

Introduction – May 14, 2014

Vote – May 28, 2014

Effective – June 18, 2014

## ORDINANCE NO. 450

**AN ORDINANCE BY THE COMMISSIONERS OF ST. MICHAELS TO AMEND CHAPTER 243 (PROPERTY MAINTENANCE) OF THE TOWN CODE TO INCLUDE ARTICLE III (PROPERTY/BUILDING MAINTENANCE) WHICH CONTAINS STANDARDS AND GUIDELINES AS SETOUT IN THE INTERNATIONAL PROPERTY MAINTENANCE CODE, LATEST EDITION; EXCLUDING SECTION III (MEANS OF APPEAL) AND TO AMEND CHAPTER 108 (BUILDING CONSTRUCTION) TO INCLUDE REFERENCES TO THE INTERNATIONAL ENERGY CONSERVATION CODE, LATEST EDITION AND PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY OF THE ORDINANCE; AND ALL MATTERS GENERALLY RELATING TO ENERGY CONSERVATION AND PROPERTY/BUILDING MAINTENANCE IN THE TOWN OF ST. MICHAELS.**

### RECITALS

**WHEREAS**, the Commissioners of St. Michaels (“Commissioners”) constitute the body corporate and politic known as the Town of St. Michaels (the "Town"), which is a Maryland municipal corporation empowered by Maryland Constitution, Art. 11-E (Municipal Corporations); by Maryland Code (1957) Art. 23A (Municipal Corporations), as amended; and by the Charter of the Town of St. Michaels, Article I, § C-3. (Incorporation, General Powers) and Article III, (General Powers), § C-19 (Powers of Commission enumerated); and

**WHEREAS**, pursuant to Md. Annotated Code, Article 23A, §2, the Commissioners have the express authority to pass such ordinances as it deems necessary to provide reasonable zoning regulations, subject to the referendum of the voters at regular or special elections, and to regulate the orderly development and use of land and structures through the implementation of planning and zoning controls; and

**WHEREAS**, the Commissioners held a public hearing on \_\_\_n/a\_\_\_, 2014 concerning a reference to the inclusion of the International Energy Conservation Code into Chapter 108 (Building Construction) and the amendment of Chapter 243 (Property Maintenance) to include ARTICLE III (Property/Building Maintenance) into the Code of the Town of St. Michaels

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substantially in the form as hereafter set forth to receive public comment on the aforesaid amendments; and

**WHEREAS**, all the requirements of the Annotated Code of Maryland (2012) as amended have been satisfied: and

**WHEREAS**, the Commissioners desire to ensure public health, safety and welfare insofar as they affected by the continued occupancy and maintenance of structures and premises; and.

**WHEREAS**, for the reasons set forth 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 create a Property/Building Maintenance Code.

SECTION 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 243 of the Code of the Town of St. Michaels shall be amended to include ARTICLE III (Property/Building Maintenance). New language is shown in italics and underlined.

**Chapter 243 ARTICLE III Property /Building Maintenance**

*With the passage of Ordinance 450, the Town has adopted the International Property Maintenance Code, latest edition with the exception of Chapter 111 (Means of Appeal). Appeals relative to the interpretation and enforcement of this Article shall be sought in accordance with Chapter 340, ARTICLE VIII (Board of Appeals, Procedures) of the Town Code.*

SECTION 2.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 108 (Building Construction) of the Code of the Town of St. Michaels is hereby, amended to include with the language intended to be added indicated in underlined italics and the language intended to be deleted indicated in ((double parentheses)) and strikethroughs as follows

§108-7 Construction standards.

No person shall construct,((~~or~~)) cause to be constructed, *or modify* any structure within the town of St. Michaels that is in violation of the International Building Code, latest edition *and/or the International Energy Conservation Code, latest edition*, as published by the International Code Council, Inc. which International Building Code and the International Energy Conservation Code

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~~((is))~~ are hereby adopted and approved as the standard to which all structures located within the Town of St. Michaels shall be constructed or modified.

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 yea 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 14<sup>th</sup> day of May, 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

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 28<sup>th</sup> day of May, 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 -                 \_\_\_yea\_\_\_

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I HEREBY CERTIFY that the above Ordinance No. 450 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 28<sup>th</sup> day of May, 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 29<sup>th</sup> day of May, 2014, at 8:30 o'clock a.m. to the 17<sup>th</sup> day of June, 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. 450, 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