

Public Hearing 3/26/14

Adopted 4/23/14

Effective 5/14/14

ORDINANCE NO. 444

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 340 (ZONING), ARTICLE V (SUPPLEMENTAL ZONE REGULATIONS), §340-40 (SIGNS), SECTION (C) TO ADD A NEW PARAGRAPH 18 (CHARITABLE FUNDRAISING ACTIVITIES OR SPECIAL EVENTS WHICH SIGNAGE IS TO BE LOCATED ON UTILITY POLES) AND THE RENUMBERING OF PARAGRAPHS 18 (VERTICAL BANNERS), 19 (COMMERCIAL BANNERS), AND PARAGRAPH 20 (OFF PREMISES SIGNS) TO REFLECT THE ADDITION OF NEW PARAGRAPH 18 AND GENERALLY RELATING TO SIGNS IN THE TOWN OF ST. MICHAELS.

WHEREAS, The Town has seen an increase in the number of requests for signage on utility poles; and

WHEREAS, The Town of St. Michaels (“Town”) finds that there are charitable fundraising activities or special events conducted in the municipality that support community needs and benefit from signage; and

WHEREAS, The Town wishes to support local non-profits in their fund raising efforts, while protecting the charm and historic character of the Town and as such, have implemented application requirements including proposed size and duration limitations; and

WHEREAS, it is the desire of the Commissioners to amend Chapter 340 of the Code of the Town of St. Michaels by making textual changes to Section 40 “Signs”; and

WHEREAS, the Commissioners have determined the textual changes to Chapter 340 Section 40, Paragraph (c) does not require Planning Commission Review; and

WHEREAS, public notice was published on March 11 and March 18, 2014 that a public hearing would be held by the Commissioners on March 26, 2014 concerning amendments to Chapter 340 of the Code of the Town of St. Michaels substantially in the form as hereafter set forth; and

WHEREAS, after having given due public notice, the Commissioners conducted a public hearing on March 26, 2014 to receive public comment on the aforesaid amendments; and

WHEREAS, all the requirements of the Annotated Code of Maryland, as amended, and Article XII of Chapter 340 of the Code of the Town of St. Michaels, have been satisfied; and

WHEREAS, for the reasons stated above the Commissioners deem it in the interest of the public health, welfare and safety of the citizens of the Town, and for the good government of the Town, to enact the following Ordinance.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 340 (Zoning) Article V (Supplemental Zone Regulations), Section 340-40 (Signs), Section (C) Paragraph 18 be included in the Code of the

Public Hearing 3/26/14

Adopted 4/23/14

Effective 5/14/14

Town of St. Michaels as follows, with new language shown in *italics* and underlined and deleted language shown in ((double parentheses)) and as a ~~strikethrough~~:

Chapter 340-40, Section 18:

Charitable fundraising activities or special events which signage is proposed to be located on utility poles

(a) The Commissioners of St. Michaels recognize that there are charitable fundraising activities or special events conducted in the municipality that support community needs and benefit from signage, not specifically addressed in this chapter. Such events and community-sponsored functions may, but do not necessarily, include fundraising or other charitable events.

(b) The Commissioners in order to continue their support of these unique fundraising activities or special events are requiring the applicants to provide the following for their review:

[1] Completed application providing:

(i) The applicant's address and contact information. Fundraising organization must be a non-profit or be sponsored by a non-profit or the Town,

(ii) If applicable, name, address and contact information of sponsor.

(iii) Name, address and contact information of individual(s) responsible for posting of the signs.

(iv) Type of activity and purpose

(v) The number, type and location of proposed signage. Individual signs cannot exceed 4 sq. ft. (576 sq. inches). No portion of the sign shall be less than 8 feet off the ground.

(vi) Acknowledgement that signs will not contain advertising. Name of a business can be used but no advertising for a business is permitted.

(vii) Acknowledgement that signs will not contain negative or inflammatory messages.

[2] Documentation that the fundraising organization is a non-profit or is sponsored by a non-profit or the Town. Fundraising, which may include fundraising for a specific cause, must benefit the local community.

Public Hearing 3/26/14

Adopted 4/23/14

Effective 5/14/14

[3] The applicants shall acknowledge that he or she and the group or organization that he or she represents shall comply with all applicable laws and regulations, including but not limited to the Maryland Solicitations Act.

[4] Dates on which the signs will be installed and the date of removal. Such signage will only be permitted on utility poles along Talbot Street during the months of September through April with the following limitations:

(i) Promotion of a specific event for 21 days prior to the event with removal 48 hours after the event.

(ii) Fundraising activities unrelated to a specific event for no more than 30 days or at the discretion of the Commissioners.

(iii) Permits may be applied for beginning on December 1 for the next calendar year.

(c) Permit approval will be at the sole discretion of the Commissioners.

SECTION 2. NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 340 (Zoning) Article V (Supplemental Zone Regulations), Section 340-40 (Signs), Section (C) to renumber Paragraphs 18 (Vertical Banners), 19 (Commercial Banners), Paragraph 20 (Off Premises Signs) to reflect the addition of new paragraph 18 as noted above with new language shown in *italics* and underlined and deleted language shown in ((double parentheses)) and as a ~~strikethrough~~:

§340-40 (Signs)

~~((18))~~ 19 (Vertical Banners),

~~((19))~~ 20 (Commercial Banners),

~~((20))~~ 21 (Off Premises Signs)

SECTION 3

AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect twenty (20) days from the date of its enactment, having been read at two (2) meetings of The Commissioners of St. Michaels and having been passed by a ye and nay vote of The Commissioners of St. Michaels.

HAVING BEEN INTRODUCED, read for the first time and ordered posted on the Town bulletin board at the Public Meeting of The Commissioners of St. Michaels held on the 26th day of February, 2014, at 5:00 o'clock p.m., in the meeting room at the Edgar M. Bosley, Jr. Building (Town Office), St. Michaels, Maryland.

(SEAL)

JEAN R. WEISMAN
Town Clerk / Manager

Public Hearing 3/26/14

Adopted 4/23/14

Effective 5/14/14

HAVING BEEN READ for the second time and passed by a yea and nay vote of The Commissioners of St. Michaels at a Public Meeting of The Commissioners of St. Michaels held on this 23rd day of April, 2014, at 5:00 o'clock p.m., in the meeting room of the Edgar M. Bosley, Jr. Building (Town Office) , St. Michaels, Maryland.

BORDERS - _____yea_____

CLARK - _____yea_____

HARROD- _____yea_____

MYERS - _____yea_____

VLAHOVICH - _____nay_____

I HEREBY CERTIFY that the above Ordinance No. 444 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 23rd day of April, 2014.

ATTEST:

THE COMMISSIONERS OF ST. MICHAELS

By: _____(Seal)

Jean R. Weisman, Town Clerk / Manager

A. Michael Vlahovich, President

I HEREBY CERTIFY that an exact copy of this Ordinance was posted from the 24th day of April, 2014, at 8:30 o'clock _a.m. to the 13th day of May, 2014, at 4:30 o'clock_p.m., on the bulletin board at the Town Office in St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No. 444, the date of its passage, its effective date and the fact that the entire text of the Ordinance may be read on the bulletin board of the Town Office, St. Michaels, Maryland, for at least twenty (20) days following the passage, has been published at least once each week for two (2) consecutive weeks following the passage of said Ordinance in a newspaper having general circulation in the Town of St. Michaels.

Date: _____, 2014

_____(Seal)
Jean R. Weisman, Town Clerk / Manager