

Introduction – May 14, 2014

Vote – May 28, 2014

Effective – June 18, 2014

ORDINANCE NO. 451

THE PURPOSE OF THIS ORDINANCE IS TO AMEND CHAPTER 98 (BOARDS, COMMISSIONS, COMMITTEES AND PANELS), § 98-5 OF THE CODE OF THE TOWN OF ST. MICHAELS FOR THE PURPOSE OF DISSOLVING THE ST. MICHAELS TOURISM BOARD; AND ALLOWING FOR THE CREATION OF A TOURISM ADVISORY BOARD AND PROVIDING THAT THIS TITLE OF THIS ORDINANCE SHALL BE A FAIR SUMMARY HEREOF.

WHEREAS, pursuant to Ordinance No. 352, adopted August, 22, 2007, The Commissioners of St. Michaels (the “Commissioners”) created the St. Michaels Tourism Board (the “Tourism Board”), which consists of seven members appointed by the Commissioners; and

WHEREAS, the duties of the Tourism Board are to: (1) develop, in cooperation with the Talbot County Office of Tourism (the “TCOT”), a marketing and advertising campaign to promote tourism in the Town of St. Michaels (the “Town”); (2) work with the TCOT and any other agents to ensure the campaign is implemented as intended by the Tourism Board; (3) submit annually to the Commissioners for their approval a budget for the upcoming fiscal year, accompanied by an explanation of goals and strategies for the upcoming fiscal year; (4) submit at the end of each fiscal year a report to the Commissioners evaluating the success of the closing year’s marketing campaign; (5) oversee the disbursement of funds allocated to its budget, and to the extent possible, sufficient funds should be disbursed in cooperation with the TCOT to permit the TCOT to take full advantage of any funds that may be available to it through the State of Maryland or other source that may be available; and (6) act as an advisory and consultative body to the Commissioners on policy, planning, and funding issues; and

WHEREAS, the Commissioners have budgeted for a full-time Communications Director for the Town, who is expected to begin working for the Town in such capacity on or about June 1, 2014; and

WHEREAS, the Communication Director’s job duties include those duties that are currently performed by the Tourism Board, thereby obviating the need for a tourism board in the Town as currently constituted per § 98-5 of the Code of the Town of St. Michaels (the “Code”); and

WHEREAS, in their SWOT (Strengths, Weakness, Opportunities and Threats) analysis dated March 2014, the St. Michaels Tourism Board (SMTB) encouraged the Commissioners to hire a professional to work for the Town, with input from the SMTB as an advisory board; and

WHEREAS, it is the desire of the Commissioners to amend Chapter 98 (Boards, Commissions, Committees and Panels) of the Code to dissolve the Tourism Board while retaining the ability to appoint a new tourism advisory board in the future if the Commissioners so desire; and

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WHEREAS, it is the intention of the Commissioners and it is hereby ordained that the provisions of this Ordinance shall be included in the Code; that the sections and subsections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word “Ordinance” shall be changed to “section” or other appropriate word, as required for codification; 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 I.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 98 (Boards, Commissions, Committees and Panels) is hereby amended as follows, with new language shown in underlined italics and deleted language shown in ~~((double parentheses))~~ and a strikethrough as follows:

§ 98-5 St. Michaels Tourism Advisory Board.

~~((A.—There is a))~~ *The Commissioners may appoint a St. Michaels Tourism Advisory Board and establish by ordinance the duties, procedures and qualifications therefor.*

~~((B.—Membership.~~

~~(1) The St. Michaels Tourism Board consists of seven members appointed by the Commissioners of St. Michaels:~~

~~(a) Five members shall be from the tourist industry, and to the extent possible in the sole discretion of the Commissioners, there will be one member from each of the following sectors:~~

~~{1} Retail;~~

~~{2} Food and beverage;~~

~~{3} Hotel/Motel;~~

~~{4} Bed and breakfast inns; and~~

~~{5} Not for profit.~~

~~(b) One member shall represent the St. Michaels Business Association; and~~

~~(c) One member shall be at large.~~

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~~(2) Nominations for the five tourist industry positions and the at large position may be made by:~~

~~(a) Members of the Tourism Board whose terms are not expiring;~~

~~(b) Interested persons who nominate themselves;~~

~~(c) Groups of persons belonging to one of the represented tourist industries; and~~

~~(d) The Commissioners of St. Michaels.~~

~~(3) Nominations for the position held by the St. Michaels Business Association will be made by the St. Michaels Business Association.~~

~~(4) Nominations must be:~~

~~(a) Signed;~~

~~(b) Specify the seat for which the nominee is proposed; and~~

~~(c) Include the nominee's credentials.~~

~~(5) The following persons are eligible to serve on the Tourism Board:~~

~~(a) Citizens of the Town;~~

~~(b) Owners or employees of tourist focused businesses or organizations, either profit or not for profit, located in the Town of St. Michaels;~~

~~(c) Owners or employees of tourist focused businesses that are not located in the Town of St. Michaels, but whose accommodation tax receipts are paid to the Town.~~

~~C. The term of a member of the St. Michaels Tourism Board is three years.~~

~~D. Chair of Board.~~

~~(1) The Commissioners of St. Michaels shall annually appoint the chair of the St. Michaels Tourism Board.~~

~~(2) The appointment of the chair shall take effect July 1 of each year.~~

~~E. All members of the St. Michaels Tourism Board shall serve without compensation.~~

~~F. The St. Michaels Tourism Board shall meet as often as necessary, but not less than once per quarter.~~

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~~G. Duties; budget.~~

~~(1) The duties of the St. Michaels Tourism Board are:~~

- ~~(a) To develop, in cooperation with the Talbot County Office of Tourism (TCOT), a marketing and advertising campaign to promote tourism in St. Michaels;~~
- ~~(b) To work with the TCOT and any other agents to ensure the campaign is implemented as intended by the Board;~~
- ~~(c) To submit annually to the Commissioners for their approval a budget for the upcoming fiscal year, accompanied by an explanation of goals and strategies for the upcoming fiscal year;~~
- ~~(d) To submit at the end of each fiscal year a report to the Commissioners evaluating the success of the closing year's marketing campaign;~~
- ~~(e) To oversee the disbursement of funds allocated to its budget, and to the extent possible, sufficient funds should be disbursed in cooperation with the TCOT to permit the TCOT to take full advantage of any funds that may be available to it through the State of Maryland or other source that may be available; and~~
- ~~(f) To act as an advisory and consultative body to the Commissioners on policy, planning and funding issues.~~

~~(2) The budget required to be submitted under Subsection G(1)(c) of this subsection shall:~~

- ~~(a) Be developed subject to the guidelines set forth in the memorandum of understanding designated in Subsection I of this section; and~~
- ~~(b) Show the distribution of the formula allocation among the various activities by the Board.~~

~~H. Disbursements; contracts.~~

- ~~(1) All disbursements by the Board from public funds shall be paid through a government agency, the Town office or the Talbot County Office of Finance, pursuant to procedures and controls established with the respective government agency.~~
- ~~(2) Disbursements may also be regulated by the memorandum of understanding designated in Subsection I of this section.~~

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~~(3) The Commissioners shall have the power to review, approve, disapprove, modify, amend or substitute any contract entered into or proposed by the Board.~~

~~(4) Contracts entered into by the TCOT for its own purposes, through which the TCOT may choose to implement the Board's plans, shall not be subject to further review, approval, disapproval, modification, amendment or substitution by the Commissioners.~~

~~I. Memorandum of understanding.~~

~~(1) The St. Michaels Tourism Board shall be further governed by the terms of a memorandum of understanding (MOU) between Talbot County and the Commissioners.~~

~~(2) The terms of this MOU may be amended from time to time as deemed necessary by both parties.))~~

SECTION II.

The Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION III.

The provisions of this Ordinance are declared to be severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, the same shall be deemed separate, distinct, and independent from, and such holding shall not affect the validity of, the remaining portions of this Ordinance, it being the intent of the Commissioners that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION IV.

All ordinances or parts of ordinances of the Town inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

SECTION VI.

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.

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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 this 14th day of May, 2014, at 5:00 'clock p.m., in the meeting room at the Edgar M. Bosley, Jr. (Town Office), 300 Mill Street, St. Michaels, Maryland.

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 28th day of May, 2014 at 5:00 o'clock p.m., in the meeting room of the Town Office, St. Michaels, Maryland.

Vlahovich	-	_____yea_____
Clark	-	_____yea_____
Borders	-	_____yea_____
Myers	-	_____yea_____
Harrod	-	_____yea_____

I HEREBY CERTIFY that the above Ordinance No. 451 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 28th day of May, 2014.

ATTEST: THE COMMISSIONERS OF ST. MICHAELS

By: _____ (Seal)

Jean R. Weisman, Town Clerk\Manager

A. Michael Vlahovich, President

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I HEREBY CERTIFY that an exact copy of this Ordinance was posted from the 29th day of May, 2014, at 8:30 o'clock a.m. to the 17th 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. 451, 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

Jean R. Weisman. Town Clerk\Manager (Seal)