



May 4, 2020

**Council Meeting Proceedings**

**The regular meeting of the Mayor and City Council was called to order on May 4<sup>th</sup> 2020 at 7:00 pm with Mayor Martin presiding.**

**Council members present- CP Glenn, CM Robertson, CM Ringsaker, CM Zinner and CM Boyer with CM Martin absent.**

**The Pledge of Allegiance was recited, and opening prayer was given by CM Ringsaker in Proxy for Pastor Norman Obenshain of the Havre de Grace United Methodist Church.**

**Approval of Minutes:**

CM Zinner moved to approve the Council Meeting minutes of April 20, 2020. Seconded by CM Ringsaker. Motion carries 5-0

**Comments from Mayor Martin:** Mayor Martin in opening remarks, gave a brief summary on the evening's proceedings which were about to take place. He shared instruction on how citizens can take part in the meeting and how we will continue with the council meetings, in order to comply with Governor Hogan's Executive Order until further changes are put in place.

**Comments from Citizens on Agenda items:** No comments were made at this evening's meeting.

**Resolution: 2020-09**

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO SECTION 33 AND 34 OF THE CITY CHARTER AND THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO AUTHORIZE THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE HAVRE DE GRACE GREEN TEAM LTD, AS IT RELATES TO COMPOSTING COLLECTION WITH GARRITY RENEWABLES, LLC. ON CITY PROPERTY

A motion to introduce was made by CM Boyer with a second by CM Ringsaker. Motion carries 5-0.

A motion to adopt on first reading was made by CM Boyer with a second by CM Ringsaker. Motion carries 5-0.

**Resolution: 2020-10**

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO SECTION 34 OF THE CITY CHARTER AND THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE SGT. ALFRED B. HILTON MEMORIAL FUND, INC., AS IT RELATES TO THE PLACEMENT OF A MONUMENT IN THE MILLARD E. TYDINGS MEMORIAL PARK, LOCATED IN THE CITY OF HAVRE DE GRACE

A motion to introduce was made by CP Glenn with a second by CM Zinner. Motion carries 5-0.

A motion to adopt on first reading was made by CP Glenn with a second by CM Ringsaker. Motion carries 5-0.

**Resolution: 2020-11**

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CITY CHARTER SECTIONS 33, 34, 65 AND 66 CONCERNING DEEDS OF DEDICATION FOR PORTIONS OF CHESAPEAKE DRIVE AND SENECA AVENUE

A motion to introduce was made by CM Ringsaker with a second by CM Zinner. Motion carries 5-0.

A motion to adopt on first reading was made by CM Ringsaker with a second by CM Boyer. Motion carries 5-0.

**Resolution: 2020-12**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND PURSUANT TO THE AUTHORITY OF THE HAVRE DE GRACE CITY CHARTER, SECTIONS 34 AND 76, APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND M/V SUMMER BREEZE LLC FOR USE OF A CITY PIER

A motion to introduce was made by CM Ringsaker with a second by CM Zinner. Motion carries 5-0.

A motion to adopt on first reading was made by CM Ringsaker with a second by CM Boyer. Motion carries 5-0.

**Ordinance: 1033**

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE AUTHORITY PROVIDED BY THE ANNOTATED CODE OF MARYLAND TAX-PROPERTY ARTICLE TITLE 6 AND THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, FIXING THE TAX RATE FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSABLE REAL PROPERTY, PERSONAL PROPERTY; AND PROVIDING AN ADDITIONAL SPECIAL TAX LEVIED WITHIN THE CRITICAL AREA SPECIAL TAXING DISTRICT AND SETTING THE SERVICE CHARGE FOR THE SEMI-ANNUAL PROPERTY TAX PAYMENT OPTION.

A motion to introduce was made by CM Robertson with a second by CP Glenn. Motion carries 5-0.

Public hearing was held this evening. A second reading will take place on the May 18<sup>th</sup> council meeting.

**Ordinance: 1034**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE ADOPTED PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND THE CITY CHARTER SECTIONS 33 AND 34 AND CITY CODE CHAPTER 196 AND EXHIBIT A THERETO, ESTABLISHING THE CITY WATER AND SEWER RATES AND SERVICE PARTICIPATION FEES FOR THE USERS OF THE CITY WATER AND SEWER SYSTEM.

A motion to introduce was made by CM Robertson with a second by CM Boyer. Motion carries 5-0.

Public hearing was held this evening. A second reading will take place on the May 18<sup>th</sup> council meeting.

CP Glenn made a clerical change on page 5 of this Ordinance. This change was confirmed by Director of Finance George DeHority. All council members were in agreement with the change.

**Recess was called by Mayor Martin to hold the Public Hearings on Ordinance 1033 and Ordinance 1034 at 7:46 pm. No public comments were provided in advance of the hearing in writing or in person at the Public Hearing for either Ordinance 1033 or Ordinance 1034. The Mayor encouraged citizens to send in comments for consideration at the Second Reading at the May 18, 2020 City Council Meeting. The Public Hearing ended at 7:46 pm.**

**The meeting reconvened at 7:47 pm.**

**New Business:**

**HDG Sailing Camp** - (Frank J. Hutchins Memorial Park) CM Ringsaker moved to approve. Second made by CM Boyer. Motion carries 5-0.

**Directors Report:**

**Patrick Sypolt, Director of Administration:** Tomorrow would be our regular Election Day for Havre de Grace but due to the executive order issued by Governor Hogan, our Mayor has elected to postpone this year's election until the Governor's orders are lifted or amended. We will notify you when a date has been established. The Farmer's Market kicked-off their season on Saturday at Hutchins Park. Their opening day was very good despite the COVID-19 constraints. A special feature this past week was having the market opening at 8:30 am for the seniors and those with underlying health issues. The market will open again this Saturday at 8:30. The Farmers Market is open every Saturday from May to mid-November and features locally grown produce, baked goods, meats, soaps, beer, wine, spirits and hand crafted items. Early announcement, City Hall will be closed on Monday May 25<sup>th</sup> in observance of Memorial Day. City services will resume at 8:00 a.m. on Tuesday, May 26<sup>th</sup>. We truly appreciate your patience and understanding as we navigate through this most difficult of times. We continue to update our calendar with event cancellations and postponements. Please continue to stay connected with us via our web sites and Facebook. When we migrate into the upcoming phases as outlined by our Governor we will post those events and the requirements for attendees. Please visit our web sites at: [havredegrace.com](http://havredegrace.com); [explorehavredegrace.com](http://explorehavredegrace.com) and [hdgoperahouse.org](http://hdgoperahouse.org).

**Shane Grimm, Director of Planning:** Absent at this evenings meeting, Mr. Sypolt gave a report on his behalf as follows: The Planning Commission is being convened for a work session on May 19th at 6:30pm to review the Concept Plan submitted for the Green-Ianniello-Patrone properties. The work session will be live streamed on YouTube and a link will be provided on our webpage. Citizens can contact Shane Grimm, Director of Planning, directly with questions or comments at [shaneg@havredegracemd.com](mailto:shaneg@havredegracemd.com).

**Erika Quesenbery-Sturgill, Director of Economic Development:** Stated that funds are still being distributed for the Maryland Commerce COVID-19 Relief funding on a first-received, first served basis beginning with ones who applied on March 23. The FAQ page for Maryland Business Express is the fastest information resource. The Maryland Business Relief Wizard – at [www.reliefwizard.net](http://www.reliefwizard.net) can help you determine what programs you qualify for and which programs are open to apply for at this time.

**George DeHority, Director of Finance:** The current financial condition of General Fund 1, Water/Sewer Fund 9 and Marina Fund 8 were presented by Mr. DeHority.

**Tim Whittie, Director of Public Works:** The City will be flushing hydrants as we do in the spring. Residents may see a little rust in the water during this time. Bulle Rock repairs are completed on the water tower. Leaks were repaired and a new mixing unit was installed.

**Chief Teresa Walter, Havre de Grace Police Department:** The COVID-19 pandemic has resulted in separation of families and friends for various reasons such as illness or geographic distances. However, the Chief encouraged everyone to call each other on a regular basis just to touch base and check on everyone's physical, emotional, and psychological wellbeing. So that simple act of kindness may be that very thing that helps a person during these anxious times.

Chief Walter also thanked various businesses and people in the community who have provided everything from personal protection equipment, cloth masks, hand sanitizer, to food delivered to the PD. Everyone in our community has really stepped up to show their appreciation for all of first responders to include the Susquehanna Hose Company and the Ambulance Corp.

**Business from Mayor Martin:** Mayor Martin encouraged residents who wished to voice any questions on the two Ordinances, introduced this evening, to please call or email. The tax rate and water and sewer rate are unchanged this new fiscal year. The City is financially sound and we are committed to providing all citizens with all City services. We are being cautious on spending and will make smart decisions on the allocation of your tax dollars. Mayor Martin encouraged residents to please take part in the Census. Mayor Martin shared his concerns on the pandemic we now find ourselves in. He firmly believes we are going to make it through this difficult time. He is proud of how all Havre de Grace Citizens are conducting themselves during this pandemic. Mayor Martin spoke on the reason the City election was postponed.

**Business from Council:**

**Council Member Zinner:** CM Zinner congratulated three City of Havre de Grace seniors who were awarded this year's Soroptomist scholarships. The Independence Day Committee met May 19<sup>th</sup> at 7pm via Zoom.

**Council Member Ringsaker:** CM Ringsaker sends prayers to CM Martin, Planning Commission meeting will be held via YouTube on May 19<sup>th</sup> at 6:30pm.

**Council Member Boyer:** CM Boyer thanked all for their votes for the Green Team. She urged all too please continue to look out for your neighbors.

**Council Member Robertson:** CM Robertson thanked all who contributed to the American Legions Food Pantry. He apologized to all who tuned in to the last council meeting and heard his spirited comments.

**Council President Glenn:** Council President thanked his fellow council members for the work they did on this year's budget. The next Budget Work session will be held on May 26<sup>th</sup> at 6:00pm. CP Glenn said he is so proud to call Havre de Grace his home. Throughout this pandemic, we as a close knit community have exemplified the true definition of TEAM – TOGETHER EVERYONE ACHIEVES MORE. We have served as an inspiration for other municipalities and have shown that, People who care **can and do** make a difference.

**CP Glenn made a motion to adjourn at 8:32 pm with a second by CM Zinner. Motion carries 5-0.**

**Video recording of the City Council Meeting may be viewed online through Harford Cable Network.**

**Respectfully Submitted by, Resa Laird**

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2020-\_\_

Introduced by Council President Glenn

Sponsored By: Administration

**A RESOLUTION BY THE CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, 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 AND 66 CONFIRMING, RATIFYING, AND APPROVING THE CITY BOUNDARY OF THE EASTERN END OF CONGRESS AVENUE AND THE DIMENSIONS OF FRANK J. HUTCHINS MEMORIAL PARK**

**WHEREAS**, the Mayor and City Council of Havre de Grace (“City”) under City Charter Section 65 has control over all public ways, except as may be under the jurisdiction of the State of Maryland; and

**WHEREAS**, under City Charter 66 the City has the power to close up any existing City public way or part thereof; and

**WHEREAS**, the easterly end of Congress Avenue is a public way that abuts the body of water where the Susquehanna River meets the Chesapeake Bay; and

**WHEREAS**, the City’s 1996 Comprehensive Plan, approved by the Mayor and City Council on May 6, 1996, described Hutchins Park as a ½ acre “mini-park” and encouraged the expansion of Hutchins Park and redevelopment of a portion of the Congress Avenue right-of-way east of St. John and Market Streets” and recognized that “this expansion would provide for more diverse public activities such as festivals and concerts, in close proximity to Downtown”; and

**WHEREAS**, the City’s 2004 Comprehensive Plan, approved by the Mayor and City Council on March 4, 2004 and amended in 2010, described Hutchins Park as an approximately 2 acre small waterfront park that was undergoing redevelopment to make it more attractive for residents and visitors, providing a venue for several large events; and

**WHEREAS**, based on the above the City has expanded Hutchins Park over the years and has closed the foot of Congress Avenue as public way, providing parking and open space to accommodate the expansion of Hutchins Park in accordance with the City’s 1996 and 2004 Comprehensive Plans; and

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**WHEREAS**, the City has authority under Charter Section 66 to have surveys made for any of the above activities; and

**WHEREAS**, the City has obtained a survey to establish the boundaries of the foot of Congress Avenue and the dimensions of Hutchins Park as currently used and configured which survey is dated November 22, 2019 and attached hereto as Exhibit A; and

**WHEREAS**, the survey ratifies and confirms the City’s boundaries along the northern and southern portions of Congress Avenue and the dimensions of Hutchins Park;

**NOW THEREFORE**, it is hereby,

- 1. **RESOLVED**, that the City Council of Havre de Grace ratifies, affirms, and approves the closure of the easterly end of Congress Avenue as a public way for use as a public waterfront park, and it is further
- 2. **RESOLVED**, that the dimensions of Hutchins Park reflected in the November 22, 2019 survey are an expansion of Hutchins Park consistent with the 1996 and 2004 Comprehensive Plans as confirmed by park expansion projects; and it is further
- 3. **RESOLVED**, to eliminate any ambiguity regarding the boundaries of Hutchins Park, and Congress Avenue, the November 22, 2019 survey shall be recorded among the Land Records of Harford County, Maryland.

ADOPTED by the City Council of Havre de Grace, Maryland this \_\_\_\_ day of May, 2020.

ATTEST:

THE MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE, MARYLAND

\_\_\_\_\_  
Patrick D. Sypolt  
Director of Administration

\_\_\_\_\_  
William T. Martin  
Mayor

Introduced: 05/18/2020  
Passed/Adopted: 05/18/2020  
Effective Date: 05/18/2020

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EXHIBIT A

BAY STATE SURVEY

Dated \_\_\_\_\_, 2019

Oversized copy attached

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2020-\_\_\_\_\_

Introduced by Council President Glenn

Sponsored by Administration

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF  
HAVRE DE GRACE, MARYLAND, PURSUANT TO AUTHORITY  
UNDER THE MARYLAND CONSTITUTION ARTICLE XI-E, THE  
LOCAL GOVERNMENT ARTICLE OF THE MARYLAND  
ANNOTATED CODE, AND HAVRE DE GRACE CITY CHARTER  
SECTIONS 33, 34 65, 66, AND 67, ADOPTING A POLICY FOR USE  
OF CITY PUBLIC WAYS AND SIDEWALKS BY MOBILE FOOD  
TRUCKS**

**WHEREAS**, with the recent closure of restaurants caused by the Governor’s Executive Order due to the COVID-19 pandemic, AND

**WHEREAS**, the Mayor has permitted Havre de Grace restaurants with mobile food truck units and Havre de Grace food truck operators to operate a food truck on City public ways and/or sidewalks within close proximity to their establishment to facility curbside food pickup, until such time as the Governor’s Order is rescinded and allows those restaurants to be opened to seated patrons at any capacity, AND

**WHEREAS**, apart from the recent COVID-19 food truck arrangement, the City of Havre de Grace does not currently have a specific policy governing mobile food truck units (“Food Trucks”), other than operating guidance for special events whereby Food Trucks are ‘invited as an event participant’ into the City, AND

**WHEREAS**, it has become apparent that there is a desire by operators and owners of Food Trucks to set up operations within the City of Havre de Grace, requiring the need for the City to develop a City-wide policy, AND

**WHEREAS**, the City intends to amend City Code 127 “Peddling and Soliciting” to include Food Trucks, AND

**WHEREAS**, while the City Administration develops proposed amendments to City Code 127, the City Council deems it to be in the best interests of the City and its citizens to adopt a City-wide policy governing Food Truck operations within the City on an interim basis until City Code 127 is amended;



45 **NOW THEREFORE**, the members of the City Council hereby resolve that until such time as  
46 amendments to City Code 127 are presented and accepted by the Mayor and the City Council,  
47 the City shall accommodate Food Trucks within City limits as follows:  
48

- 49 1. During the COVID 19 pandemic, any Havre de Grace brick and mortar restaurant may  
50 operate a Food Truck on the City Street within 100 feet of their brick and mortar business  
51 with a permit obtained through the City Department of Planning without a fee, until such  
52 time as the Governor rescinds the emergency order and allows a restaurant to reopen to  
53 allow seated patrons in any percentage or capacity. After restaurants are reopened, the  
54 restaurants will be subject to the policy concerning Food Trucks as set forth below.
- 55 2. Any Food Truck or mobile catering business may apply through the City’s Department of  
56 Planning to set up operation in the City at one of two designated sites; (a) Hutchins Park-  
57 (4 sites) or Parking Lot on Conestee Street near the Lock House (3 sites).
- 58 3. Requirements, including the hours of operation, providing a current copy of state and  
59 county permits, a Maryland Certificate of Good Standing, Certificate of Insurance and  
60 other City such rules and regulations that shall be determined and included in the permit  
61 application.
- 62 4. A \$50.00 per truck per day permit fee shall be required prior to operation.
- 63 5. This policy will immediately be rescinded should the Governor reenact the “Stay at  
64 Home Order” so as not to encourage citizens to leave their homes unnecessarily in  
65 violation of that order.
- 66 6. Food Trucks operating on private property, must provide (in addition to items in #3)  
67 written permission from the property owner.
- 68 7. Food Trucks operating at a Special Event approved by City Council or Weddings are  
69 exempt from the permit process set forth in this Resolution.

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71 Signed by the Mayor and attested by the Director of Administration this \_\_\_\_\_ day of  
72 \_\_\_\_\_, 2020.

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75 ATTEST:

THE MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE, MARYLAND

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78 \_\_\_\_\_  
79 Patrick D. Sypolt  
80 Director of Administration

\_\_\_\_\_  
William T. Martin  
Mayor

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83 Introduced: 05/18/2020  
84 Passed/Adopted: 05/18/2020  
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86 Effective Date: 05/18/2020

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1033

**AN ORDINANCE CONCERNING:**  
**PROPERTY TAX RATES**

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE AUTHORITY PROVIDED BY THE ANNOTATED CODE OF MARYLAND TAX-PROPERTY ARTICLE TITLE 6 AND THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, FIXING THE TAX RATE FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSABLE REAL PROPERTY, PERSONAL PROPERTY; AND PROVIDING AN ADDITIONAL SPECIAL TAX LEVIED WITHIN THE CRITICAL AREA SPECIAL TAXING DISTRICT AND SETTING THE SERVICE CHARGE FOR THE SEMI-ANNUAL PROPERTY TAX PAYMENT OPTION.**

Introduced by Council Member Robertson

By the Council May 4, 2020

Introduced, read first time, ordered posted and public hearing scheduled

on: May 4, 2020

at: 7:00 p.m.

**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 May 4, 2020, and concluded on \_\_\_\_\_.

**EXPLANATION**

Underlining indicates matter added to existing law.

**[Bold Brackets]** indicate matter deleted from existing law.

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

36           **WHEREAS**, The Mayor and City Council of Havre de Grace are authorized by the Local  
37 Government Article of the Annotated Code of Maryland and the Tax-Property Article Title 6 of  
38 the Annotated Code of Maryland to fix tax rates on all taxable property within City limits; and  
40

41           **WHEREAS**, the Mayor and City Council have determined to set the real property tax  
42 rate at Fifty-Six and One-Half Cents (\$0.565) on each One Hundred Dollars (\$100.00) of  
43 assessable real property on the assessment books of the City of Havre de Grace, Maryland; and  
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45           **WHEREAS**, the Mayor and City Council have determined to set the personal property  
46 tax rate at One Dollar Seventy and One-Half Cents (\$1.705) on each One Hundred Dollars  
47 (\$100.00) of assessable personal property on the assessment books of the City of Havre de  
48 Grace, Maryland, and to grant a one year tax credit of one thousand dollars (\$1,000.00) for  
49 personal property tax payers; and  
50

51           **WHEREAS**, the Mayor and City Council have determined to set the real property tax  
52 rate at an additional Four and Four-Tenths Cents (\$0.044) on each One Hundred Dollars  
53 (\$100.00) of assessable real property (but not personal property) on the assessment books of the  
54 City of Havre de Grace, located within the Critical Area Taxing District; and  
55

56           **WHEREAS**, the Mayor and City Council have determined to set the service charge  
57 applicable to the semi-annual property tax payment option at Seventy Five One Hundredth  
58 Percent (0.75%) of the amount of tax due at the second installment.  
59

60           **THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE** establish the  
61 following tax rates for the City of Havre de Grace for the fiscal year July 1, 2020 through June  
62 30, 2021.  
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64           Section 1. BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY  
65 COUNCIL OF HAVRE DE GRACE that the tax rate generally applicable throughout the City of  
66 Havre de Grace for the fiscal year beginning July 1, 2020 and ending June 30, 2021 be and is  
67 hereby fixed at Fifty-Six and One-Half Cents (\$0.565) on each One Hundred Dollars (\$100.00)  
68 of assessable real property on the assessment books of the City of Havre de Grace, Maryland.  
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70           Section 2. BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY  
71 COUNCIL OF HAVRE DE GRACE, that the tax rate generally applicable throughout the City  
72 of Havre de Grace for the fiscal year beginning July 1, 2020 and ending June 30, 2021 be and is  
73 hereby fixed at One Dollar Seventy and One-Half Cents (\$1.705) on each One Hundred Dollars  
74 (\$100.00) of assessable personal property on the assessment books of the City of Havre de  
75 Grace, Maryland and to grant a one-time tax credit of one thousand dollars (\$1,000.00) for  
76 personal property tax payers for this tax year.  
77

78           Section 3. BE IT FURTHER ENACTED AND ORDAINED BY THE MAYOR AND  
79 CITY COUNCIL OF HAVRE DE GRACE, that the tax rate generally applicable throughout the  
80 City of Havre de Grace for the fiscal year beginning July 1, 2020 and ending June 30, 2021 be

81 and is hereby fixed to be an additional Four and Four-Tenths Cents (\$0.044) on each One  
82 Hundred Dollars (\$100.00) of assessable real property (but not personal property) on the  
83 assessment books of the City of Havre de Grace, located within the Critical Area Taxing District.  
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85 Section 4. BE IT FURTHER ENACTED AND ORDAINED BY THE MAYOR AND  
86 CITY COUNCIL OF HAVRE DE GRACE, that the service charge applicable to the semi-annual  
87 property tax payment option shall be Seventy Five One Hundredth Percent (0.75%) of the  
88 amount of tax due at the second installment.  
89

90 Section 5. AND BE IT FURTHER ENACTED AND ORDAINED that this Ordinance  
91 shall take effect as of July 1, 2020 and the Director of Finance be and is hereby authorized to  
92 enforce payment of the aforesaid taxes in accordance with applicable law.  
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95 ATTEST:

THE MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE, MARYLAND

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Patrick D. Sypolt  
100 Director of Administration

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William T. Martin  
101 Mayor

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103 Introduced/First Reading 05/04/2020  
104 Public Hearing: 05/04/2020  
105 Second Reading/Adopted: 05/18/2020  
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107 Effective Date: 07/01/2020  
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CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND  
ORDINANCE NO. 1034 (as Amended)

Introduced by Council Member Robertson

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE ADOPTED PURSUANT TO THE  
LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED  
CODE OF MARYLAND, AND THE CITY CHARTER  
SECTIONS 33 AND 34 AND CITY CODE CHAPTER 196  
AND EXHIBIT A THERETO, ESTABLISHING THE CITY  
WATER AND SEWER RATES AND SERVICE  
PARTICIPATION FEES FOR THE USERS OF THE CITY  
WATER AND SEWER SYSTEM.**

By the Council May 4, 2020

Introduced, read first time, ordered posted and public hearing scheduled  
on: May 4, 2020  
at: 7:00 p.m.

**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 May 4, 2020, and concluded on \_\_\_\_\_.

**EXPLANATION**

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

36           **WHEREAS**, the Mayor and City Council of Havre de Grace has purchased, constructed  
37 and maintained a water production and distribution system and a sewage collection and treatment  
38 system in the City of Havre de Grace and surrounding areas, and has established the applicability,  
39 rates, and procedures relating thereto pursuant to the authority granted by law and the Charter of  
40 the City of Havre de Grace; and

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42           **WHEREAS**, Section 37A of the Charter of the Mayor and City Council of Havre de Grace  
43 requires that, on or before the first City Council Meeting in June of each year, the City Council  
44 shall set the City water and sewer rates by ordinance; and

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46           **WHEREAS**, the Water/Sewer Commission, on February 18, 2020 delivered to the Mayor  
47 and City Council its recommendations on changes to be made to the rate and charge structure;

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49           **NOW, THEREFORE, BE IT ENACTED**, in accordance with the authority vested in the  
50 Mayor and City Council of Havre de Grace, by law and the Charter of the City of Havre de Grace,  
51 that the terms and conditions of this Ordinance be and the same is hereby adopted for the purpose  
52 of establishing the City water and sewer rates for the fiscal years July 1, 2020 to June 30, 2021,  
53 July 1, 2021 to June 30, 2022, and July 1, 2022 to June 30, 2023 as follows:

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55           1. The terms and provisions of City Code Chapter 196 and its Exhibit A, which contains  
56 a schedule listing all of the rates, charges or fees that the Mayor and City Council  
57 authorizes and imposes in connection with the City Water and Sewer System, are  
58 hereby reenacted and incorporated herein by reference without change, except for the  
59 following:

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61           2. In Section 196-1 entitled “Cost Schedule” delete the language in its entirety and replace  
62 it with the following:

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64           A. The attached Exhibit A to Chapter 196 of the Code, entitled “Havre de Grace  
65 Water and Sewer Cost Schedule,” is a schedule listing all of the rates, charges  
66 and fees that the Mayor and City Council of Havre de Grace authorize and  
67 impose in connection with the City water and sewer system for the period  
68 beginning July 1, 2020, and ending June 30, 2021, the basic metered water and  
69 sewer charges for the period beginning July 1, 2021, and July 1, 2022, and the  
70 basic metered water and sewer charges for the period beginning July 1, 2022,  
71 and July 1, 2023, together with certain procedures as to the applicability and  
72 collection of the water and sewer rates, capital cost recovery charges, fees and  
73 service participation fees, which Exhibit A is hereby amended and shall be  
74 enacted to read as set forth below.

75  
76           B. In Exhibit A Section One entitled “Water Service Within the City,” delete the  
77 language in its entirety and replace it with the following:

78  
79                     Beginning July 1, 2020, the basic rate for City water service shall be \$ 6.20  
80 per 1,000 gallons delivered. Beginning July 1, 2021, the basic rate for City  
81 water service shall be \$6.20 per 1,000 gallons delivered. Beginning July 1,

82 2022, the basic rate for City water service shall be \$ 6.20 per 1,000 gallons  
83 delivered. Such users shall pay the basic rates in effect when billed. User  
84 charges shall be payable quarterly upon receipt of bill.

85  
86 C. In Exhibit A Section Three entitled “City Sewer Charges Within the City,”  
87 delete the language and replace it with the following:  
88

89 Beginning July 1, 2020, the basic rate for City sewer service shall be \$9.30  
90 per 1,000 gallons of water delivered. Beginning July 1, 2021, the basic rate  
91 for City sewer service shall be \$9.30 per 1,000 gallons delivered. Beginning  
92 July 1, 2022, the basic rate for City sewer service shall be \$9.30 per 1,000  
93 gallons delivered. Such users shall pay the basic rate in effect when billed.  
94 Non-metered users shall pay a flat fee of \$180.00 per dwelling unit per  
95 quarter. All user charges shall be payable quarterly upon receipt of bill.  
96

97 D. In Exhibit A Section Five entitled “Capital Cost Recovery Charges,” delete the  
98 language in its entirety and replace it with the following:  
99

100 Capital Cost Recovery Charges are applicable to any new connections to  
101 the system that increase the demand on the water and sewer system. This  
102 includes changes in the use of an existing structure which increase the  
103 demand on the system as determined by fixture unit calculations.

104 Capital Cost Recovery Charges are not applicable to the replacement of a  
105 residence or the redevelopment of a property, provided such replacement or  
106 redevelopment occurs within three years from the disconnection from the  
107 water and/or sewer system prior to the issuance of a use and occupancy  
108 permit, and the replacement or redevelopment of the property does not  
109 increase the demand on the system as determined by fixture unit  
110 calculations.

111  
112 The charges are as follows:

113  
114 Residential Units:

- 115 1. Water - \$5,300, July 1, 2020 to June 30, 2021 per unit
- 116
- 117 2. Sewer - \$13,200, July 1, 2020 to June 30, 2021 per unit
- 118

119 Commercial/Industrial Units:

- 120
- 121 1. Charge determined by calculation of water use and type of sewer  
122 production above and beyond one residential capital cost recovery  
123 charge which is the minimum fee.
- 124
- 125 2. Charge for fire suppression use: Any commercial sprinkler system,  
126 stand pipe system, or combination thereof, will be assessed a capital  
127 cost recovery charge for water only. Charges will be based upon

128 units of flow and charged at the residential rate per unit. One unit  
 129 will be equal to a flow rate of 220 gallons per minute (220 gpm)  
 130 (i.e., 1 to 220 gpm will equal 1 unit; 221 to 440 gpm will equal 2  
 131 units; 441 to 660 gpm will equal 3 units; 661 to 880 gpm will equal  
 132 4 units; and so on). A unit will be calculated using a factor of 10%  
 133 of the total peak flow of the entire sprinkler system, stand pipe  
 134 system or a total combination of both systems. All commercial  
 135 sprinkler systems and stand pipe systems will be supplied by a  
 136 dedicated line from the street main and shall be equipped with the  
 137 proper back flow preventers and a meter. Upon installation, the  
 138 customer will be responsible for all charges associated with the  
 139 connection to the City water system. Each installed system will have  
 140 the meter read quarterly and will be billed for the base service  
 141 charge, as hereinafter defined in Paragraph 10, and any gallons used.  
 142

143 E. In Exhibit A Section Ten entitled “Base Service Charge and Infrastructure  
 144 Reinvestment Program Charge.” Delete the language in its entirety and replace  
 145 it with the following:  
 146

147 A. A base service charge will be included on each quarterly water and/or sewer  
 148 bill. The amount of the charge will be based upon the size of the water meter  
 149 connected to the City water system and the rates in effect beginning July 1,  
 150 2020, are as follows:  
 151

Meter Size (inches)	Quarterly Base Service Charge
5/8	\$20.00
3/4	\$20.00
1	\$20.00
1 1/2	\$85.00
2	\$130.00
3	\$210.00
4	\$350.00
6	\$550.00
8	\$885.00

164 B. Any water meter connected to the City water system that is used solely for  
 165 the purpose of supplying a fire suppression system, regardless of the meter  
 166 size, shall be charged the base service charge as a one-inch meter.  
 167

168 C. An Infrastructure Reinvestment Program service charge will be included on  
 169 each quarterly water and/or sewer bill. The amount of the charge will be  
 170 based upon the size of the water meter connected to the City water system  
 171 and the rates in effect beginning July 1, 2020, are as follows:  
 172



	Meter Size (inches)	Quarterly IRP Service Charge
173		
174		
175	5/8	\$30.00
176	3/4	\$30.00
177	1	<del>\$30.00</del> \$100. <del>00</del>
178	1 1/2	\$100.00
179	2	\$200.00
180	3	\$300.00
181	4	\$400.00
182	6	\$1,000.00
183	8	\$1,000.00
184		

D. Any water meter connected to the City water system that is used solely for the purpose of supplying a fire suppression system, regardless of the meter size, shall not be charged the Infrastructure Reinvestment Program service charge.

**BE IT FURTHER ENACTED AND ORDAINED** that this Ordinance shall take effect on July 1, 2020.

Signed by the Mayor and attested by the Director of Administration this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

THE MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE, MARYLAND

\_\_\_\_\_  
Patrick D. Sypolt  
Director of Administration

\_\_\_\_\_  
William T. Martin  
Mayor

Introduced/First Reading: 05/04/2020  
Public Hearing: 05/04/2020  
Second Reading/Adopted: 05/18/2020  
Effective Date: 07/01/2020

Legislative History

Ordinance No. 805, Adopted February 1, 1999  
Ordinance No. 809, As Amended, Adopted June 21, 1999  
Ordinance No. 809, As Amended, Adopted March 20, 2000  
Ordinance No. 809, As Amended, Adopted October 1, 2001  
Ordinance No. 841, Adopted June 2, 2003  
Ordinance No. 859, Adopted June 7, 2004

- 219 Ordinance No. 865, Adopted June 6, 2005
- 220 Ordinance No. 879, Adopted June 5, 2006
- 221 Ordinance No. 883, Adopted December 4, 2006
- 222 Ordinance No. 887, Adopted April 16, 2007
- 223 Ordinance No. 890, Adopted June 4, 2007
- 224 Ordinance No. 894, Adopted May 5, 2008
- 225 Ordinance No. 905, Adopted May 18, 2009
- 226 Ordinance No. 916, As Amended, Adopted May 17, 2010
- 227 Ordinance No. 931, As Amended, Adopted June 6, 2011
- 228 Ordinance No. 939, As Amended, Adopted May 21, 2012
- 229 Ordinance No. 947, As Amended, Adopted May 20, 2013
- 230 Ordinance No. 955, As Amended, Adopted June 2, 2014
- 231 Ordinance No. 969, As Amended, Adopted June 1, 2015
- 232 Ordinance No. 981, As Amended, Adopted May 16, 2016
- 233 Ordinance No. 989, As Amended, Adopted May 15, 2017
- 234 Ordinance No. 1003, Adopted, May 21, 2018
- 235 Ordinance No. 1017, Adopted, May 20, 2019