



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: Monday, December 18, 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

December 18, 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 – December 4, 2023
6. Comments from Citizens
7. Appointments: None
8. Recognitions: None
9. Proclamations: None
10. Presentations: None
11. Resolutions: None
12. Ordinances:
 - A. **Ordinance No. 1131 concerning Accepting a Deed of Dedication for Property between Bulle Rock Circle and Scenic Manor: Second Reading (CP Ringsaker)**
AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33, 34, 65, 66 AND 73 CONCERNING ACQUISITION OF 0.202 ACRES (MORE OR LESS) AND ACCEPTANCE OF A DEED OF DEDICATION REGARDING REAL PROPERTY LOCATED BETWEEN THE BULLE ROCK CIRCLE ON CHAPEL ROAD AND SCENIC MANOR
 - B. **Ordinance No. 1132 concerning Amending Section 205-13 Zoning – Definitions: Second 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 SECTION 205-13 ZONING – DEFINITIONS
 - C. **Ordinance No. 1133 concerning Amending Chapter 2 Adequate Public Facilities and Chapter 198 Water and Sewers: Second Reading (CM Boker)**
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 2 ADEQUATE PUBLIC FACILITIES AND CHAPTER 198 WATER AND SEWERS OF THE CITY CODE

- D. **Ordinance No. 1134 concerning Amending Portions of City Code Chapter 151 regarding Electronic Signs: Second 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 AND LAND USE ARTICLES OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND PORTIONS OF CITY CODE CHAPTER 151 REGARDING ELECTRONIC SIGNS
- E. **Ordinance concerning Accepting a Deed of Easement at 973 Chesapeake Drive: First Reading (CM Schneegas)**
AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE 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 ACCEPTING A DEED OF EASEMENT WITH RESPECT TO PUBLIC FACILITIES TO INCLUDE A MUNICIPAL WATER LINE ACROSS THE PROPERTY LOCATED AT 973 CHESAPEAKE DRIVE
- F. **Ordinance concerning Adding Chapter 31-2 TT and UU regarding Vacant, Abandoned and Deteriorated Properties: 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 ADD CHAPTER 31-2 TT AND UU REGARDING VACANT, ABANDONED AND DETERIORATED PROPERTIES

13. Old Business: None

14. New Business:

A. Special Events (Mr. Gamatoria)

- i. Mardi Gras Parade, February 13, 2024
6:00 p.m.-7:00 p.m., Bourbon Street to Washington Street to St. John Street
- ii. Arts, Wine & Jazz & Soul Festival, August 10, 2024
11:00 a.m.-7:00 p.m., Concord Point Park
- iii. Refuel for School, August 17, 2024 (rain date: 8/18/2024)
3:00 p.m.-6:00 p.m., Concord Point Park

15. 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

16. Business from Mayor Martin

- A. Announcement of House Decorating Contest Winners

17. Business from Council:

- A. Council Member Boker
- B. Council Member Jones
- C. Council Member Boyer
- D. Council Member Schneegas
- E. Council Member Robertson
- F. Council President Ringsaker

18. Adjournment



December 4, 2023
Council Meeting Proceedings
711 Pennington Avenue, Havre de Grace, Maryland
7:00 p.m.

Public Hearing for Ordinance No. 1130 concerning Approving Budget Amendment 2024-05 to Fund the Route 155 Waterline, Bridge Inspections and Waste Water Treatment Plant Grit Tank was called to order on December 4, 2023 at 7:00 p.m. with Mayor Martin presiding. Council Members present: CP Ringsaker, CM Boker, CM Boyer, CM Jones, CM Robertson and CM Schneegas.

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE BY THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTION 37 OF THE HAVRE DE GRACE CITY CHARTER FOR THE PURPOSE OF AMENDING THE CITY BUDGET FOR FISCAL YEAR 2024, TO ADDRESS REALLOCATIONS OF FUNDS FOR THE CITY OF HAVRE DE GRACE FOR FISCAL YEAR 2024

Comments from Citizens: None

Public Hearing closed at 7:03p.m.

Public Hearing for Ordinance No. 1131 concerning Accepting a Deed of Dedication for Property between Bulle Rock Circle and Scenic Manor was called to order on December 4, 2023 at 7:03 p.m. with Mayor Martin presiding. Council Members present: CP Ringsaker, CM Boker, CM Boyer, CM Jones, CM Robertson and CM Schneegas.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33, 34, 65, 66 AND 73 CONCERNING ACQUISITION OF 0.202 ACRES (MORE OR LESS) AND ACCEPTANCE OF A DEED OF DEDICATION REGARDING REAL PROPERTY LOCATED BETWEEN THE BULLE ROCK CIRCLE ON CHAPEL ROAD AND SCENIC MANOR

Comments from Citizens: None

Public Hearing closed at 7:04 p.m.

Public Hearing for Ordinance No. 1132 concerning Amending Section 205-13 Zoning - Definitions was called to order on December 4, 2023 at 7:04 p.m. with Mayor Martin presiding. Council Members present: CP Ringsaker, CM Boker, CM Boyer, CM Jones, CM Robertson and 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 SECTION 205-13 ZONING – DEFINITIONS

Comments from Citizens: None

Public Hearing closed at 7:05 p.m.

Public Hearing for Ordinance No. 1133 concerning Amending Chapter 2 Adequate Public Facilities and Chapter 198 Water and Sewers was called to order on December 4, 2023 at 7:05 p.m. with Mayor Martin presiding. Council Members present: CP Ringsaker, CM Boker, CM Boyer, CM Jones, CM Robertson and 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 CHAPTER 2 ADEQUATE PUBLIC FACILITIES AND CHAPTER 198 WATER AND SEWERS OF THE CITY CODE

Comments from Citizens: None

Public Hearing closed at 7:07p.m.

Public Hearing for Ordinance No. 1134 concerning Amending Portions of City Code Chapter 151 regarding Electronic Signs was called to order on December 4, 2023 at 7:07 p.m. with Mayor Martin presiding. Council Members present: CP Ringsaker, CM Boker, CM Boyer, CM Jones, CM Robertson and 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 AND LAND USE ARTICLES OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND PORTIONS OF CITY CODE CHAPTER 151 REGARDING ELECTRONIC SIGNS

Comments from Citizens: CM Boyer commented she will be offering an amendment to protect the historic downtown area.

Public Hearing closed at 7:08 p.m.

The regular meeting of the Mayor and City Council was called to order on December 4, 2023, at 7:09 p.m. with Mayor Martin presiding. Council Members present: CP Ringsaker, CM Boker, CM Boyer, CM Jones, CM Robertson, and CM Schneegas.

The Pledge of Allegiance was recited, and the opening prayer was given by Rabbi Meeka Simerly, Temple Adas Shalom.

Approval of Minutes

City Council Meeting Minutes – CM Boker moved to approve the Council Meeting minutes of November 20, 2023. Second by CM Schneegas. Motion carried 6-0.

City Council Closed Session Meeting Minutes – CM Jones moved to approve the Council Closed Session Meeting minutes of November 20, 2023. Second by CP Ringsaker. Motion carried 6-0. (No votes were taken at the meeting.)

Comments from Citizens

None

Appointments

CM Jones made a motion to approve the reappointment of Lou Ann Swam to the Arts Commission. Second by CM Boyer. Motion carried 6-0.

CM Jones made a motion to approve the appointment of Lindsay Jones to the Arts Commission. Second by CM Boker. Motion carried 6-0.

Oath of Office

Mayor Martin administered the oath of office to Lindsay Jones of the Arts Commission.

Recognition

Mayor Martin recognized the Havre de Grace High School Girls Soccer Team for becoming the 1A State Champions.

Presentation

Lighting of the Menorah – Rabbi Meeka Simerly of Temple Adas Shalom explained the lighting of the menorah. Mayor Martin lit the menorah candles as Rabbi Simerly prayed.

Resolution

Calendar Resolution concerning Adopting Transportation Priorities and Policy Positions

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 ADOPT TRANSPORTATION PRIORITIES AND POLICY POSITIONS

A motion to introduce was made by CM Boyer. Second by CM Schneegas. Motion carried 6-0. The resolution was given number 2023-22. A motion to adopt was made by CM Boyer. Second by CP Ringsaker. After a roll call vote, motion to approve carried 6-0.

Ordinances

Ordinance No. 1127 concerning Accepting a Deed for Bloomsbury Avenue: Second Reading

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE 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, 34 AND 73 OF THE HAVRE DE GRACE CITY CHARTER, FOR THE PURPOSE OF ACCEPTING A DEED FOR BLOOMSBURY AVENUE PARCEL TAX ID NO. 06-020127 FOR A PUBLIC PURPOSE

A motion to introduce was made by CP Ringsaker. Second by CM Schneegas. Motion carried 6-0. A motion to adopt was made by CM Boker. Second by CP Ringsaker. After a roll call vote, motion to approve carried 6-0.

Ordinance No. 1129 concerning Approving a Memorandum of Understanding and Agreement with Harford County regarding Access to the Robinhood Road Master Water Meter Vault: Second Reading

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE 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 APPROVING THE MEMORANDUM OF UNDERSTANDING AND AGREEMENT WITH HARFORD COUNTY REGARDING ACCESS TO THE ROBINHOOD ROAD MASTER WATER METER VAULT

A motion to introduce was made by CP Ringsaker. Second by CM Boker. Motion carried 6-0. A motion to adopt was made by CP Ringsaker. Second by CM Boker. After a roll call vote, motion to approve carried 6-0.

Ordinance No. 1130 concerning Approving Budget Amendment 2024-05 to Fund the Route 155 Waterline, Bridge Inspections and Waste Water Treatment Plant Grit Tank: Second Reading

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE BY THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTION 37 OF THE HAVRE DE GRACE CITY CHARTER FOR THE PURPOSE OF AMENDING THE CITY BUDGET FOR FISCAL YEAR 2024, TO ADDRESS REALLOCATIONS OF FUNDS FOR THE CITY OF HAVRE DE GRACE FOR FISCAL YEAR 2024

A motion to introduce was made by CM Robertson. Second by CM Jones. Motion carried 6-0. A motion to adopt was made by CM Robertson. Second by CP Ringsaker. After a roll call vote, motion to approve carried 6-0.

New Business

Approval of the Consultant for the SS4A Grant – CM Boyer explained the Safe Streets and Roads for All grant and gave information on the consulting firm. The grant includes Bel Air and Aberdeen, with Bel Air taking the lead; this will make the streets safer for bicyclists and pedestrians. CM Boyer made a motion to approve the consultant for the SS4A grant, which is EXP. Second by CM Schneegas. Motion carried 6-0.

Directors Report

Steve Gamatoria, Director of Administration: Mr. Gamatoria commented that residents have called asking if leaves can be raked/blown into the gutter to be picked up by the sweeper – no, you have to bag your leaves in paper bags; leaves in the gutters clogs our sweeper. The utility pole at the corner of Otsego and Rt. 40, which has some damage, is being addressed with a plan in place to relocate it sometime in the spring.

Tim Bourcier, Director of Planning: Mr. Bourcier thanked the Council for approving the consultant. The permits for November: 1 new construction and 8 renovations/additions, which is on par for this time of year.

Bridgette Johnson, Director of Economic Development & Tourism: Ms. Johnson reported that on November 30 we received the first half of the grant (\$45,000) for restrooms at the Visitor Center. We will be ready to bid out within the next 2 weeks with construction beginning the end of January – the Visitor Center will move to the former Amanda's Florist shop while renovations are done. A vendor has been chosen for the footbridge at Swan Harbor – we are waiting for EDA to approve the vendor. The Tourism team was thanked for the work done the past few weeks and especially this weekend. Information on Holly Jolly days was given. Lindsay Jones, Lauri Orzewicz, Pam Sickenberger, and Debbie Shoberlein were recognized for organizing the parade as well as everyone who participated. The Winter Wonderland Committee (Jay McFadden, Fred Willis, Paul & Amy White) was recognized for decorating, organizing, and staffing Santa Land.

George DeHority, Director of Finance: Mr. 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 balance is \$7,375,500, which is \$677,300 below budget. The Water/Sewer Fund 9

balance is \$4,977,100, which is \$316,300 above budget. The Marina Fund 8 balance is \$608,500, which is \$78,600 above budget.

EJ Millisor, Director of Public Works: Mr. Tim Whittie reported for Mr. Millisor. He thanked the Council for approving the budget amendment. The contractor for the Rt. 155 water line project has been selected and we are going through the contractual process; the winter weather may dictate how the construction is done. We are working on finalizing the model study that reflects development of the Green, Ianniello, Lampson, and hospital properties.

Chief Teresa Walter, Havre de Grace Police Department: Captain Alton reported for Chief Walter. This is the time of year when theft increases – don't leave packages and items of value in view in vehicles, be aware of your surroundings, have a plan when you go out, and if something doesn't look right, contact them.

Business from Mayor Martin

Mayor Martin thanked the HdG Girls Soccer Team for attending the Council meeting – he is proud of the team and the coaches. Rabbi Meeka Simerly was thanked for giving the invocation and lighting the menorah. He thanked everyone for coming out in the rain for the parade Friday night; DPW was recognized – they are our little elves; the Police were thanked for being in the weather directing traffic; and Lauri Orzewicz, Pam Sickenberger, and Jeff Thompson were recognized for the work they do organizing the event. There are a lot of things to do the next two weekends. Mayor Martin wished everyone a great couple weeks.

Business from Council

Council Member Robertson: CM Robertson thanked Director Johnson, Lauri Orzewicz, the police officers, DPW staff, and Jeff Thompson and Jay for all they do for Holly Jolly Friday. Wreaths across America is December 16 at 2 p.m. at Angel Hill Cemetery – more details are on the American Legion website and Facebook page.

Council Member Boker: CM Boker attended the Holiday Tree Jubilee, which was December 1 & 2 – they had 48 decorated trees and 6 wreaths; the proceeds go to Celebrate the 4th Foundation. He was joined by CM Boyer and Adam Rybczynski at the ribbon cutting for the Village at Blenheim Run and toured the complex, which is quality work and craftsmanship; the developer plans to build another one beside it. The Police Department, Susquehanna Hose Company, EMTs, and first responders were thanked, especially for their work during the parade.

Council Member Jones: CM Jones commented there is a Kwanza Celebration on December 28 at the HdG Colored School from 11 a.m. – 3 p.m. On December 9, the STAR Centre will have Allan Harris: A Nat King Cole Christmas Quartet. The Hosanna School Museum will be celebrating their 75th anniversary on December 12.

Council Member Boyer: CM Boyer thanked Steve Gamatoria and the Administration for continuously working to getting the Rt. 40 intersection right – we need to keep approving our transportation priorities; people were encouraged to talk to their legislators about the intersection to move us up the priority list. Kudos to Lauri Orzewicz and the volunteers. The Green Team had a meeting and discussed how to get more people involved – it was suggested there be a Volunteer Expo event to let people know how they can get involved in the community.

Council Member Schneegas: CM Schneegas commented that it is wonderful to be part of the festivities in HdG; go to explorehavredegrace.com for event information. She attended the Wizards of Winter concert at the STAR Centre – the stage presence was outstanding; Bambi Johnson and her team were commended for bringing them here and she hopes they can come again. The Holiday Boutique at the Lock House is this Saturday from 9 a.m.-12 p.m. She wished everyone peace and joy during the holiday season and she looks forward to being a part of the holiday season. Get out and enjoy HdG. She thanked Council, Administration, DPW, and Police Department for helping to make it a magical season in HdG.

Council President Ringsaker: CP Ringsaker commented this is an awesome time of year with football and hunting season – he is blessed to be able to pass on the tradition of hunting to his son – it is part of the history of HdG. Yesterday was the first day of Advent with the lighting of the candle of hope. St. Nicholas Day is December 6 – put your boots outside on December 5.

Adjournment

CM Robertson made a motion to adjourn at 8:47 p.m. Second by CM Schneegas. Motion carried 6-0.

Submitted by: Tamara Brinkman

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

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1131 concerning Accepting Deed of Dedication for Property between Bulle Rock Circle & Scenic Manor**
(2nd Reading)

Date: **12/5/2023**

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 December 18, 2023
 In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment
Comment: _____

Casi Boyer Yes No No Comment
Comment: _____

Vicki Jones 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: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1131

Introduced by _____ Council President Ringsaker

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33, 34, 65, 66 AND 73 CONCERNING ACQUISITION OF 0.202 ACRES (MORE OR LESS) AND ACCEPTANCE OF A DEED OF DEDICATION REGARDING REAL PROPERTY LOCATED BETWEEN THE BULLE ROCK CIRCLE ON CHAPEL ROAD AND SCENIC MANOR

On: 11/20/2023
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 December 4, 2023 at 7:03 p.m., and concluded on December 4, 2023 at 7:04 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.

35 **WHEREAS**, BR Landholder LLC is the owner (“Owner”) of approximately 0.202 acres
36 (more or less) of unimproved land recorded among the Land Records of Harford County, identified
37 by Tax ID No. 06-067069 and designated as Parcel A as shown on that certain plat entitled
38 “Revised Final Plat One, Bulle Rock” recorded on February 9, 2005 amount the Land Records of
39 Harford County, Maryland at Plat Book J.J.R. 117, page 93 (“Property”); and

40
41 **WHEREAS**, the Owner has offered to dedicate the Property to the City for zero (“0”)
42 consideration in exchange for the City covering costs associated with the transfer of such property,
43 including recording a deed in the land records; and

44
45 **WHEREAS**, the City has expressed an interest in acquiring the Property for a public
46 purpose as a City right of way given its proximity to Chapel Road, the Bulle Rock circle at Bulle
47 Rock Parkway, and Scenic Manor Drive; and

48
49 **NOW THEREFORE**, it is this ____ day of _____ 2023, determined,
50 decided, and ordained by a majority of the City Council members that the acquisition for a public
51 purpose Property defined above is approved, and the Mayor is authorized, in consultation with the
52 City Attorney, to executed a deed in substantially similar form as attached hereto as Exhibit A to
53 achieve such purpose.

54
55 The foregoing Ordinance is hereby approved by the City Council.

56
57 ADOPTED by the City Council of Havre de Grace, Maryland this ____ day of _____,
58 2023.

59
60 SIGNED by the Mayor and attested by the Director of Administration this __ day of
61 _____, 2023.

62
63
64 ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

65
66
67 _____
68 Stephen J. Gamatoria
69 Director of Administration

William T. Martin
Mayor

70
71
72 Introduced/First Reading: 11/20/2023

73 Public Hearing: 12/4/2023

74 Second Reading/Adopted:

75
76 Effective Date:

Exhibit A

FS-OS23-1573

Tax ID # 06-067069

Deed prepared without the benefit of a title exam.

This Deed is exempt from Recordation TPA 12-108(a)(1)(iv) and Transfer TPA 13-207(a)(1) taxes.

This Deed, made this ____ day of November, 2023, by and between BR Landholder, LLC, GRANTOR, and The Mayor and City Council of Havre de Grace, a Municipal Corporation, GRANTEE.

~Witnesseth~

That in consideration of the sum of No and 00/100 Dollars (\$.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, as sole owner, in fee simple, all that lot of ground situate in the County of Harford, State of Maryland and described as follows, that is to say:

All that certain parcel of land known and designated as "Parcel A" as shown on that certain plat entitled "Revised Final Plat One, Bulle Rock", recorded on February 9, 2005 among the Land Records or Plat Records of Harford County, Maryland in Plat Book JJR 117, Folio 93. Consisting of 0.202 acres more or less.

The improvements thereon being commonly known as Chapel Road, Havre de Grace, MD 21078 (for informational purposes only).

Tax ID Number: 06-067069

BEING the fee simple property which, by Deed dated January 8, 2021, and recorded March 17, 2021, in the Land Records of the County of Harford, Maryland, in Liber 14586, Folio 383, was granted and conveyed by Bulle Rock Investments, LLC unto BR Landholder, LLC.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said The Mayor and City Council of Havre de Grace, as sole owner, in fee simple.

And the Grantor hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant Specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

BR LANDHOLDER, LLC

By: _____
Robert C. Ward, Manager

Witness

STATE OF MARYLAND }
COUNTY OF HARFORD } ss

I hereby certify that on this _____ day of November, 2023 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert C. Ward, and that as such officer, being authorized to do so, executed the foregoing Deed for the purposes therein contained, by signing the name of the limited liability company, by himself as such officer and further, did certify that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all, or substantially all, of the property and assets of the limited liability company, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public
My Commission Expires: _____

In Witness Whereof, Grantee has accepted this Deed and acknowledged it to be properly executed and sealed the day and year first above written.

BUYER:
Mayor and City Council of Havre de Grace,
A Municipal Corporation

Witness

By: _____(SEAL)
William T. Martin, Mayor

STATE OF MARYLAND }
COUNTY OF HARFORD } ss

I hereby certify that on this ____ day of November, 2023, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared William T. Martin, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the acceptance of the foregoing Deed to be his act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public
My Commission Expires: _____

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

April C. Ishak, Esq.

AFTER RECORDING, PLEASE RETURN TO:
AC Ishak Law, LLC
224 N. Washington Street
Havre de Grace, MD 21078
443-502-5558

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1132 concerning Amending Section 205-13 Zoning Definitions**

(2nd Reading)

Date: **12/5/2023**

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 December 18, 2023
 In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment

Comment: _____

Casi Boyer Yes No No Comment

Comment: _____

Vicki Jones 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: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1132

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 SECTION 205-13 ZONING - DEFINITIONS

On: 11/20/2023

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 December 4, 2023 at 7:04 p.m., and concluded on December 4, 2023 at 7:05 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 Section 205-13

35

36 **DWELLING, MULTIFAMILY**

37 A detached building located on a single lot or parcel and designed for or used for residence
38 purposes by ~~[two]~~ three or more families or housekeeping units. Such buildings include
39 apartments, multiplexes and single-family residences converted to multifamily use

40

41 **OPEN SPACE**

42 The area within the boundaries of a development that is permanently set aside for public or private
43 use and will not be developed. Open space may be used as community open space and green space
44 [intended to provide light, air, view and/or a quality or general appearance of openness, and
45 is designed for environmental, privacy, recreational or scenic purposes.] Open space may
46 include, but shall not be limited to: [, lawns, decorative plantings,] walkways and trails, active
47 and passive recreation areas, undisturbed natural areas, wooded areas, natural creeks, streams,
48 lakes and similar water features, man-made lakes designed to be an attractive development
49 amenity, but which also may be used for stormwater management, stormwater management dry
50 ponds which are landscaped or contain existing trees, and areas where buffering, landscaping or
51 screening are required under City Code [this chapter]. **[The term "open space" shall include**
52 **the terms common "open space," "dedicated open space," and "usable open space."]**

53

54 **OPEN SPACE, ACTIVE**

55 Open space used for sports, exercise, walking, running, biking, or active play.

56

57 **OPEN SPACE, COMMUNITY**

58 The area of open space remaining after open space-green space has been designated, which may
59 include active or passive open space.

60

61 **OPEN SPACE, GREEN SPACE**

62 Open space maintained in a natural, undisturbed or revegetated condition that is not accessible to
63 the community, including conservation easements.

64

65 **OPEN SPACE, PASSIVE**

66 Open space similar to green space that is accessible to the community for sitting, relaxing or
67 other non-active uses.

68

69 In accordance with the provisions of the Maryland Ann. Code, Land Use Article, §4-203 and
70 the City Charter requirements, this ordinance shall become effective no earlier than ten days
71 after the close of the public hearing on the Zoning Code amendments set forth herein.

72

73 **NOW THEREFORE**, it is determined, decided, and ordained by the City Council that the
74 foregoing amendments to the City Code are hereby approved.

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.

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ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

Stephen J. Gamatoria
Director of Administration

William T. Martin
Mayor

Introduced/First Reading: 11/20/2023
Public Hearing: 12/4/2023
Second Reading/Adopted:
Effective Date:

Second Reading

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1133 concerning Amending Chapter 2 Adequate Public Facilities and Chapter 198 Water and Sewers (2nd Reading)**

Date: **12/5/2023**

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 December 18, 2023
 In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment

Comment: _____

Casi Boyer Yes No No Comment

Comment: _____

Vicki Jones 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: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1133

Introduced by _____ Council Member Boker

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 2 ADEQUATE PUBLIC FACILITIES AND CHAPTER 198 WATER AND SEWERS OF THE CITY CODE

On: 11/20/2023
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 December 4, 2023 at 7:05 p.m., and concluded on December 4, 2023 at 7:07 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.

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35 **WHEREAS**, the Mayor and City Council want to promote the health, welfare, and safety of the
36 residents of the City of Havre de Grace by ensuring access to adequate public facilities, including
37 water and sewer; and
38

39 **WHEREAS**, the City desires to amend City Code Chapter 2 Adequate Public Facilities, and
40 Chapter 198 Water and Sewers to clarify application of those provisions; and
41

42 **WHEREAS**, the following amendments are recommended after consultation with the respective
43 Directors of Planning and Department of Public Works:
44

45 1. Chapter 2 of the City Code shall be amended by adding the following to 2.3 “Definitions”:
46

47 **§ 2-3 Definitions.**
48

49 As used in this chapter, the following terms shall have the meanings indicated:
50

51 **ADEQUATE PUBLIC FACILITIES**

52 Those facilities relating to schools, public roads, water supply and distribution systems, and
53 sewage disposal systems meeting standards established in this chapter.
54

55 **CITY**

56 The City of Havre de Grace.
57

58 **DEVELOPER**

59 An entity (including but not limited to a person, business, corporation, partnership, limited
60 liability company, or unincorporated association) responsible for the development of a piece
61 of land.
62

63 **TRAFFIC IMPACT ANALYSIS (TIA)**

64 A technical appraisal or study that identifies the impacts of a new or expanded development
65 on the public road system; identifies potential traffic operational problems or concerns and
66 recommends appropriate actions to address such problems or concerns; and assists in
67 determining the degree of financial responsibility of the developer in mitigating such impacts.
68

69 **WATER CAPACITY**

70 The ability to provide adequate water supply to a site considering the number of housing
71 or commercial units to be served and the water treatment plant’s ability to process the
72 volume of water needed for such site together with the City’s ability to distribute the water
73 through existing distribution and transmission lines from a public, off-site, or on-site source
74 of supply in a manner consistent with all applicable regulations and standards for water
75 pressure (measured by psi), including but not limited to the National Fire Protection
76 Association minimum standards for fire suppression and other state and federal laws.
77

78 § 2-6 Standards enumerated.

79

80 A. Preliminary subdivision plans and site plans shall not be approved unless adequate public
81 facilities are available to serve the development based on the standards set forth in this section.
82 The Director of Public Works may waive certain submission requirements for projects with
83 minimal impact to the water and sewer system or roads; such as minor subdivisions of less than
84 three lots and redevelopment projects that do not significantly increase demand on the water and
85 sewer system or roads.

86

87 B. Approval of a subdivision or site plan does not guarantee water or sewer capacity. In a case
88 where public facilities become inadequate following the approval of a subdivision or site plan but
89 prior to the issuance of a permit, the Administration pursuant to the authority granted by the City
90 Charter and under the supervision of the Mayor, may deny any and all permits pending a review
91 of capacity needs. Anyone who is denied a permit under this provision of the City Code may appeal
92 the Administration's decision to the City Council.

93

94 2. Chapter 198 of the City Code shall be amended and added to as follows:

95

96 § 198-1 Abbreviations and definitions.

97

98 **ACT or THE ACT**

99 The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended,
100 33 U.S.C. § 1251 et seq.

101

102 **APPROVAL AUTHORITY**

103 Maryland Department of the Environment (MDE).

104

105 **AUTHORIZED REPRESENTATIVE:**

106 (1) A responsible corporate officer such as a president, secretary, treasurer, or vice president
107 of the corporation in charge of a principal business function, or any other person who
108 performs similar policy- or decisionmaking functions for the corporation, or the manager
109 of one or more manufacturing, production, or operation facilities employing more than 250
110 persons or having gross annual sales or expenditures exceeding \$25,000,000, if authority
111 to sign documents has been assigned or delegated to the manager in accordance with
112 corporate procedures; or

113

114 (2) A general partner or proprietor if the industrial user is a partnership or sole proprietorship
115 respectively; or

116

117 (3) A duly authorized representative of the individual designated in Subsection (1) or (2) above
118 if:

119

120 (a) The authorization is made in writing by the individual described in Subsection (1) or
121 (2); and

122

123 (b) The authorization specifies either an individual or a position having responsibility for
124 the overall operation of the facility from which the industrial discharge originates, such
125 as the position of plant manager, operator of a well, or a position of equivalent
126 responsibility, or having overall responsibility for environmental matters for the
127 company; and
128

129 (c) The written authorization is submitted to the control authority.
130

131 (4) If authorization under Subsection (3) is no longer accurate because a different individual
132 or position has responsibility, a new authorization must be submitted to the POTW prior to
133 or together with any reports to be signed by an authorized representative.
134

135 **BIOCHEMICAL OXYGEN DEMAND (BOD)**

136 The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard
137 laboratory procedures in five days at 20° C., expressed in terms of weight or concentrations
138 (milligrams per liter).
139

140 **BYPASS**

141 The intentional diversion of waste streams from any portion of an industrial user's treatment
142 facility.
143

144 **CONTROL AUTHORITY**

145 The City of Havre de Grace.
146

147 **COOLING WATER**

148 Water discharged from any use such as air conditioning, cooling or refrigeration, during
149 which the only pollutant added to the water is heat.
150

151 **DIRECTOR**

152 The Director of Public Works of this City or his duly appointed deputy, agent or
153 representative.
154

155 **DOMESTIC WASTEWATER**

156 Liquid wastes originating from private residences and containing those pollutants and
157 pollutant concentrations that are normally associated with household activities. See the
158 definition of "nondomestic wastewater."
159

160 **GARBAGE**

161 Solid wastes from the domestic and commercial preparation, cooking and dispensing of food,
162 and from the handling, storage and sale of food.
163

164 **INDIRECT DISCHARGE**

165 The introduction of nondomestic pollutants into the POTW from any nondomestic source
166 regulated under Section 307(b), (c) or (d) of the Act.
167

168 **INDUSTRIAL USER**

169 A source of indirect discharge resulting from the processes employed in industrial,
170 manufacturing, trade or business establishments, as distinct from domestic wastewaters.

171
172 **INTERFERENCE**

173 A discharge which alone or in conjunction with a discharge or discharges from other sources:

- 174
175 (1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge
176 processes, use or disposal; and
177
178 (2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit
179 (including an increase in the magnitude or duration of an violation) or of the prevention
180 of sewage sludge use or disposal in compliance with the following statutory provisions
181 and regulations issued thereunder (or more stringent state or local regulations): Section
182 405 of the Clean Water Act, the SWDA (including Title II, more commonly referred
183 to as "RCRA"), and including state regulations contained in any state sludge
184 management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, the
185 Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries
186 Act.
187

188 **NATIONAL CATEGORICAL PRETREATMENT STANDARD**

189 Any regulation containing pollutant discharge limits which applies to a specific category of
190 industrial users promulgated by the EPA in accordance with Section 307(b) and (c) of the Act
191 (33 U.S.C. § 1347).
192

193 **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)**

194 The program for issuing, conditioning and denying permits for the discharge of pollutants
195 from point sources into the navigable waters, the contiguous zone and the oceans pursuant to
196 Section 1342 of the Act.
197

198 **NEW SOURCE:**

- 199
200 (1) Any building, structure, facility or installation from which there is or may be a
201 discharge of pollutants, the construction of which commenced after the publication of
202 proposed pretreatment standards under Section 307(c) of the Act which will be
203 applicable to such source if such standards are thereafter promulgated in accordance
204 with that section, provided that:
205
206 (a) The building, structure, facility or installation is constructed at a site at which no
207 other source is located; or
208
209 (b) The building, structure, facility, or installation totally replaces the process or
210 production equipment that causes the discharge of pollutants at an existing source;
211 or
212

- 213 (c) The production or wastewater-generating processes of the building, structure,
214 facility or installation are substantially independent of an existing source at the
215 same site. In determining whether these are substantially independent, factors such
216 as the extent to which the new facility is integrated with the existing plant and the
217 extent to which the new facility is engaged in the same general type of activity as
218 the existing source should be considered.
219
- 220 (2) Construction on a site at which an existing source is located results in a modification
221 rather than a new source if the construction does not create a new building, structure,
222 facility or installation meeting the criteria of Subsection (1)(b) or (1)(c) of this section
223 but otherwise alters, replaces, or adds to existing process or production equipment.
224
- 225 (3) Construction of a new source as defined under this section had commenced if the owner
226 or operator has:
227
- 228 (a) Begun or caused to begin as part of a continuous on-site construction program;
229
- 230 [1] Any placement, assembly, or installation of facilities or equipment; or
231
- 232 [2] Significant site preparation work including clearing, excavation, or removal
233 of existing buildings, structures, or facilities which is necessary for the
234 placement, assembly, or installation of new source facilities or equipment; or
235
- 236 (b) Entered into a binding contractual obligation for the purchase of facilities or
237 equipment which are intended to be used in its operation within a reasonable time.
238 Options to purchase or contracts which can be terminated or modified without
239 substantial loss, and contracts for feasibility, engineering, and design studies do not
240 constitute a contractual obligation under this subsection.
241

242 **NONDOMESTIC WASTEWATER**

243 The liquid wastes originating from establishments engaged in some form of business,
244 commercial or industrial activity. See the definition of "domestic wastewater."
245

246 **NPDES or STATE DISCHARGE PERMIT**

247 A permit issued pursuant to Section 402 of the Federal Water Pollution Control Act (33
248 U.S.C. § 1342) or Title 9, §§ 9-323 and 9-324 of the Health-Environmental Article of the
249 Annotated Code of Maryland.
250

251 **PASS THROUGH**

252 A discharge which exits the POTW into waters of the United States in quantities or
253 concentrations which, alone or in conjunction with a discharge of discharges from other
254 sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including
255 an increase in the magnitude or duration of a violation).
256

257 **PERSON**

258 Any individual, partnership, firm, company, corporation, association, joint-stock company,
259 trust, estate, governmental entity or any other legal entity, or their legal representatives, agents
260 or assigns. The masculine gender shall include the feminine, the singular shall include the
261 plural, where indicated by the context.

262

263 **pH**

264 The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in
265 grams per liter of solution.

266

267 **POLLUTANT**

268 Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge,
269 munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or
270 discharged equipment, rock, sand, cellar dirt and industrial, municipal, commercial and
271 agricultural waste or any other contaminate.

272

273 **PRETREATMENT or TREATMENT**

274 The reduction, elimination or alteration of pollutant properties to a less harmful state prior to
275 or in lieu of discharge or introduction into a POTW. This can be accomplished by physical,
276 chemical or biological processes, process changes or other means, except as prohibited by 40
277 CFR 403.6(d).

278

279 **PRETREATMENT COORDINATOR**

280 The person appointed by the Director of Public Works to supervise the pretreatment program,
281 and who is charged with certain duties and responsibilities by this chapter or his duly
282 authorized representative.

283

284 **PRETREATMENT REQUIREMENTS**

285 Any substantive or procedural requirement related to pretreatment imposed on an industrial
286 user, other than a pretreatment standard.

287

288 **PRETREATMENT STANDARDS or NATIONAL CATEGORICAL PRETREATMENT**
289 **STANDARDS**

290 Any regulation containing pollutant discharge limits promulgated by the EPA in accordance
291 with Section 307(b) and (c) of the Act which applies to a specific category of industrial users.

292

293 **SEVERE PROPERTY DAMAGE**

294 Substantial physical damage to property, damage to the treatment facilities which causes them
295 to become inoperable, or substantial and permanent loss of natural resources which can
296 reasonably be expected to occur in the absence of a bypass. "Severe property damage" does
297 not mean economic loss caused by delays in production.

298

299 **SIGNIFICANT INDUSTRIAL USER:**

300 (1) Any industrial user who is subject to categorical pretreatment standards; or

301

302 (2) Any other user that:

- 303 (a) Discharges an average of 25,000 gallons per day or more of process wastewater
304 (excluding sanitary, noncontact cooling and blowdown wastewater); or
305
306 (b) Contributes a process waste stream that makes up 5% or more of the hydraulic or
307 organic capacity of the POTW; or
308
309 (c) Is found by the City, State or EPA to have reasonable potential for adversely
310 affecting the POTW's operation, the quality of the sludge, the POTW's effluent
311 quality, or air emissions generated by the system, or air emissions generated by the
312 system, or for violating any pretreatment standard or requirement.
313

314 Upon finding that an industrial user meeting the criteria of Subsection (2)(a),
315 (b) and (c) of this definition has no reasonable potential for adversely affecting
316 the POTW's operation or for violating any pretreatment standard or
317 requirement, the City may at any time, on its own initiative or in response to a
318 petition received from an industrial user, and in accordance with 40 CFR
319 403.8(f)(6), determine that such industrial user is not a significant industrial
320 user.
321

322 **SLUG**

323 Any discharge of significant quantities of water, sewage, industrial waste which in
324 concentration of any given constituent or quantity of flow could cause interference of the
325 treatment works, pass through the POTW treatment plant, endanger sewer worker safety,
326 contaminate the sludge, or cause a violation of any permit issued the POTW.
327

328 **STORMWATER**

329 Any flow occurring during or immediately following any form of natural precipitation and
330 resulting therefrom.
331

332 **SUPERINTENDENT**

333 The person appointed by the Director of Public Works to supervise the operation of the
334 POTW, and who is charged with certain duties and responsibilities by this chapter, or his duly
335 authorized representative.
336

337 **SUSPENDED SOLIDS**

338 The total suspended matter that floats on the surface of or is suspended in water, wastewater
339 or other liquids, and which is removable by laboratory filtering.
340

341 **TOXIC POLLUTANT**

342 Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the
343 EPA under Section 307(a) of the Federal Water Pollution Control Act or other federal statutes
344 or in regulations promulgated by the Maryland Office of Environmental Programs under state
345 law.
346

347 **UNPOLLUTED WATER**

348 Water not containing any pollutants limited or prohibited by the effluent standards in effect,
349 or water whose discharge will not cause any violation of receiving water quality standards.

350

351 **USER**

352 Any person who contributes, causes or permits the contribution of wastewater into the City
353 of Havre de Grace POTW.

354

355 **USER CLASSIFICATION**

356 A classification of use based on the 1972 (or subsequent) Edition of the Standard Industrial
357 Classification (SIC) Manual prepared by the Office of Management and Budget.

358

359 **WATER CAPACITY**

360 Has the meaning stated in §2-3 of the Adequate Public Facilities Ordinance Chapter 2 of the City
361 Code.

362

363 **WASTEWATER**

364 The liquid and water-carried industrial or domestic wastes from dwellings, commercial
365 buildings, industrial facilities and institutions, together with any groundwater, surface water
366 and stormwater that may be present, whether treated or untreated, which is discharged into or
367 permitted to enter the City's treatment works.

368

369 **WASTEWATER TREATMENT SYSTEM or SYSTEM**

370 Any devices, facilities, structures, equipment or works owned or used by the City for the
371 purpose of transmission, storage, treatment, recycling and reclamation of industrial and
372 domestic wastes, or necessary to recycle or reuse water at the most economical cost over the
373 estimated life of the system, including intercepting sewers, outfall sewers, sewage collection
374 systems, pumping, power and other equipment, and their appurtenances; extensions,
375 improvements, remodeling, additions and alterations thereof; elements essential to provide a
376 reliable recycled supply such as standby treatment units and clear well facilities; and any
377 works, including site acquisition of the land that will be an integral part of the treatment
378 process or is used for ultimate disposal of residues resulting from such treatment.

379

380 **WATERS OF THE STATE**

381 Includes:

382 (1) Both surface and underground waters within the boundaries of this state subject to its
383 jurisdiction, including that part of the Atlantic Ocean within the boundaries of this state,
384 the Chesapeake Bay and its tributaries and all ponds, lakes, rivers, streams, public
385 ditches, tax ditches and public drainage systems within this state, other than those
386 designed and used to collect, convey or dispose of sanitary sewage; and

387

388 (2) The floodplain of free-flowing waters determined by the Department of Natural
389 Resources on the basis of one-hundred-year flood frequency.

390

391 **NOW, THEREFORE**, it is determined, decided, and ordained by the City Council that the
392 foregoing amendments to the City Code are hereby approved.

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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: 11/20/2023
Public Hearing: 12/4/2023
Second Reading/Adopted:
Effective Date:

Second Reading

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1134 concerning Amending Portions of Chapter 151 regarding Electronic Signs**
(2nd Reading)

Date: **12/5/2023**

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 December 18, 2023
 In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment

Comment: _____

Casi Boyer Yes No No Comment

Comment: _____

Vicki Jones 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: _____

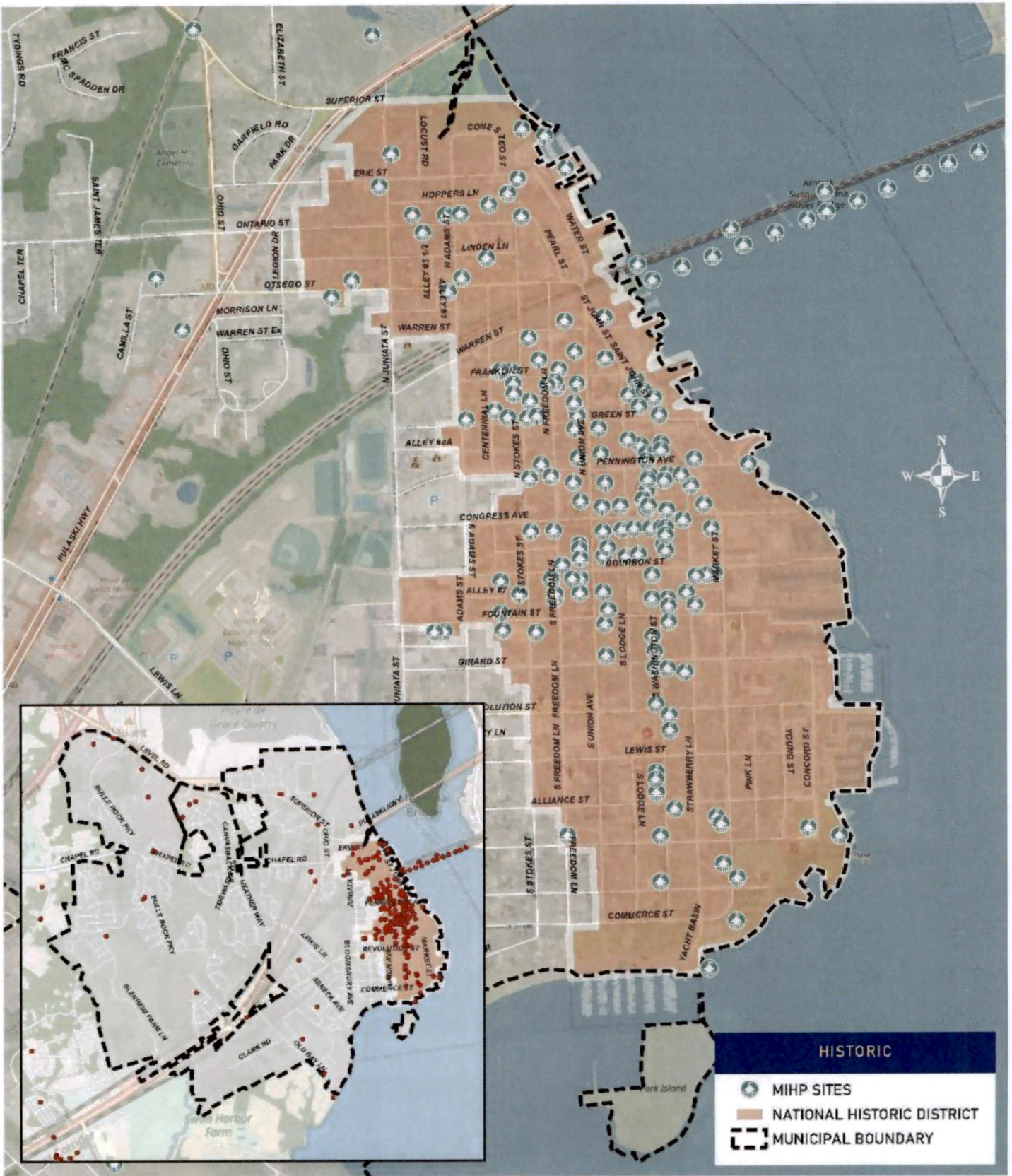
Note: Suggested amendment from CM Boyer attached (added 12/14/23).

Amendment from Council Member Boyer (addition in red):

B. Electronic Message Centers shall be permitted on a municipal property as approved by the City Council and at any property housing Emergency Services.

- (1) All Electronic Message Centers shall not exceed 24 square feet and shall be permanently installed on an appropriate foundation.
- (2) Electronic Message Centers that are located at an Emergency Services location, may provide advertisements that support the mission of the service. Additionally, the City Administration shall have the availability to use the signs as a means of outreach for public safety information.
- (3) No Electronic Message Centers will be located in the Havre de Grace National Register Historic District (NRHD).

(Note: NRHD map on the next page.)



CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1134

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 AND LAND USE ARTICLES OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND PORTIONS OF CITY CODE CHAPTER 151 REGARDING ELECTRONIC SIGNS

On: 11/20/2023
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 December 4, 2023 at 7:07 p.m., and concluded on December 4, 2023 at 7:08 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.

33 Pertinent sections of City Code Chapter 151-Signs are amended below with additions shown as
34 underlined, and deletions shown within **[bold brackets]**.

35
36 § 151- Signs

37
38 § 151-6 **Definitions.**

39 As used in this chapter, the following terms shall have the meanings indicated:

40

41 **NIT**

42 Brightness is generally expressed in a numerical value (NIT). A nit is a unit of measurement
43 of luminance, or the intensity of visible light, where one nit is equal to one candela
44 (candlepower) per square meter (CD/M2).

45

46 § 151-21 **Electronic message centers.**

47

48 A. In the C/Commercial District, electronic message centers are permitted with a maximum
49 sign area of 16 square feet. The Board of Appeals may approve an electronic message
50 center up to 24 square feet as a special exception.

51

52 B. Electronic Message Centers shall be permitted on a municipal property as approved by the
53 City Council and at any property housing Emergency Services.

54

55 (1) All Electronic Message Centers shall not exceed 24 square feet and shall be
56 permanently installed on an appropriate foundation.

57

58 (2) Electronic Message Centers that are located at an Emergency Services location, may
59 provide advertisements that support the mission of the service. Additionally, the City
60 Administration shall have the availability to use the signs as a means of outreach for
61 public safety information

62

63 C. **[B]** Additional general electronic message center regulations:

64

65 (1) One electronic message center is permitted per property. Where a shopping center or
66 industrial park has been subdivided, only one is permitted.

67

68 (a) The sign may provide advertisements for all businesses within the shopping
69 center or business park.

70

71 (b) The Board of Appeals may approve additional electronic message centers for
72 individual lots as a special exception up to 16 square feet.

73

74 (2) An electronic message center sign may be a portion of a building sign or freestanding
75 sign, or may comprise the entire sign area.

76

77 (3) All electronic message center signs shall have automatic dimming controls, either by
78 photocell (hardwired) or via software settings, in order to bring the electronic
79 message center lighting level at night into compliance with § **151-22** of this code,
80 Sign illumination standards.

81 (4) Electronic message center signs shall have a minimum display time of eight seconds.
82 The transition time between messages and/or message frames is limited to three
83 seconds, and these transitions may employ fade, dissolve, and or other transition
84 effects.

85
86 (5) The following electronic message center display features and functions are
87 prohibited: continuous scrolling and/or traveling, flashing, spinning, rotating, and
88 similar moving effects, and all dynamic frame effects or patterns of illusionary
89 movement or simulating movement.

90
91 (6) Full-motion video or film display via an electronic file imported into the electronic
92 message center software or streamed in real time into the sign is prohibited.

93
94 (7) Temporary or portable electronic message centers are not permitted.
95

96 § 151-22 Sign illumination standards.
97

98 Signs may be illuminated consistent with the following standards:
99

100 A. A sign in any district may be illuminated at night. Electronic message centers shall **[not be**
101 **operational between the hours of 10:00 p.m. and 6:00 a.m.]** be equipped with automatic
102 dimming capabilities, and shall dim as required in Section 152-22 B of this code.
103

104 B. Electronic Message Centers shall have a maximum luminance of 8,000 nits during daylight
105 hours and 500-800 nits at nighttime.
106

107 C. **[B]** Signs that have external illumination, whether the lighting is mounted above or below the
108 sign face or panel, shall have lighting fixtures or luminaires that are fully shielded.
109

110 D. **[C]** The light from any illuminated sign or from any light source, including interior of a
111 building, shall be so shaded, shielded or directed that the light intensity or brightness shall
112 not adversely affect surrounding or facing premises nor adversely affect safe vision of
113 operators of vehicles moving on public or private roads, highways, or parking areas. Light
114 shall not shine or reflect on, or into, residential structures. Illumination projected onto a sign
115 must be confined as completely as possible to the face of the sign.
116

117 E. **[D]** On-premises signs do not constitute a form of outdoor lighting at night and are exempt
118 from any other outdoor lighting regulations that the City has adopted or will adopt in the
119 future.
120

121 **NOW, THEREFORE**, it is determined, decided, and ordained by the City Council that the
122 foregoing is hereby approved.
123

124 ADOPTED by the City Council of Havre de Grace, Maryland this ____ day of ____, 2023.
125

126 SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____,
127 2023.
128

129
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142

ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

Stephen J. Gamatoria
Director of Administration

William T. Martin
Mayor

Introduced/First Reading: 11/20/2023
Public Hearing: 12/4/2023
Second Reading/Adopted:
Effective Date:

Second Reading

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance concerning Accepting a Deed of Easement for
973 Chesapeake Drive**
(1st Reading)

Date: **12/13/2023**

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:

<input type="checkbox"/>	FYI
<input checked="" type="checkbox"/>	Read and Comment as Needed
<input checked="" type="checkbox"/>	Action Required by December 18, 2023
<input type="checkbox"/>	In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment

Comment: _____

Casi Boyer Yes No No Comment

Comment: _____

Vicki Jones 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: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. _____

Introduced by _____ Council Member Schneegas

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE 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 ACCEPTING A DEED OF EASEMENT WITH RESPECT TO PUBLIC FACILITIES TO INCLUDE A MUNICIPAL WATER LINE ACROSS THE PROPERTY LOCATED AT 973 CHESAPEAKE DRIVE

On: 12/18/2023
at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for January 2, 2024 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**, the owner of real property located at 973 Chesapeake Drive (“Owner”)
35 desires to execute and dedicate a deed of easement (substantially in the form attached hereto) with
36 respect to a municipal water line that will be installed on the property identified as Tax Account
37 Number 06-035930 and more specifically shown on the attached deed of easement (Exhibit 1)
38 (“Deed of Easement”) and Exhibits A and B attached thereto (“Easement Area”); and
39

40 **WHEREAS**, the purpose of easement is to allow a municipal water line to be installed so
41 that the adjoining property known as 904 Hebditch Lane can receive City water; and
42

43 **WHEREAS**, the Mayor and City of Council of Havre de Grace (“City”) desires to accept
44 the Deed of Easement to provide the City with a utility easement for the purpose of access to, and
45 maintenance and repair of, the municipal water line as may be required from time to time; and
46

47 **WHEREAS**, the Owner intends to execute a Deed of Easement in substantially similar
48 form as attached hereto as Exhibit 1; and
49

50 **WHEREAS**, the City’s acquisition of the easement is for a public purpose.
51

52 **NOW THEREFORE**, it is this ____ day of _____ 2024, determined,
53 decided, and ordained by a majority of the City Council members that:
54

55 The Mayor is authorized to sign a deed of easement in substantially similar form
56 that is attached hereto as Exhibit 1 and take such other action needed to acquire
57 and record the easement from the Owner of 973 Chesapeake Drive for the
58 purposes set forth in this ordinance.
59

60 The foregoing Ordinance is hereby approved by the City Council.
61

62 ADOPTED by the City Council of Havre de Grace, Maryland this ____ day of _____,
63 2024.
64

65 SIGNED by the Mayor and attested by the Director of Administration this __ day of
66 _____, 2024.
67

68 ATTEST: MAYOR AND CITY COUNCIL
69 OF HAVRE DE GRACE
70

71 _____
72 Stephen J. Gamatoria
73 Director of Administration
74

71 _____
72 William T. Martin
73 Mayor
74

75 Introduced/First Reading: 12/18/2023
76 Public Hearing:
77 Second Reading/Adopted:
78 Effective Date:

1 **Exhibit 1**

2
3 PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION

4
5 **UTILITY EASEMENT AGREEMENT**

6
7 THIS EASEMENT AGREEMENT made this __ day of _____ 2024, by and
8 between Bonnie S. Gease, GRANTOR; and, The Mayor and City Council of Havre de Grace, a
9 Maryland Municipal Corporation, GRANTEE (collectively, "Parties").

10
11 Whereas, Bonnie S. Gease is the owner of property known as 973 Chesapeake Drive, Havre
12 de Grace, MD 21078 ("Property"); and,

13
14 Whereas, the Parties desire to establish a public utility easement crossing said Property;
15 and,

16
17 Whereas, the Grantor desires to grant said perpetual easement for the sole purposes stated
18 herein.

19
20 WITNESSETH, NOW THEREFORE, in consideration of the premises which are
21 incorporated herein by reference, and other good and valuable consideration, receipt of which is
22 hereby acknowledged, the Grantor does grant unto the Grantee, its successors and assigns, a
23 perpetual, non-exclusive, utility easement, ten (10) feet wide, as shown on Exhibit A and Exhibit
24 B attached hereto and made a part of, to the subject Property; and,

25
26 THE GRANT OF EASEMENT IS SUBJECT TO the following conditions:

27 a. All work performed in connection with the utility easement herein granted shall be
28 done in a good and workmanlike manner and in accordance with all applicable laws,
29 ordinances, codes, rules and regulations of all governmental agencies and authorities; and

30 b. All work, once commenced, shall be prosecuted diligently to its completion in the
31 shortest reasonable time possible under the circumstances; and

32 c. Grantee shall keep the easement area free at all times of waste materials and rubbish
33 or liens from arising from the exercise by Grantee of any work and shall restore the land to
34 its original condition prior to any work; and

35 d. Grantee shall save, defend, indemnify and hold harmless the Grantor, whether for
36 bodily injury or property damage, resulting from the construction, installation and
37 maintenance of said easement; and

38 e. Grantee shall only use the easement for the installation, maintenance, and repair of
39 the utilities for which this agreement sets out; and

40 f. Grantor shall have the right to use the surface of said Easement Area, so long as,
41 except as otherwise provided herein, said use is not inconsistent with the installation, use,
42 operation and maintenance of said easement; and

43 g. The parties shall at all times cooperate with one another and comply with
44 reasonable requests not inconsistent with the purpose for which this easement is executed,
45 including but not limited to executing any statements, affidavits, plans or other instruments
46 necessary to effectuate the purposes hereof, provided the same is without cost to and would
47 not result in a material increase in the obligations of the cooperating party; and

48 h. Nothing herein shall create or be construed to create any rights in and/or for the
49 benefit of the general public in or to the property or the easement area granted hereby.

50
51 This easement shall not supersede or exclude the implied easement rights of passage and service
52 access to any existing utilities within its boundaries.

53
54 The easement granted herein is a covenant running with the land and shall bind and or inure to the
55 parties hereto, their personal representatives, heirs, successors and or assigns, in perpetuity.

56
57 TO HAVE AND TO HOLD the said non-exclusive easement unto the Grantee, its successors and
58 assigns, for the purposes and terms herein stated, unless otherwise amended.

59
60
61 IN WITNESS WHEREOF, the hand and seal of the Grantor this ___ day of _____ 2024.

62
63 WITNESS: GRANTOR:
64
65 _____
66 Bonnie S. Gease
67

68 STATE OF MARYLAND, COUNTY OF HARFORD, TO WIT:

69
70 I HEREBY CERTIFY that on this ____ day of _____ 2024, before me, the subscriber, a
71 Notary Public of the State and County aforesaid, personally appeared Bonnie S. Gease and
72 acknowledged that she executed the same for the purposes herein contained, and in my presence
73 signed and sealed the same.

74 AS WITNESS my hand and Notarial Seal.

75
76 _____
77 Notary Public
78 My Commission Expires: _____
79
80
81

82 IN WITNESS WHEREOF, the hand and seal of the Grantee this __ day of _____ 2024.

83

84 WITNESS/ATTEST:

GRANTEE:

85

Mayor and City Council of Havre de Grace

86

87

88

By William T. Martin, Mayor

89

90 STATE OF MARYLAND, COUNTY OF HARFORD, TO WIT:

91

92 I HEREBY CERTIFY that on this __ day of _____ 2024, before me, the subscriber, a Notary
93 Public of the State and County aforesaid, personally appeared William T. Martin and
94 acknowledged that he executed the same for the purposes herein contained, and in my presence
95 signed and sealed the same.

96

97 AS WITNESS my hand and Notarial Seal.

98

99

100 Notary Public

101 My Commission Expires: _____

102

Exhibit A

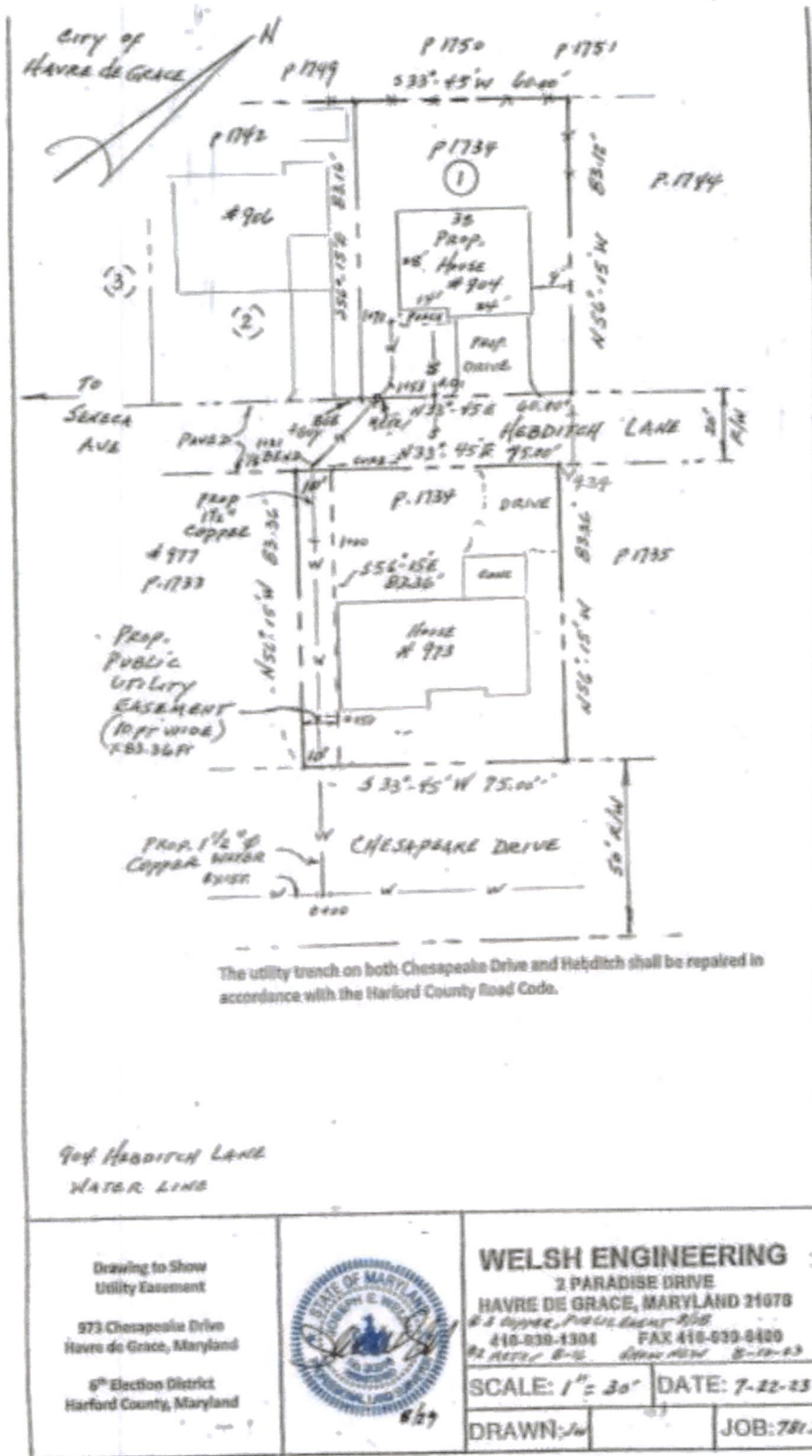
Legal Description

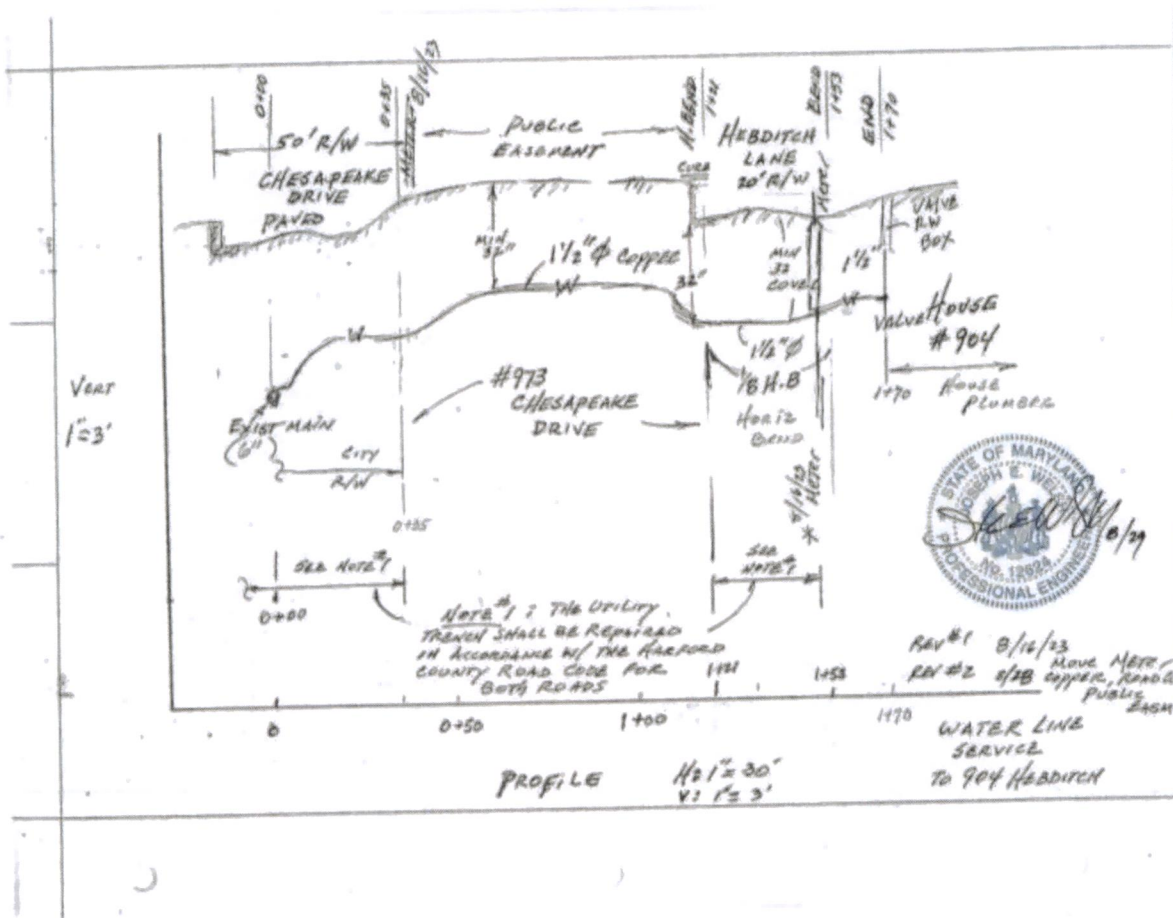
Utility Easement
973 Chesapeake Drive
Havre de Grace, Maryland
6th Election District
Harford County, Maryland

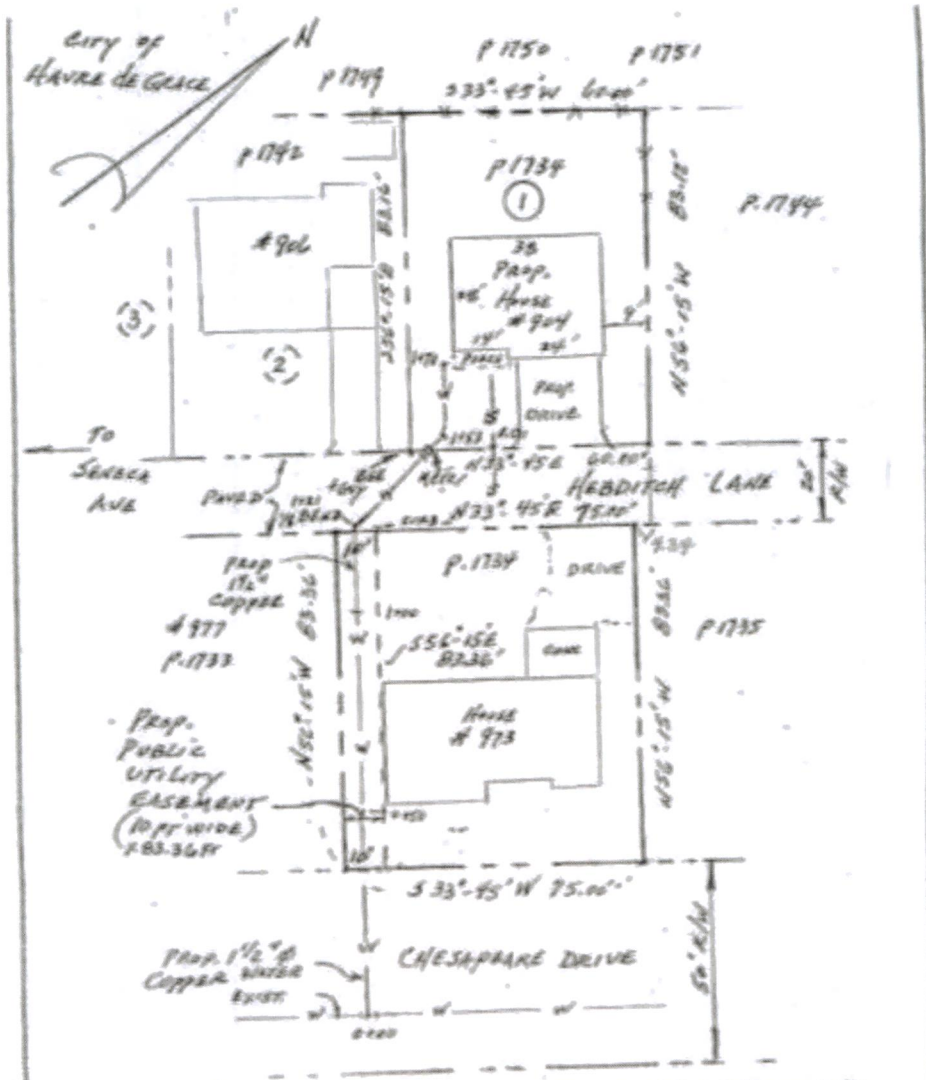
BEGINNING FOR THE SAME at a point on the easterly side of Hebditch Lane in the City of Havre de Grace, said point being the northwesterly corner of the land also known as 973 Chesapeake Drive as described in a deed dated July 18, 2007 from the Estate of Gretha Tollenger to 973 Chesapeake Drive, LLC as recorded in the Land Records of Harford County in deed Liber 7451 Folio 709, and leaving said point of beginning and running with the easterly side of Hebditch Lane North 33 degrees 45 minutes 00 seconds East 10.00 feet, thence leaving Hebditch Lane and running thru the aforesaid Land of 973 Chesapeake Drive for a new line of easement South 56 degrees 15 minutes 00 seconds East 83.36 feet to a point on the easterly side of Chesapeake Drive, thence running with Chesapeake Drive South 33 degrees 45 minutes 00 seconds West 10.00 feet to the westerly lot line and thence with the westerly lot line North 56 degrees 15 minutes 00 seconds West 83.36 feet to the point of beginning as shown on a drawing by Welsh Engineering and intended to be recorded with this description.



Exhibit B







The utility trench on both Chesapeake Drive and Hebditch shall be repaired in accordance with the Harford County Road Code.

907 Hebditch Lane
Water Line

<p>Utility Plan Drawing to Show Utility Easement</p> <p>973 Chesapeake Drive Havre de Grace, Maryland</p> <p>6th Election District Harford County, Maryland</p>		<p>WELSH ENGINEERING 2 PARADISE DRIVE HAVRE DE GRACE, MARYLAND 21078 410-938-1304 FAX 410-938-8480 SCALE: 1" = 30' DATE: 7-22-23</p> <p>DRAWN: [Signature] JOB: 781J</p>
---	--	---

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance concerning Adding Chapter 31-2 TT and UU
regarding Vacant, Abandoned and Deteriorated Properties
(1st Reading)**

Date: **12/13/2023**

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:

<input type="checkbox"/>	FYI
<input checked="" type="checkbox"/>	Read and Comment as Needed
<input checked="" type="checkbox"/>	Action Required by December 18, 2023
<input type="checkbox"/>	In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment

Comment: _____

Casi Boyer Yes No No Comment

Comment: _____

Vicki Jones 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: _____

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 ADD CHAPTER 31-2 TT AND UU REGARDING VACANT, ABANDONED AND DETERIORATED PROPERTIES

On: 12/18/2023

at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for January 2, 2024 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 ORDAINED, that Chapter 31-2 is hereby amended as follows:

33
34 TT – Vacant, Abandoned and/or Deteriorated (VAD) Properties – Non-Residential Uses in
35 Residential Area

36 (1) Purpose – Due to the unregulated development of portions of the city prior to the
37 establishment of the City Zoning Code, non-residential uses and residential uses are
38 interspersed throughout Havre de Grace—especially in the old town. Havre de Grace has
39 recognized that based on several factors, VAD properties that are or were non-residential
40 in use, which are adjacent to residential uses, can have an extraordinarily negative affect
41 on the surrounding community that is deleterious to the health, safety and welfare of the
42 public. It is in the best interest of the residents and businesses of Havre de Grace to
43 designate VAD properties and be proactive in reducing negative effects those properties
44 have on neighborhoods, including but not limited to, an unreasonable and substantial
45 interference with the public’s use and enjoyment of public properties and protecting the
46 health, safety and welfare of the City’s residents.

47 (2) When a property that was non-residential in character in or adjacent to a residential zoning
48 district is designated a VAD property, or if it is determined by the Code Official to meet
49 any of the definitions under 111.1.5, “Dangerous, structure or premises” in the 2021
50 International Property Maintenance Code (IPMC), the property will be deemed unsafe.

51 (3) The Code Official may also make a determination that a property is in VAD status citing
52 the specific provision of the currently adopted version of the IPMC, Chapter 31 of the City
53 Code, any amendments of those ordinances, or other section of the City Code where there
54 is a violation and the code section is relied upon in making a VAD determination.

55 (4) The Code Official will send notice to the property owner, via Certified U.S. Mail, U.S.
56 Mail and will physically post the property with the notice, stating the property is being
57 considered for VAD status. The property owner shall respond within 60 days to the Code
58 Official’s notice.

59 (5) The Code Official’s notice will list the violations and reasons why the subject property is
60 being considered for VAD determination, including the specific citations to the City Code,
61 the IPMC or other law. In addition, if after inspection the Code Official determines that the
62 structure creates an imminently dangerous condition, it shall be so stated in the Notice,
63 together with an explanation that property may be subject to immediate demolition without
64 further notice and with a demand for reimbursement of demolition costs to the City.

65 (6) The property owner’s response to the Code Officer’s notice should include the following
66 information:

- 67 a. If the property is vacant, the date the property became vacant;
- 68 b. Future plans for the subject property, including timeline for renovation,
69 redevelopment and reoccupation of the subject property;
- 70 c. If structures on the subject property will not be reoccupied, the property owner shall
71 state the reasons in their response;

- 72 d. If the structures on the property are recommended for demolition, the property
73 owner should provide a timeline for demolition in their response. All demolitions
74 must be performed per the City's guidelines and shall include all paved and
75 asphalted areas;
- 76 e. Interim plans to abate any violations discussed in the Code Official's notice; and
77 f. Interim plans to make the subject structure and/or property safe.
- 78 (7) If after 60 days from the date of notice, there is no response from the property owner or
79 his/her agent, the Code Official will deem the property abandoned, and if there is an
80 additional determination by the Code Official that if the abandoned property is not only
81 unsafe but in its current condition creates an imminent risk of death or serious bodily harm,
82 then the City can remedy, alleviate and abate the issues in the manner mentioned in the
83 notice.
- 84 (8) In the event an owner files a response to the Notice, all action items identified under
85 Subsections (6) (b), (d), (e), and (f) above must substantially begin within 90 days of the
86 date the property owner's response to the Code Official. Upon the property owner's written
87 request made prior to the expiration of the 90 days, the Code Official can provide two (2)
88 90-day extensions for the owner to substantially begin work. In the written extension
89 request, the property owner shall provide:
- 90 a. Facts to support the need for the extension and;
91 b. An updated timeline describing when the owner will substantially begin and
92 complete work.
- 93 (9) In the event the work to be performed within the time limits set forth in Subsection has not
94 begun, the Code Official will determine that such properties are VAD properties.
- 95 (10) The Code Official shall send the responding owner a second notice, stating that the property
96 has been formally declared a VAD property. The notice shall include the statement that the
97 owner has thirty (30) days to file an appeal to the Board of Appeals pursuant to Chapter
98 25-Article VI of the City Code, and that a failure to appeal will result in the items set forth
99 in subparagraphs (a) to (d) below being implemented. Such notice shall be sent by the
100 Code Official by Certified Mail with return receipt, US first class mail, and by posting of
101 the property. If no appeal is taken within the designated time, or if the Board of Appeals
102 confirms the Code Official's designation that the property is a VAD property, the Code
103 Official shall take the following actions:
- 104 a. All VAD properties and structures shall be posted with signage stating: "Unsafe to
105 Occupy/No Trespassing" and further meet the requirements under 111.2 of the
106 IPMC, Chapter 31 of City Code and other appropriate city laws.
- 107 b. The Code Official reserves the right to disconnect all utilities based on Section
108 111.2.1 of the IPMC and other applicable City laws.
- 109 c. The property owner is ordered to secure any abandoned or vacant property so that
110 it is not deemed "dangerous". However, all fencing or other products should be
111 residential in nature and meet the requirements of §205-9(I)(6), except as modified

- 112 by the Department of Planning based on an examination of the surrounding
113 neighborhood.
- 114 d. If the property will not be reoccupied or redeveloped as indicated in the property
115 owner's response discussed in Subsection 6 above, the property owner is ordered
116 to remove asphalt and concrete parking areas and replace it with maintainable sod,
117 grass, native plants and other items compatible with the surrounding residential
118 character of the neighborhood at the owner's expense.
- 119 (11) Within ten (10) days of the second notice under Subparagraph 10, the property owner shall
120 provide the Code Official access to the subject property and all structures to perform a
121 safety and property maintenance inspection of the property.
- 122 (12) While the property remains in VAD status, the property owner is required to maintain the
123 property, landscaping and other items on the property so that it does not become dangerous,
124 dilapidated, or detrimental to the surrounding neighborhood in manner that creates a public
125 nuisance.
- 126 (13) As part of the VAD designation and enforcement process, the Code Official reserves the
127 right to:
- 128 a. Abate any part of the property that does not meet the requirements of City Code per
129 the proper notification requirements provided herein or other provisions of the City
130 Code; and/or
- 131 b. If the property owner does not meet the requirements of the City Code, the Code
132 Official can issue a citation per the City Charter. Violations of code will be
133 considered a separate offense for each parcel and for each day the violation
134 continues at \$100.00 per day until the maximum permitted under law is met.
- 135 (14) The property owner will be responsible for reimbursing the City for all costs incurred
136 related to abatement or property maintenance. All costs and fees are considered an *ad*
137 *valorem* tax added to the property for purposes of calculating the property tax due. A
138 breakdown of the calculation of costs incurred by the City for abatement or demolition is
139 available to the owner by written request.
- 140
- 141 UU. Section 113.3 Failure to Comply, add to the end of the section: If the Code Official, after
142 inspection, finds that conditions on the property present imminent danger of death or serious bodily
143 harm, he may issue an order of demolition for all or a portion of the structures on the property
144 which shall be included in the notice provided under Subparagraph above. For all other cases, in
145 which there is no determination that the structure poses an imminent threat of death or serious
146 injury to person or property, then prior to the structure being demolished and removed, a hearing
147 on the Order of Demolition will be held by the Board of Appeals per the requirements of Chapter
148 25 – Article IV. The Board of Appeals will examine whether all provisions of the code have been
149 met under its “administrative review” powers and that demolition is warranted due to the
150 abandoned, vacant or unsafe structures being a public nuisance given the situation presented.
151 Failure to comply with an Order of Demolition or any recommended action issued by the Code
152 Official shall be deemed a municipal infraction subject to a daily fine of \$100.00 per day for each
153 day of non-compliance up to the maximum permitted by law.

154 **NOW, THEREFORE**, it is determined, decided, and ordained by the City Council that the
155 foregoing amendments to the City Code are hereby approved.

156
157 ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2023.

158
159 SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____,
160 2023.

161
162
163 ATTEST: MAYOR AND CITY COUNCIL
164 OF HAVRE DE GRACE
165
166
167 _____
168 Stephen J. Gamatoria William T. Martin
169 Director of Administration Mayor

170
171 Introduced/First Reading: 12/18/2023

172 Public Hearing:

173 Second Reading/Adopted:

174
175 Effective Date:

First Reading

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Special Event - Mardi Gras Parade**

February 13, 2024

Date: **12/13/2023**

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 December 18, 2023**
- In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment

Comment: _____

Casi Boyer Yes No No Comment

Comment: _____

Vicki Jones 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: _____

Note: N/A

EVENT APPLICATION CHECKLIST

Office Use Only
Date Received 11-28-23
Tracking # 1011 19 0010

EVENT NAME: Mardi Gras Parade 2024

Sponsor Organization: Historic Preservation Commission

Business Address: 711 Pennington Avenue, Havre de Grace MD 21078

On-Site Contact Person: Bambi Johnson

Contact Information **Phone:** _____ **Email:** bambij@havredegracemd.com

Back-Up On-Site Contact Person: Barbara Hartzell

Contact Information **Phone:** _____ **Email:** barbarah@havredegracemd.com

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 # _____ (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 type="checkbox"/> Other (explain) |
| <input type="checkbox"/> Festival | <input type="checkbox"/> Carnival | |
| <input checked="" 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>2/13/24</u>	Begin Time: <u>4:30 PM</u>
Event Starts	Date: <u>2/13/24</u>	Time: <u>6:00 PM</u>
Event Ends	Date: <u>2/13/24</u>	Time: <u>7:00 PM</u>
Breakdown	Date: <u>2/13/24</u>	End Time: <u>7:30 PM</u>

Rain Date Date: None Is timeframe the same? Yes No

If no, include new times: _____

Location: (see attached map)

- | | |
|--|--|
| <input type="checkbox"/> Millard E. Tydings Memorial Park
(352 Commerce Street) | <input type="checkbox"/> Community Pavilion (tent) at Frank J. Hutchins
Memorial Park (100 Congress Avenue) \$250 fee per day
(no amplified sound) |
| <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 checked="" type="checkbox"/> Other location (explain) |

Parade Route: Bourbon St. behind STAR Centre to LEFT on Washington St. and onto St. John St. End at American Legion

Anticipated Attendance: 3000

Admission Fee (if any): 0

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.

- Street closures and no parking on parade route 4:30-7:30 PM
- Police officers at Union Ave & Bourbon St to cross parade over Union Ave
- Police officers at intersecting streets during parade

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.

Other: Please explain:

Requesting additional trash cans along parade route

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: Captain Joe Alton Badge # 7762

Date Contacted: 11/28/23

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.

Firt aid kit at STAR Centre (starting point of parade) and at Visitor Center (midway point). Susquehanna Hose Co/EMS made aware of the event in case of an emergency.

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: Mardi Gras Parade 2024

Print Name of Event Sponsor Kathy Lee

Title Vice Chair

Phone _____ Email _____

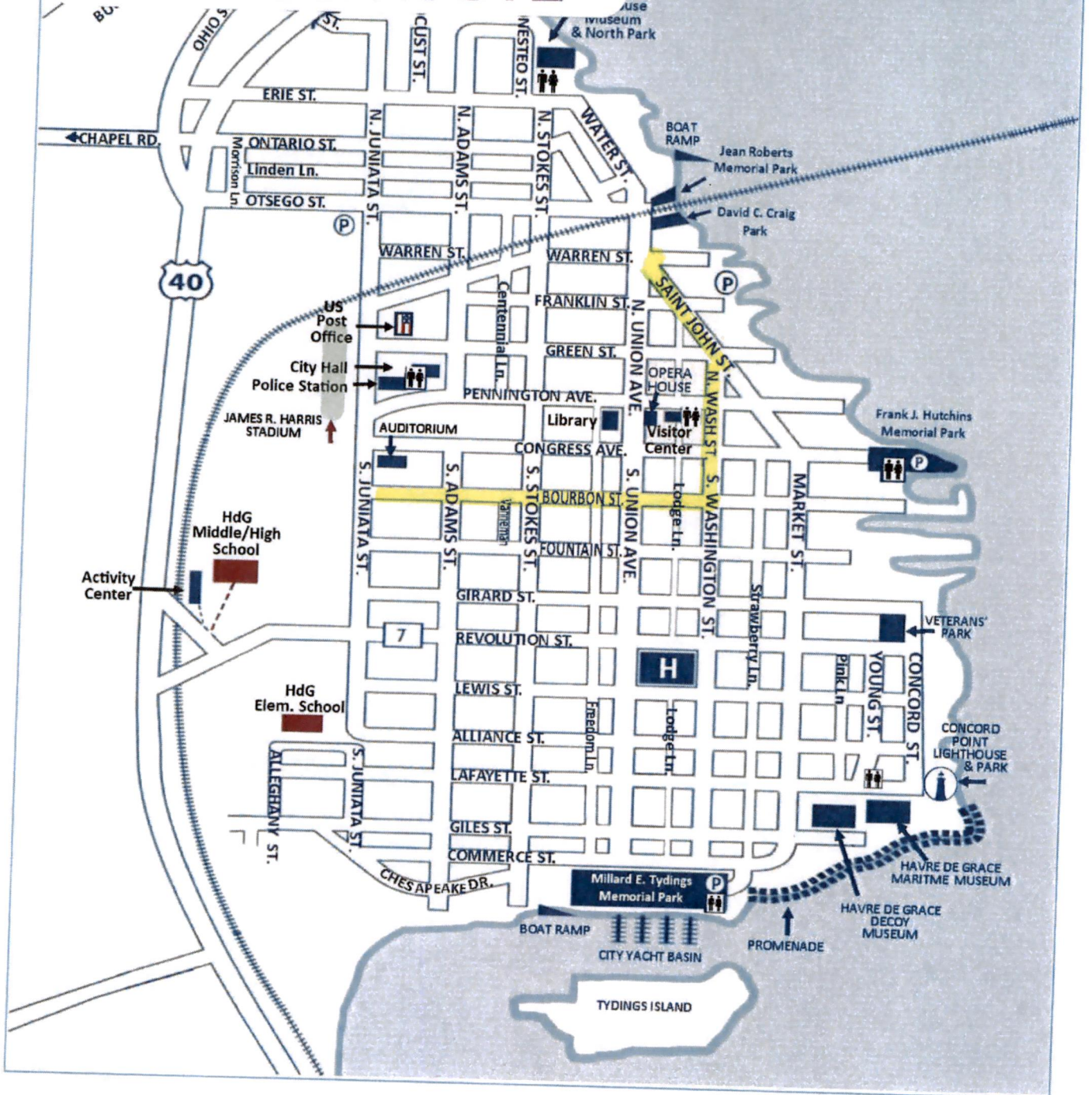
Signature Kathy Lee Date 11/28/23

Received by Kiley Ernest Date 11-30-23
City Official Date



HdG Mardi Gras Parade February 13, 2024 PARADE ROUTE

DOWNTOWN Havre de Grace



SPECIAL EVENTS WORK SHEET

SPECIAL EVENTS WORK SHEET						
Event:	Mardi Gras Parade				Tracking ID: 1011 19 0010	
Dates:	2/13/2024					
Time of set up:	4:30 pm - 6:00 pm					
Take down time:	6:00 pm - 7:00 pm					
Time of actual event:	7:00 pm - 7:30 pm					
Location:	Parade Route: Bourbon St. behind STAR Centre to LEFT on Washington St., onto St. John. Street. End at American Legion					
	Number of personnel	Regular Pay (Hours)	Overtime Pay Hours*	FULLY Loaded Wage**	Estimated Hours	Total Estimated Cost
PD	6		18	\$113.00	18	\$3,051.00
Notes	<p style="color: red; margin: 0;"><i>Completed :12/01/2023</i></p>					
	Number of personnel	Regular Pay (Hours)	Overtime Pay Hours*	FULLY Loaded Wage**	Estimated Hours	Total Estimated Cost
DPW	2	8		\$63.25	8	\$506.00
Notes	<p style="margin: 0;">Set up during regular work day: prep and post signs, deliver extra trash barrels, return following morning to collect all cans. Remove all NP signs.</p> <p style="color: red; margin: 0;"><i>Completed: 12/07/23</i></p>					
Grand Total	8	8	18	\$176.25	26	\$3,557.00
REVISION 1/10/2020	<p style="margin: 0;">*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)</p>					

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Special Event - Arts, Wine, Jazz & Soul Festival**

August 10, 2024

Date: **12/13/2023**

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 December 18, 2023
 In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment

Comment: _____

Casi Boyer Yes No No Comment

Comment: _____

Vicki Jones 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: _____

Note: N/A

EVENT APPLICATION CHECKLIST

Office Use Only
Date Received 11-30-23
Tracking # 1011 19 0043

EVENT NAME: Arts, Wine, Jazz & Soul Festival
Sponsor Organization: The Havre de Grace Colored School Museum and Cultural Center, Inc.
Business Address: 555 Alliance Street, Havre de Grace, Maryland 21078
On-Site Contact Person: Patricia D. Cole

Contact Information **Phone:** _____ **Email:** hdgcoloredschool@gmail.com

Back-Up On-Site Contact Person: Turshandah Cole
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 # 84-2019323 (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 type="checkbox"/> Other (explain) |
| <input checked="" type="checkbox"/> Festival | <input type="checkbox"/> Carnival | |
| <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>8/09/2024</u>	Begin Time: <u>9am</u>
Event Starts	Date: <u>8/10/2024</u>	Time: <u>11am</u>
Event Ends	Date: <u>8/10/2024</u>	Time: <u>7pm</u>
Breakdown	Date: <u>8/11/2024</u>	End Time: <u>7pm</u>
Rain Date	Date: <u>8/11/2024</u>	

Is timeframe the same? Yes No
If no, include new times: _____

Location: (see attached map)

- | | |
|--|---|
| <input type="checkbox"/> Millard E. Tydings Memorial Park
(352 Commerce Street) | <input type="checkbox"/> Community Pavilion at
Frank J. Hutchins Memorial Park (100 Congress Avenue) |
| <input checked="" 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: 2,000

Admission Fee (if any): \$35-\$95

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.

Road closure Concord Street starting at the intersection of Concord and Alliance Streets- See attached map

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.

- 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.

All attendees will be screened at the entry point. Individuals will receive armbands to indicate those who are authorized to enter and participate in the wine/spirits sampling. Paid security guards and volunteers will be provided.

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: Capt. John Krass Badge # 7761

Date Contacted: 11/17/2023

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.

A first aid station and a medical professional will be designated inside the perimeter at the front entrance.

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: Arts, Wine, Jazz & Soul Festival

Print Name of Event Sponsor Patricia D. Cole

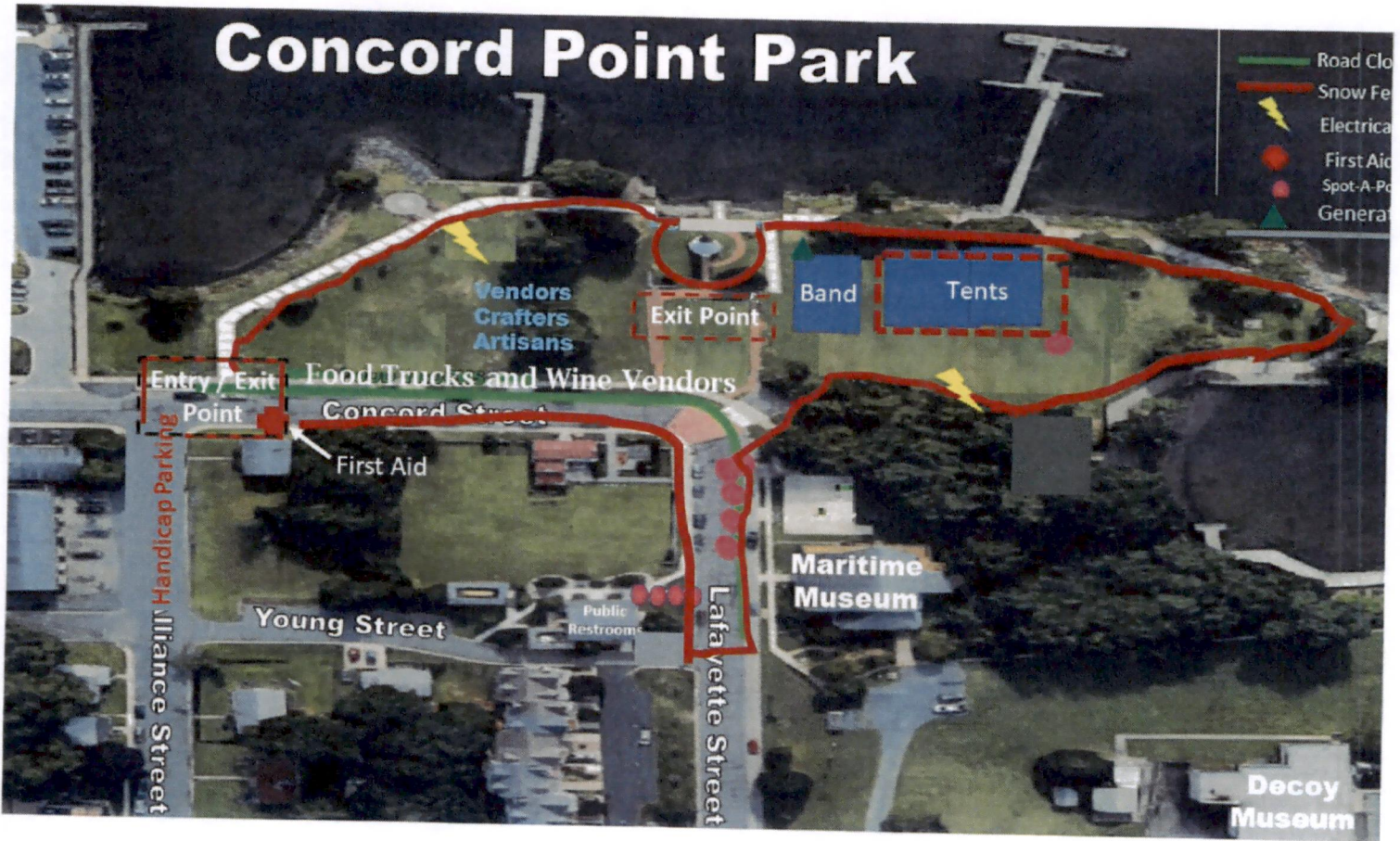
Title President

Phone _____ Email hdgcoloredschool@gmail.com

Signature Patricia Cole Date 11/23/2023

Received by Kelsey Ernest Date 12-1-23
City Official

Concord Point Park





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/20/2023

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 Lassen, Marine & Webster, Inc. PO Box 70 Churchville MD 21028		CONTACT NAME: Paul Hoffman PHONE (A/C, No, Ext): (410) 838-2277 FAX (A/C, No): E-MAIL ADDRESS: phoffman@lmwins.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Brethren Mutual Ins. Co.	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	
INSURED MARYLAND DREAM KITCHEN & BATHS LLC 37 N PHILADELPHIA BLVD STE 1 ABERDEEN MD 21001-2478		NAIC # 13501	

COVERAGES **CERTIFICATE NUMBER:** 23-24 Arts Wine Festival **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 checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		Y	CPP0025980	09/02/2023	09/02/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/PO/AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			CPP0025980	09/02/2023	09/02/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUL0074781	09/02/2023	09/02/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N	N/A			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Havre de Grace is included as an Additional Insured with respects to General Liability as their interest may appear per written contract and policy specifications. Waiver of Subrogation applies.

CERTIFICATE HOLDER City of Havre de Grace, Maryland 711 Pennington Avenue Havre de Grace MD 21078	CANCELLATION 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 
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INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

SEP 25 2018

THE HAVRE DE GRACE COLORED SCHOOL
MUSEUM AND CULTURAL CENTER INC
C/O ELIZABETH F MATORY
224 NORTH WASHINGTON ST
HAVRE DE GRACE, MD 21078

Employer Identification Number:
84-2019323
DLN:
29053253321019
Contact Person:
FAITH E CUMMINS ID# 31534
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 30
Public Charity Status:
509(a)(2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
May 30, 2018
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

THE HAVRE DE GRACE COLORED SCHOOL

We sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

Stephen A. Martin

Director, Exempt Organizations
Rulings and Agreements

SPECIAL EVENTS WORK SHEET

SPECIAL EVENTS WORK SHEET						
Event:	Arts, Wine, Jazz & Soul Festival - HDG Colored School Museum				Tracking ID: 1011 19 0043	
Dates:	8/10/2024 (set up on 8/09/24)					
Time of set up:	9:00am on 8/9/24					
Take down time:	7:00PM on 8/10/24 - 7:00PM on 8/11/24					
Time of actual event:	11:00AM-7:00PM on 8/10/24					
Location:	Concord Point Park					
	Number of personnel	Regular Pay (Hours)	Overtime Pay Hours*	FULLY Loaded Wage**	Estimated Hours	Total Estimated Cost
PD	2	18		\$115.00	18	\$2,070.00
Notes						
	<i>Completed 12/05/2023</i>					
	Number of personnel	Regular Pay (Hours)	Overtime Pay Hours*	FULLY Loaded Wage**	Estimated Hours	Total Estimated Cost
DPW	3	10	2	\$61.62	12	\$801.06
Notes	Clean and stock city bathroom. Provide extra trash barrels and recycling cans. Prep and post then remove No Parking Signs. <i>Completed: 12.07.23</i>					
	5	28	2	\$176.62	30	\$2,871.06
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)					

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Special Event - Refuel for School**

August 17, 2024

Date: **12/13/2023**

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 December 18, 2023
 In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment

Comment: _____

Casi Boyer Yes No No Comment

Comment: _____

Vicki Jones 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: _____

Note: N/A

EVENT APPLICATION CHECKLIST

Office Use Only
Date Received 12-1-23
Tracking # 1011 21 0015

EVENT NAME: Refuel for School 2024

Sponsor Organization: Havre de Grace Youth Commission

Business Address: 711 Pennington Avenue Havre de Grace Md 21078

On-Site Contact Person: Tracy Robertson

Contact Information Phone: _____ Email: youth@havredegracemd.com

Back-Up On-Site Contact Person: Jason Robertson

Contact Information Phone: _____ Email: jasonr@havredegracemd.com

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 # _____ (attach non-profit status documentation to application)

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

Havre de Grace City Commission

Event Category:

- Athletic/Recreation
 - Festival
 - Parade
 - Rally
 - Concert/Performance
 - Carnival
 - 5K/10K/Walk *
 - Fishing Tournament
 - Other (explain)
-

* 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>August 17, 2024</u>	Begin Time: <u>12:00pm</u>
Event Starts	Date: <u>August 17, 2024</u>	Time: <u>3:00pm</u>
Event Ends	Date: <u>August 17, 2024</u>	Time: <u>6:00pm</u>
Breakdown	Date: <u>August 17, 2024</u>	End Time: <u>8:00pm</u>
Rain Date	Date: <u>August 18, 2024</u>	

Is timeframe the same? Yes No
If no, include new times: _____

Location: (see attached map)

- Millard E. Tydings Memorial Park (352 Commerce Street)
- Concord Point Park (701 Concord Street)
- McLhinney Park (811 N. Adams Street)
- Veteran's Park (418 Concord Street)
- Community Pavilion (tent) at Frank J. Hutchins Memorial Park (100 Congress Avenue) \$250 fee per day (no amplified sound)
- David Craig Park (553 N. Union Avenue)
- K-9 Cody Dog Park (100 Lagaret Lane)
- Other location (explain)

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

Anticipated Attendance: 400

Admission Fee (if any): \$0

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.

Close street to traffic at Lafayette and Young and at Alliance and Concord St. This will allow youth to walk freely from restrooms and activities without traffic. In addition food trucks can set-up.

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.

- Other:** Please explain:

DPW provide barricades to block the streets and trashcans. Use stage from city.

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: Capt Krass Badge # 7761

Date Contacted: 12/1/2023

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 at Youth Commission Table.

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: Refuel for School 2024

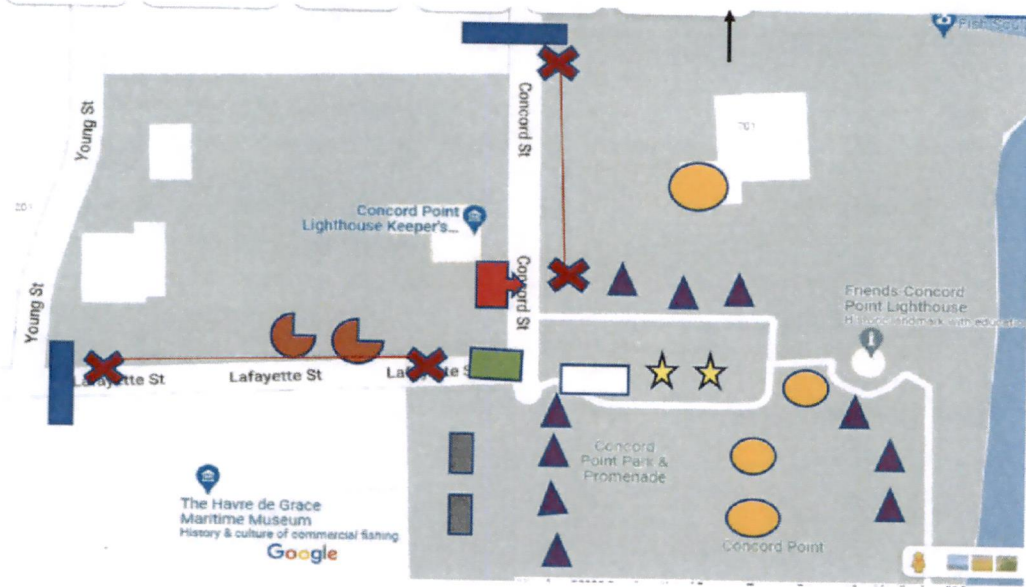
Print Name of Event Sponsor Tracy Robertson











Title Havre de Grace Youth Commission Chair

Phone _____ Email youth@havredegracemd.com

Signature  Date 12/1/2023

Received by  Date 12-1-23
City Official



-  Barricade
-  Inflatables
-  Bumper Cars
-  Vendor/Community Partner Tents
-  Stage
-  No parking areas
-  Electricity/Outlets
-  Food Trucks
-  School Supplies
-  Sponsors

