFER OF 700 CONGRESS AVENUE, HAVRE DE GRACE, MARYLAND 21078, FROM HARFORD COUNTY, MARYLAND, TO THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE

- C. **Ordinance concerning Amending Chapter 97, Section 4 Historic Preservation Commission: First Reading (CP Ringsaker)**
AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CHAPTER 97, SECTION 4 HISTORIC PRESERVATION COMMISSION

- D. **Ordinance concerning Declaring Surplus Property to Habitat for Humanity: First Reading (CP Ringsaker)**
AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER FOR THE PURPOSE OF DECLARING CERTAIN REAL PROPERTY OWNED BY THE MAYOR AND CITY COUNCIL SURPLUS PROPERTY, AND NO LONGER NEEDED FOR ANY PUBLIC PURPOSE FOR PUBLIC USE, AND OFFERED AT A NOMINAL FEE TO HARFORD HABITAT FOR HUMANITY TO CONSTRUCT THREE HOMES AS PART OF THEIR HOME BUILD CONSTRUCTION PROJECTS

- E. **Ordinance concerning Amending City Code 147 Rental Property: First Reading (CM Schneegas)**
AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE CHAPTER 147 RENTAL PROPERTY

14. Old Business:

- A. Amendment to Resolution 2022-28 Establish the Truck Traffic Workgroup (CM Boyer)

15. New Business:

- A. Budget Amendment 2023-11: Fund City Sponsored Events through FY 2023 (CM Robertson)

- B. Special Events (Steve Gamatoria)
 - i. Easter Sunrise Service, April 9, 2023
6:30 a.m.-7:30 a.m., Tydings Memorial Park

16. Directors Report:

- A. Mr. Steve Gamatoria – Director of Administration
- B. Mr. Tim Bourcier – Director of Planning
- C. Ms. Bridgette Johnson – Director of Economic Development & Tourism
- D. Mr. George DeHority – Director of Finance
- E. Mr. EJ Millisor – Director of Public Works
- F. Chief Teresa Walter – Chief of Police

17. Business from Mayor Martin

18. Business from Council:

- A. Council Member Robertson
- B. Council Member Schneegas
- C. Council Member Martin
- D. Council Member Boyer
- E. Council Member Zinner
- F. Business from Council President Ringsaker

19. Adjournment



**February 6, 2023
Public Hearing Proceedings**

Ordinance 1095 concerning the Transfer of 700 Congress Avenue from Harford County to Havre de Grace was called to order on February 6, 2023 at 7:00 p.m. with Mayor Martin presiding. Council Members present: CP Ringsaker, CM Boyer, CM Martin, CM Robertson, and CM Schneegas. Council Member absent: CM Zinner.

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO RATIFY, AFFIRM, AND ACCEPT THE TRANSFER OF 700 CONGRESS AVENUE, HAVRE DE GRACE, MARYLAND 21078, FROM HARFORD COUNTY, MARYLAND, TO THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE

Comments from Citizens: None
Public Hearing closed at 7:02 p.m.

**February 6, 2023
Council Meeting Proceedings**

The regular meeting of the Mayor and City Council was called to order on February 6, 2023, at 7:02 p.m. with Mayor Martin presiding. Council Members present: CP Ringsaker, CM Boyer, CM Martin, CM Robertson, and CM Schneegas. Council Member absent: CM Zinner.

The Pledge of Allegiance was recited, and the opening prayer was given by Deaconess Renesha Robinson, Agape Church.

CP Ringsaker made an amendment to the agenda to add an item to New Business - 14. A. ii. HB 556 Cannabis Reform Bill.

Approval of Minutes

City Council Meeting Minutes – CM Martin moved to approve the Council Meeting minutes of January 17, 2023. Second by CM Schneegas. Motion carried 5-0.

City Council Public Work Session Meeting Minutes – CM Martin moved to approve the City Council Public Work Session Meeting minutes of January 23, 2023. Second by CP Ringsaker. Motion carried 5-0.

Comments from Citizens

Chief Pete Quackenbush, with the Havre de Grace Ambulance Corps, spoke in support of Resolution 2023-02 as a recruitment tool.

Lewis Fillinger, with the Havre de Grace Recreation Committee, was available to answer any questions on the Easter Egg Hunt.

Dan McLaughlin, Vice President of the Havre de Grace Youth Sailing Camp, asked for support requesting DNR enforce the 6 mph wake zone.

Carol Allen, 814 Market Street, Havre de Grace, spoke in her capacity as Director of the Friends of Concord Point Lighthouse, requesting that the map be changed for the Arts, Wine, Jazz & Soul Festival so that the snow fencing doesn't prohibit use of the public restrooms or veer into the Keeper's House yard. Ms. Allen has been in contact with the event organizer, Pat Cole and she agreed with the changes recommended.

Recognition

Cpl. Bertram Brown was promoted to Sergeant of the Havre de Grace Police Department and recognized for his service.

Presentation

In compliance with City Code, Director Tim Bourcier gave a presentation on the Harford County Schools Growth Report. CP Ringsaker made a motion to accept the Harford County Growth Report. Second by CM Boyer. Motion carried 5-0.

In compliance with City Code, Director EJ Millisor presented the Marina Commission Report. The Marina Commission is requesting an increase in the rates at the City Yacht Marina; the increase is in the proposed fee schedule being voted on at the next Council meeting.

Resolution

Resolution concerning Review and Approval of Criteria used to Characterize “Active” Status for the Basic Credit for Susquehanna Hose Company, Havre de Grace Ambulance Corps, and Havre de Grace Police Department

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTIONS 33 AND 34 OF THE CITY CHARTER TO REVIEW AND APPROVE CRITERIA USED TO CHARACTERIZE "ACTIVE" STATUS FOR THE BASIC CREDIT FOR QUALIFYING MEMBERS OF THE SUSQUEHANNA HOSE COMPANY, HAVRE DE GRACE AMBULANCE CORPS, AND HAVRE DE GRACE POLICE DEPARTMENT

A motion to introduce was made by CM Boyer. Second by CM Schneegas. Motion carried 5-0. The resolution was given number 2023-02. A motion to adopt was made by CP Ringsaker. Second by CM Martin. CM Boyer made a motion to amend line 55 by inserting "... and Susquehanna Hose Company must have 15 years of service to receive the basic tax credit". Second by CM Schneegas. Motion for amendment carried 5-0. After a roll call vote, motion to adopt carried 5-0.

Ordinance

Ordinance No. 1093 concerning Amending City Code 25: Boards, Committees and Commissions

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE 25: BOARDS, COMMITTEES AND COMMISSIONS, ARTICLE I, SECTION 25-0 DUTY TO REPORT/DUTY TO ATTEND WORK SESSION

A motion to introduce was made by CP Ringsaker. Second by CM Martin. Motion carried 5-0. A motion to adopt was made by CM Martin. Second by CP Ringsaker. After a roll call vote, motion carried 5-0.

Ordinance No. 1094 concerning Amending Section 127-10 Food Truck Requirements

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND SECTION 127-10 FOOD TRUCK REQUIREMENTS OF THE CITY CODE CHAPTER 127 TITLED PEDDLING AND SOLICITING

A motion to introduce was made by CP Ringsaker. Second by CM Martin. Motion carried 5-0. A motion to adopt was made by CM Martin. Second by CM Schneegas. After a roll call vote, motion carried 5-0.

New Business

Motion to take a Position on Legislation

A motion to support SB 287/HB 509 State Board of Elections - Municipal Elections - Publication of Results on Website with amendments was made by CP Ringsaker. Second by CM Schneegas. Motion carried 5-0. The amendment clarifies the results don't need to be posted until 30 days after being certified.

HB 556 Cannabis Reform Bill

Adam Rybczynski, Intergovernmental Liaison for the City gave a presentation on the cannabis reform bill (SB 516/HB 556) in Annapolis; both bills are identical. CP Ringsaker made a motion to provide the Administration with the authority to take a position and provide testimony on the bill with amendments. Second by CM Schneegas. CM Martin had concerns that there were no additional trainings established for HR or supervisors in detecting cannabis usage and impairment or a definition of what impairment is, no requirements for training for on-site consumption like there is for alcohol, and if the state will provide and fund additional training for officers. CM Boyer had concerns regarding smoking in public places. CM Robertson had a question on regulation – it won't be micromanaged on the local level – the state is the regulator – we will learn Harford County's position later this week. CM Martin commented that the Maryland Municipal League won't be addressing it until this Wednesday. The bill was dropped the afternoon of February 3, the hearing is February 17, and the testimony is due on February 14. The Council members' concerns will become part of Adam Rybczynski's testimony – he expects to see many amendments. CP Ringsaker reiterated that this motion isn't approval or debating what is in the bill, but to give Administration the authority to testify. The motion carried 5-0.

Budget Amendment 2023-10: Acquire an Edson Pump Out System

A motion to approve was made by CM Robertson. Second by CM Schneegas. CM Robertson explained the reason for the amendment. After a roll call vote, the motion carried 5-0. CM Robertson read the amount into the record.

Special Events

Steve Gamatoria presented the special event applications:

Mardi Gras Parade, February 21, 2023, 6:00 p.m.-7:00 p.m., Bourbon Street, Washington Street, St. John Street. A motion to approve was made by CM Robertson. Second by CP Ringsaker. Motion carried 5-0.

Annual Easter Egg Hunt, April 8, 2023, 12:00 p.m.-12:05 p.m., Concord Point Park. A motion to approve was made by CM Robertson. Second by CM Martin. Motion carried 5-0.

Pyrex & Vintage Fest, April 29, 2023, 9:00 a.m.-4:00 p.m., Pennington Avenue between Lodge Lane, N. Washington & St. John Streets. A motion to approve was made by CM Martin. Second by CM Robertson. Motion carried 5-0.

First Fridays, May 5, June 2, July 7, August 4, September 1, October 6, 2023, 5:00 p.m.-9:30 p.m., Downtown. A motion to approve was made by CP Ringsaker. Second by CM Boyer. Motion carried 5-0.

Pride of Baltimore II Visit, June 2-4, 2023, Time open to the public to be determined, Dock at Hutchins Memorial Park. A motion to approve was made by CM Robertson. Second by CM Martin. Motion carried 5-0.

Arts, Wine, Jazz & Soul Festival, August 12, 2023, 11 a.m.-7:00 p.m., Concord Point Park. A motion to approve was made by CM Martin. Second by CM Robertson. Motion carried 5-0. The City will work with Pat Cole to update the map.

Pyrex & Vintage Fest, September 16, 2023, 9:00 a.m.-4:00 p.m., Pennington Avenue between Lodge Lane, N. Washington & St. John Streets. A motion to approve was made by CM Robertson. Second by CM Boyer. Motion carried 5-0.

Directors Report

Steve Gamatoria, Director of Administration: Mr. Gamatoria commented on the request by Dan McLaughlin regarding the 6 mph no wake zone; in October, 2021, Mr. Gamatoria worked with Glen Fromm to support this issue and we will be a test case – another support letter will be sent before February 13, which is the due date for the final request for comments. The directors were thanked for submitting their budget requests timely; once we have the constant yield rates the budget can be finalized for distribution to the Council members. The Arts Collective is having their Masquerade Ball and Fundraiser on February 18 from 6-10 p.m. at the Community Center.

Tim Bourcier, Director of Planning: Mr. Bourcier thanked Adam Rybczynski for his presentation on the new cannabis legislation; the Planning Department is looking at the legislation and have identified businesses/uses that would go into the zoning code. He has been communicating with George DeHority on fiscal legislation that would impact planning and zoning issues in the City. On February 9 from 6 p.m.-7:30 p.m. at the HdG Activity Center, the Baltimore Metropolitan Council will hold an open house for input on the Route 40 Bike/Pedestrian Lane. A resident in the Chapel Road area is interested in being annexed into the City and there are other properties in that area that aren't in the City too, so we are holding an open house on February 15 at 6 p.m. for anyone to come in to discuss annexation and the benefits of being a part of the City.

Bridgette Johnson, Director of Economic Development & Tourism: Ms. Johnson reported the TRAFx pedestrian counters are located at the Farmers Market, Joe K Trail, the Promenade, and soon to be at the Swan Harbor Trail location; an in depth report will be provided to the Council in March – this information is important when applying for grants. Data from August 22-January 31 shows our largest foot traffic on the Promenade was in August with 57,125 visitors and in January we had over 35,000 visitors. We will be applying for additional grant funds to purchase more pedestrian counters and new software through Zartigo with Visit Harford that tracks people through their cell phones – it doesn't collect personal information, but does let us know where people visit. The Arts Collective moved into the Artists Emporium building at 220 N. Washington Street. The Economic Advisory Board will meet on February 15 at 4 p.m. in the Council Chambers and the Tourism Advisory Board will meet on February 15 at 10 a.m. in the Council Chambers; both meetings are open to the public. The department is in the process of applying for four grants between now and May – 1 at the federal level, 2 at the state level, and 1 at the local level and all are for capital improvement projects. The part-time Main Street & Tourism position is posted on the City's website. Downtown is promoting "Share the Local Love HdG Pink Saturday" on February 11 from 12 p.m.-4 p.m.; people were encouraged to visit Explore Havre de Grace for details and more information on upcoming events. They will be attending Tourism Day in Annapolis on February 10 to meet with delegates and senators to discuss any legislation affecting tourism and advocating for additional funding.

George DeHority, Director of Finance: Mr. George DeHority thanked the Council for approving the budget amendment. He reported on the current financial condition of General Fund 1, Water/Sewer Fund 9, and Marina Fund 8. The General Fund 1 balance is \$5,461,800, which is \$212,400 above budget. The Water/Sewer Fund 9 is \$1,705,300, which is \$966,100 below budget. The Marina Fund 8 balance is \$1,321,300, which is \$199,000 above budget.

EJ Millisor, Director of Public Works: Mr. Millisor reported the BGE gas line project at Lewis & Revolution is underway – they were awaiting parts and expect to wrap up in 1-2 weeks. A new sewer line is being installed on Giles Street due to tree roots growing into the sewer lateral; residents should contact DPW before planting trees for advice on the right location and proper species. The project on Green Street should wrap up in 2-3 weeks. There will be a city-wide cleanup event on Earth Day – April 22.

Chief Teresa Walter, Havre de Grace Police Department: Chief Walter thanked everyone who donated to the Team Havre de Grace for the Polar Bear Plunge to raise funds for Special Olympics; we set a goal of \$5,000 and raised \$6,557. The mobile barriers have arrived and we are waiting for the trailer to move them around – the Council was thanked for passing the budget amendment to purchase the barricades. The system for the judgmental shooting is on its way – Council members were invited to try the system when it is installed. Sgt. Brown was congratulated on his promotion – he is a phenomenal police officer who is devoted to the City.

Business from Mayor Martin

Mayor Martin reported the next event at the STAR Centre on February 11 at 7:30 p.m. is 80's Re-Prom featuring the band 80's Revolution and will be in the gymnasium – people can dress up in 80's style. Police officers were congratulated for raising the funds for the Special Olympics through the Polar Bear Plunge.

Business from Council

Council Member Zinner: CM Zinner was not in attendance.

Council Member Robertson: CM Robertson reported that College Prep 101 will be February 18, 10:30 a.m.-12:30 p.m. at the Havre de Grace Library; this is a partnership between the Havre de Grace Youth Commission, Harford County Public Library, and Harford Community College.

Council Member Schneegas: CM Schneegas thanked Director Bourcier for presenting the Harford County Schools Growth Report. Director Millisor was thanked for presenting the Marina Commission Report. DPW staff were thanked for the beautiful sidewalk on Juniata Street and CM Boyer was thanked for requesting the sidewalk.

Council Member Martin: CM Martin thanked Chief Walter and the officers for the funds raised for the Special Olympics through the Polar Bear Plunge. Sgt. Brown was congratulated for his promotion. Thoughts and prayers were offered for a speedy recovery for CM Zinner.

Council Member Boyer: CM Boyer congratulated Sgt. Brown for his promotion. At the Truck Traffic Workgroup meeting, they identified a couple of truck routes that they need to document; their next meeting is February 13 at noon via phone. At the Street & Traffic Safety Advisory Board meeting, they identified three

priority locations for additional sidewalk projects – (1) Market Street by the firehouse, (2) Juniata Street from Erie Street to Otsego Street, and (3) Lafayette Street from the Lighthouse to Market Street. The BEYA Conference is February 10-11 – this is a hiring fair including APG – you can apply online.

Council President Ringsaker: CP Ringsaker reported on the visit to Annapolis with other Council members, the Mayor and his staff to meet with the Harford County Delegation. The Havre de Grace Rec Football registration date is February 13. Little League registration (baseball, softball, t-ball) is currently open and ends February 20 with Opening Day on April 22. Life Scout Paul Davis from Troop 965 was congratulated for his work on his Eagle Scout project at the blacksmith shop at the Steppingstone Museum.

Motion to move into Closed Session

CP Ringsaker made a motion to move into closed session at 9:08 p.m. under General Provisions Article Section 3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto. The Council will not reconvene in open session after the closed session and votes, if any, will be recorded in public at the Council meeting on February 21, 2023. Second by CM Martin. Motion carried 5-0.

[The full Open Meetings Act Closing Statement is below.]

Adjournment

CP Ringsaker made a motion to adjourn at 9:09 p.m. Second by CM Martin. Motion carried 5-0.

Video recording of the City Council Meeting may be viewed through the City of Havre de Grace YouTube channel.

Submitted by: Tamara Brinkman

PRESIDING OFFICER'S ORAL STATEMENT

FOR CLOSING A MEETING

UNDER THE OPEN MEETINGS ACT (General Provision Article 3-305)

Motion to go into a closed session upon adjournment of the open session on Monday, February 6, 2023 to consider the following matter:

1. Acquisition of real property for a public purpose.

This meeting will be closed under General Provisions Article Section 3-305(b)(3):

To consider the acquisition of real property for a public purpose and matters directly related thereto.

The reason for closing the meeting is:

Deliberations for acquisition of real property in a confidential setting is in the City's and public's best interest and are permitted under the Open Meetings Act.

THE CITY COUNCIL WILL NOT RESUME OPEN SESSION AFTER THE CLOSED SESSION AND VOTES, IF ANY, WILL BE RECORDED IN PUBLIC AT THE COUNCIL MEETING ON FEBRUARY 21, 2023.

PUBLIC SUMMARY VERSION

MINUTES OF HAVRE DE GRACE CITY COUNCIL MEETING

Closed Session

Monday February 6, 2023

City Hall
711 Pennington Avenue
Havre de Grace, MD 21078

Time of Closed Session: 9:22 PM

Place: City Hall, Mayor's office.

Purpose: Consideration of acquisition of real property for a public purpose.

Council Members Attending: CP Ringsaker, CM Boyer; CM Robertson; CM Martin; CM Schneegas.
Absent: CM Zinner.

Also present at the meeting: Mayor Martin, Advisor Taylor, Director Gamatoria, City Attorney A. Ishak.

Vote to go into Closed Session (vote taken at open session 9:08 PM): CP Ringsaker; 2nd by CM Martin, with all council members voting in favor 5-0 (CM Zinner Absent)

Authority under Section 3-305 for the closed session: General Provision Article 3-305(b)(3) for the purposes set forth above.

Topics actually discussed:

Director Gamatoria gave the council members an update on the opportunity for the City to purchase various properties. Property # 1 ideally could be used for parking due to its proximity to downtown.

Action taken: Motion made by Council requesting Director of Administration go back to the property owner and request a further discount on the price due to a slight adjustment of the property lines. Council maintained its previous "cap", but requested a negotiation occur to reduce the "cap" price. Motion passed 5-0.

Property #2 involved parcels from two separate owners. The properties together could be used for MS4 projects near Lily Run, and will likely accrue MS4 permit credits and possibly qualify for funding under ARPA funding.

Action taken: Motion by Council Member Robertson, second by Council Member Boyer, for the City to pursue purchase options of Property #2 with the condition that MS4 credits could be accrued and transferred to the County or other entity. Motion passed 5-0.

Property #3 involved property located on the north end of town. The potential public uses for the property are parking spaces, park expansion or a truck stop area.

The Council discussed whether Property #3 was needed for a public purpose. The Director of Administration was advised to continue discussions to include possible incentive which may include widening of road frontage. No further action was taken.

Motion to adjourn the closed session by CM Martin, second by CM Ringsaker. Motion carries 5-0.

Time of Adjournment of Closed Session: 9:49 PM

PRESIDING OFFICER'S ORAL STATEMENT

FOR CLOSING A MEETING

UNDER THE OPEN MEETINGS ACT (General Provision Article 3-305)

Motion to go into a closed session upon adjournment of the open session on **Monday, February 6, 2023** to consider the following matter:

1. Acquisition of real property for a public purpose.

This meeting will be closed under General Provisions Article Section 3-305(b)(3):

To consider the acquisition of real property for a public purpose and matters directly related thereto.

The reason for closing the meeting is:

Deliberations for acquisition of real property in a confidential setting is in the City's and public's best interest and are permitted under the Open Meetings Act.

THE CITY COUNCIL WILL NOT RESUME OPEN SESSION AFTER THE CLOSED SESSION AND VOTES, IF ANY, WILL BE RECORDED IN PUBLIC AT THE COUNCIL MEETING ON FEBRUARY 21, 2023.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. Complete items 1 – 4:

1. **Recorded vote to close the meeting:** Date: 2/6/2023; Time of Vote to Close: 9:08 PM;
Location: City Hall Council Chambers, 711 Pennington Avenue, Havre de Grace, Maryland 21078;
Motion to close meeting made by: CP Ringsaker; Seconded by: D. Martin;
Members in favor: Casi Boyer (Y/N), Dave Martin (Y/N), Jim Ringsaker (Y/N), Jason Robertson (Y/N),
Tammy Lynn Schneegas (Y/N), Carolyn Zinner (Y/N);
Abstaining: _____;
Absent: Zinner

2. **Statutory authority to close session (check all provisions that apply):**

This meeting will be closed under General Provisions Art. § 3-305(b) only:

- (1) ___ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals";
- (2) ___ "To protect the privacy or reputation of individuals concerning a matter not related to public business";
- (3) X "To consider the acquisition of real property for a public purpose and matters directly related thereto";
- (4) ___ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State";
- (5) ___ "To consider the investment of public funds";
- (6) ___ "To consider the marketing of public securities";
- (7) ___ "To consult with counsel to obtain legal advice";
- (8) ___ "To consult with staff, consultants, or other individuals about pending or potential litigation";
- (9) ___ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations";
- (10) ___ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans";
- (11) ___ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination";
- (12) ___ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct";
- (13) ___ "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter";
- (14) ___ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session
§3-305(b)(3)	Acquisition of real property for a public purpose.	Deliberations for acquisition of real property in a confidential setting is in the City's and public's best interest and are permitted under the Open Meetings Act.

4. This statement is made by , Presiding Officer.
CP Ringsaker (signature)

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING

Start Time of closed session: 9:22 ^{9:22} PM

Place: Havre de Grace City Hall, Council Chambers 711 Pennington Avenue, Havre de Grace, Maryland

Purpose(s): (b)(3) Acquisition of real property for a public purpose.

Members who voted to meet in closed session: Casi Boyer (Y/N), Dave Martin (Y/N), Jim Ringsaker (Y/N), Jason Robertson (Y/N), Tammy Lynn Schneegas (Y/N), Carolyn Zinner (Y/N);

Abstaining: _____;

Absent: Zinner.

Persons attending closed session: Ringsaker, Boyer, Martin, Robertson, Schneegas, Zinner
(cross out those not in attendance)

OTHERS: Steve Gamataria; City Attorney; Mayor Martin; Randy Taylor

Authority under § 3-305 for the closed session: (b)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

Topics actually discussed: See minutes

Actions taken (if any): See minutes

Each recorded vote: Casi Boyer (Y/N), Dave Martin (Y/N), Jim Ringsaker (Y/N), Jason Robertson (Y/N), Tammy Lynn Schneegas (Y/N), Carolyn Zinner (Y/N)

Motion to adjourn made by: see minutes; Second by: _____; Time: _____

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1091 concerning Amending City Code 70: Fees**

Date: **1/4/2023**

(4th Reading)

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- FYI
- Read and Comment as Needed Action**
- Required by February 21, 2023**
- In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment

Comment: _____

Dave Martin Yes No No Comment

Comment: _____

Jim Ringsaker Yes No No Comment

Comment: _____

Jason Robertson Yes No No Comment

Comment: _____

Tammy Lynn Schneegas Yes No No Comment

Comment: _____

Carolyn Zinner Yes No No Comment

Comment: _____

Note:

Planned Schedule:

First Reading: 11/21/2022
Public Hearing: 12/5/2022
Second Reading: 12/19/2022
Third Reading: 1/3/2023
Fourth Reading: 2/21/2023

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1091

Introduced by _____ Council President Ringsaker _____

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE 70: "FEES" BY REPEALING AND REENACTING ORDINANCE NO. 850, ORDINANCE NO. 856, ORDINANCE NO. 884 AND ORDINANCE NO. 986 TO UPDATE THE DEFINITIONS AND GENERAL SCHEDULE OF FEES CHARGED BY THE CITY FOR VARIOUS PERMITS, LICENSES, AND OTHER SERVICES THEREUNDER

On: November 21, 2022

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Ordinance having been published according to the Charter, a public hearing was held on 12/5/2022 at 7:03 p.m., and concluded on 12/5/2022 at 7:37 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

[Bold Brackets] indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

36 **WHEREAS**, the Mayor and City Council of Havre de Grace declared with the passage of
37 Ordinance No. 850, on March 1, 2004, that it was desirable, and in the public interest to pass a
38 single ordinance for the purpose of establishing and setting forth a general schedule of the most
39 common fees charged by the City of Havre de Grace for various permits, licenses and other
40 services; and

41

42 **WHEREAS**, with the passage of Ordinance No. 856, on March 17, 2004, to amend and clarify
43 the general schedule of the fees charged by the City of Havre de Grace for various permits,
44 licenses, water and sewer capital costs, and other services; and

45

46 **WHEREAS**, with the passage of Ordinance No. 884, on April 16, 2007, several updates to City
47 Code 70 were implemented to include additional language referencing "fees not listed", a new
48 section that included definitions, and updating several fees; and

49

50 **WHEREAS**, the last such update was introduced and passed by the Mayor and City Council of
51 Havre de Grace on January 17, 2017 by Ordinance No. 986 to establish Race Event fees in the
52 City of Havre de Grace; and

53

54 **WHEREAS**, the Mayor and City Council of Havre de Grace find it necessary, desirable, and in
55 the best interest, health and general welfare of the City to amend Chapter 70 and clarify the
56 language, and update and add to the schedule of fees charged by the City for various permits,
57 licenses, water and sewer capital costs, and other services thereunder.

58

59 **NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, the Mayor and City Council of
60 Havre de Grace, in accordance with the authority vested in The Mayor and City Council of Havre
61 de Grace, by law and the Charter of the City of Havre de Grace hereby amends Chapter 70 of the
62 Code of the City of Havre de Grace by repealing Ordinance No. 986, adopted by the Mayor and
63 City Council on January 17, 2017, and enacting in its place this Ordinance No. 1091 as follows:

64

65 **70-1 General fee schedule established.**

66 The following is an enactment listing the specific fees collected from the various ordinances,
67 resolutions, and policies for the City as they shall be established as of the effective date of this
68 chapter.

69

70 **70-2 Professional services.**

71 The fee schedule in section 70-5 is for services provided exclusively by City Administration staff
72 personnel, unless otherwise noted. In the event services require professional services from an
73 independent organization as determined by the Director, the applicant will be responsible to
74 reimburse the City the total cost of the outside professional plus a \$100 administrative fee. In the
75 event the City must use an outside professional, the applicant will be notified of the cost before
76 any services are rendered. The applicant may withdraw their request for the service before the
77 parties enter into a binding agreement for the services. After contracting, the applicant will be
78 responsible for all costs incurred by the City by the outside contractor, including cancellation, plus
79 a \$100 administrative fee."

80

81 **70-3 Fees not listed in this chapter.**

82 This chapter represents a general compilation schedule of the most common fees charged by the
83 City of Havre de Grace for various permits, licenses and other services. Citizens are urged to

84 consult the specific ordinance, resolution, or policy for fees charged associated with permits,
 85 licenses, and other services not listed in this chapter. Additional State and County Codes may be
 86 applicable (Plumbing, Mechanical & Electric), as well as other City Ordinances or Codes (listed
 87 at the end of this section) that may include additional costs. The Director of Planning or designee
 88 may determine the applicability for a building permit and associated fee if not specifically covered
 89 by this fee schedule or other City ordinances.

- 90 1. Chapter 1 – General Provisions; Civil Sanctions
- 91 2. Chapter 38 – Cable Communications
- 92 3. Chapter 49 – Critical Areas
- 93 4. Chapter 61 – Elections
- 94 5. Chapter 81 – Forest Conservation
- 95 6. Chapter 112 – Open Air Markets
- 96 7. Chapter 120 – Nuisances
- 97 8. Chapter 127 – Peddling & Solicitation
- 98 9. Chapter 162 – Solid Waste
- 99 10. Chapter 166 – Special Assessments
- 100 11. Chapter 174 – Swimming, Fishing and Camping
- 101 12. Chapter 177 – Taxation
- 102 13. Chapter 180 – Taxicabs
- 103 14. Chapter 186 – Trees
- 104 15. Chapter 190 – Vehicles and Traffic
- 105 16. Chapter 196 – Water and Sewer Rates
- 106 17. Chapter 205 – Zoning

107
 108 **70-4 Definitions.**

109 For the purposes of this chapter, the following words, terms and phrases shall, unless language or
 110 context indicates that a different meaning is intended, be given the meaning as herein set forth:

111
 112 ANNUAL USE (FOR-PROFIT)

113 The leased area will be used to generate income for the business (i.e. seating, entertainment, sale
 114 of food, beverages, goods or services) regardless of whether any portion of profits are shared with
 115 a non-profit.

116
 117 ANNUAL USE (NON-PROFIT)

118 The property involves a lease with or for the benefit of the operation of a non-profit organization
 119 and the leased area is needed for safe ingress or egress, for example, an entry porch, steps, handicap
 120 ramp or walkway, but shall not include such encroachments as a driveway or parking pad. For
 121 other types of leases with the non-profit, the City Council must consider whether to pass an
 122 ordinance to enter a Lease or a boundary line agreement with the non-profit property owner
 123 expressly stating that such use of the property by the non-profit furthers the City’s general purposes
 124 or aids in education or charity within the City.

125
 126 BUILDINGS BUILT FOR HUMAN OCCUPANCY

127 Shall include but not be limited to the following uses: all residential buildings, church, school,
 128 theater, lecture hall, restaurant, museum, nightclub, library, exhibition hall, terminal, recreation
 129 center, community center, gymnasium, physical fitness center, retail and/or sales, office, service
 130 and/or repair, personal care, animal care and boarding, manufacturing, industrial, hospital, health

131 care, nursing home, medical, dental, public utility structure, day care, hotel, motel, conference
132 center, club, telecommunications, research and development, bank, and funeral care.

133

134 CARPORTS

135 Shall be designed such that there are a minimum of two open sides and shall be fire rated for a
136 minimum of one-hour fire protection from the interior side of the structure when attached to an
137 occupied structure. Subsequent storm water runoff from the structure shall not discharge within 10
138 feet of any adjoining property line.

139

140 CONSTRUCTION DUMPSTER PERMITS

141 Not required when dumpsters are located on property under development where the City of Havre
142 de Grace has not taken possession of the streets or rights-of-way on which a dumpster may be
143 located. A permit is required for any construction dumpster proposed to be located on City property
144 or City right-of-way or a public or private street (road, lane or alley) whereby that public or private
145 street has been given final construction approval and accepted by the City of Havre de Grace
146 whether maintained by the City or not. No dumpster shall block the use of any public sidewalk or
147 any driveway or obstruct or otherwise affect any emergency response vehicle or personnel. Any
148 dumpster proposed or necessitated to use any street for its temporary location shall first obtain the
149 approval of the City of Havre de Grace Chief of Police or designee and shall be required to obtain
150 a permit from the Department of Planning. "Temporary" as contained in this chapter, shall mean
151 no more than 60 days plus two thirty-day extensions granted by the Department of Planning upon
152 written request within any one-year period.

153

154 DECKS

155 An attached or detached non-enclosed exterior structure for social use as a deck/porch/patio. Shall
156 include any approved material (including masonry/brick/stone or other approved exterior finish
157 material, elevated more than 24 inches above the immediate finished grade). May have a roof.
158 Requires a permit at the deck rate.

159

160 DEMOLITION, FULL

161 The complete razing of a structure but may preclude the removal of the existing supporting
162 foundation. At the discretion of the Code Official, a demolition permit may not be required for the
163 removal of accessory buildings typically used for storage and which do not contain water or sewer
164 connections made directly to City water and sewer distribution lines or composed of or containing
165 hazardous material. Contact the City Code Official for determination on specific buildings.

166

167 DEMOLITION, PARTIAL

168 The removal of a specific section or portion of a structure which includes structural components
169 with or without replacement.

170

171 EXCLUSIVE USE

172 The leased area is used exclusively by the applicant and their invited guests while excluding the
173 public from the use and enjoyment of the property. Exclusive use leases shall only be allowed
174 where such exclusive use predated the adoption of the City's Zoning Code on March 15, 1982. No
175 new exclusive use leases will be granted after the date of this Ordinance unless the City Council
176 passes an ordinance expressly stating that the subject property is no longer needed for a public
177 purpose and that the City will enter into a boundary line agreement with the property owner for a
178 price equal to the taxable amount attributable to the square footage of such property or the fair

179 market value, whichever is greater. After the date of this Ordinance, any existing fences on City
180 Property which permit exclusive use to a private property owner by an existing lease or license
181 shall either be converted to boundary line agreements or such fences shall be removed and
182 relocated to the property owner's lot line subject to any setbacks.

183

184 FOOD TRUCK OPERATOR/HAWKER/VENDOR/PEDDLER/SOLICITOR (PEDDLING &
185 SOLICITING)

186 Food Truck Operator: Any vendor that sells any sort of food product for consumption in the City
187 limits from a truck, trailer, mobile smoker/grill or pull-behind cart such as a hot dog cart. Hawker:
188 A peddler who sells his/her wares by outcry in the streets and public places. Itinerant Vendor or
189 Transient Merchant: A person who is established in business in the City with the intention and
190 determination to remain for a short period of one or more weeks or months, or until a particular
191 stock of merchandise is disposed of or until the local market for the commodity handled by the
192 dealer has been exhausted, and who, for such limited period, engages or occupies a lot of ground
193 or the improvements thereon or a part thereof for the exhibition and sale of his goods or wares.
194 Peddler: A person who goes from place to place and/or from house to house carrying for sale
195 and/or exposing for sale goods, wares and merchandise which he/she carries; or a vendor of goods
196 who sells and delivers to customers the identical goods which he/she carries. Solicitor: A person
197 who, going from person to person, house to house, or place to place, seeks orders, subscriptions,
198 contributions or any other kind of support, or who, without necessarily having the intention of
199 making a direct sale, distributes literature, pamphlets, handbills, samples and the like for
200 commercial purposes.

201

202 FOR PROFIT

203 A business or other organization based on IRS determination whose primary goal is making money
204 (a profit), and is concerned with money only as much as necessary to keep the organization
205 operating.

206

207 NEW WINDOW OR DOOR

208 Shall apply to newly cut openings or expanded openings into a structural or nonstructural exterior
209 wall of an occupied structure. No permit is required for replacement windows or doors installed
210 within an existing opening.

211

212 NON-EXCLUSIVE USE

213 The leased area is needed for safe ingress or egress, for example, an entry porch, steps, handicap
214 ramp or walkway, but shall not include such encroachments as a driveway or parking pad.

215

216 NON-PROFIT (NPO) (also known as a "non-business entity")

217 An organization based on IRS determination the purpose of which is something other than making
218 a profit, such as charity, education, history or the arts. In economic terms, a nonprofit organization
219 uses any surplus income for the organization's purpose or mission and is not distributed to the
220 organization's shareholders (or equivalents) as profit or dividends. This is known as the non-
221 distribution constraint. The decision to adopt a nonprofit legal structure is one that will often have
222 taxation implications, particularly where the nonprofit seeks income tax exemption, charitable
223 status and so on or to obtain funds from others and provide an income deduction.

224

225 PEDDLING AND SOLICITING

226 Includes Food Trucks, Hawkers, Itinerant Vendors, Transient Merchants, Peddlers, and Solicitors.

227 PERMIT REISSUANCE FEE

228 Any building permit that is deemed to have been abandoned for any period of six months or longer,
229 shall be deemed expired. The Code Official may grant one extension (upon a written request for
230 an extension by the permit applicant received by the Code Official) for up to 90 days. Request for
231 extension must be requested within 30 days of expiration notification. Work must be diligently
232 pursued prior to extension expiration in order to keep the permit valid. Additional extensions will
233 be reviewed on a case-by-case basis. All work must be completed and pass all final inspections
234 before a permit is deemed Closed. Incomplete expired permits may be subject to Permit Violation
235 Fees following written notice.

236

237 PERMIT VOIDED

238 Any building permit approved for any proposed work not commenced within six months of the
239 issuance of the building permit shall be voided. After a permit has been applied for, but not issued
240 due to additional documentation required, shall be voided if the required documentation has not
241 been received within six months of application date.

242

243 RETAINING WALL

244 A wall subjected to or built to sustain lateral pressure other than wind pressure. A retaining wall
245 built with an unbalanced fill exceeding three feet shall be designed and built in accordance with
246 construction plans designed and sealed by a Maryland licensed engineer with applicable
247 knowledge in such design; photocopied plans with the applicable seal are acceptable or as
248 determined by the Code Official.

249

250 SCREEN ROOMS

251 Screen rooms are for seasonal use only, enclosed with screening only. Cannot have solid walls or
252 windows which would create an addition or sunroom. No plumbing fixtures are permitted within
253 a sunroom; electrical outlets and/or ceiling fans or lighting are permitted and shall be installed in
254 accordance with all applicable electric code requirements and shall require an electrical permit.

255

256 SMALL CELL WIRELESS TOWER

257 "Small cells," which are low powered wireless base stations that function like traditional cell sites
258 in a mobile wireless network, but typically cover targeted indoor or localized outdoor areas; have
259 a "distributed antenna systems (DAS) which are numerous antennae, commonly known as nodes
260 similar in size to small cells and are connected to and controlled by a central hub" may be attached
261 to a support structure (new or an existing utility pole).

262

263 STORAGE CONTAINERS, TEMPORARY

264 No storage container shall be permitted in a City right-of-way nor on City property without City
265 authorization and a permit; no storage containers shall be permitted to be placed in any portion of
266 a front yard of a residential property other than a driveway; temporary storage containers as
267 referenced in this fee schedule pertain to storage units limited in use to a maximum of 60 calendar
268 days starting on day of delivery. Permit fees based on each 60-day period, not to exceed 180 days.

269

270 STRUCTURES

271 (Designed and) built for human occupancy shall include those applicable classifications as listed
272 in the International Building Code and the International Residential Code for One- and Two-
273 Family Dwellings.

274

275 SUNROOMS

276 Sunrooms are fully enclosed structures with solid walls and/or windows, applied for as an addition,
 277 subject to property line setbacks as shown in Attachment I / Table I under Chapter 205, Zoning.
 278 No plumbing fixtures are permitted within a sunroom; electrical outlets and/or ceiling fans or
 279 lighting are permitted and shall be installed in accordance with all applicable electric code
 280 requirements and shall require an electrical permit.

281

282 WATER AND/OR SEWER DISCONNECTION/ABANDONMENT

283 In matters regarding structure demolitions, both water and sewer lines serving the structure to be
 284 razed shall be disconnected at the utility main if the utilities are no longer required, or need to be
 285 upgraded. All work performed within a City right-of-way shall be performed by City personnel,
 286 unless written permission is provided by the Director of Public Works and is subject to applicable
 287 disconnection fees chargeable to the property owner of the subject demolition

288

289 **70-5 Fee Schedule**

FEE TYPE	FEE CHARGE
RESIDENTIAL - New Construction	
1- and 2-family	\$.25 s/f - minimum \$450
Multi-family (condominiums)	Shell/Common Areas: \$.12 s/f - minimum \$200 Each Dwelling Unit: \$.25 s/f - minimum \$450
Multi-family (apartments)	\$.25 s/f entire building
Hotel, Motel, Assisted Living, Rooming House, and similar type uses	Shell/Non-Sleeping Areas: \$.12 s/f - minimum \$300 Each sleeping room: \$100 up to 400 s/f (add \$.25 per s/f over 400)
RESIDENTIAL – Other	
Additions (including sunroom)	\$.12 s/f – minimum \$350
Screen Room	\$.12 s/f – minimum \$100
Open deck (with or without roof)	\$.10 s/f – minimum \$75
Renovations / Alterations / Repairs	\$.10 s/f – minimum \$75
Masonry, Brick, or Stone Exterior Façade	\$100
Garage (attached or detached)	\$.25 s/f – minimum \$100
Storage building – under 200 sq ft	\$50
Storage building – over 200 sq ft	\$.25 s/f – minimum \$75
Retaining Wall – over 3 ft height	\$ 1 linear ft – minimum \$100
Impervious Patio	\$50 – over 200 sq. ft.
Fencing	\$50
Driveway and/or Curb Cut	\$75
Demolition - FULL	\$500
Demolition - PARTIAL	\$100

290

Demolition (training exercise by Fire Department)	No Fee
Swimming Pool - above ground	\$50
Swimming Pool - in-ground	\$100
Window or Door (new or enlarged opening)	\$75 first - \$10 each additional
COMMERCIAL - New Construction	
Non-High Hazard Uses	\$.12 per s/f - minimum \$300
High Hazard Uses	\$.15 per s/f - minimum \$500
(Multiple occupancy buildings will require individual Use & Occupancy permits)	
Marina	\$500 plus \$20 per slip
COMMERCIAL - Other	
Use & Occupancy (no modifications)	\$100
Use & Occupancy (with modifications)	\$.12 per s/f - minimum \$200
Additions	\$.12 per s/f - minimum \$500
Signs	\$50 each - up to 24 sq ft / \$75 each - over 24 sq ft
Demolition - FULL	\$500 up to 5000 sq ft / \$750 over 5000 sq ft
Demolition - PARTIAL	\$200
Demolition (training exercise by Fire Department)	No Fee
Swimming Pool (club - public or private / above ground or in-ground)	\$200
Fencing	\$75 plus \$.05 per lin. Ft. over 250
Retaining Wall (any height)	\$1 linear ft - minimum \$100
Window or Door (new or enlarged opening)	\$75 first - \$10 each additional
Tank - above ground or below ground (requires MDE approval)	\$250
Driveway and/or Curb Cut	\$100
UTILITIES	
Small Cell Wireless Facilities	\$500 Application Fee (up to 5 devices) \$100 per device after first 5 \$270 Annual Fee
Utility or Communication Tower (new)	\$500
Utility or Communication Tower (replacement or addition of equipment on existing tower)	\$200

NEW DEVELOPMENT	
Concept Plan	\$200 plus \$10 per acre Over 100 acres - \$1,000 plus \$20 per acre
Site Plan Review - Residential	\$250 plus \$50 per dwelling lot
Site Plan Review - Commercial	\$400 plus \$50 per acre
Site Plan Revisions (Residential or Commercial)	\$150 plus \$10 per lot/unit/acre affected
Subdivision	\$250 plus \$50 per lot
Lot Consolidation	\$50
Stormwater Management Review (In-house)	\$300 plus \$50 per hour over 4 hours
Stormwater Management Review (3 rd party)	Third party reviewer invoice at market rate plus \$100 City administrative fee
Forest Stand Delineation (FSD)	Included under FCP permit
Forest Conservation Plan (FCP) (In-house)	\$300 plus \$10 per acre of conservation area
FSD and FCP (3 rd Party)	Third party reviewer invoice at market rate plus \$100 City administrative fee
Grading Permit	\$100
Landscape / Lighting Plans	\$200
CAPITAL COST RECOUPMENT FEES	
Bulle Rock – Water	\$577 per unit
Bulle Rock Rt. 40 – Sewer	\$1,552 per unit
Bulle Rock Rt. 40 – Forced Sewer Main Non-Residential	\$27,625 per acre
Bulle Rock Rt. 40 – Forced Sewer Main, Residential	\$6,222 per unit
Greenway Farms – Water Main	\$1,210
MISCELLANEOUS	
Board of Appeals - hearing fee	\$350
Board of Appeals - minimum transcript fee	\$100 (balance due following transcribers invoice)
Construction Dumpster (in City right-of-way)	\$50 per maximum 14 calendar days
Temporary Storage Pod	\$50 per 60 calendar day period (180 days maximum)
Boat Pier (requires State approval)	\$50
Bulkhead (requires State approval)	\$50 per 100 ft.
Administrative Fee for Permit Revisions	\$50
Reissue Expired Permit with Department Approval	\$75 or cost of original permit, whichever is less
Written notice of permit violation, working without a valid license or permit, issuance of a Stop Work Order (in addition to regular permit fees)	\$250 First occurrence \$300 Second occurrence \$350 Subsequent occurrence (with Administrative Hearing)

Property Maintenance Inspection Fee	\$55 first and second occurrence \$100 subsequent occurrences
Sewer Clean-Out Caps (Lost or Damaged)	4" Lid & Gasket = \$40
	6" Lid & Gasket = \$70
Water Meter Replacement Lid	\$150
License Agreements: Residential	
Administrative and Recordation Fees	\$300
Annual Use Fee	\$50
License Agreements: Commercial:	
Administrative and Recordation Fees	\$300
Annual Use Fee	\$50
Lease Agreements: Residential	
Administrative and Recordation Fees	\$300
Exclusive Use	\$1 per square foot per year – Lease cannot exceed 50 years
Non-Exclusive Use	No Annual Fee Lease cannot exceed 50 years
Lease Agreements: Commercial:	
Administrative and Recordation Fees	\$300
Annual Use (for profit)	\$1.25 per square foot
Annual Use (non-profit)	No Fee
Document Copies (black & white only)	\$.30 per page - letter size
	\$.40 per page - legal size
	\$.50 per page - ledger size
	\$4 per page - 18" x 24" or larger
Large Document Scanning	\$2 per page
CITY BUILDING FACILITIES	
Community Center	
Rental Fee	\$1,100 per event 50% non-refundable deposit Balance due 60 days prior to the event
Key Deposit	\$100 Refundable if all conditions are met
Community Pavilion at Hutchins Memorial Park	
	\$250 per day

STAR Centre	
Large Gym	
ANY Ticketed Events	10% of Ticket Sales
Weekdays (available 6 am – midnight)	\$100 per hour (2 hour minimum) or \$750 per day
Weekends (available 6 am – midnight)	\$200 per hour (2 hour minimum) or \$1,500 per day
Housekeeping Fee	\$350 per event
Small Gym	
ANY Ticketed Events	10% of Ticket Sales
Weekdays (available 6 am – midnight)	\$60 per hour (2 hour minimum) or \$450 per day
Weekends (available 6 am – midnight)	\$150 per hour (2 hour minimum) or \$1,000 per day
Housekeeping Fee	\$350 per event
Auditorium	
ANY Ticketed Events	10% of Ticket Sales
Weekdays (available 6 am – midnight)	\$60 per hour (2 hour minimum) or \$450 per day
Weekends (available 6 am – midnight)	\$200 per hour (2 hour minimum) or \$1,500 per day
Technician	\$20 per hour (4 hour minimum)
House Manager	\$20 per hour (4 hour minimum)
Housekeeping Fee	\$350 per event
Auditorium Classrooms	
Weekdays/Weekends (available 6 am – midnight)	\$40 per hour (2 hour minimum) or \$300 per day
Housekeeping Fee	\$350 per event
Opera House	
Main Stage Theatre Rental	\$700 per performance day (this fee includes "tech week" for theatre company rentals)
Studio Theatre Rental (Black Box)	\$50 per day
Technician	\$20 per hour (4 hour minimum)
House Manager	\$20 per hour (4 hour minimum)
Custodial Services	\$100 one-day event \$200 weekend event

Film Production	
Event Application Fee	\$2,500
Hourly Fee for DPW & PD	Wage rate with full benefits
Promenade Grille	
Negotiated Lease Contract with Mayor and City Council by Resolution	
Shooting Range (Police Rentals Only)	
\$300-\$500 per day	
Tide Trolley	
Ridership	Donation
Roof Advertisement (90-day cycle)	\$50 plus cost of the Signage (one sign displayed on each of the trolleys)
Peddling & Soliciting (Non Food Truck)	
Per day	\$50
Per week	\$250
Per month	\$550
Up to six months	\$2,500
Up to one year	\$5,000
No group discounts will apply	
Food Trucks	
\$50 per 90-day period	
MARINA – CITY OWNED	
Users	
Marina Slip Season (January-December) Slip Fees	\$67/foot - FY24
	\$70/foot - FY 25
	\$72/foot - FY26
Slip Tax User Fee	5% of dockage (slip rental, dry/wet storage - not to exceed \$100 annually)
Unmetered Slip Holder Electric Fee	\$75 annually
Wait List	\$50 (two offers)
Dinghy Storage	\$50 annually
Tydings Park Ramp Fee	\$10
Water Street Ramp Fee	\$10
Unpaid Ramp (day of launch)	\$25
Pump Out Fee	\$5

Transients	
Electric	\$10 per cord per day
Bathroom Key Deposit	\$20 refundable
Daily Slip (after 9 am)	\$1.50 per foot of boat length
Monthly Slip Rate	\$20 per foot of boat length
Hutchins Memorial Park Slip	\$115/foot (includes electric)
RUNNING & WALKING RACES	
For Profit Organizations	\$3,000
Non- Profit Organizations	\$1,500
Havre de Grace Non Profit for the benefit of a Havre de Grace Organization	No Fee
ELECTIONS	
	See City Code Chapter 61
TAXATION	
	See City Code Chapter 177
WATER / SEWER FEES & RATES	
	See City Code Chapter 196

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70-5 Review of Fee Schedule

The fees and charges contained in this chapter shall be reviewed by City staff each year in coordination with the City’s General Fund and Enterprise Fund budgets.

ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2023.

SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____, 2023.

ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

Stephen J. Gamatoria
Director of Administration

William T. Martin
Mayor

Introduced/First Reading: 11/21/2022
Public Hearing: 12/5/2022
Second Reading: 12/19/2022
Third Reading: 1/3/2023
Fourth Reading: 2/21/2023 (scheduled)
Effective Date:



Mayor and Council Work Session

Ordinance 1091, Concerning Amending Section 70 Fees, of the City Code

January 23, 2023

MINUTES:

1. Meeting was called to order by Council President Ringsaker at 6pm.
2. Roll Call
 - a. **ELECTED OFFICIALS PRESENT** - CM Zinner, CM Robertson, CM Martin, CP Ringsaker, CM Schneegas, CM Boyer and Mayor Martin
 - b. **STAFF PRESENT**
 - i. Tim Bourcier, Bridgette Johnson, Marisa Willis, EJ Millisor, Chief Teresa Walter, Steve Gamatoria, April Ishak, Bambi Johnson
 - c. **PUBLIC REVIEW**
 - i. Approximately 6 members of the public were present to view the proceedings
- Council President Ringsaker reminded the Council of the purpose of the meeting and also reminded the public that this was a work session of the elected officials and the public would not be permitted to provide input during the meeting, but encouraged the public to reach out and communicate with their elected officials should there be any specific questions, comments, suggestions or clarifications.
- Council President Ringsaker proceeded to review the ordinance beginning at Section 70-1 and proceeded section by section - without any input from Council.
 - o Upon reaching Section 70-4 "Definitions". Several Council had questions regarding the "Annual Use For-Profit and Annual Use Non Profit" whereby several council members were not clear on the intent of the section.
 - o Director of Administration Steve Gamatoria provided clarification, stating in part that several sections contained in Ordinance 1091 addressed "Lease and Licensing of City Property: Mr. Gamatoria suggested to the Council President and Council to simply "carve out" any language associated with "leases and Licensing" from 1091 and agree to establish another workgroup to draft a "Lease and Licensing Ordinance".
 - Council unanimously agreed to the suggestion
 - o Mr. Gamatoria also suggested that any changes the Council wishes to make within the ordinance would be captured and redrafted as a red lined version.
 - Council unanimously agreed to the suggestion
 - o The Council continued to address Ordinance 1091 section by section, providing a number of edits which are reflected in the attached document.
- The Meeting was adjourned at 19:51

Submitted by Director of Administration Steve Gamatoria

Edits are in proper form with the **Council's requested changes highlighted** and additional **"suggested" edits for the Community Center - highlighted in blue**, for the Council's consideration.

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1091

Introduced by Council President Ringsaker

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE 70: "FEES" BY REPEALING AND REENACTING ORDINANCE NO. 850, ORDINANCE NO. 856, ORDINANCE NO. 884 AND ORDINANCE NO. 986 TO UPDATE THE DEFINITIONS AND GENERAL SCHEDULE OF FEES CHARGED BY THE CITY FOR VARIOUS PERMITS, LICENSES, AND OTHER SERVICES THEREUNDER

On: November 21, 2022

at: 7:00 p.m.

Ordinance introduced, ~~read first time,~~ ordered posted and public hearing scheduled.

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Ordinance having been published according to the Charter, a public hearing was held on 12/5/2022 at 7:03 p.m., and concluded on 12/5/2022 at 7:37 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

[Bold Brackets] indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

36 **WHEREAS**, the Mayor and City Council of Havre de Grace declared with the passage of
37 Ordinance No. 850, on March 1, 2004, that it was desirable, and in the public interest to pass a
38 single ordinance for the purpose of establishing and setting forth a general schedule of the most
39 common fees charged by the City of Havre de Grace for various permits, licenses and other
40 services; and

41
42 **WHEREAS**, with the passage of Ordinance No. 856, on March 17, 2004, to amend and clarify
43 the general schedule of the fees charged by the City of Havre de Grace for various permits,
44 licenses, water and sewer capital costs, and other services; and

45
46 **WHEREAS**, with the passage of Ordinance No. 884, on April 16, 2007, several updates to City
47 Code 70 were implemented to include additional language referencing "fees not listed", a new
48 section that included definitions, and updating several fees; and

49
50 **WHEREAS**, the last such update was introduced and passed by the Mayor and City Council of
51 Havre de Grace on January 17, 2017 by Ordinance No. 986 to establish Race Event fees in the
52 City of Havre de Grace; and

53
54 **WHEREAS**, the Mayor and City Council of Havre de Grace find it necessary, desirable, and in
55 the best interest, health and general welfare of the City to amend Chapter 70 and clarify the
56 language, and update and add to the schedule of fees charged by the City for various permits,
57 licenses, water and sewer capital costs, and other services thereunder.

58
59 **NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, the Mayor and City Council of
60 Havre de Grace, in accordance with the authority vested in The Mayor and City Council of Havre
61 de Grace, by law and the Charter of the City of Havre de Grace hereby amends Chapter 70 of the
62 Code of the City of Havre de Grace by repealing Ordinance No. 986, adopted by the Mayor and
63 City Council on January 17, 2017, and enacting in its place this Ordinance No. 1091 as follows:

64
65 **70-1 General fee schedule established.**
66 The following is an enactment listing the specific fees collected from the various ordinances,
67 resolutions, and policies for the City as they shall be established as of the effective date of this
68 chapter.

69
70 **70-2 Professional services.**
71 The fee schedule in section 70-5 is for services provided exclusively by City Administration staff
72 personnel, unless otherwise noted. In the event services require professional services from an
73 independent organization as determined by the Director, the applicant will be responsible to
74 reimburse the City the total cost of the outside professional plus a \$100 administrative fee. In the
75 event the City must use an outside professional, the applicant will be notified of the cost before
76 any services are rendered. The applicant may withdraw their request for the service before the
77 parties enter into a binding agreement for the services. After contracting, the applicant will be
78 responsible for all costs incurred by the City by the outside contractor, including cancellation, plus
79 a \$100 administrative fee."

80
81 **70-3 Fees not listed in this chapter.**
82 This chapter represents a general compilation schedule of the most common fees charged by the
83 City of Havre de Grace for various permits, licenses and other services. Citizens are urged to

84 consult the specific ordinance, resolution, or policy for fees charged associated with permits,
 85 licenses, and other services not listed in this chapter. Additional State and County Codes may be
 86 applicable (Plumbing, Mechanical & Electric), as well as other City Ordinances or Codes (listed
 87 at the end of this section) that may include additional costs. The Director of Planning or designee
 88 may determine the applicability for a building permit and associated fee if not specifically covered
 89 by this fee schedule or other City ordinances.

- 90 1. Chapter 1 – General Provisions; Civil Sanctions
- 91 2. Chapter 38 – Cable Communications
- 92 3. Chapter 49 – Critical Areas
- 93 4. Chapter 61 – Elections
- 94 5. Chapter 81 – Forest Conservation
- 95 6. Chapter 112 – Open Air Markets
- 96 7. Chapter 120 – Nuisances
- 97 8. Chapter 127 – Peddling & Solicitation
- 98 9. Chapter 162 – Solid Waste
- 99 10. Chapter 166 – Special Assessments
- 100 11. Chapter 174 – Swimming, Fishing and Camping
- 101 12. Chapter 177 – Taxation
- 102 13. Chapter 180 – Taxicabs
- 103 14. Chapter 186 – Trees
- 104 15. Chapter 190 – Vehicles and Traffic
- 105 16. Chapter 196 – Water and Sewer Rates
- 106 17. Chapter 205 – Zoning

108 70-4 Definitions.

109 For the purposes of this chapter, the following words, terms and phrases shall, unless language or
 110 context indicates that a different meaning is intended, be given the meaning as herein set forth:

112 **ANNUAL USE (FOR-PROFIT)**

113 **[The leased area will be used to generate income for the business (i.e. seating, entertainment,
 114 sale of food, beverages, goods or services) regardless of whether any portion of profits are
 115 shared with a non-profit.]**

117 **ANNUAL USE (NON-PROFIT)**

118 **[The property involves a lease with or for the benefit of the operation of a non-profit
 119 organization and the leased area is needed for safe ingress or egress, for example, an entry
 120 porch, steps, handicap ramp or walkway, but shall not include such encroachments as a
 121 driveway or parking pad. For other types of leases with the non-profit, the City Council
 122 must consider whether to pass an ordinance to enter a Lease or a boundary line agreement
 123 with the non-profit property owner expressly stating that such use of the property by the
 124 non-profit furthers the City's general purposes or aids in education or charity within City.]**

126 **BUILDINGS BUILT FOR HUMAN OCCUPANCY**

127 Shall include but not be limited to the following uses: all residential buildings, church, school,
 128 theater, lecture hall, restaurant, museum, nightclub, library, exhibition hall, terminal, recreation
 129 center, community center, gymnasium, physical fitness center, retail and/or sales, office, service
 130 and/or repair, personal care, animal care and boarding, manufacturing, industrial, hospital, health

131 care, nursing home, medical, dental, public utility structure, day care, hotel, motel, conference
 132 center, club, telecommunications, research and development, bank, and funeral care.

133

134 CARPORTS

135 Shall be designed such that there are a minimum of two open sides and shall be fire rated for a
 136 minimum of one-hour fire protection from the interior side of the structure when attached to an
 137 occupied structure. Subsequent storm water runoff from the structure shall not discharge within 10
 138 feet of any adjoining property line.

139

140 CONSTRUCTION DUMPSTER PERMITS

141 Not required when dumpsters are located on property under development where the City of Havre
 142 de Grace has not taken possession of the streets or rights-of-way on which a dumpster may be
 143 located. A permit is required for any construction dumpster proposed to be located on City property
 144 or City right-of-way or a public or private street (road, lane or alley) whereby that public or private
 145 street has been given final construction approval and accepted by the City of Havre de Grace
 146 whether maintained by the City or not. No dumpster shall block the use of any public sidewalk or
 147 any driveway or obstruct or otherwise affect any emergency response vehicle or personnel. Any
 148 dumpster proposed or necessitated to use any street for its temporary location shall first obtain the
 149 approval of the City of Havre de Grace Chief of Police or designee and shall be required to obtain
 150 a permit from the Department of Planning. "Temporary" as contained in this chapter, shall mean
 151 no more than 60 days plus two thirty-day extensions granted by the Department of Planning upon
 152 written request within any one-year period[.], unless permitted by the Director of Planning due to
 153 extenuating circumstances.

154

155 DECKS

156 An attached or detached non-enclosed exterior structure for social use as a deck/porch/patio. Shall
 157 include any approved material (including masonry/brick/stone or other approved exterior finish
 158 material, elevated more than 24 inches above the immediate finished grade). May have a roof.
 159 Requires a permit at the deck rate.

160

161 DEMOLITION, FULL

162 The complete razing of a structure but may preclude the removal of the existing supporting
 163 foundation. At the discretion of the Code Official, a demolition permit may not be required for the
 164 removal of accessory buildings typically used for storage and which do not contain water or sewer
 165 connections made directly to City water and sewer distribution lines or composed of or containing
 166 hazardous material. Contact the City Code Official for determination on specific buildings.

167

168 DEMOLITION, PARTIAL

169 The removal of a specific section or portion of a structure which includes structural components
 170 with or without replacement.

171

172 **EXCLUSIVE USE**

173 **[The leased area is used exclusively by the applicant and their invited guests while excluding**
 174 **the public from the use and enjoyment of the property. Exclusive use leases shall only be**
 175 **allowed where such exclusive use predated the adoption of the City's Zoning Code on March**
 176 **15, 1982. No new exclusive use leases will be granted after the date of this Ordinance unless**
 177 **the City Council passes an ordinance expressly stating that the subject property is no longer**
 178 **needed for a public purpose and that the City will enter into a boundary line agreement with**

179 **the property owner for a price equal to the taxable amount attributable to the square footage**
 180 **of such property or the fair market value, whichever is greater. After the date of this**
 181 **Ordinance, any existing fences on City Property which permit exclusive use to a private**
 182 **property owner by an existing lease or license shall either be converted to boundary line**
 183 **agreements or such fences shall be removed and relocated to the property owner's lot line**
 184 **subject to any setbacks.]**

185
 186 FOOD TRUCK OPERATOR/HAWKER/VENDOR/PEDDLER/SOLICITOR (PEDDLING &
 187 SOLICITING)

188 Food Truck Operator: Any vendor that sells any sort of food product for consumption in the City
 189 limits from a truck, trailer, mobile smoker/grill or pull-behind cart such as a hot dog cart. Hawker:
 190 A peddler who sells his/her wares by outcry in the streets and public places. Itinerant Vendor or
 191 Transient Merchant: A person who is established in business in the City with the intention and
 192 determination to remain for a short period of one or more weeks or months, or until a particular
 193 stock of merchandise is disposed of or until the local market for the commodity handled by the
 194 dealer has been exhausted, and who, for such limited period, engages or occupies a lot of ground
 195 or the improvements thereon or a part thereof for the exhibition and sale of his goods or wares.
 196 Peddler: A person who goes from place to place and/or from house to house carrying for sale
 197 and/or exposing for sale goods, wares and merchandise which he/she carries; or a vendor of goods
 198 who sells and delivers to customers the identical goods which he/she carries. Solicitor: A person
 199 who, going from person to person, house to house, or place to place, seeks orders, subscriptions,
 200 contributions or any other kind of support, or who, without necessarily having the intention of
 201 making a direct sale, distributes literature, pamphlets, handbills, samples and the like for
 202 commercial purposes.

203
 204 FOR PROFIT

205 A business or other organization based on IRS determination whose primary goal is making money
 206 (a profit), and is concerned with money only as much as necessary to keep the organization
 207 operating.

208
 209 NEW WINDOW OR DOOR

210 Shall apply to newly cut openings or expanded openings into a structural or nonstructural exterior
 211 wall of an occupied structure. No permit is required for replacement windows or doors installed
 212 within an existing opening.

213
 214 [NON-EXCLUSIVE USE]

215 **[The leased area is needed for safe ingress or egress, for example, an entry porch, steps,**
 216 **handicap ramp or walkway, but shall not include such encroachments as a driveway or**
 217 **parking pad.]**

218
 219 NON-PROFIT (NPO) (also known as a "non-business entity")

220 An organization based on IRS determination the purpose of which is something other than making
 221 a profit, such as charity, education, history or the arts. In economic terms, a nonprofit organization
 222 uses any surplus income for the organization's purpose or mission and is not distributed to the
 223 organization's shareholders (or equivalents) as profit or dividends. This is known as the non-
 224 distribution constraint. The decision to adopt a nonprofit legal structure is one that will often have
 225 taxation implications, particularly where the nonprofit seeks income tax exemption, charitable
 226 status and so on or to obtain funds from others and provide an income deduction.

227 **PEDDLING AND SOLICITING**228 **[Includes Food Trucks, Hawkers, Itinerant Vendors, Transient Merchants, Peddlers, and**
229 **Solicitors.]**

230

231 PERMIT REISSUANCE FEE232 Any building permit that is deemed to have been abandoned for any period of six months or longer,
233 shall be deemed expired. The Code Official may grant one extension (upon a written request for
234 an extension by the permit applicant received by the Code Official) for up to 90 days. Request for
235 extension must be requested within 30 days of expiration notification. Work must be diligently
236 pursued prior to extension expiration in order to keep the permit valid. Additional extensions will
237 be reviewed on a case-by-case basis. All work must be completed and pass all final inspections
238 before a permit is deemed Closed. Incomplete expired permits may be subject to Permit Violation
239 Fees following written notice.

240

241 PERMIT VOIDED242 Any building permit approved for any proposed work not commenced within six months of the
243 issuance of the building permit shall be voided. After a permit has been applied for, but not issued
244 due to additional documentation required, shall be voided if the required documentation has not
245 been received within six months of application date.

246

247 RETAINING WALL248 A wall subjected to or built to sustain lateral pressure other than wind pressure. A retaining wall
249 built with an unbalanced fill exceeding three feet shall be designed and built in accordance with
250 construction plans designed and sealed by a Maryland licensed engineer with applicable
251 knowledge in such design; photocopied plans with the applicable seal are acceptable or as
252 determined by the Code Official.

253

254 SCREEN ROOMS255 Screen rooms are for seasonal use only, enclosed with screening only. Cannot have solid walls or
256 windows which would create an addition or sunroom. No **interior** plumbing fixtures are permitted
257 within a **[sunroom] Screen room**; electrical outlets **[and/or]** , ceiling fans **[or]** and lighting are
258 permitted and shall be installed in accordance with all applicable electric code requirements and
259 shall require an electrical permit.

260

261 SMALL CELL WIRELESS TOWER262 "Small cells," which are low powered wireless base stations that function like traditional cell sites
263 in a mobile wireless network, but typically cover targeted indoor or localized outdoor areas; have
264 a "distributed antenna systems (DAS) which are numerous antennae, commonly known as nodes
265 similar in size to small cells and are connected to and controlled by a central hub" may be attached
266 to a support structure (new or an existing utility pole).

267

268 STORAGE CONTAINERS, TEMPORARY269 No storage container shall be permitted in a City right-of-way nor on City property without City
270 authorization and a permit; no storage containers shall be permitted to be placed in any portion of
271 a front yard of a residential property other than a driveway; **[temporary storage containers as**
272 **referenced in this fee schedule pertain to storage units limited in use to a maximum of 60**
273 **calendar days starting on day of delivery. Permit fees based on each 60-day period, not to**
274 **exceed 180 days]. A permit is required when the proposed location is on City property or City**

275 right-of-way or a public or private street (road, lane or alley) whereby that public or private street
 276 has been given final construction approval and accepted by the City of Havre de Grace whether
 277 maintained by the City or not. No storage unit shall block the use of any public sidewalk or any
 278 driveway or obstruct or otherwise affect any emergency response vehicle or personnel. Any
 279 storage container that necessitates the use of any street for its temporary location shall first obtain
 280 the approval of the City of Havre de Grace Chief of Police or designee and shall be required to
 281 obtain a permit from the Department of Planning. "Temporary" as contained in this chapter, shall
 282 mean no more than 60 days plus two thirty-day extensions granted by the Department of Planning
 283 upon written request within any one-year period[.], unless permitted by the Director of Planning due
 284 to extenuating circumstances.

285
 286
 287 STRUCTURES

288 (Designed and) built for human occupancy shall include those applicable classifications as listed
 289 in the International Building Code and the International Residential Code for One- and Two-
 290 Family Dwellings.

291
 292 SUNROOMS

293 Sunrooms are fully enclosed structures with solid walls and/or windows, applied for as an addition,
 294 subject to property line setbacks as shown in Attachment I / Table I under Chapter 205, Zoning.
 295 No interior plumbing fixtures are permitted within a sunroom; electrical outlets, [and/or] ceiling
 296 fans [or] and lighting are permitted and shall be installed in accordance with all applicable electric
 297 code requirements and shall require an electrical permit.

298
 299 WATER AND/OR SEWER DISCONNECTION/ABANDONMENT

300 In matters regarding structure demolitions, both water and sewer lines serving the structure to be
 301 razed shall be disconnected at the utility main if the utilities are no longer required, or need to be
 302 upgraded. All work performed within a City right-of-way shall be performed by City personnel,
 303 unless written permission is provided by the Director of Public Works and is subject to applicable
 304 disconnection fees chargeable to the property owner of the subject demolition

305
 306 **70-5 Fee Schedule**

FEE TYPE	FEE CHARGE
RESIDENTIAL - New Construction	
1- and 2-family	\$.25 s/f - minimum \$450 -
Multi-family (condominiums)	Shell/Common Areas: \$.12 s/f - minimum \$200 Each Dwelling Unit: \$.25 s/f - minimum \$450
Multi-family (apartments)	\$.25 s/f entire building
[Hotel, Motel, Assisted Living, Rooming House, and similar type uses]	[Shell/Non-Sleeping Areas: \$.12 s/f - minimum \$300 Each sleeping room: \$100 up to 400 s/f (add \$.25 per s/f over 400)]
RESIDENTIAL – Other	
Additions (including sunroom)	\$.12 s/f – minimum \$350 :

Screen Room	\$.12 s/f – minimum \$100 was \$75.00 for the room; \$100. 00 if it included a new deck
Open deck (with or without roof)	\$.10 s/f – minimum \$75
Renovations / Alterations / Repairs	\$.10 s/f – minimum \$75 Non Structural alterations \$75.00 With Structural Alterations \$100.00;
Masonry, Brick, or Stone Exterior Façade	\$100 Masonry Fireplace \$50.00 ; Masonry [or] brick <u>or</u> stone siding \$50.00
Garage (attached or detached)	\$.25 s/f – minimum \$100
Storage building – under 200 sq ft	\$50
Storage building – over 200 sq ft	\$.25 s/f – minimum \$75
Retaining Wall – over 3 ft height	\$ 1 linear ft – minimum \$100
Miscellaneous Structures (Gazebos, Pergolas or Pavilions.	\$.25 s/f – minimum \$75
Impervious Patio	\$50 – over 200 sq. ft
Fencing	\$50
Driveway and/or Curb Cut	\$75
Demolition - FULL	\$500
Demolition - PARTIAL	\$100

307

Demolition (training exercise by Fire Department)	No Fee;
Swimming Pool - above ground	\$50
Swimming Pool - in-ground	\$100
Window or Door (new or enlarged opening)	\$75 first - \$10 each additional
COMMERCIAL - New Construction	
<u>Hotel, Motel, Assisted Living, Rooming House, and similar type uses</u>	<u>Shell/Non-Sleeping Areas: \$.12 s/f - minimum \$300</u> <u>Each sleeping room: \$100 up to 400 s/f (add \$.25 per s/f over 400)</u>
Non-High Hazard Uses	\$.12 per s/f - minimum \$300
High Hazard Uses	\$.15 per s/f - minimum \$500
(Multiple occupancy buildings will require individual Use & Occupancy permits)	
Marina	\$500 plus \$20 per slip
COMMERCIAL - Other	
Use & Occupancy (no modifications)	\$100
Use & Occupancy (with modifications)	\$.12 per s/f - minimum \$200
Additions	\$.12 per s/f - minimum \$500;
Storage Buildings – Commercial Use	\$50.00 plus <u>\$.1025 sq ft: \$.25 sq. ft.</u>
Signs	\$50 each - up to 24 sq ft / \$75 each - over 24 sq ft:
Demolition - FULL	\$500 up to 5000 sq ft / \$750 over 5000 sq ft
Demolition - PARTIAL	\$200
Demolition (training exercise by Fire Department)	No Fee
Swimming Pool (club - public or private / above ground or in-ground)	\$200
<u>Miscellaneous Structures (Gazebos, Pergolas or Pavilions,</u>	<u>\$50.00, plus \$.25 s/f</u>
Fencing	\$75 plus \$.05 per lin. Ft. over 250
Retaining Wall (any height)	\$1 linear ft - minimum \$100
Window or Door (new or enlarged opening)	\$75 first - \$10 each additional
Tank - above ground or below ground (requires MDE approval)	\$250
Driveway and/or Curb Cut	\$100
UTILITIES	
Small Cell Wireless Facilities	\$500 Application Fee (up to 5 devices) \$100 per device after first 5 \$270 Annual Fee
Utility or Communication Tower (new)	\$500

Utility or Communication Tower (replacement or addition of equipment on existing tower)	\$200
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308

WORK SESSION EDITS

NEW DEVELOPMENT	
Concept Plan	\$200 plus \$10 per acre up to 100 Acres Over 100 acres - \$1,000 plus \$20 per acre:
Site Plan Review - Residential	\$250 plus \$50 per dwelling lot
Site Plan Review - Commercial	\$400 plus \$50 per acre
Site Plan Revisions (Residential or Commercial)	\$150 plus \$10 per lot/unit/acre affected
Subdivision	\$250 plus \$50 per lot
Lot Consolidation	\$50
Stormwater Management Review (In-house)	\$300 plus \$50 per hour over 4 hours
Stormwater Management Review (3 rd party)	Third party reviewer invoice at market rate plus \$100 City administrative fee
Forest Stand Delineation (FSD)	Included under FCP permit
Forest Conservation Plan (FCP) (In-house)	\$300 plus \$10 per acre of conservation area
FSD and FCP (3 rd Party)	Third party reviewer invoice at market rate plus \$100 City administrative fee
Grading Permit	\$100
Landscape / Lighting Plans	\$200
CAPITAL COST RECOUPMENT FEES –	
Bulle Rock – Water	\$577 per unit
Bulle Rock Rt. 40 – Sewer	\$1,552 per unit
Bulle Rock Rt. 40 – Forced Sewer Main Non-Residential	\$27,625 per acre
Bulle Rock Rt. 40 – Forced Sewer Main, Residential	\$6,222 per unit
Greenway Farms – Water Main	\$1,210
MISCELLANEOUS	
Board of Appeals - hearing fee	\$350
Board of Appeals - minimum transcript fee	\$100 (balance due following transcribers invoice)
Construction Dumpster (in City right-of-way)	\$50 per maximum 14 calendar days
Temporary Storage Pod	\$50 per 60 calendar day period (180 days maximum)
Boat Pier (requires State approval)	\$50 New or Renovation of Existing
Bulkhead (requires State approval)	\$50 per 100 ft. New or Renovation of Existing
Administrative Fee for Permit Revisions	\$50
Reissue Expired Permit with Department Approval	\$75 or cost of original permit, whichever is less
Written notice of permit violation, working without a valid license or permit, issuance of a Stop Work Order (in addition to regular permit fees)	\$250 First occurrence \$300 Second occurrence \$350 Subsequent occurrence (with Administrative Hearing)

Property Maintenance Inspection Fee	\$55 [first and] second occurrence \$100 subsequent occurrences
Sewer Clean-Out Caps (Lost or Damaged)	4" Lid & Gasket = \$40
	6" Lid & Gasket = \$70
Water Meter Replacement Lid	\$150
[License Agreements: Residential]	
[This section should be removed and addressed in a separate Ordinance "Lease and Licensing of City Property " I have attached Resolution 2020-21 that establishes the Baseline Fees passed by Council on 12/7/2020. Resolution 2020-21 replaced Resolution 2007-10, passed on 3/19/07]	
[Administrative and Recordation Fees]	[\$300 Was \$50.00]
[Annual Use Fee]	[\$50]
[License Agreements: Commercial:]	
[Administrative and Recordation Fees]	[\$300 Was \$50.00]
[Annual Use Fee]	[\$50]
[Lease Agreements: Residential]	
[Administrative and Recordation Fees]	[\$300]
[Exclusive Use]	[\$1 per square foot per year]– [Lease cannot exceed 50 years]
[Non-Exclusive Use]	[No Annual Fee] [Lease cannot exceed 50 years]
[Lease Agreements: Commercial:]	
[Administrative and Recordation Fees]	[\$300]
[Annual Use (for profit)]	[\$1.25 per square foot]
[Annual Use (non-profit)]	[No Fee]
Document Copies (black & white only)	\$.30 per page - letter size \$.40 per page - legal size \$.50 per page - ledger size \$4 per page - 18" x 24" or larger
Large Document Scanning	\$2 per page
CITY BUILDING FACILITIES	
Community Center:	
Rental Fee (WEEKENDS- FRIDAY THROUGH SUNDAY)	\$1,100 per event 50% non-refundable deposit Balance due 60 days prior to the event
Rental Fee (MONDAY – THURSDAY)	\$400/ daily rental (8am,-4pm); \$50. Per Hr. – Evening Rental (2 hour Minimum);

REDUCED RATES	
<ul style="list-style-type: none"> Parks & Rec Dance Team – Summer Camp (M-F Full Days) 	\$500.00
<ul style="list-style-type: none"> City Employee Use (1X per year; Must be for the Employees Personal Use and the Employee must be on site for the entire event.) 	\$500.00
<ul style="list-style-type: none"> Chamber of Commerce; Community Projects of HDG, Inc.; Arts Collective (1X per year) 	\$250.00 Cleaning Fee Only
<ul style="list-style-type: none"> VULCAN 	No Charge (Anytime during Non Peak times Nov-Apr.- Responsible for set up and clean up)
<ul style="list-style-type: none"> Harford County Sheriff Dept. – Officer Training/Recognition Event Cub Scouts- Blue & Gold Dinner; Boy Scouts- Eagle Award Recognition; Red Cross Blood Drive; SHCO Membership Recognition Event (request only by the Fire Chief) HDGEMS Membership Recognition Event (request only by the EMS President) 	No Charge: 1X each annually: Must be during Non Peak times Nov-Apr.- Responsible for set up and clean up)
Key Deposit	\$100 Refundable if all conditions are met
Community Pavilion at Hutchins Memorial Park	\$250 per day

309

WORK SESSION MEMORANDUM

STAR Centre	
Large Gym	
ANY Ticketed Events	10% of Ticket Sales
Weekdays (available 6 am – midnight)	\$100 per hour (2 hour minimum) or \$750 per day
Weekends (available 6 am – midnight)	\$200 per hour (2 hour minimum) or \$1,500 per day
Housekeeping Fee	\$350 per event
Small Gym	
ANY Ticketed Events	10% of Ticket Sales
Weekdays (available 6 am – midnight)	\$60 per hour (2 hour minimum) or \$450 per day
Weekends (available 6 am – midnight)	\$150 per hour (2 hour minimum) or \$1,000 per day
Housekeeping Fee	\$350 per event
Auditorium	
ANY Ticketed Events	10% of Ticket Sales
Weekdays (available 6 am – midnight)	\$60 per hour (2 hour minimum) or \$450 per day
Weekends (available 6 am – midnight)	\$200 per hour (2 hour minimum) or \$1,500 per day
Technician	\$20 per hour (4 hour minimum)
House Manager	\$20 per hour (4 hour minimum)
Housekeeping Fee	\$350 per event
Auditorium Classrooms	
Weekdays/Weekends (available 6 am – midnight)	\$40 per hour (2 hour minimum) or \$300 per day
Housekeeping Fee	\$350 per event
Opera House	
Main Stage Theatre Rental	\$700 per performance day (this fee includes "tech week" for theatre company rentals)
Studio Theatre Rental (Black Box)	\$50 per day
Technician	\$20 per hour (4 hour minimum)
House Manager	\$20 per hour (4 hour minimum)
Custodial Services	\$100 one-day event \$200 weekend event

Film Production;	
Event Application Fee	\$2,500
Hourly Fee for DPW & PD	Wage rate with full benefits
Promenade Grille (New Section)	Negotiated Lease Contract with Mayor and City Council by [Resolution] Ordinance
Shooting Range (Police Rentals Only)- (New Section)	\$300-\$500 per day Based on operational and replacement costs
Tide Trolley: (New Section)	
Ridership	Donation
Roof Advertisement [(90-day cycle)] 30 day cycle	\$50 per Trolley plus cost of the Signage (one sign displayed on each of the trolleys)
Peddling & Soliciting (Non Food Truck)	
Per day	\$50
Per week	\$250
Per month	\$550
Up to six months	\$2,500
Up to one year	\$5,000
No group discounts will apply	
Food Trucks	\$50 per 90-day period
MARINA – CITY OWNED	
Users	
Marina Slip Season (January-December) Slip Fees	\$67/foot - FY24
	\$70/foot - FY 25
	\$72/foot - FY26
Slip Tax User Fee	5% of dockage (slip rental, dry/wet storage - not to exceed \$100 annually)
Unmetered Slip Holder Electric Fee	\$75 annually
Wait List	\$50 (two offers)
Dinghy, Canoe, Kayak Storage	\$50 annually- sticker issued by Marina Mgr.
Tydings Park Ramp Fee	\$10 per launch
Water Street Ramp Fee	\$10 per launch
Unpaid Ramp (day of launch)	\$25
Pump Out Fee	\$5

Transients	
Electric	\$10 per cord per day
Bathroom Key Deposit	\$20 refundable
Daily Slip (after 9 am)	\$1.50 per foot of boat length
Monthly Slip Rate	\$20 per foot of boat length
Hutchins Memorial Park Slip	\$115/foot (includes electric)
RUNNING & WALKING RACES Based on Ordinance 986 on 1-17-2017	
For Profit Organizations	\$3,000
Non- Profit Organizations	\$1,500
Havre de Grace Non Profit for the benefit of a Havre de Grace Organization	No Fee

312

313 **70-5 Review of Fee Schedule**

314 The fees and charges contained in this chapter shall be reviewed by City staff each year in
 315 coordination with the City’s General Fund and Enterprise Fund budgets.

316

317 ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2023.

318

319 SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____,
 320 2023.

321

322

323 ATTEST:

324

325

326

327 _____
 328 Stephen J. Gamatoria
 329 Director of Administration

330

331

332 Introduced/First Reading: 11/21/2022

333 Public Hearing: 12/5/2022

334 Second Reading: 12/19/2022

335 Third Reading: 1/3/2023 (scheduled)

336 Fourth Reading: 1/17/2023 (scheduled)

337

337 Effective Date:

MAYOR AND CITY COUNCIL
 OF HAVRE DE GRACE

 William T. Martin
 Mayor

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1095 to Transfer 700 Congress Avenue from Harford County to Havre de Grace**
(Second Reading)

Date: **2/7/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- FYI
 Read and Comment as Needed
 Action Required by February 21, 2023
 In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment

Comment: _____

Dave Martin Yes No No Comment

Comment: _____

Jim Ringsaker Yes No No Comment

Comment: _____

Jason Robertson Yes No No Comment

Comment: _____

Tammy Lynn Schneegas Yes No No Comment

Comment: _____

Carolyn Zinner Yes No No Comment

Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1095

Introduced by Council President Ringsaker

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO RATIFY, AFFIRM, AND ACCEPT THE TRANSFER OF 700 CONGRESS AVENUE, HAVRE DE GRACE, MARYLAND 21078, FROM HARFORD COUNTY, MARYLAND, TO THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE

On: 1/17/2023

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Ordinance having been published according to the Charter, a public hearing was held on 2/6/2023 at 7:00 p.m., and concluded on 2/6/2023 at 7:02 p.m.

EXPLANATION
Underlining indicates matter added to existing law.
[Bold Brackets] indicate matter deleted from existing law.
Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

36 **WHEREAS**, 700 Congress Avenue, Havre de Grace, Maryland 21078 (“700 Congress Ave”),
37 more particularly described in the deed recorded among the Land Records of Harford County,
38 Maryland, in Liber 14943 at Folio 440, had been owned by the Harford County Board of Education
39 (“the Board”) from 1958 until 2021; and
40

41 **WHEREAS**, pursuant to Chapter 227 of the *1999 Laws of Maryland*, if the Board determines that
42 any land, school site, or building is no longer needed for school purposes, the land, school site, or
43 building shall be transferred by the Board to Harford County, Maryland; and
44

45 **WHEREAS**, on July 12, 2021, the Board determined 700 Congress Avenue was no longer needed
46 for school purposes; and
47

48 **WHEREAS**, on August 5, 2021, the Board transferred 700 Congress Avenue to Harford County,
49 Maryland, recorded among the Land Records of Harford, Maryland, in Liber 14943 at Folio 435;
50 and
51

52 **WHEREAS**, on August 5, 2021, Harford County, Maryland, transferred 700 Congress to the
53 Mayor and City Council of Havre de Grace in fee simple, recorded among the Land Records of
54 Harford County, Maryland, in Liber Liber 14943 at Folio 440; and
55

56 **WHEREAS**, since accepting the transfer of 700 Congress Avenue, the City has used the property
57 for general public purposes, that is, for recreational and entertainment purposes for the benefit of
58 its citizens and is now called the Havre de Grace STAR (Sports, Theatre, Arts, Recreation) Centre;
59

60 **NOW, THEREFORE**, it is determined, decided, and ordained by the City Council that the
61 following items and actions are hereby unconditionally ratified and affirmed.
62

- 63 1. The transfer of 700 Congress Avenue, Havre de Grace, Maryland, from Harford County,
64 Maryland, to the Mayor and City Council of Havre de Grace, recorded among the Land
65 Records of Harford County, Maryland, in Liber Liber 14943 at Folio 440 is accepted by
66 the Mayor and City Council for a public purpose.
67
- 68 2. 700 Congress Avenue is a City recreational and performing arts facility named the Havre
69 de Grace STAR (Sports, Theatre, Arts, Recreation) Centre.
70
- 71 3. The Mayor and City Council may establish and collect fees or charges or a range of fees
72 or charges associated with the use of the Havre de Grace STAR (Sports, Theatre, Arts,
73 Recreation) Centre to defray costs associated with the maintenance and repairs of the
74 facility.
75

76 ADOPTED by the City Council of Havre de Grace, Maryland this ___ day of _____, 2023.
77

78 SIGNED by the Mayor and attested by the Director of Administration this ___ day of
79 _____, 2023.
80

81 (Signatures to follow on the next page.)
82

83 ATTEST:

84

85

86

87 _____
88 Stephen J. Gamatoria
89 Director of Administration

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

William T. Martin
Mayor

89

90

91 Introduced/First Reading: 1/17/2023

92 Public Hearing: 2/6/2023

93 Second Reading/Adopted:

94

95 Effective Date:

Second Reading

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance concerning Amending Chapter 97, Section 4
Historic Preservation Commission**

(1st Reading)

Date: **2/15/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by February 21, 2023**
 - In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment

Comment: _____

Dave Martin Yes No No Comment

Comment: _____

Jim Ringsaker Yes No No Comment

Comment: _____

Jason Robertson Yes No No Comment

Comment: _____

Tammy Lynn Schneegas Yes No No Comment

Comment: _____

Carolyn Zinner Yes No No Comment

Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. _____

Introduced by _____ Council Member Zinner

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CHAPTER 97, SECTION 4 HISTORIC PRESERVATION COMMISSION

On: 2/21/2023

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for March 6, 2023 at 7:00 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

[Bold Brackets] indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

31
32

33 **WHEREAS**, the Historic District Commission was officially created on April 16, 1990 by Ordinance
34 No. 729; and

35
36 **WHEREAS**, the Historic District Commission was renamed the Havre de Grace Historic Preservation
37 Commission on March 6, 2000 by Ordinance No. 815, taking effect on April 1, 2000;

38
39 **WHEREAS**, the Havre de Grace Historic Preservation Commission, in order to fully implement
40 city policy to protect and preserve “sites, structures, and districts of historical or architectural
41 interest” requires additional members; and

42
43 **WHEREAS**, an expanded commission from nine (9) to eleven (11) members will facilitate
44 recruitment of diverse members bringing new perspectives and energy to the Commission

45
46 **NOW THEREFORE, BE IT DETERMINED, DECIDED, AND ORDAINED, AS**
47 **FOLLOWS:**

48
49 Section 97-4 B. shall be amended as follows, with words shown underlined to be added and those
50 shown [bold brackets] to be deleted.

51
52 **§ 97-4 Historic Preservation Commission.**

53
54 B. Membership. The Historic Preservation Commission shall consist of [~~nine~~] eleven members
55 and two alternates appointed by the Mayor with the approval of the City Council. A majority of
56 the members of the Commission shall be residents of the City of Havre de Grace. Each member
57 shall possess a demonstrated special interest, specific knowledge, or professional or academic
58 training in such fields as history, architecture, architectural history, planning, archaeology,
59 anthropology, curation, conservation, landscape architecture, historic preservation, urban design,
60 or related disciplines. Nonresident appointees to the Commission must possess professional or
61 academic qualifications as further defined in Subsection C of this section. At least two members
62 of the Commission shall possess professional or academic training in one or more of the above-
63 listed fields in accordance with the minimum professional requirements of the United States
64 Department of the Interior for certifying local governments under 36 CFR Part 61.

65
66 ADOPTED by the City Council of Havre de Grace, Maryland this ____ day of _____, 2023.

67
68 SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____,
69 2023.

70
71 ATTEST: MAYOR AND CITY COUNCIL
72 OF HAVRE DE GRACE

73
74 _____
75 Stephen J. Gamatoria
76 Director of Administration

74 _____
75 William T. Martin
76 Mayor

77

78 Introduced/First Reading:
79 Public Hearing:
80 Second Reading/Adopted:

81 Effective Date:

82

83 Legislative History

84 Ordinance No. 888, enacted May 7, 2007

85 Ordinance No. 815, As Amended, enacted March 6, 2000

86 Ordinance No. 757, enacted October 7, 1991

87 Ordinance No. 729, As Amended, enacted April 16, 1990

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance concerning Declaration of Surplus Property to
Habitat for Humanity - Village Drive**
(1st Reading)

Date: **2/17/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by February 21, 2023**
 - In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment

Comment: _____

Dave Martin Yes No No Comment

Comment: _____

Jim Ringsaker Yes No No Comment

Comment: _____

Jason Robertson Yes No No Comment

Comment: _____

Tammy Lynn Schneegas Yes No No Comment

Comment: _____

Carolyn Zinner Yes No No Comment

Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. _____

Introduced by _____ Council President Ringsaker

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER FOR THE PURPOSE OF DECLARING CERTAIN REAL PROPERTY OWNED BY THE MAYOR AND CITY COUNCIL SURPLUS PROPERTY, AND NO LONGER NEEDED FOR ANY PUBLIC PURPOSE FOR PUBLIC USE, AND OFFERED AT A NOMINAL FEE TO HARFORD HABITAT FOR HUMANITY TO CONSTRUCT THREE HOMES AS PART OF THEIR HOME BUILD CONSTRUCTION PROJECTS

On: 2/21/2023

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for March 6, 2023 at 7:00 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

[Bold Brackets] indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

34 **WHEREAS**, Section 75 of the Charter of the City of Havre de Grace provides for the disposition
35 of City property; and

36
37 **WHEREAS**, The Mayor and City Council is the fee simple owner of three unimproved lots of
38 land located in the Sixth Election District of Harford County, in the City of Havre de Grace, shown
39 as a part of Parcel 20 on Harford County Tax Map 605, and described as lots 22, 23, 24, 28, 29,
40 30, and 31 on a Plat entitled "Subdivision Plan Battery Village," which Plat is recorded among the
41 Land Records of Harford County in Plat Book No. 24, folio 53, and which parcels of and are a part
42 of the property described in a deed unto the Mayor and City Council dated October 5, 1984 and
43 recorded among the Land Records of Harford County, Maryland in Liber 1245, folio 158
44 (hereinafter "the Property"); and

45
46 **WHEREAS**, The Mayor and City Council passed Resolution 2008-19 on September 15, 2008,
47 declaring, as surplus, seven unimproved lots of land located in the Sixth Election District of
48 Harford County, in the City of Havre de Grace, shown as a part of Parcel 20 on Harford County
49 Tax Map 605, and described as lots 22, 23, 24, 28, 29, 30, and 31 on a Plat entitled "Subdivision
50 Plan Battery Village," which Plat is recorded among the Land Records of Harford County in Plat
51 Book No. 24, folio 53, and which parcels of and are a part of the property described in a deed unto
52 the Mayor and City Council dated October 5, 1984 and recorded among the Land Records of
53 Harford County, Maryland in Liber 1245, folio 158 (hereinafter "the Property"); and

54
55 **WHEREAS**, Resolution 2008-19 did not result in any further transactions occurring with the
56 named surplus lots with Harford Habitat for Humanity or any other entity due to the nature of the
57 housing market and eventual crash in the fall of 2008; and

58
59 **WHEREAS**, the Mayor and City Council believe it is desirable that that three of the properties
60 identified in the Surplus Resolution be transferred to Harford Habitat for Humanity, (as depicted
61 in EXHIBIT A), each of which is land located in the Sixth Election District of Harford County, in
62 the City of Havre de Grace, shown as a part of Parcel 20 on Harford County Tax Map 605, and
63 described and include **lots 22, 23 & 24**; and

64
65 **WHEREAS**, the execution of this Resolution evidences such support of the City of Havre de
66 Grace’s partnership with Harford Habitat for Humanity, Inc. in fulfilling their vision of *“A world
67 where everyone has a decent place to live”*;

68
69 **BE IT DETERMINED, DECIDED, AND ORDAINED, AS FOLLOWS:**

70
71 1. The Mayor and City Council believe today, as they did on September 15, 2008, that it is in
72 the best interest of the general welfare of the residents of the City of Havre de Grace to once again
73 declare the Property as surplus property, and determine that the three lots depicted in Exhibit A,
74 are no longer needed for any public purpose or public use.

75
76 2. By a vote of not less than five City Council members, it is deemed in the best interest of
77 the City to waive the bid requirements of Charter Section 75 for the transfer of the Property to
78 Habitat for Humanity.

79

80 3. Pursuant to Charter Section 75, the City Council authorizes the sale of the Property by
81 negotiated contract with Habitat for Humanity, Inc., for a nominal fee, plus any transaction fees
82 such as survey fees and transfer fees, and prior to issuance of certificates of occupancy, payment
83 of any permit fees, water meter, water and sewer connection fees, and any other such fees required
84 under the City Code as is customary and related to the construction of the three homes.
85

86 4. The approval of the transfer of the Property to Habitat for Humanity shall be approved by
87 voter referendum in accordance with City Charter Section 75.
88

89 ADOPTED by the City Council of Havre de Grace, Maryland this __ day of ____, 2023.
90

91 SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____,
92 2023.
93

94
95 ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

96
97
98 _____
99 Stephen J. Gamatoria
100 Director of Administration

William T. Martin
Mayor

101
102
103 Introduced/First Reading: 2/21/2023

104 Public Hearing:

105 Second Reading/Adopted:

106

107 Effective Date:

108

109

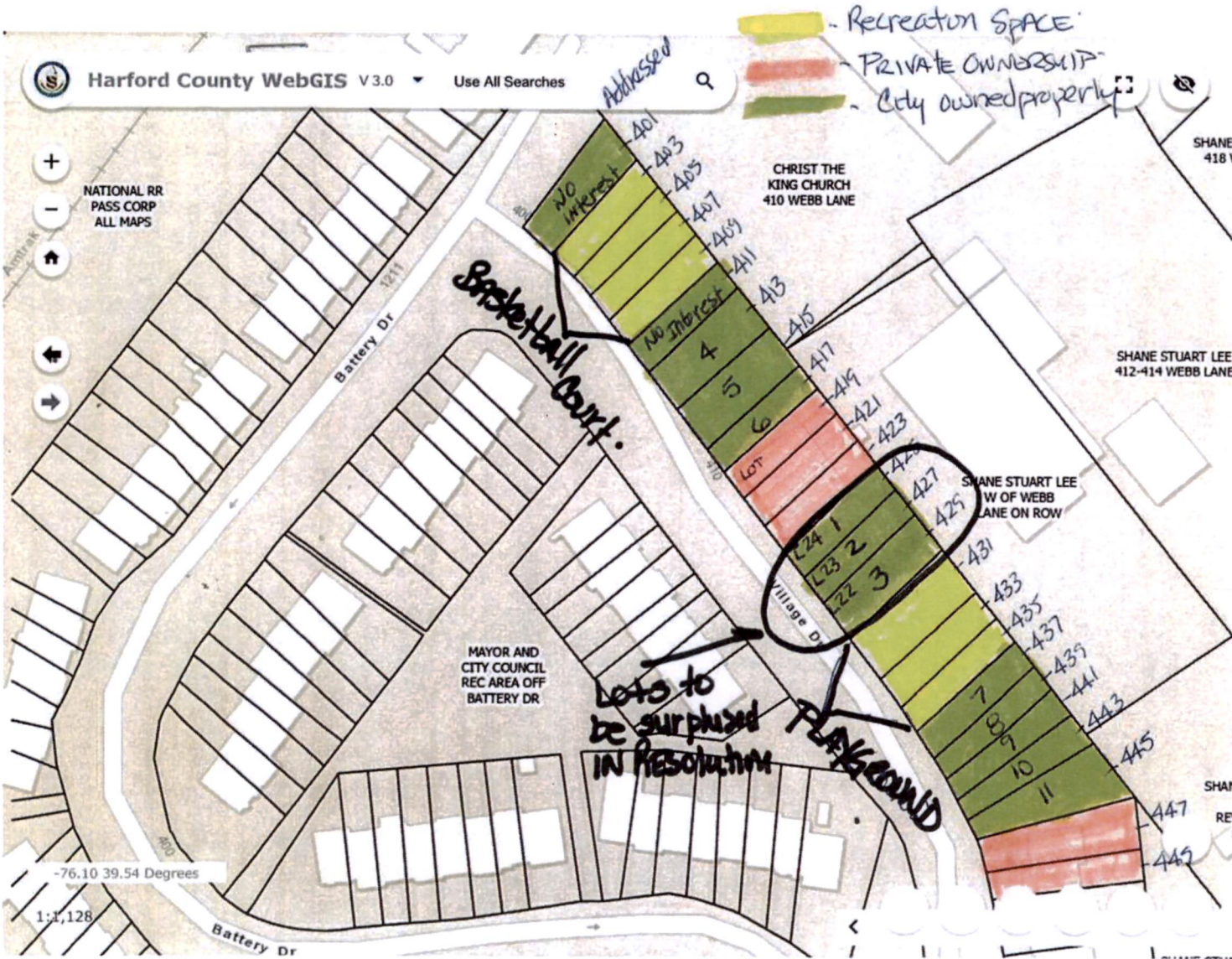
110

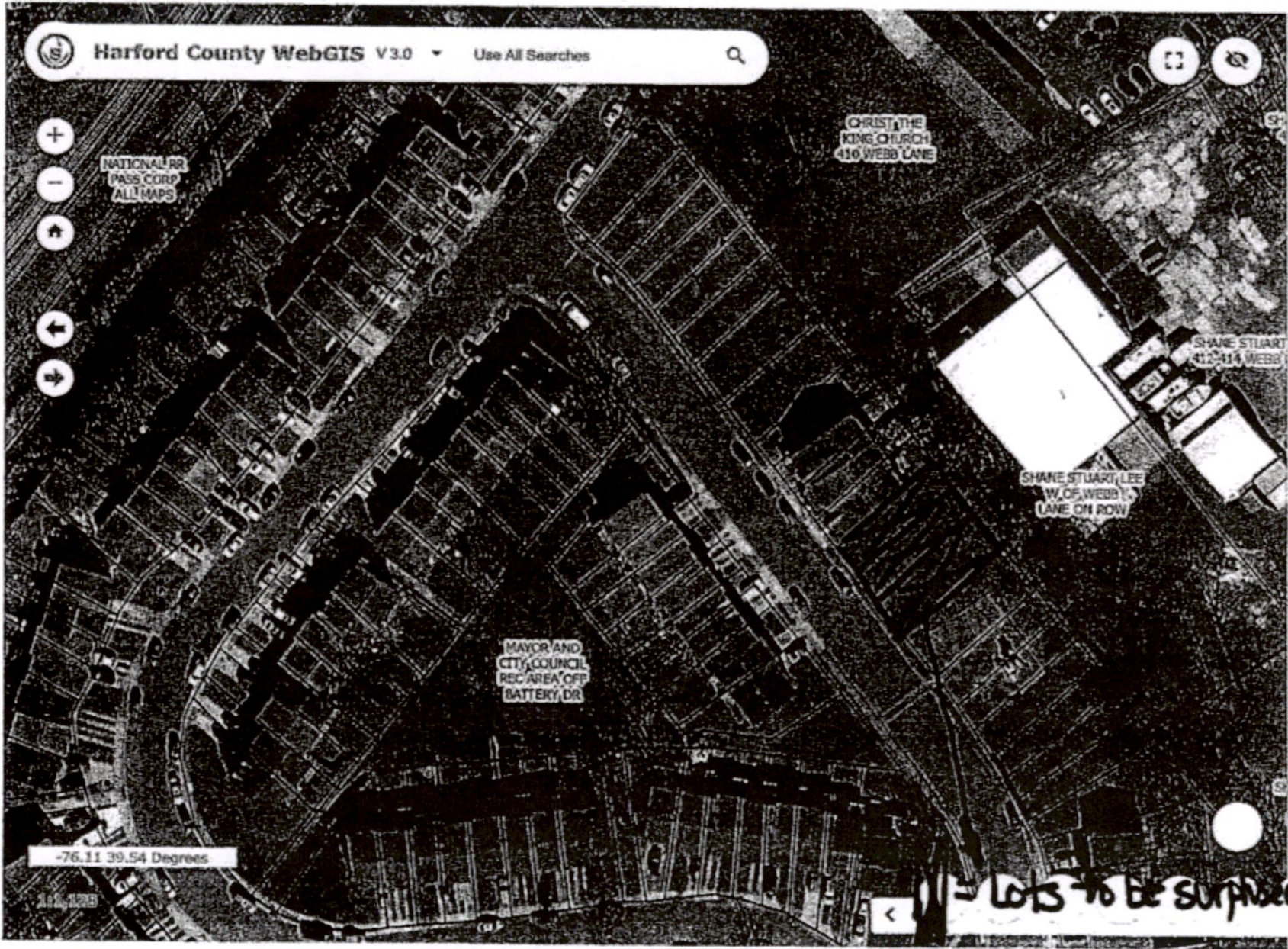
111 Legislative History

112 Ordinance No. 886, adopted 5/21/2007

113 Ordinance No. 853, As Amended, adopted 3/1/2004

EXHIBIT A





CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance concerning Amending City Code 147**
Rental Property

(1st Reading)

Date: **2/17/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- FYI
 Read and Comment as Needed
 Action Required by February 21, 2023
 In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment

Comment: _____

Dave Martin Yes No No Comment

Comment: _____

Jim Ringsaker Yes No No Comment

Comment: _____

Jason Robertson Yes No No Comment

Comment: _____

Tammy Lynn Schneegas Yes No No Comment

Comment: _____

Carolyn Zinner Yes No No Comment

Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. _____

Introduced by _____ Council Member Schneegas

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CITY CODE CHAPTER 147 RENTAL PROPERTY

On: 2/21/2023

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for March 6, 2023 at 7:00 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

[Bold Brackets] indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

32 **BE IT DETERMINED, DECIDED, AND ORDAINED, AS FOLLOWS:**
33

34 Chapter 147 Rental Property shall be amended as follows, with words shown underlined to be
35 added and those shown [**bold brackets**] to be deleted.

36
37 Article I Registration of Long-Term Residential Rental Property
38

39 § 147-2 Definitions.¹
40

41 **BEDROOM**

42 A room or space designed to be used for sleeping purposes with two means of egress (one of which
43 may be a window acceptable under the building code) and in close proximity to a bathroom. Space
44 used for eating, cooking, bathrooms, toilet rooms, closets, halls, storage or utility rooms and
45 similar uses are not considered “bedrooms”. Space used or intended for general and informal
46 everyday use such as a living room, den, and sitting room or similar is not considered to be a
47 “bedroom”.
48

49 **BOOKING TRANSACTION**

50 A reservation transaction between a host and a prospective transient guest for a short-term rental.
51

52 **HOST**

53 The owner of a dwelling or Accessory Dwelling Unit who provides or offers to provide all or part
54 of the dwelling unit for short-term residential rental use in exchange for a fee.
55

56 **HOSTING PLATFORM**

57 An internet-based entity that, in exchange for a fee:

- 58 1. Facilitates reservations of short-term rentals;
59 2. Serves as a conduit of communication between hosts and transient guests; or,
60 3. Otherwise facilitates booking transactions for short-term rentals.
61

62 **PERMANENT RESIDENCE**

63 A permanent residence is a dwelling unit where the owner resides for at least 180 total days
64 annually and the owner can furnish a driver’s license, voter registration card or official State
65 Homestead Tax Credit designation. For purposes of this article, an owner can only have one
66 permanent residence.
67

68 **SHORT-TERM RENTALS**

69 Any dwelling or portion thereof that is available for use or is used for accommodations or lodging
70 of guests, paying a fee or other compensation for a period of less than thirty consecutive days.
71 Short-term rentals must occur within a dwelling or accessory dwelling unit as defined in the City
72 Code. Tents, sheds, shelters, gazebos, pavilions, recreational vehicles (RVs), boats, or other
73 similar, non-permanent living spaces shall not be deemed a “dwelling or portion thereof” for
74 purposes of this definition.
75

¹ To be added in the appropriate alphabetical order.

76 **TRANSIENT GUEST**

77 A person who uses a hosting platform to facilitate a short-term residential rental or other person
78 who contracts directly with the owner or owner’s agent to arrange for a short-term rental of a
79 dwelling, bedroom, or Accessory Dwelling Unit.

80
81 Article II Registration and Licensing of Short-Term Rental Property

82
83 § 147-13 Applicability.

84 This Chapter shall apply to all short-term rentals as defined herein. This Chapter does not apply
85 to hotels, motels, inns, bed and breakfasts or group homes as defined in the City Code.

86
87 § 147-14 License required.

88 No person may operate a short-term residential rental without a currently effective license to do
89 so from the Director of Planning. An application will be made available and it will contain the
90 requirements and documentation set forth by the Department of Planning.

91
92 § 147-15 License Term, Renewal and Fees.

- 93 (1) Each license shall expire annually from the date of issuance;
94 (2) Before a license expires, the host may submit a renewal application within thirty (30) days
95 of the expiration date;
96 (3) The annual fee for a short-term residential rental license is \$100 per unit;

97
98 § 147-16 Short-Term Rental District.

99 Short-term rentals are only allowed within the Short-Term Rental District (STRD) as shown in
100 Appendix 1, except as provided herein. The boundaries of the STRD are Pulaski Highway to the
101 north, North and South Juniata Street to the west and the Susquehanna River to the south and east.
102 Short-term rentals are not allowed at marinas as defined in the City Code.

103
104 § 147-17 STRD Location Exceptions.

105 Properties located outside of the STRD are allowed if the following criteria are met:

- 106 (1) The property outside of the STRD was active on a hosting platform for at least 90 days
107 within the year prior to the enactment of this ordinance, or;
108 (2) A property was purchased for the purpose of being utilized as a short-term rental and
109 improvements were being made to the property within one year prior to the enactment of
110 this ordinance.

111 The Department of Planning will require documentation from the owner that sufficiently indicates
112 one of the above criteria were met, which determination shall be made in the Director of Planning’s
113 sole discretion. If any property subject to this provision ceases to be used as a short-term rental for
114 a period of one-year, then such property will no longer be permitted to be used as a short term
115 rental and the balance of this Code provision shall apply.

116
117 § 147-18 Ownership and Tax Registration.

118 All applicants for an initial or a renewal license that are hosting four or more short-term rentals:

- 119 (1) Shall provide proof of owner’s permanent residence or registered corporate address;

- 120 (2) The owner must be registered with the State Comptroller and Harford County for the
121 collection of sales and use tax as required under County law.

122
123 § 147-19 Short-term rental maximum license cap

- 124 (1) The City Council shall set a cap for the number of short-term rental licenses allowed in the
125 STRD to not exceed 60 units.
- 126 (2) The Department of Planning shall provide the City Council with an annual report that
127 examines the effect short-term rentals have on neighborhoods within the STRD. The
128 examination will look at changes in the neighborhood character, safety, traffic, noise, and
129 other matters deemed important to the Department of Planning and City Council.
- 130 (3) The City Council will make a decision annually to adjust the number of short-term rentals
131 allowed within the STRD, to change the boundaries of the STRD and/or to adjust use taxes
132 as appropriate.
- 133 (4) Owners that are interested in utilizing their property as a short-term rental where the
134 maximum cap has been met will be placed on a waiting list. As the cap number is increased
135 or licenses become available, those on the waiting list will be informed of available license
136 on a first-come, first-served basis.

137
138 § 147-20 Host compliance.

- 139 (1) The dwelling unit must be maintained in compliance with the City's Building, Fire,
140 Property Maintenance, Zoning and other appropriate laws and codes, as well as the
141 County's Health Department regulations, including a Certificate of Occupancy from the
142 City of Havre de Grace;
- 143 (2) The Host must complete a Life Safety Compliance verification, which indicates the
144 location of smoke alarms, carbon monoxide detectors and fire extinguishers;
- 145 (3) During the term of any rental, the host must prominently display in an area of the dwelling
146 unit that is readily accessible to the transient guests, emergency contact information for a
147 representative of the host. The emergency contact must be located within 15 miles of the
148 short-term rental and be accessible 24-hours a day and for the entire term of the rental;
- 149 (4) At all times during the term of a short-term rental, the host must prominently display the
150 license issued by the City;
- 151 (5) The host must include the license number in any advertisement or listing of the dwelling
152 unit on a hosting platform.

153
154 § 147-21 Local Designated Responsible Party

155 The property owner, or his/her designee, must be capable of being on the property within two
156 hours of being notified. The owner's or his/her designee's contact information must be made
157 available to the City when applying for a license and the contact information must be posted on
158 the exterior of the short-term rental unit.

159
160 § 147-22 Occupancy

161 Occupancy of short-term rentals shall not exceed two people per bedroom, plus one person.

163 § 147-23 Inspections

164 The Department of Planning with 48 hours notice to the property owner or designee, and posted
165 on the property, can require an inspection of the short-term rental unit. If the Department is denied
166 an inspection, the Department may immediately revoke the short-term rental license.

167

168 § 147-24 Homeowners' Associations

169 The owner must inform the City if the property proposed for a short-term rental is governed by a
170 Condominium or Homeowners' Association. Properties within such Associations are required to
171 submit to the City proof that short-term rentals are allowed or must provide an official letter from
172 the governing Association demonstrating that the property can be used as a short-term rental in the
173 respective community.

174

175 §147-25 Denial, suspension or revocation of license.

176 The Director of Planning can deny, suspend or revoke a short-term rental license or renewal license
177 under the following conditions:

178 (1) The Director informs the host of a problem with the short-term rental unit in writing and
179 the issue is not abated within 15 calendar days;

180 (2) In situations deemed an emergency by the Director, the license can be suspended
181 immediately by posting the subject property;

182 (3) Making any material false statement in an application for an initial or renewal license;

183 (4) Fraudulently or deceptively obtaining the license for oneself or another;

184 (5) Fraudulently or deceptively using the license;

185 (6) Failing to comply with any provision of this Chapter or of any rule or regulation adopted
186 in the City Code.

187

188 § 147-26 Licenses under special exception approval.

189 The Board of Appeals may consider a Special Exception for a short-term rental license under the
190 findings stated in Chapter 25, Article IV of the City Code for locations outside of the STRD, but
191 east of Pulaski Highway.

192

193 § 147-27 Appeals of licensing decisions.

194 All appeals of administrative decisions will be heard by the Board of Appeals per Chapter 25,
195 Article IV of the City Code.

196

197 § 147-28 Penalties.

198 All violations of this code may lead to a suspension, revocation or denial of a license. Any person
199 who violates any provisions of this Chapter may be guilty of a misdemeanor and/or receive a fine
200 of \$100 for each offense. Each day a violation continues is a separate offense.

201

202 This ordinance becomes effective on June 1, 2023. All Hosts must apply for a license to their
203 property within 10 days of the effective date.

204

205 ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2023.

206

207 SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____,
208 2023.

209

210

211 ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

212

213

214

215 _____
216 Stephen J. Gamatoria
217 Director of Administration

215 _____
216 William T. Martin
217 Mayor

218

219

219 Introduced/First Reading: 2/21/2023

220 Public Hearing:

221 Second Reading/Adopted:

222

223 Effective Date:

224

225

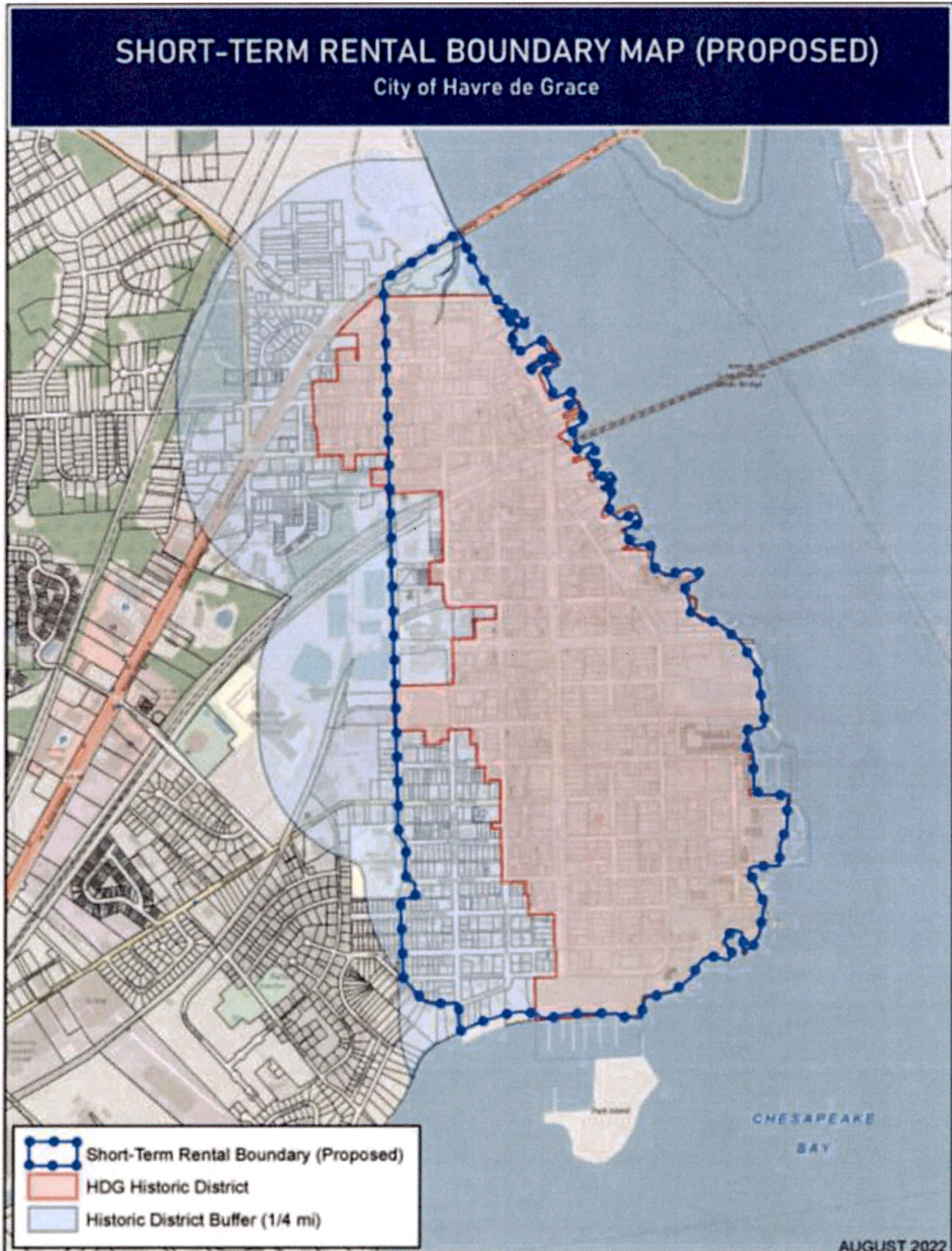
226

227 Legislative History

228 Ordinance No. 886, adopted 5/21/2007

229 Ordinance No. 853, As Amended, adopted 3/1/2004

Appendix 1



CITY COUNCIL

READ FILE COVER SHEET

Subject: **Amendment to Resolution 2022-28 Establish the Truck Traffic Workgroup**

Date: **2/17/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by February 21, 2023**
 - In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment

Comment: _____

Dave Martin Yes No No Comment

Comment: _____

Jim Ringsaker Yes No No Comment

Comment: _____

Jason Robertson Yes No No Comment

Comment: _____

Tammy Lynn Schneegas Yes No No Comment

Comment: _____

Carolyn Zinner Yes No No Comment

Comment: _____

Note: N/A

Amendment to Resolution No. 2022-28

On Page 3, Section 7 (B) after “in” strike “March” and substitute with September.

Section 7 rewritten as amended. With the words in bold and brackets to be deleted and the words underlined to be added.

Section 7. Meetings and Report Schedule

- A. At its first meeting, the Workgroup shall establish a regular meeting schedule.
- B. At the first regularly scheduled City Council meeting held in [**March**] September of 2023, the Workgroup shall deliver to the Mayor and City Council of Havre de Grace a final written and oral report. This report shall:
 - 1. Provide the Workgroup’s recommendations; and
 - 2. Contain and address items A-F found in Section 2 of this resolution and
 - 3. Contain a copy of the minutes recorded at each meeting of the Workgroup, if the approved minutes were not submitted after each meeting.

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2022-28

Introduced by _____ Council Member Boyer _____

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CHAPTER 379 OF THE 2022 LAWS OF MARYLAND, CITY CODE SECTION 25-68, AND SECTIONS 33 AND 34 OF THE CITY CHARTER TO ESTABLISH THE TRUCK TRAFFIC WORKGROUP

WHEREAS, Chapter 379 of the 2022 Laws of Maryland (“Chapter 379”) enables Harford County and municipalities located in Harford County to, by law, authorize the use of vehicle height monitoring systems and, if used, adopt a law limiting the overall number of vehicle height monitoring systems that are used; and

WHEREAS, on August 16, 2022, in accordance with City Code section §25-58 of Article X Street and Traffic Safety Advisory Board (“the Board”), the administration formally requested from the Board an opinion/advice regarding the use of vehicle height monitoring systems; and

WHEREAS, on August 23, 2022 the Board voted and took the position that “the City has such a problem with vehicles of a certain height and/or weight driving through our City that the review of the current ordinances and the consideration of the installation of a monitoring system for enforcement is warranted”; and

WHEREAS, under Chapter 379, before installation of a vehicle height monitoring system, a workgroup must be established, to include commercial transportation industry representatives to assist the local government on certain items relating to the evaluation of existing truck routes, location of vehicle height monitoring systems appropriateness of signage.

NOW, THEREFORE, it is determined, decided, and resolved by the Mayor and City Council of Havre de Grace that the Truck Traffic Workgroup shall be established.

Truck Traffic Workgroup:

Section 1. Establishment

- A. Pursuant to Chapter 379 of the 2022 Laws of Maryland, The Mayor and City Council of Havre de Grace (“the City”) hereby establishes the Truck Traffic Workgroup (“Workgroup”).
- B. The Workgroup shall remain in existence until:
 - 1. The Workgroup submits to the City a final written report along with an oral report, which shall contain and address items A-F found in Section 2 of this resolution, after which the Workgroup shall be considered dissolved; or
 - 2. The City dissolves the Workgroup.

Section 2. Purpose

The purpose of the Workgroup is to assist the City in the following:

- A. Evaluate existing truck routes; and
- B. Develop a map of restricted roads in the City and provide the map to vehicle operators using the best available technology; and
- C. Identify areas for vehicle height monitoring enforcement; and
- D. Evaluate existing signage and identifying locations where signage could be improved; and
- E. Recommend a limit on the overall number of vehicle height monitoring systems that may be placed in the City, if any, and
- F. Recommend vehicles which shall be exempt from enforcement of height restrictions by a vehicle height monitoring system located in the City.

Section 3. Organization and Membership

- A. The Workgroup shall consist of six members:
 - 1. One member representing the Public Safety Committee; and
 - 2. Two citizen members; and
 - 3. One member representing the Havre de Grace Police Department; and
 - 4. One member representing the Havre de Grace Department of Public Works; and
 - 5. One member shall represent the commercial transportation industry.

Section 4. Appointment of Members

With the City Council's consent, the Mayor shall appoint all members of the Workgroup.

Section 5. Terms and replacements

- A. Members shall serve on the Workgroup until the Workgroup is dissolved or until they resign.
- B. When a member cannot complete their term, the Mayor shall appoint a replacement to serve the remainder of that member's term with the advice and consent of the City Council.

Section 6. Officers

- A. At its first meeting, the Workgroup shall:
 - 1. Select one of its members to serve as Chair; and
 - 2. Select one of its members to serve as Secretary who shall take minutes.

Section 7. Meetings and Report Schedule

- A. At its first meeting, the Workgroup shall establish a regular meeting schedule.
- B. At the first regularly scheduled City Council meeting held in March of 2023, the Workgroup shall deliver to the Mayor and City Council of Havre de Grace a final written and oral report. This report shall:
 - 1. Provide the Workgroup's recommendations; and
 - 2. Contain and address items A-F found in Section 2 of this resolution and
 - 3. Contain a copy of the minutes recorded at each meeting of the Workgroup, if the approved minutes were not submitted after each meeting.

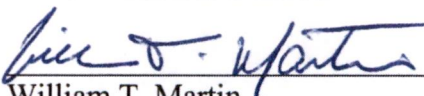
ADOPTED by the City Council of Havre de Grace, Maryland this 3rd day of October, 2022.

SIGNED by the Mayor and attested by the Director of Administration this 5th day of October, 2022.

ATTEST:



 Stephen J. Gamatoria
 Director of Administration

MAYOR AND CITY COUNCIL
 OF HAVRE DE GRACE


 William T. Martin
 Mayor

Introduced: 10/3/2022
 Passed/Adopted: 10/3/2022
 Effective Date: 10/5/2022

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Budget Amendment 2023-11 - Fund City Sponsored
Events through FY 2023**

Date: **2/10/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by February 21, 2023**
 - In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment

Comment: _____

Dave Martin Yes No No Comment

Comment: _____

Jim Ringsaker Yes No No Comment

Comment: _____

Jason Robertson Yes No No Comment

Comment: _____

Tammy Lynn Schneegas Yes No No Comment

Comment: _____

Carolyn Zinner Yes No No Comment

Comment: _____

Note: N/A



INTER-CITY MEMORANDUM

To: City Council President James E. Ringsaker, Jr.
From: Mayor William T. Martin
Date: 2/7/2023
RE: Proposed Budget Amendment 2023-11

In its inaugural year in the City's Budget, the line item "City Events" was created as a means to capture expenses associated with the planning and execution of City Events, in the STAR Centre, Opera House, as well as Outdoor City Sponsored Events, such as First Friday's and those City festivals that our Citizens have come to enjoy. They did not include the impact of facility rental or event proceeds and were the net cost to taxpayers.

Capturing such costs, and maintaining the needed revenue to plan and prepay for performers and preparation costs has depleted account 01-1095-6207. In consultation with Director of Finance, Director of Administration and the Events Chief, I am therefore requesting a budget amendment whereby event revenues generated for those events scheduled between now and the end of this fiscal year, be allocated to support those events scheduled the remainder of this fiscal year, rather than being allocated to "Expense Reimbursement" and accumulate for the year.

Therefore I am requesting that anticipated revenue generated from City sponsored events, totaling \$301,200, and including those held at the Opera House and the STAR Centre for the remainder of this fiscal year be allocated to the Revenue Account 01-0001-46-23 "City Sponsored Event Proceeds", to fund the anticipated expenses in 01-1095-6207 "City Events" for the remainder of the year.

Please contact the Director of Administration if you have any questions or require additional information regarding this budget amendment request.

BUDGET AMENDMENT

February 21, 2023

Amendment # 2023-11

SOURCE OF FUNDS

Account Number	Account Title	Amount
	General Fund 1	
01-0001-46-40	City Sponsored Event Proceeds	\$301,200.00
	Total Sources	\$301,200.00

USE OF FUNDS

Account Number	Account Title	Amount
	General Fund 1	
01-1095-6207	Remaining Special Events in FY23; (Below)	\$301,200.00
	Outdoor Events: (Defenders Day; Mardi Gras Parade; First Friday's; JD Lawn support; Independence Day support; Marketing billboards	
	STAR Centre - 6 Concerts; Non Concert Events; Summer Camps; Housekeeping; Merchandise; Supplies	
	OH - Programming; Programming Staff Fees; Concessions/Merchandise; Volunteer/Staff Development; Piano Maintenance and Moving; Marketing	
	Total Uses	\$301,200.00

REASON FOR ADJUSTMENT

To fund City Sponsored Events through fiscal year 2023

AUTHORITY

City Council on 2/21/2023

APPROVAL

MAYOR	_____	Date: _____
ADMINISTRATION	_____	Date: _____
FINANCE	_____	Date: _____

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Special Event – Easter Sunrise Service**

April 9, 2023

Date: **2/13/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- FYI
 Read and Comment as Needed
 Action Required by February 21, 2023
 In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment
Comment: _____

Dave Martin Yes No No Comment
Comment: _____

Jim Ringsaker Yes No No Comment
Comment: _____

Jason Robertson Yes No No Comment
Comment: _____

Tammy Lynn Schneegas Yes No No Comment
Comment: _____

Carolyn Zinner Yes No No Comment
Comment: _____

Note: N/A

Office Use Only
 Date Received 1-31-23
 Tracking # 1011 19 0028

EVENT APPLICATION CHECKLIST

EVENT NAME: Easter Sunrise Service

Sponsor Organization: Havre de Grace United Methodist Church & First Christian Church

Business Address: 101 S. Union Avenue, Havre de Grace, MD 21078

On-Site Contact Person: Pastor Norman Obenshain

Contact Information **Phone:** 410-939-2464 **Email:** hdgumc@verizon.net

Back-Up On-Site Contact Person: _____

Contact Information **Phone:** _____ **Email:** _____

Note: *The on-site contact must be at the event the entire duration to include set-up and break-down.*

Is the Sponsor Organization a Havre de Grace 501 C3? Yes No

Is the Sponsor Organization a 501 C3? Yes No

Tax ID # 29023778 (attach non-profit status documentation to application)

If the Sponsor Organization is not a Havre de Grace Non-Profit, please provide additional details below:

Event Category:

- | | | |
|--|--|---|
| <input type="checkbox"/> Athletic/Recreation | <input type="checkbox"/> Concert/Performance | <input checked="" type="checkbox"/> Other (explain) |
| <input type="checkbox"/> Festival | <input type="checkbox"/> Carnival | Church service |
| <input type="checkbox"/> Parade | <input type="checkbox"/> 5K/10K/Walk * | |
| <input type="checkbox"/> Rally | <input type="checkbox"/> Fishing Tournament | |

* a fee may be charged

Date/Time:

If this is a **multi-day event**, please attach a detailed summary with applicable dates and times.

Setup	Date: <u>4/9/2023</u>	Begin Time: <u>6 am</u>
Event Starts	Date: <u>4/9/2023</u>	Time: <u>6:30 am</u>
Event Ends	Date: <u>4/9/2023</u>	Time: <u>7:30 am</u>
Breakdown	Date: <u>4/9/2023</u>	End Time: <u>8 am</u>
Rain Date	Date: <u>n/a</u>	

Is timeframe the same? Yes No

If no, include new times: _____

Location: (see attached map)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Millard E. Tydings Memorial Park
(352 Commerce Street) Use of Gazebo too | <input type="checkbox"/> Community Pavilion at
Frank J. Hutchins Memorial Park (100 Congress Avenue) |
| <input type="checkbox"/> Concord Point Park (701 Concord Street) | <input type="checkbox"/> David Craig Park (553 N. Union Avenue) |
| <input type="checkbox"/> McLhinney Park (811 N. Adams Street) | <input type="checkbox"/> K-9 Cody Dog Park (100 Lagaret Lane) |
| <input type="checkbox"/> Veteran's Park (418 Concord Street) | <input type="checkbox"/> Other location (explain) |

(No vehicles permitted on park grounds - fees will apply for damage to the grounds.)

Anticipated Attendance: 40-60

Admission Fee (if any): Free

Requested City Services:

Following is a list of services City Staff may provide at no charge to Event Sponsors to help make your event successful. If your event needs assistance from the City for services, **please check the appropriate boxes below: Note: Only those services approved prior to the event will be provided.**

- Traffic Control:** Please describe and attach a map (e.g. Google Maps) of intersections and street names affected and any road closures.

Note: Ohio Street, Otsego Street, Revolution Street, Superior Street, Union Avenue, and US Rt. 40 are State Roads, so Event Sponsor must submit the Maryland State Highway Administration (MSHA) Permit with this Special Event Application, but should not contact or submit the permit to MSHA – the Havre de Grace Police Department will handle this part of the process with MSHA. (<https://www.roads.maryland.gov/mdotsha/pages/Index.aspx?PageId=59>)

- Parking/No Parking Signs:** Please designate on a map the areas to be designated for Parking/No Parking (include Handicap Parking).

- Public Restrooms:** Public Restrooms are available and located at or near Millard E. Tydings Memorial Park and City Yacht Basin, Frank J. Hutchins Memorial Park, Concord Point Park, and McLhinney Park. These public restrooms will be cleaned and stocked with the necessary supplies.

- Electricity Needed (limited availability):** Please attach an electrical site plan to include placement of extension cords, generators and the anticipated amperage draw. **Need electric at the gazebo.**

- Other:** Please explain:

It is the responsibility of the EVENT SPONSOR to provide tables, chairs, podium, stage, audio, fencing, and port-a-pots as needed.

Please remove all items at the end of your event and return the area to an equal or better condition than before the event; additional fees will/may apply for any damage caused by your event or items not removed at the end of your event.

Food Service:

Yes No Will there be food sold at your event?

Yes No Will there be food given away at your event?

It is the responsibility of the **EVENT SPONSOR** to contact and comply with the Harford County Health Department Regulations. It is also the responsibility of the **EVENT SPONSOR** to ensure the removal of all trash and recycling (see Trash and Recycling Collection and Disposal on page 4 of this application).

Alcohol:

Yes No Will there be alcohol sold at your event?

Yes No Will there be alcohol given away at your event?

Alcoholic beverages are not permitted at City Parks, unless you have permission from the Mayor and City Council and you apply for and receive a Liquor License from the Harford County Liquor Board.

The Harford County Liquor Board requires a License if alcohol is to be served – please note rules and regulations: <http://www.hclcb.org/alcoholic-beverage-license-applications>.

It is the responsibility of the **EVENT SPONSOR** to contact the Liquor Board for the appropriate permit. The Harford County Liquor Board Permit Application must be signed by the City. A copy of the approved License must be provided to the Chief of Parks, Events and Recreation at least 3 business days prior to the scheduled event.

Please describe your security plan to ensure the safe sale and distribution of alcohol at your event. Include how attendees of legal drinking age will be identified.

Security:

Yes No I acknowledge that I have contacted the Havre de Grace Police Department's Police Services Commander (410-939-2121) to discuss concerns regarding safety and security during the event.

Officer's Name: Lt. Humphrey Badge # 7690

Date Contacted: 1/31/2023

Gambling:

Yes No Will there be raffles, 50/50 or other gambling games?

It is the responsibility of the **EVENT SPONSOR** to contact the Harford County Sheriff's Office for the appropriate permit: <https://harfordsheriff.org/services/gambling/>. A copy of the approved License must be provided to the Chief of Parks, Events and Recreation prior to the scheduled event.

First Aid Services/Medical Plan:

Please describe your medical plan including the number of first aid staff and/or first aid stations within the perimeter of your event. Please include your communication plan and types of resources that will be at your event for medical emergencies.

Will have a first aid kit on site and will contact EMS if needed.

Affidavit:

The Applicant agrees to defend, indemnify and hold harmless the City of Havre de Grace, its agents, representatives, officials and employees, from and against any and all claims, damages, losses and expenses (including but not limited to attorney fees, court cost, and the cost of appellate proceedings), relating to, arising out of, or alleged to have resulted from the acts, errors, mistakes, or omissions of the Applicant, its agents, employees, contractors, subcontractors, customers, invitees, guests or other persons doing business with the Applicant, in connection with the Special Event described in this Application, provided that such claims, damages, losses and expenses are attributable to bodily injury or to injury to or destruction of property. Any cancellation must be made 48 hours prior to the scheduled event.

I have read and understand all of the attached policies and will abide by all policies, rules, regulations, and conditions as written. I understand that the Special Event Permit is not transferable to any other Sponsor, Individual or Group. I also understand the event cannot be advertised until the application has been submitted and approved by the Mayor and City Council.

Event Name: Easter Sunrise Service

Print Name of Event Sponsor Pastor Norman Obenshain

Title Pastor

Phone 410-939-2464 Email hdgumc@verizon.net

Signature Pastor Norman Obenshain Date 1/31/2023

Received by Kiley Ernest Date 2-1-2023
City Official Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/22/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER PSA Insurance & Financial Partners, LLC 11311 McCormick Road Suite 500 Hunt Valley MD 21031-8622		CONTACT NAME: Charlie Funk PHONE (A/C, No, Ext): (410) 821-7766 E-MAIL ADDRESS: cfunk@psafinancial.com FAX (A/C, No): (410) 828-0242	
INSURED Havre de Grace United Methodist Church Attn: Treasurer 101 S Union Avenue Havre de Grace MD 21078		INSURER(S) AFFORDING COVERAGE INSURER A: Brethren Mutual Insurance Co. NAIC # 13501 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: 22-23 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			SRP0001000	06/01/2022	06/01/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits Liab \$ 100,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						\$ \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WCP0070285	06/01/2022	06/01/2023	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurance Verification

CERTIFICATE HOLDER**CANCELLATION**

City of Havre De Grace, MD
 711 Pennington Ave
 Havre De Grace, MD 21078

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Charlie Funk

SPECIAL EVENTS WORK SHEET

SPECIAL EVENTS WORK SHEET						
	Event:	Easter Sunrise Service (HDG United Methodist Church)	Tracking ID: 1011190028			
	Dates:	4/9/23				
	Time of set up:	6:00 AM				
	Take down time:	7:30 am - 8:00 am				
	Time of actual event:	6:30 - 7:30 am				
	Location:	Millard E. Tydings Memorial Park (Use of Gazebo too)				
	Number of personnel	Regular Pay (Hours)	Overtime Pay Hours*	FULLY Loaded Wage**	Estimated Hours	Total Estimated Cost
PD					0	\$0.00
Notes						
	This event will be handled by patrol units on duty.					
	Number of personnel	Regular Pay (Hours)	Overtime Pay Hours*	FULLY Loaded Wage**	Estimated Hours	Total Estimated Cost
DPW	1	1	0	\$60.00	1	\$60.00
Notes	Bathroom cleaning and restocking. <i>Completed: 2/1/23</i>					
	1	1	0	\$60.00	1	\$60.00
Grand Total						
REVISION 1/10/2020	*Note: OT salary is 1.5 times average salary: ** Note 2 - FULLY Loaded Wage provided by the Finance Department includes Wages, Fringe Benefits & Materials based on the U.S. Department of Health and Human Services Division of Cost Allocation (DCAA)					