



August 3, 2020
Council Meeting Minutes

Public Hearing on Ordinance 1039 concerning Peddling and Soliciting was called to order at 7:02 PM on August 3, 2020 with Mayor Martin presiding.

Council Members present: CP Glenn, CM Zinner, CM Martin, CM Ringsaker, CM Robertson and CM Boyer.

Comments from Citizens:

With no further comments from citizens the public hearing was closed at 7:03 PM.

The regular meeting of the Mayor and City Council was called to order on August 3, 2020 at 7:03 PM with Council Members present: CP Glenn, CM Robertson CM Zinner, CM Ringsaker CM Martin, and CM Boyer.

The Pledge of Allegiance was recited, and opening prayer was given by Pastor Adam Barnes of Restore Church.

Approval of Minutes:

CM Ringsaker moved to approve the Council Meeting minutes of July 20, 2020. Seconded by CM Martin. Motion carries 6-0.

CM Zinner moved to approve the Public Work Session minutes of July 27, 2020. Seconded by CM Ringsaker. Motion carries 5-0 CP Glenn abstained, CP Glenn was absent.

Comments made by citizens on agenda items:

Christopher Mudd with VB&H in Towson – Spoke in regards to Resolution 277 Green Ianniello Single Concept Plan.

Appointments: CP Glenn moved to reappoint Bill Putland to the Board of Appeals. Second made by CM Martin. Motion carries 6-0.

CM Martin moved to reappoint The Honorable John P. Correr, Jr. to the Ethics Commission. Second made by CM Robertson. Motion carries 6-0.

CM Zinner moved to appoint J. Roger Lee to the Historic Preservation Commission. Second made by CM Robertson. Motion carries 6-0.

CM Boyer moved to reappoint Sheryl Coleman to the Street & Traffic Safety Commission. Second made by CP Glenn. Motion carries 6-0.

CM Martin moved to reappoint Ron Browning to the Tourism Advisory Board. Second made by CM Zinner. Motion carries 6-0.

CM Boyer moved to reappoint Kirk Smith to the Tree Commission. Second made by CM Ringsaker. Motion carries 6-0.

Mayor Martin swore J. Roger Lee into the Historic Preservation Commission.

Recognitions: Mayor Martin made a presentation to Lieutenant Everett Humphrey from the **Maryland Municipal League for Top Five Ranking Police Officers.**

Resolutions:

Annexation Calendar Resolution concerning Single Concept Plan for Annexation Charter Resolution 277 – Green, Ianniello, Patrone Properties.

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34 TO APPROVE A SINGLE CONCEPT PLAN FOR THE GREEN, IANNIELLO AND PATRONE PROPERTIES AS REQUIRED BY ANNEXATION RESOLUTION 277 (AS AMENDED).

A motion to introduce Resolution 2020-16 was made by CM Ringsaker with a second by CP Glenn. Motion carries 6-0. Resolution 2020-16 was read into the record. A motion to adopt Resolution 2020-16 was made by CM Ringsaker with a second by CP Glenn. Mr. Ringsaker explained that the Single Concept Plan was the result of extensive negotiations among the parties with review and input by the City's Department of Planning, and its approval by City Council will allow the parties to move forward to the next phase of development. Motion carries 6-0.

Annexation Calendar Resolution concerning 1748 Pulaski Highway.

A RESOLUTION BY THE CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION ARTICLE XI-E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SECTION 4-405, AND CITY CHARTER SECTION 34 ADOPTING AN ANNEXATION PLAN FOR THE LANDS OF 1748 PULASKI HIGHWAY CONSISTING OF TWO PARCELS FOR A TOTAL OF 1.5688 ACRES MORE OR LESS.

A motion to introduce Resolution 2020-17 was made by CM Ringsaker with a second by CM Robertson. Motion carries 6-0. Resolution 2020-17 was read into the record. A motion to adopt Resolution 2020-17 was made by CM Ringsaker with a second by CM Robertson. Motion carries 6-0. CP Glenn made an amendment to a typo on acreage. City Attorney April Ishak noted the correction.

Annexation Charter Resolution concerning 1748 Pulaski Highway.

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION, ARTICLE XI-E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SUBTITLE 3: AMENDMENT OR REPEAL OF CHARTER, AND SUBTITLE 4: ANNEXATION AUTHORIZING THE LEGISLATIVE BODY OF A MUNICIPALITY TO ANNEX PROPERTY EXTENDING THE BOUNDARIES OF THE MUNICIPALITY UPON A PETITION FOR ANNEXATION, AND AMENDING THE CITY CHARTER, SPECIFICALLY APPENDIX A OF THE HAVRE DE GRACE CHARTER BY ADDING "SUBSECTION A.35 THE SECOND 2020 ADDITION TO THE CITY BOUNDARIES," ALONG WITH THE LEGAL DESCRIPTION OF THE ACRES OF LAND WHICH WILL ENLARGE THE BOUNDARIES OF THE CITY OF HAVRE DE GRACE TO INCLUDE THE LAND OF 1748 PULASKI HIGHWAY CONSISTING OF TWO PARCELS FOR A TOTAL OF 1.5688 ACRES MORE OR LESS.

A motion to introduce Resolution 289 was made by CM Ringsaker with a second by CM Zinner. Motion carries 6-0. Resolution 289 was read into the record. A motion to adopt Resolution 289 was made by CM Ringsaker with a second by CM Robertson. Motion carries 6-0. A public hearing was set for September 8, 2020 at 7 PM.

Ordinances:

Ordinance 1037 concerning Sustainable Landscaping.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34, BY CREATING CHAPTER 102, SUSTAINABLE LANDSCAPING REGULATIONS, IN ORDER TO ESTABLISH LANDSCAPING STANDARDS FOR NEW DEVELOPMENT AND REDEVELOPMENT IN THE CITY

A motion to introduce on second reading was made by CM Ringsaker with a second by CM Martin. Motion carries 6-0. Ordinance 1037 was read into the record. A motion to adopt Ordinance 1037 was made by CM Ringsaker with a second by CM Robertson. Motion carries 6-0.

Ordinance 1038 concerning Forest Conservation.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34 AMENDING THE CITY CODE CHAPTER 81: FOREST CONSERVATION, ARTICLE X, PAYMENT INSTEAD OF AFFORESTATION AND REFORESTATION, AND ARTICLE XVI, ANNUAL REPORT.

A motion to introduce on second reading was made by CM Ringsaker with a second by CM Martin. Motion carries 6-0. Ordinance 1038 was read into the record. A motion to adopt was made by CM Ringsaker with a second by CM Boyer. Motion carries 6-0.

Ordinance 1040 concerning Adequate Public Facilities:

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE PURSUANT TO THE AUTHORITY PROVIDED BY THE MARYLAND CONSTITUTION ARTICLE XI-E, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND CITY CHARTER SECTIONS 33 AND 34, BY ESTABLISHING ADEQUATE PUBLIC FACILITIES STANDARDS FOR SCHOOLS, ROADS AND WATER AND SEWER INFRASTRUCTURE.

A motion to introduce on first reading was made by CM Ringsaker with a second by CM Zinner. Motion carries 6-0. Ordinance 1040 was read into the record. A motion to adopt was made by CM Ringsaker with a second by CM Robertson. Motion carries 6-0. A public hearing is scheduled for August 17, 2020 at 7PM.

Directors Report:

Patrick Sypolt Director of Administration: Mr. Sypolt thanked all who was sworn in this evening. He spoke on workplace wellness and its overall effect. Admin Meeting will be held Wednesday, August 5th in Council Chambers.

Mr. Shane Grimm Director of Planning: Mr. Grimm commended the Mayor and Council for adopting the Sustainable Landscaping ordinance and previous ordinances and stated that the Department of Planning will continue to update zoning and related ordinances. Mr. Grimm also thanked the Council for approving the Green-Ianniello-Patrone Concept Plan. He also stated that there are several cases coming before the Planning Commission and Board of Appeals in coming weeks, and the schedule can be found on the City's webpage.

Mrs. Erika Quesenbery-Sturgill Director of Economic Development: HDGOED Director's Report detailed the businesses that received PPP, COVID-Cares, SBA, or Department of Commerce State and County funding; and highlighted new businesses that have or are soon to open in Havre de Grace including:

- HM'S Reptiphobians at 407 S. Juniata Street;
- Laurrapin at the Boatyard aboard the Black Eyed Susan at 723 Water Street;
- 5 Star Studio Salon & Barbershop at 107 N. Washington Street;
- A Taste of the Teal Antler at 119 N. Washington Street;
- Aunty's Tycare Christian Academy at 204 N. Washington Street;
- Achieving Children Preparatory SMART Academy at 349 Fountain Street;
- My Gossip Girl Consignments at 327 St. John Street;
- Shaw Real Estate's improvements at 1354 Old Post Road; and
- The recent art installation at the Havre de Grace Decoy Museum at 215 Giles Street.

Mr. 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.

Mr. Joe Conaway Deputy Director of the Department of Public Works: Mr. Conaway wanted to let citizens know that on August 17th smoke tests will be in process in various areas around the City.

Chief Teresa Walter Havre de Grace PD: Chief Walter reminded citizens to keep their cars locked. Also be sure to remove or hide items that may be visible to thieves. With the impending tropical storm approaching she reminded citizens to not drive through deep water. Chief Walter thanked Council President and Council Members for their continued support of the Police Department.

Business from Mayor Martin: Mayor Martin spoke on Governor Hogan's latest executive order and the increased directive that arose from the new order. Face masks are required at City Hall. He spoke on the increase in COVID cases here in the City of Havre de Grace. Mayor Martin introduced a new campaign. Items that will be handed out at the Farmers Market on Saturdays. Items of reminders to keep in compliance during this time. We are all being proactive in order to keep each other safe. Mayor Martin gave an update on projects happening around town with sidewalks and street repairs. He apologizes to citizens for the inconvenience they may cause.

Business from Council:

Council Member Boyer: CM Boyer encouraged citizens to please step forward and help by volunteering for the commissions and boards.

Council Member Zinner: CM Zinner shared the Census Update for Maryland, Harford County and Havre de Grace; as of August 2, 2020: Maryland 66.9% is 13th nationally, Harford County 75% is 108th nationally, Aberdeen 67.1%, Bel Air 76.2 %, and Havre de Grace 72.6%. The Historic Preservation Commission will resume meetings next Tuesday, August 11th at 7PM via Zoom.

Council Member Robertson: No Budget & Finance meeting tomorrow. Recent Youth Commission meeting is available on YouTube. A lot happening with the Youth Commission. Civics are being taught and getting to know your government series. Shop Maryland is August 9th through the 15th for tax free shopping. EDAB Wednesday, August 19th from 4 to 5 PM with the meeting being uploaded to YouTube.

Council Member Martin: Last Saturday Post 47 Legion Riders, Hero's & Hogs did a drive by parade for 15 Retired Veterans that haven't had any social contact since March with the COVID-19 outbreak. Thirty riders participated in the ride. HDG Ambulance Corp has Food Trucks at their pavilion on Route 155 for the next four Sundays from 4 PM to 8 PM.

Council Member Ringsaker: On August 6th at 7PM, Wage & Benefit Committee will meet virtually. A link will be posted on the City's website. CM Ringsaker thanked his fellow council members tonight for voting on all the legislation this evening. He also thanked City Attorney Mrs. April Ishak for her hard work and assistance on this evening's legislation.

Council President: CP Glenn shared a challenge to all. Be that engine of change. Let's all focus on the positive not the negative. CP Glenn shared the following points. Let's all strive to work together and we can adopt the following practices he said.

1. Respect one another. Treat everyone the way you would want to be treated.
2. Adopt a cooperative spirit. I encourage you to work together. As I have said many times before, no one is as smart as all of us.
3. Be compassionate and kindhearted. You never truly know what challenges others may be facing. A tough day may be having to walk in someone else's shoes. Be that shoulder that someone can lean on.
4. Bottom line up front. Recognize that the enemies behind the curtain are the ones trying to divide us. Don't let them jerk your chain.
5. Working together, with one another and not against one another, we can without a doubt make a difference. Let's all make that commitment to make that difference by showing honesty, integrity and goodwill in all daily interactions.

CP Glenn ended his comments with, WARRIOR PROUD AND HAVRE DE GRACE STRONG.

Comments from Citizens: No comments from citizens this evening.

Adjournment: A motion was made by CM Ringsaker and seconded by CM Martin to adjourn at 8:52 PM. Motion carried 6-0.

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

Respectfully Submitted by,
Resa Laird

34 **WHEREAS**, the Mayor and City Council desire to ensure the adequacy of public
35 facilities; and,
36

37 **WHEREAS**, the Mayor and City Council desire to establish an Adequate Public Facilities
38 (APF) chapter of the City Code that provides specific criteria to ensure the adequacy of facilities.
39

40 **NOW THEREFORE**, the Mayor and City Council of Havre de Grace add Chapter 2 as
41 follows:
42

43 **Article I. General Provisions**
44

45 **§ 2-1. Title.**
46

47 This chapter shall be known and cited as the City of Havre de Grace's Adequate Public Facilities
48 Ordinance (APFO). The APFO shall include the text, graphics, and regulations, and any
49 amendments thereto.
50

51 **§ 2-2. Purpose.**
52

53 The purpose of this chapter is to ensure that adequate public facilities have been provided for all
54 new development projects as defined by this Chapter, and to define adequate public facilities
55 requirements that shall be addressed in those plans.
56

57 **§ 2-3. Definitions.** As used in this chapter, the following terms shall have the meanings indicated:
58

59 **ADEQUATE PUBLIC FACILITIES** - Those facilities relating to schools, public roads, water
60 supply and distribution systems, and sewage disposal systems meeting standards established in
61 this chapter.
62

63 **CITY** - The City of Havre de Grace,
64

65 **DEVELOPER** - An entity (including but not limited to a person, business, corporation, partnership,
66 limited liability company, or unincorporated association) responsible for the development of a
67 piece of land.
68

69 **TRAFFIC IMPACT ANALYSIS (TIA)** - A technical appraisal or study that identifies the impacts
70 of a new or expanded development on the public road system; identifies potential traffic
71 operational problems or concerns and recommends appropriate actions to address such problems
72 or concerns; and assists in determining the degree of financial responsibility of the developer in
73 mitigating such impacts.
74

75 **§ 2-4. Avoiding intent and requirements.**
76

77 A developer shall not avoid the intent and requirements of this chapter by submitting piecemeal
78 applications for preliminary subdivision plans or site plan approvals. The Directors of the
79 Departments of Planning and Public Works will make final determination on this particular matter,

80 and whether a particular application will be subject to adequate public facilities review where the
81 Directors find an intent to avoid the intent and requirements of this chapter. A developer may seek
82 approval of only a portion of the subdivision or development, provided that the impact of all
83 previously-approved preliminary or site plans from that development shall be considered during
84 the adequate public facilities review of each subsequent portion of the development.
85

86 **§ 2-5. Appeals.**

87
88 Notwithstanding anything to the contrary contained in the City's Subdivision Regulations, it is
89 hereby determined that nothing contained in this section shall be subject to a variance, special
90 exception or an appeal to the Board of Appeals. An aggrieved party may appeal to the Director of
91 Administration in accordance with established procedures.
92

93 **Article II. Adequacy Standards for All Development Projects**

94
95 **§ 2-6. Standards enumerated.**

96
97 Preliminary subdivision plans and site plans shall not be approved unless adequate public facilities
98 are available to serve the development based on the standards set forth in this section. The Director
99 of Public Works may waive certain submission requirements for projects with minimal impact to
100 the water and sewer system or roads; such as minor subdivisions of less than three lots and
101 redevelopment projects that do not significantly increase demand on the water and sewer system
102 or roads.
103

104 **§ 2-7. Schools.**

105
106 A. Annual growth report.

107
108 (1) A copy of the approved Harford County Annual Growth Report, as referenced in §
109 267-126A(3)(a) and 267-126B(2)(b) of the Harford County Development
110 Regulations, shall be submitted by the City's Director of Planning to the Mayor and
111 City Council in July of each year. An amended version of the report will be
112 submitted to the Mayor and City Council in January of each year, incorporating
113 amendments to the annual growth report as adopted by the county.
114

115 (2) The report, as required by the Harford County Development Regulations, is
116 prepared by the Harford County Department of Planning and Zoning and includes
117 a specific analysis of the current and future utilization and capacity of school
118 facilities, including the following:
119

120 (a) Full-time enrollment for the schools serving the City of Havre de Grace as of
121 September 30, or as of any other official reporting date as set by the State
122 Board of Education or the County Board of Education;
123

124 (b) Rated capacity and utilization percentage of each pertinent school facility,
125 with capacity based on state-rated capacity;

*CHANGING
REFERENCE YOUR
COMMENTS AT THE
CITY COUNCIL
MEETINGS*

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- (c) One-year, two-year and three-year, enrollment projections for each pertinent facility, including a description of the method of projecting enrollment in each facility;
- (d) Pupil yield factor by school level for each type of dwelling unit;
- (e) List of approved capital projects for new or expanded school facilities and the identified schools that will be relieved, including projected enrollment and opening date;
- (f) School district maps for each level of school facilities; and
- (g) Modified enrollment projections for each district, which include planned units remaining (recorded lots and units projected from approved preliminary plans) and projected units from vacant land zoned for residential purposes.

B. Adequacy standards (minimum acceptable level of service). Upon acceptance of the annual growth report by the Mayor and City Council, all approvals of residential single-family subdivision plans and site plans for multifamily development shall be subject to findings of adequate school capacity based on the standards set in this subsection and the current and projected use level described in the annual growth report:

(1) Preliminary approval. Preliminary subdivision plans exceeding five lots and site plans for multifamily residential developments exceeding five dwelling units shall not be approved at locations where either of the following conditions exist:

- (a) The enrollment, at the elementary school which then serves the site and all abutting elementary school attendance areas, is greater than 110% of the rated capacity or is projected to be greater than 110% within three years; or
- (b) The enrollment, of either the middle school or high school which serves the site and all abutting respective middle and high school attendance areas, is greater than 110% of the rated capacity or is projected to be greater than 110% within three years.

(2) Conditional review. If Subsection B(1)(a) or (b) of this section prevents approval of a subdivision plan or a site plan, the Planning Commission may proceed with conditional review of the plan and place it on a waiting list arranged by the date of completion of the review. This section shall not extend subdivision plan or site plan approval beyond two years from the date of final decision. One-year extensions of an approved plan may be requested without limitation during the period of development deferral. Record plats, grading permits, and public works agreements for utilities or roads shall not be executed by the City until the plan for the project is removed from the waiting list and approval is granted. Removal from the waiting

*I HAVE CONCERNS WITH THIS!
I WILL ADDRESS W/ SHANE.
CP
CONCERN: *HOPS COULD HAMPER A MUNICIPALITIES GROWTH EFFORTS THROUGH POOR DECISION MAKING ON THEIR PARTS. SUCH DECISIONS ARE OUTSIDE OF OUR CONTROL.*

list shall occur only when the condition that prevented approval under Subsection B(1)(a) or (b) of this section no longer exists.

- (3) Exemptions. The provisions of this subsection shall not apply to transient housing, or age-restricted housing should the City adopt an ordinance permitting such age restricted housing.

§ 2-8. Sewerage and water.

A. Sewerage. Approval of preliminary subdivision plans and site plans for development shall be subject to determination of adequate sewerage capacity in accordance with this Subsection A. The developer shall provide the Director of Public Works with all necessary information, including any required studies, in order to make a determination of adequacy.

- (1) The current and anticipated demands on the sewerage system shall be evaluated by the developer to determine adequacy of the system with regard to the following:

- (a) Demands on the system generated or projected to be generated by existing connections;
- (b) Buildings under construction that will be connected to the system;
- (c) All committed allocations evidenced by payment of connection fees;
- (d) All unexpired public works agreements;
- (e) All unexpired preliminary subdivision plans and site plans; and
- (f) Properties that are anticipated to connect to the system on completion of a capital project then under construction or for which funding has been authorized, right-of-way acquisition completed, and construction plans completed.

- (2) Taking into consideration demands on the system identified in Subsection A(1), the following components of the sewerage system must be determined to be adequate:

- (a) Collector systems to serve the proposed development are designed to accommodate expected ultimate peak gravity flows from the proposed development and other developable land within the drainage area;
- (b) Interceptors to serve the proposed development have sufficient available capacity to accommodate expected peak gravity flows from the proposed development;

- 216 (c) Pumping stations and force mains receiving flows from the collector system
 217 in the drainage/service area have sufficient available capacity to
 218 accommodate ultimate peak flows from the proposed development and other
 219 developable land within the drainage area;
 220
- 221 (d) Pumping stations and force mains receiving flows from interceptors to serve
 222 the proposed development have sufficient available capacity to accommodate
 223 expected peak flow from the proposed development; and
 224
- 225 (e) Treatment plant(s) have sufficient available capacity to accommodate
 226 expected annual average and maximum daily loadings from the proposed
 227 development.
 228
- 229 (3) The City sewerage system shall also be considered adequate under the following
 230 circumstances:
 231
- 232 (a) If there is compliance with Subsection A(2)(a) and (c) of this section and the
 233 City has funded projects for the improvement of the facilities necessary to
 234 comply with requirements of Subsection A(2)(b), (d), and (e) of this section.
 235
- 236 (b) If there is compliance with Subsection A(2)(e) of this section and the
 237 developer agrees to construct the improvements to the system to meet the
 238 requirements of Subsection A(2)(a), (b), (c), and (d) of this section, or the
 239 developer executes an agreement with the City for improvements to the
 240 system to meet the requirements of Subsection A(2)(a), (b), (c), and (d) of this
 241 section. Under either scenario, the developer will be responsible for the
 242 cost(s) of those improvements directly attributable to the impact produced by
 243 the development.
 244
- 245 (4) If the City sewerage system is found to be inadequate, then preliminary subdivision
 246 plans exceeding five lots, site plans for multifamily residential developments
 247 exceeding five dwelling units, and extensions of previously approved preliminary
 248 subdivision plans and site plans shall not be approved.
 249
- 250 (5) Conditional review.
 251
- 252 (a) If Subsection A(2)(a), (b), (c), (d), or (e) of this section prevent approval or
 253 the extension of a previous approval of a preliminary subdivision plan or site
 254 plan, the Department of Planning may proceed with conditional review of the
 255 plan or plan and place it on a waiting list arranged by date of City Council
 256 approval and, for previously approved plans or plans, by date of the request
 257 for extension.
 258
- 259 (b) Record plans, grading permits, and public works agreements for utilities or
 260 roads shall not be executed by the City until the proposed preliminary
 261 subdivision plan or site plan for the project is removed from the waiting list

262 and approval or extension of the previous approval is granted. Removal from
263 the waiting list shall occur only when the condition(s) that prevented approval
264 under Subsection A(2)(a), (b), (c), (d), or (e) of this section no longer exist(s).
265

266 (6) Grandfathering.

- 267
- 268 (a) Unless an extension of the approval of the preliminary plan or site plan is
269 granted in accordance with the applicable City Code allowing for such
270 extension, development conducted in accordance with a preliminary plan or
271 site plan approved before the effective date of this chapter is exempt from the
272 provisions of this subsection concerning the adequacy of the sewerage
273 system.
 - 274
 - 275 (b) If an extension of the approval of the preliminary plan or site plan is granted,
276 the development shall be subject to the provisions of this subsection
277 concerning the adequacy of the sewerage system.
 - 278
 - 279 (c) If development is exempt from the provisions of this subsection concerning
280 the adequacy of the sewerage system, execution of public works agreements
281 for such development is subject to availability of capacity in the sewerage
282 system at the time of preparation of the public works agreements.
283

284 B. Water. Approval of all preliminary subdivision plans and site plans for development shall
285 be subject to determination of adequate water capacity in accordance with this Subsection
286 B. The developer shall provide the Director of Public Works with all necessary
287 information, including any required studies, in order to make a determination of adequacy.
288

- 289 (1) The current and anticipated demands on the water system shall be evaluated by the
290 developer to determine adequacy of the system with regard to the following:
291
- 292 (a) Demands on the system generated or projected to be generated by existing
293 connections;
 - 294
 - 295 (b) Buildings under construction that will be connected to the system;
 - 296
 - 297 (c) All committed allocations evidenced by payment of connection fees;
 - 298
 - 299 (d) All unexpired public works agreements;
 - 300
 - 301 (e) All unexpired preliminary subdivision plans and site plans; and
 - 302
 - 303 (f) Properties that are anticipated to connect to the system on completion of a
304 capital project then under construction or for which funding has been
305 authorized, right-of-way acquisition completed, and construction plans
306 completed.
307

- 308 (2) Taking into consideration proposed demands on the system identified in Subsection
309 B(1), the following components of the water system must be determined to be
310 adequate:
311
- 312 (a) The water distribution system is capable of providing the required pressures
313 and flows during the maximum day demand and the minimum required
314 pressures for fire flows, resulting from the proposed development, as
315 established in the City's water and sewer design guidelines;
316
 - 317 (b) Booster stations and/or transmission mains in the service area have sufficient
318 available capacity to provide maximum day demand and minimum required
319 pressure for fire flow to the proposed development;
320
 - 321 (c) Storage tanks in the service area have sufficient available capacity to provide
322 peak-hour demand in addition to fire flow to the proposed development; and
323
 - 324 (d) Source and treatment facilities in the service area have sufficient available
325 capacity to provide maximum day demand to the proposed development.
326
- 327 (3) The City water system shall also be considered adequate under the following
328 circumstances:
329
- 330 (a) If the City has funded projects for the improvement of the facilities necessary
331 to comply with the requirements of Subsection B(2)(a), (b), (c), and (d) of this
332 section.
333
 - 334 (b) If there is compliance with Subsection B(2)(c) and (d) of this section and the
335 developer agrees to construct the improvements to the system to meet the
336 requirements of Subsection B(2)(a) and (b) of this section, or the developer
337 executes an agreement with the City for improvements to the system to meet
338 the requirements of Subsection B(2)(a) and (b) of this section.
339
- 340 (4) If the water system serving the proposed development is found to be inadequate,
341 then preliminary subdivision plans exceeding five lots, site plans for multifamily
342 residential developments exceeding five dwelling units, and extensions of
343 previously approved preliminary subdivision plans and site plans shall not be
344 approved.
345
- 346 (5) Conditional review.
347
- 348 (a) If Subsections B(2)(a), (b), (c), or (d) of this section prevents approval or the
349 extension of a previous approval of a preliminary plan or site plan, the City
350 of Havre de Grace's Department of Planning may proceed with conditional
351 review of the plan or plan and place it on a waiting list arranged by date of
352 City Council approval and, for previously approved plans, by date of the
353 request for extension.

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(b) Record plans, grading permits and public works agreements for utilities or roads shall not be executed by the City until the plan for the project is removed from the waiting list and preliminary approval or extension of the previous approval is granted. Removal from the waiting list shall occur only when the condition that prevented approval under Subsection B(2)(a), (b), (c), or (d) of this section no longer exists.

(6) Grandfathering.

(a) Unless an extension of the approval of a preliminary plan or site plan is granted in accordance with the City Code, development conducted in accordance with a preliminary plan or site plan approved before the effective date of this chapter is exempt from the provisions of this subsection concerning the adequacy of the water system.

(b) If an extension of the approval of the preliminary plan or site plan is granted, the development shall be subject to the provisions of this subsection concerning the adequacy of the water system.

(c) If development is exempt from the provisions of this subsection concerning the adequacy of the water system, execution of public works agreements for such development is subject to availability of capacity in the water system at the time of preparation of the public works agreements.

§ 2-9. Roads.

A. Approval of preliminary subdivision plans and site plans for development shall be subject to determination of adequacy of road intersections in accordance with this Subsection C.

(1) Traffic impact analysis.

(a) The developer of any project that will generate 249 total trips per day using the latest version of the Institute of Transportation Engineers (ITE) Trip Generation Manual is required to submit a traffic impact analysis (TIA) to determine the level of service (LOS) of road intersections within the study area. If a development will generate fewer than 249 total trips per day, or if the LOS of an affected intersection is graded "E" or "F," the City may, at its discretion, require a TIA.

(b) The Director of Public Works may waive the requirement for a TIA for projects that have direct access to US Route 40, where the Director finds that the trips generated by the project will not significantly impact the corridor or intersections within 1 mile of the project.

→ can corridor be defined as a development

399 (c) The TIA shall be conducted by a traffic engineering firm that is agreed upon
400 by the City and the developer, to include specific requirements as established
401 by the Department of Public Works. All costs for this TIA shall be borne by
402 the developer.
403

404 (d) The TIA shall be prepared, signed, and sealed by a traffic engineer, or a civil
405 engineer licensed in the State of Maryland who is qualified to practice traffic
406 engineering.
407

408 (2) Minimum requirements for a TIA and intersection adequacy.
409

410 (a) Trip generation projections shall be determined by utilizing methods set forth
411 in the latest edition of the ITE Trip Generation Manual.
412

413 (b) The minimum acceptable level of service of road intersections in a
414 residential development study area shall be "C" for intersections in or
415 abutting a residential zoning district and "D" for all other intersections.
416

417 (c) The study area shall be determined by City staff, who shall consider the
418 following when determining the parameters of the study area and the
419 requirements and sufficiency of the TIA:
420

421 [1] Study area.
422

423 [a] The typical study area for a TIA shall consist of a minimum area
424 encompassed by a radius of 1/4 mile from the site to be
425 developed, and shall include collector or higher-functioning
426 classification road intersections from all approaches to the site
427 as specified in the current edition of the City of Havre de Grace's
428 Comprehensive Plan. This area may include intersections which
429 are subject to the jurisdiction of the Maryland State Highway
430 Administration (SHA) or Harford County. Coordination with
431 these government agencies may be required.
432

433 [b] If the one-fourth-mile radius does not include a collector or
434 higher-functioning classification road intersection, the City may
435 require the inclusion of the nearest collector or higher-
436 functioning classification road intersection as part of the study
437 area.
438

439 [2] Design year. The design year shall be the projected date of completion
440 of the project as outlined in the public works agreement for that project.
441

442 [3] Trip generation requirements for TIAs.
443

- 444 [a] Existing traffic counts shall be conducted within a twelve-month
 445 period of the submittal date of the TIA. Traffic counts should be
 446 taken on a Tuesday, Wednesday, or Thursday, not following a
 447 holiday unless approved by the City. If a school is located within
 448 the TIA study limits, traffic counts must be taken while school
 449 is in session.
 450
- 451 [b] Trip generation for each land use shall be obtained by utilizing
 452 the current edition of the ITE Trip Generation Manual. The land
 453 use code in the manual shall be indicated for each category.
 454 Where a land use is not recognized within the ITE Manual or
 455 where local conditions indicate fewer trips than projected by the
 456 ITE standard for a particular land use, local trip rates may be
 457 developed; however, the data must be submitted to the City with
 458 supporting documentation prior to approval of the rates.
 459
- 460 [c] For developments generating peak trip numbers on weekends,
 461 the City may require the TIA to include traffic counts on either
 462 Saturday or Sunday (depending upon which day best reflects the
 463 proposed land use's peak operation), and the TIA shall include a
 464 traffic report for a single peak hour. Operational analyses may
 465 be required as well. Passby and diverted trip reduction factors
 466 may be considered for certain uses if City staff permits.
 467
- 468 [4] Trip distribution and assignment.
 469
- 470 [a] Any of the following methodologies may be acceptable for the
 471 purpose of determining trip distribution in a TIA:
 472
- 473 [b] Gravity model. This technique may require calibration prior to
 474 its use if utilizing an old gravity model for the study area.
 475
- 476 [c] Utilization of demographic data.
 477
- 478 [d] Current directional distribution. (NOTE: This may be
 479 unacceptable if the directional distribution will change before
 480 the design year to future changes in the land use or transportation
 481 system improvements.)
 482
- 483 [e] City staff shall approve the methodology to be used in the study.
 484
- 485 [5] Capacity analysis in a TIA.
 486
- 487 [a] Capacity analyses shall be performed for all intersections,
 488 roadways, ramps, weaving sections, internal circulation, and
 489 access points. The analysis shall be in accordance with the latest

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published version of the Highway Capacity Manual (HCM). Other types of capacity analysis may be requested, such as critical lane, depending on requirements of other jurisdictions with road systems within the City. It may also be necessary to complete traffic progression analysis, utilizing such programs as the HCM or Synchro. Queuing analyses may be required to determine both on- and off-site situations where queuing could impact the roadway/internal site operation. The SHA has established acceptable cycle lengths. (See chart below.) However, actual field-documented cycle lengths may be used if approved by City staff.

Level of Service	2 Phases	3 to 5 Phases	6 to 8 Phases
A	90	100	120
B	90	100	120
C	100	120	135
D	120	135	150
E	135	150	165
F	150	165	180

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[b] Unsignalized intersections not meeting the adopted level of service established in Subsection C(2)(b) of this section shall be required to complete a traffic signal warrant analysis. Unsignalized intersections will be evaluated based on the level of service on the minor approaches to the intersection. Accident history of the intersection shall be considered as well.

[c] Background traffic, the volume of traffic that will be on the roadway network in the project area without the proposed development, shall be analyzed in the study. Graphic illustrations of background traffic shall be provided. Sources of background traffic include: a 2.2% annual growth in traffic to buildout year, if applicable, traffic generated by other approved developments, traffic generated from subdivisions with approved final plats, traffic generated from subdivisions with approved preliminary plans, and existing traffic.

[d] When analyzing background and future conditions, only capital projects with one-hundred-percent funding may be utilized. Other road improvements associated with other developments that have approved plans and an executed public works agreement or SHA highway access permit(s) may be utilized as well.

[6] Peak-hour observations. The City may require peak-hour observations performed by a qualified traffic engineer in a TIA. The observations shall be conducted at the direction of the City to address specific

529 operational issues related to the proposed project. The specific traffic
 530 concerns of the City will be presented at the preliminary plan meeting.
 531 Documentation of the observations shall be included in the TIA, along
 532 with recommendations to address traffic deficiencies.
 533

534 [7] Recommendations. If any intersection within the study area has any of
 535 the failing conditions listed in Subsection C(2)(b) or D(2)(c)[5][a], the
 536 TIA shall recommend mitigating improvements. The improvements
 537 shall be described in the TIA and should include a basic concept plan
 538 that illustrates the recommended improvements. The recommended
 539 improvements should be achievable utilizing the latest American
 540 Association of State Highway and Transportation Officials
 541 (AASHTO), SHA, or City of Havre de Grace guidelines. A TIA
 542 without specific recommendations to mitigate negative impacts shall
 543 not be considered complete. If recommended improvements are
 544 approved by the City, the developer shall implement the
 545 recommendations in the TIA at the developer's sole expense.
 546

547 [a] If the TIA determines the existing LOS does not meet the
 548 minimum requirements in the study area, the developer need
 549 only mitigate the portion of traffic impact generated by the
 550 development to ensure that post development traffic conditions
 551 are no worse than predevelopment levels.
 552

553 [b] If the TIA determines a developer is subject to mitigate its
 554 portion of trips generated from the site, the developer shall
 555 construct the improvements as stipulated by the City of Havre
 556 de Grace's Department of Public Works. In the event the
 557 Department of Public Works determines the developer is unable
 558 to provide the improvements because of the inability to acquire
 559 the necessary rights-of-way, the physical constraints of the
 560 property, or state or federal regulations, the developer, prior to
 561 issuance of the first building permit, shall deposit into an escrow
 562 account with the City 125% of the funds necessary to cover the
 563 costs of the improvements as determined by the City. The City
 564 shall continue to hold the money in escrow until such time as the
 565 improvements are able to be constructed. In no event, however,
 566 shall the money be retained by the City for longer than 10 years
 567 from date of deposit. At the conclusion of the 10 years, the
 568 existing owner(s) of record may request a refund. If such a
 569 request is not made within 365 calendar days of the conclusion
 570 date, the escrowed money shall revert to the City of Havre de
 571 Grace for use in improvement of roads and related structures
 572 within the City's right-of-way.
 573
 574

575 (3) Conditional review.

576

577 (a) If the requirements of this subsection prevent approval or the extension of a
578 previous approval of a preliminary subdivision plan or site plan, the
579 Department of Planning may proceed with conditional review of the
580 preliminary plan or site plan and place it on a waiting list arranged by date
581 of City Council approval and, for previously approved plans, by date of the
582 request for extension.

583

584 (b) Record plats, grading permits, and public works agreements for utilities or
585 roads shall not be executed by the City until the plan for the project is
586 removed from the waiting list and preliminary subdivision plan or site plan
587 approval or extension is granted. Removal from the waiting list shall occur
588 only when the condition that prevented approval under this subsection no
589 longer exists.

590

591 (4) Grandfathering.

592

593 (a) Unless an extension of the approval of the preliminary subdivision plan or
594 site plan is granted in accordance with the City Code, development
595 conducted in accordance with a preliminary plan or site plan approved before
596 the effective date of this chapter is exempt from the provisions of this
597 subsection concerning the adequacy of the roadways.

598

599 (b) If an extension of the approval of the preliminary plan or site plan is
600 granted, the development shall be subject to the provisions of this
601 subsection concerning the adequacy of the roadways.

602

603 Signed by the Mayor and attested by the Director of Administration this _____ day of
604 _____, 2020.

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606

607 ATTEST:

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610

611 Patrick D. Sypolt
612 Director of Administration

613

614

615 Introduced/First Reading: 8/3/2020

616 Public Hearing: 8/17/2020

617 Second Reading/Adopted:

618

619 Effective Date:

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

William T. Martin
Mayor

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ANNEXATION RESOLUTION NO. 288

Introduced by _____ Council Member Ringsaker

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, TITLE 4 OF THE LOCAL GOVERNMENT ARTICLE OF THE MARYLAND ANNOTATED CODE, SECTIONS 3, 33 AND 34 OF THE CITY CHARTER, AND SECTION 20 OF THE CITY CODE AUTHORIZING THE CITY COUNCIL, AS THE LEGISLATIVE BODY OF A MUNICIPALITY, TO ANNEX PROPERTY EXTENDING THE BOUNDARIES OF THE MUNICIPALITY AND AMENDING THE CITY CHARTER, SPECIFICALLY APPENDIX A BY ADDING "SUBSECTION A.34 THE FIRST 2020 ADDITION TO THE CITY BOUNDARIES" ALONG WITH THE LEGAL DESCRIPTION OF THE ACRES OF LAND WHICH WILL ENLARGE THE BOUNDARIES OF THE CITY OF HAVRE DE GRACE TO INCLUDE THE LANDS OF PULASKI PARCEL LLC LOCATED AT 1531 PULASKI HIGHWAY NEAR THE NORTHWEST INTERSECTION OF PULASKI HIGHWAY AND OLD POST ROAD/STATE ROUTE 7, CONSISTING OF THREE PROPERTIES IN THE SIXTH ELECTION DISTRICT TOGETHER WITH A DRAINAGE AND UTILITY EASEMENT AND PART OF THE ADJOINING CSX RAILROAD RIGHT OF WAY CONSISTING OF A TOTAL OF 3.613 ACRES MORE OR LESS.)

FIVE PARCELS

WHEREAS, the land subject to this annexation resolution is eligible for annexation since the land is contiguous and adjoining the existing corporate boundaries of the City, and the annexation will not create an unincorporated area bounded on all sides by: (i) property presently within the corporate limits of the City; (ii) real property proposed to be within the corporate limits of the City as a result of the proposed annexation; or (iii) any combination of such properties; and

WHEREAS, the owners of not less than twenty-five percent (25%) of the assessed value of the real property to be annexed consent to the annexation, and there are no resident voters on the land being annexed and therefore the annexation meets the requirements of Section 4-404 of the Local Government Article of the Annotated Code of Maryland; and

42 **WHEREAS**, The Mayor and City Council of Havre de Grace, Maryland have previously
43 adopted an Annexation Plan for the Property subject to this Annexation Resolution pursuant to
44 City of Havre de Grace Resolution No. 2020-06; and

45
46 **WHEREAS**, The Mayor and City Council of Havre de Grace, Maryland have determined
47 that the annexation of the 3.613 acres of land more or less consisting of five parcels, located at
48 1531 Pulaski Highway as more specifically defined herein (“Property”) is in the best interest of
49 the health and welfare of the citizens of Havre de Grace.

50
51 **NOW THEREFORE BE IT RESOLVED, ORDAINED, AND ENACTED BY THE**
52 **MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND AS FOLLOWS:**

53
54 SECTION 1. The Appendix to the Charter of the Mayor and City Council of Havre de
55 Grace, Maryland is hereby amended to add a new Subsection A.34 The First 2020 Addition to
56 the City Boundaries to read as set forth in the legal description attached hereto as Exhibit A and
57 incorporated by reference herein. (“Property”).

58
59 SECTION 2. The Mayor and City Council of Havre de Grace, Maryland and the requisite
60 owners of the properties hereby annexed agree that the conditions and circumstances applicable to
61 the change in the boundaries of the City of Havre de Grace caused by this annexation and to the
62 property within the area hereby annexed are as provided in the applicable Charter provisions, laws
63 and ordinances of the State of Maryland and the City of Havre de Grace, except as follows:

64
65 (a) The Property is currently given a County zoning designation of Commercial
66 Industrial (CI) on the official zoning maps of Harford County. The zoning
67 designation in the City that the Mayor and City Council shall assign to the Property
68 is Commercial (C) as defined in the Havre de Grace Zoning Ordinance.

69
70 (b) City water and sewer service shall be provided to the Property hereby annexed at
71 generally applicable rates and pursuant to conditions generally applicable to other
72 City-owned properties within the corporate boundaries of the City of Havre de
73 Grace at such time the Mayor and City Council of Havre de Grace approve
74 development of the Property. The cost to construct any facilities necessary to
75 provide water and sewer service to the Property shall be paid according to the laws,
76 rules, regulations and policies, specifications, standards and approvals (including
77 state and county, if any), existing or required at the time of construction, including
78 any applicable recoupment agreements authorized under the Annexation
79 Resolution, and in accordance with the Annexation Plan Resolution 2020-06
80 attached hereto and marked Exhibit B.

81
82 (c) The Mayor and City Council of Havre de Grace, Maryland acknowledge that a
83 legal description of the Property has been prepared by a professional engineer
84 retained by the City.

85
86 (d) The terms and conditions of this Resolution are consistent with the Annexation
87 Policy of the Mayor and City Council of Havre de Grace, Maryland established by

88 City Code Section 20 (“Annexation Policy”), a copy of which is attached hereto as
89 Exhibit C.
90

91 SECTION 3. AND BE IT FURTHER RESOLVED that, promptly after the introduction
92 and first reading of this Resolution by the Mayor and City Council of Havre de Grace, Maryland,
93 the Director of Administration shall create a public notice, briefly and accurately describing the
94 proposed change and the conditions and circumstances applicable. The aforesaid notice shall be
95 published two (2) times at not less than weekly intervals in a newspaper or newspapers of general
96 circulation in the City of Havre de Grace and the area to be annexed, as the area to be annexed is
97 less than 25 acres. The aforesaid public notice shall state a time, not less than fifteen (15) days
98 after the second (4th) publication thereof and not less than 30 days after the Annexation Plan
99 Resolution 2020-06 is approved, provided to the regional and national planning agencies, and the
100 place within the City of Havre de Grace at which a public hearing shall be held to consider public
101 comment to consider this Resolution. The public hearing may be continued or rescheduled in
102 accordance with the requirements set forth in Local Government Article of the Annotated Code of
103 Maryland. Immediately upon the first publication of the specified public notice, a copy of the
104 public notice and other relevant documents shall be provided to the Harford County Council, the
105 Harford County Executive, the Director of the Harford County Department of Planning and
106 Zoning, the Planning Commission of the City of Havre de Grace, and to any other regional or state
107 planning agency having jurisdiction over the property, including the Executive Director of the
108 Baltimore Metropolitan Council.
109

110 SECTION 4. AND BE IT FURTHER RESOLVED that, this Annexation Resolution
111 shall become effective forty-five (45) days after its enactment by the Mayor and City Council of
112 Havre de Grace, Maryland, provided this Resolution is read and passed by an affirmative vote of
113 a majority of the Council members present at a second reading of the Resolution at a regular City
114 Council meeting after the conclusion of the public hearing and any continuation thereof as
115 prescribed by the Local Government Article Section 4-407 of the Annotated Code of Maryland (as
116 amended) and also provided that a proper petition for referendum calling for an election related to
117 the annexation is not filed as permitted by law.
118

119 SECTION 5. AND BE IT FURTHER RESOLVED that, if any section, subsection,
120 paragraph, sentence, clause, phrase or word of this Resolution or its application to any person or
121 circumstances is held invalid by any court of competent jurisdiction, the remaining sections,
122 subsections, paragraphs, sentences, clauses, phrases, and words of this Resolution, or the
123 application of the provision to other persons or circumstances then in effect, shall continue in full
124 force and effect.
125

126 SECTION 6. AND BE IT FURTHER RESOLVED, by the Mayor and City Council of
127 Havre de Grace, Maryland, that the Director of Planning shall promptly register the original and
128 the new corporate boundaries of the City of Havre de Grace with the Clerk of the Circuit Court of
129 Harford County and the Department of Legislative Reference for the State of Maryland when this
130 Resolution takes effect.
131

132 SECTION 7. AND BE IT FURTHER RESOLVED, by the City Council of Havre de
133 Grace, Maryland that the Mayor is authorized to enter into an Annexation Agreement with the

134 recommendation of the Director of Planning, the Director of the Department of Public Works, and
135 the City Attorney to implement the purposes of this Annexation Resolution.
136

137 SECTION 8. AND BE IT FURTHER RESOLVED, that the Mayor is authorized to enter
138 into a Public Works Agreement with the recommendation of the Director of the Department of
139 Public Works and the City Attorney, to implement the purposes of this Annexation Resolution.
140

141
142 Adopted by the City Council of Havre de Grace, Maryland this ____ day of _____, 2020.
143

144
145 ATTEST:

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

148 _____
149 Patrick D. Sypolt
150 Director of Administration

William T. Martin
Mayor

151
152
153 Introduced: 06/01/2020
154 Public Hearing: 07/06/2020
155 Enacted: 08/17/2020
156 Adopted/Effective Date (45 days): 10/1/2020

2nd Reading

EXHIBIT A

May 29, 2020
BSLS #15024

CITY OF HAVRE DE GRACE, MARYLAND
ANNEXATION CONSOLIDATION DESCRIPTION

Harford County Tax Map #52, Parcel #275
Harford County Tax Map #52, Parcel #323, Lot 1
Harford County Tax Map #52, Parcel #323, Lots 2 & 3
Harford County Tax Map #44, Parcel #707

ZONING DESCRIPTION – 3.578 acres of land more or less, lying on the Northerly side of U.S. Route #40-Pulaski Highway, Sixth Election District, Harford County, Maryland, being more particularly described as follows:

BEGINNING for the same at a point on the northernmost right-of-way line of U.S. Route #40, said point being the southeasternmost lot corner of Lot 3 as depicted on a plat titled, "Gerard & Habermann Subdivision" and was recorded among the Plat Records of Harford County, Maryland in Liber G.C.B. 04, folio 20; thence binding on the northernmost right-of-way line of U.S. Route #40, the following course and distance now surveyed:

1. By a curve to the right with a radius of 5654.58 feet for an arc length of 429.85 feet; said curve being subtended by a chord bearing South 43 degrees 47 minutes 14 seconds West 429.75 feet to a point; thence leaving said right-of-way for the following course and distance:
2. North 78°43'51" West 66.44 feet to the point, thence;
3. North 22 degrees 53 minutes 31 seconds West 319.86 feet to a point in the southeasternmost corner of Parcel "A" Open Space as depicted on a plat titled, "Revised Final Plat One - Phase 1 Greenway Farm and was recorded among the Plat Records of Harford County, Maryland in Liber J.J.R. 126, folio 18; said Open Space being within the Limits of the City of Havre de Grace, Maryland; thence binding on the two easternmost lines of said Open Space and said City Limits, the two following courses and distances:
4. North 45 degrees 39 minutes 32 seconds East 25.01 feet to the point;

5. North 45 degrees 13 minutes 17 seconds West 104.57 feet to a point of the southernmost right-of-way line of the CSX Transportation Inc.; thence leaving the City Limits of Havre de Grace, Maryland and binding on the said CSX right-of-way, the following course and distance:
6. By a curve to the left with a radius of 8632.42 feet for an arc length of 20.00 feet; said curve being subtended by a chord bearing North 45 degrees 07 minutes 55 seconds East 20.00 feet to a point; thence still binding on said CSX right-of-way and also binding on a right-of-way of the American Telephone & Telegraph for the following course and distance:
7. South 45 degrees 13 minutes 24 seconds East 60.06 feet to a point on the southernmost right-of-way line of said the American Telephone & Telegraph and still binding on said right-of-way for the following course and distance:
8. By a curve to the left with a radius of 8692.48 feet for an arc length of 279.00 feet; said curve being subtended by a chord bearing North 44 degrees 08 minutes 38 seconds East 278.99 feet to a point; thence leaving said right-of-way the following course and distance:
9. South 48 degrees 16 minutes 34 seconds East 391.48 feet to the Place of Beginning;

**CONTAINING 3.578 ACRES OF LAND, MORE OR LESS.
SURVEY DATUM ABOVE IS BASED ON NORTH AMERICAN DATUM (N.A.D.) 83/2011.**

EXHIBIT B

RESOLUTION NO. 2020-06

THE ANNEXATION PLAN FOR THE LANDS OF PULASKI PARCEL LLC LOCATED AT 1531 PULASKI HIGHWAY NEAR THE NORTHWEST INTERSECTION OF PULASKI HIGHWAY AND OLD POST ROAD/STATE ROUTE 7, CONSISTING OF THREE PROPERTIES IN THE SIXTH ELECTION DISTRICT TOGETHER WITH A DRAINAGE AND UTILITY EASEMENT AND PART OF THE ADJOINING CSX RAILROAD RIGHT OF WAY CONSISTING OF A TOTAL OF 3.613 ACRES MORE OR LESS.

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION ARTICLE XI-E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SECTION 4-405 WHICH REQUIRES THE LEGISLATIVE BODY OF A MUNICIPALITY SEEKING TO ANNEX PROPERTY AFTER OCTOBER 1, 2006 TO ADOPT AN ANNEXATION PLAN FOR THE SUBJECT PROPERTY AND THAT THE ANNEXATION PLAN NOT BE PART OF THE ANNEXATION RESOLUTION.

WHEREAS, the Mayor and City Council of Havre de Grace seek to annex certain properties along Pulaski Highway/Route 40 pursuant to the introduction of a Charter Resolution for Annexation; and

WHEREAS, the properties consist of five separate properties consisting of three properties owned by Pulaski Parcel LLC, a drainage and utility easement purportedly owned by MTBR Ventures LLC, and a portion of a railroad right of way owned by CSX Railroad, which properties, are contiguous and are located at the northwest intersection of Pulaski Highway and Old Post Road/State Route 7, and are situate and lying in the Sixth Election District of Harford County, Maryland as set forth more fully below (collectively, the annexed areas are referred here as the "Properties"); and.

WHEREAS, the Properties are reflected on the attached plat marked Exhibit A and said properties sit on the west side of Pulaski Highway, Route 40, adjacent to the Bulle Rock and Greenway Farms residential developments, which are within the municipal limits of the City of Havre de Grace ("City"); and

WHEREAS, the annexation is consistent with the City's Comprehensive Plan, and specifically the Municipal Growth Element and expansion along Route 40;

NOW THEREFORE, the Mayor and City Council adopt the following Annexation Plan for the Property:

1. THE ANNEXATION PLAN FOR THE LANDS OF PULASKI PARCEL LLC LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF PULASKI HIGHWAY AND OLD POST ROAD/STATE ROUTE 7, CONSISTING OF THREE PROPERTIES IN THE SIXTH ELECTION DISTRICT WITH TAX ID NUMBERS 06-008461 (1531 PULASKI HIGHWAY), 06-008488 (LOT 1 - GERARD AND HABERMAN P4/20); AND 06-001254 (LOTS 2 AND 3 - GERARD AND HABERMAN P4/20) TOGETHER WITH A DRAINAGE AND UTILITY EASEMENT AND PART OF THE CSX RAILROAD RIGHT OF WAY ADJOINING THE PARCELS, CONSISTING OF A TOTAL OF 3.613 ACRES MORE OR LESS.

2. Introduction. The Properties proposed to be annexed in this Plan are situated along Pulaski Highway (Route 40) at the northwestern corner of the intersection with Old Post Road/State Route 7, adjacent to the southeasternmost edge of the Bulle Rock development and the northeastern most edge of the Greenway Farms development. For identification purposes, the Properties being annexed consists of two separate parcels, and a portion of two additional portions of land consisting of a drainage and utility easement and right of way and described in the deeds set forth above, with the total acreage being 3.613 acres, more or less. The entire area to be annexed is reflected on Exhibit A. and , acquired by the owners by virtue of and more particularly described in, the following:

PROPERTY A: 1531 Pulaski Highway, Tax Map 52, Parcel #275, Account ID No. 06-008461, and described as Parcel No. 2 in a Deed dated July 7, 2015 recorded among the land records of Harford County, Maryland, in Liber 11385, folio 255, from 1531Pulaski Highway LLC to Pulaski Parcel LLC, consisting of 0.747 acres more or less.

PROPERTY B: Designated as Lot 1 on a plat of the Gerard and Haberman Subdivision, recorded among the Plat Records of Harford County in Plat Book G.R.G. No. 4, folio 20, and described as Parcel No. 1 in a Deed dated July 7, 2015 recorded among the land records of Harford County, Maryland, in Liber 11385, folio 255, from 1531Pulaski Highway LLC to Pulaski Parcel LLC, consisting of 0.877 acres more or less.

PROPERTY C: Designated as Lots 2 and 3 on a plat of the Gerard and Haberman Subdivision, recorded among the Plat Records of Harford County in Plat Book G.R.G. No. 4, folio 20, and in a Deed from Allen J. Fair and Anthony Meoli, trading as A&T Properties to Pulaski Parcel, LLC, dated August 23, 2005, recorded among the land records of Harford County, Maryland, in Liber 6317, folio 508, each of said lots fronting 100 feet on the northwest side of the Pulaski Highway, consisting of 1.744 acres more or less.

PROPERTY D: A Drainage and Utility Easement, shown on an exhibit to the Deed recorded among the Land Records of Harford County, in Liber 11385, folio

255, as a 20 foot wide "abandoned private road" between Property A and Property B identified above, and as shown in the Deed of Easement dated January 13, 2020 and recorded among the Land Records of Harford County in Liber 8505, folio 444 at Exhibit A page 3 of 3, as referenced in the Deed of Easement (Route 40/06-003001) recorded among the Land Records of Harford County in Liber 5676, folio 23, and which land is purportedly part of the lands identified in a Deed dated February 28, 2001 and recorded among the Land Record of Harford County in Liber 3452, folio 0221, as land belonging to MTBR Ventures LLC, (formerly known as Able Ventures, LLC), identified on Tax Map 44, Parcel No. 707, consisting of approximately 0.210 acres, more or less.

PROPERTY E: A portion of the property of The Chesapeake and Ohio Railway Company ("CSX"), Tax Map 600, Parcel 1218, as confirmed by Corrected Certificate of Conveyance referencing "PCL # 9689 /R/W land 25.789 ac. in Havre de Grace" and dated April 20, 1987, and recorded among the Land Records of Harford County in Liber 1519, folio 387, which portion of property adjoins Property B and Property D, identified above, which will complete the contiguous boundaries of the City of Havre de Grace with the southeasternmost portion of Bulle Rock. The portion of the CSX property being annexed consists of 0.035 acres more or less.

3. Current Conditions. Currently there are no homes located on the Properties and no resident voters. The Property is not currently serviced with City water or sewer.
4. Current Zoning. The Property is currently zoned CI/Commercial Industrial district on the official zoning maps of Harford County.
5. Future Proposed Use. Major change is proposed for the Property 1 only. A developer has indicated an interest in constructing a retail establishment. The specific proposed use may change and is not finalized.
6. Proposed Zoning. Proposed zoning for the Properties will be C/Commercial. Amendment to the City's zoning code will not be required for the proposed use. The proposed zoning is also consistent with the Comprehensive Plan for the City of Havre de Grace.
7. Public Facilities. There is currently no requirement that the land subject to this Annexation Plan be set aside for a school site, water or sewer treatment facilities, libraries, recreation, or fire, EMS or police departments, except for a construction of a water main line from the City's water line to the subject property that will serve the proposed development project. The current annexation shall be reviewed for anticipated infrastructure needs. As for water and sewer capacity, the City estimates that it currently has the water and sewer capacity for the property. However,

infrastructure improvements for water pressure and volume of delivery may be required. Until the site plan is approved, water and sewer capacity remain uncommitted and not guaranteed. Sewer lines must be extended to the property, and any recorded recoupments will need to be collected. If there are any required infrastructure improvements, including but not limited to water and sewer capacity or distribution, they shall all be paid for by the owner/developers of the property along with required bonding for performance and maintenance. The owners/developers of the Property shall be charged the standard capital cost recovery charges, user benefit fees and all other fees and charges associated with connection to the City's water and sewer systems. Water and Sewer service rates shall be charged at the generally applicable rates and pursuant to the conditions generally applied by the City. The Properties may be subject to recoupment agreements for water and sewer as may be authorized by the Annexation Resolution, Annexation Agreement, or Public Works Agreement, or separate agreements for capital cost recoupment that are recorded among the Land Record for Harford County.

8. Trash Removal. The Properties will be serviced by a private trash removal provider.
9. Fire Protection. Fire protection shall continue to be provided to the Properties by the Susquehanna Hose Company, Inc. pursuant to conditions applicable to the other properties within the corporate boundaries of the City.
10. Schools – Library – Recreation. The scope of the development on the Properties is limited in size and will not include a residential component. As such, no recreation element is required, and no additional school or library expansions will be needed as a result of the proposed development.
11. Real Property Taxes. The Properties shall be taxed by the City at generally applicable rates. If the land is potentially subject to an abatement request due to an enterprise zone designation and/or extensive recoupment fees, and if a request for an abatement is made, the City acknowledges that it would consider such a request in accordance with applicable law so long as the terms of this Annexation Plan have otherwise been complied with by the owners and developers.
12. EMS. EMS protection shall be provided to the Properties by the Havre de Grace Ambulance Corps, Inc. pursuant to the conditions applicable to other properties within the corporate boundaries of the City of Havre de Grace.
13. Police. Police protection shall be provided to the Properties by the Havre de Grace Police Department pursuant to the conditions to other properties within the corporate boundaries of the City of Havre de Grace.

14. Timing of Municipal Services. Municipal services shall be provided at the time of construction/development of the Properties and prior to the issuance of any new use and occupancy permit.

15. Annexation Agreement. The City and the owners/developers of the Properties agree to enter into an Annexation Agreement and/or Public Works Agreements detailing the terms of this Annexation Plan and any other appropriate conditions, if required by the City. The provisions of this Annexation Plan are to be considered minimum requirements and additional requirements or more stringent requirements may be added and addressed in an Annexation Agreement and/or Public Works Agreements.

ENACTED this 20th day of April, 2020.

ATTEST:

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

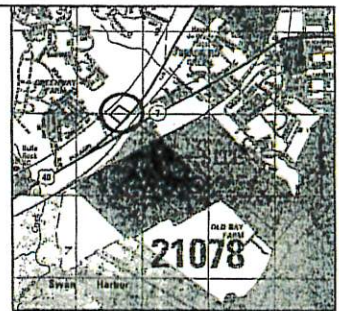
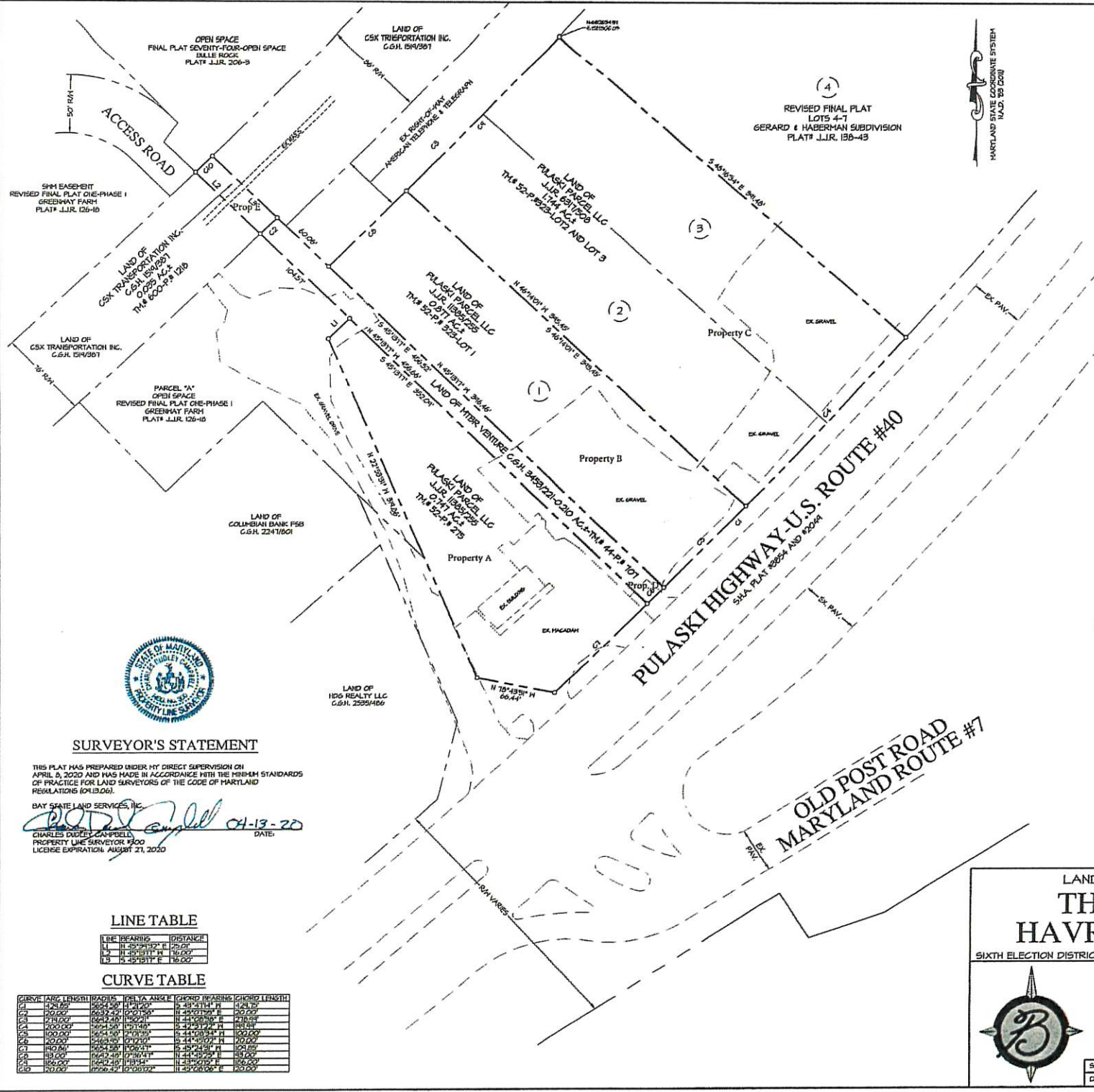

Patrick D. Sypolt
Director of Administration


William T. Martin, Mayor

Introduced: April 20, 2020

Adopted: April 20, 2020

Effective Date: April 20, 2020



LOCATION MAP
1" = 2000'

SITE DATA

TAX MAP #52-PARCEL #275
OWNER: PULASKI PARCEL, LLC
601 WHITAKER MILL ROAD
JOPPA, MARYLAND 21085
DEED REF.: J.J.R. 1885/255
0.747 AC.±

TAX MAP #44-PARCEL #701
OWNER: MTR VENTURES LLC
650 S. EXETER STREET
SUITE 200
BALTIMORE, MARYLAND 21202
DEED REF.: C.G.H. 3458/221
0.210 AC.±

TAX MAP #52-PARCEL #328-LOT 1
OWNER: PULASKI PARCEL, LLC
601 WHITAKER MILL ROAD
JOPPA, MARYLAND 21085
DEED REF.: J.J.R. 1885/255
0.877 AC.±

TAX MAP #52-PARCEL #328-LOT 2 AND LOT 3
OWNER: PULASKI PARCEL, LLC
601 WHITAKER MILL ROAD
JOPPA, MARYLAND 21085
DEED REF.: J.J.R. 6917/508
1.744 AC.±

TAX MAP #600-PARCEL #1218
CSX TRANSPORTATION INC.
500 WATER STREET-J410
JACKSONVILLE, FLORIDA 32202
DEED REF.: C.G.H. 1519/387
0.035 AC.±



SURVEYOR'S STATEMENT

THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION ON APRIL 8, 2020 AND WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS OF THE CODE OF MARYLAND REGULATIONS (04.13.06).

BAY STATE LAND SERVICES, INC.
Charles Dudley Canfield 04-13-20
CHARLES DUDLEY CANFIELD
PROPERTY LINE SURVEYOR #1000
LICENSE EXPIRATION: AUGUST 21, 2020

LINE TABLE

LINE	BEARING	DISTANCE
11	N 25°43'31" E	25.00'
12	N 25°43'31" W	16.00'
13	S 45°18'17" E	16.00'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	PI TA ANGLE	CHORD BEARING	CHORD LENGTH
C1	120.00'	1000.00'	143.71°11'	N 25°43'31" E	25.00'
C2	200.00'	2000.00'	143.71°11'	N 25°43'31" E	25.00'
C3	200.00'	2000.00'	143.71°11'	N 25°43'31" E	25.00'
C4	100.00'	1000.00'	143.71°11'	N 25°43'31" E	25.00'
C5	100.00'	1000.00'	143.71°11'	N 25°43'31" E	25.00'
C6	100.00'	1000.00'	143.71°11'	N 25°43'31" E	25.00'
C7	100.00'	1000.00'	143.71°11'	N 25°43'31" E	25.00'
C8	100.00'	1000.00'	143.71°11'	N 25°43'31" E	25.00'
C9	100.00'	1000.00'	143.71°11'	N 25°43'31" E	25.00'
C10	100.00'	1000.00'	143.71°11'	N 25°43'31" E	25.00'

LAND TO BE ANNEXED BY
THE CITY OF HAVRE DE GRACE
SIXTH ELECTION DISTRICT HARFORD COUNTY, MARYLAND

BAY STATE LAND SERVICES
ENGINEERS • SURVEYORS • LAND PLANNERS
ENVIRONMENTAL CONSULTANTS

P.O. BOX 858
BEL AIR, MARYLAND 21014-0858
PHONE: 410-878-4743 FAX: 410-130-9949

SCALE: 1"=50' DATE: 4-8-20 SHEET 1 of 1
DRAWN BY: JSC CHK. BY: CDC JOB NO. 15024

EXHIBIT C

*City of Havre de Grace, MD
Monday, March 16, 2020*

Chapter 20. Annexation Policy and Procedure

§ 20-1. Policy.

The following principles shall govern annexation:

- A. The City Council may consider and act upon a petition for the annexation of land contiguous and adjacent to the corporate limits of the City in order to promote the health, safety, welfare, and economic development of the City.
- B. The annexation may be appropriate when it promotes coordinated planning for the area surrounding the land proposed for annexation, and where it is consistent with the plans for the present and future development of the City, and where it will not result in isolated development inconsistent with surrounding land uses.
- C. The annexation must contribute to the realization and/or furtherance of the goals and objectives of the Comprehensive Plan and any other corridor or small area plan.
- D. The location relative to existing public facilities and a review of the City's ability to provide public facilities to serve the annexation area.
- E. The development of relevant conditions for the protection and benefit of the residents of the City.
- F. The annexation will not result in an adverse fiscal impact upon the City.
- G. Upon approval of an annexation petition by the City Council, the petitioner shall not be permitted to amend or to otherwise change the terms of the annexation petition.

EVENT APPLICATION CHECKLIST:

EVENT NAME: Havre de Grace Arts Collective Drive-In

Sponsor Organization: Havre de Grace Arts Collective

Business Address: 121 N. Union Avenue, Hdb, 21078

On Site Contact Person: Rebecca Jessop

Contact Information Phone: 410-812-3126 Email: ExecutiveDirector@Hdgartscollective.org

Back-Up Site Contact Person: William Price

Contact Information Phone: 703-980-9991 Email: Williamprice3rd@msn.com

Note: The onsite 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 # 54-2099398

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

Event Category:

- Athletic/Recreation
- Concert/Performance
- Festival
- Carnival
- Parade
- 5K/10K/Walk *
- Rally
- 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>8/11/20</u>	Begin Time: _____
Event Starts	Date: <u>8/11/20 8/21/20</u>	Time: <u>7:30pm (Gates open at 6:30pm)</u>
Event Ends	Date: <u>8/21/20</u>	Time: <u>10:00pm</u>
Breakdown	Date: <u>8/21/20</u>	End Time: <u>11:30pm</u>
Rain Date	Date: <u>8/22/20</u>	Is timeframe the same? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		If no, include new times: _____

Location: (see attached map)

- Millard E. Tydings Memorial Park
- Community Pavilion at Frank J. Hutchins Memorial Park
- Concord Point Park
- David Craig Park
- McLhinney Park
- K-9 Cody Dog Park
- Veteran's Park
- Other location, please explain: Hdg Community Center

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

Anticipated Attendance: 55-60 cars

Admission Fee (if any): \$30 per car

Requested City Services:

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 explain and attach a map (e.g. Google Maps) of intersections and street names affected and any road closures. _____

Rt. 155 and Graceview at the start & end of the event. We are meeting with the police to discuss.

Note: Route 7 and Route 155 are State Roads. You must obtain a Special Event Permit from Maryland State Highway as well as City of Havre de Grace.

- Parking / No Parking Signs:** Please indicate 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 and McLhinney Parks. We will use the restrooms inside the Community Center

- Trash Containers:** (in addition to existing containers) **Please indicate if additional containers will be required and the number needed:** 5-6 if possible

- Recycling Containers:** Required for all organizers of events serving food or drink and events expected to have 200 or more persons in attendance. (per State of Maryland Law enacted in 2015) **Please indicate the number of containers needed:** _____

- Trash Collection and trash disposal is the responsibility of the Event Sponsor. (Roll off dumpster is the responsibility of the event organizer.)**

- Water Supply Needed:** please explain: _____

- Electricity Needed:** please attach an electrical site plan that includes the layout of extension cords, generators and anticipated amperage draw.

- Staff:** Event Sponsor requires City Staff to be on site. Please provide details of this request:

We will have 20 volunteers present as well as Havre de Grace Arts Collective staff.

- Other:** Please explain: _____

Food Service:

It is your responsibility to contact and comply with the Harford County Health Department Regulations. It is also the EVENT SPONSOR'S responsibility to ensure the removal of (take with you) cooking oils and greases, food, trash, and recyclables, such as cardboard boxes, generated by vendors when the event is over.

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>.

The Harford County Liquor Board Permit Application must be signed by the City. A copy of the approved License must be provided to the Administrative Assistant prior to the scheduled event. Again, it is the **EVENT SPONSOR'S** responsibility to contact the Liquor Board for the appropriate permit.

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 to discuss concerns regarding safety and security during the event.

Gambling:

Yes No Will there be raffles, 50/50 and other gambling games?

A copy of the approved License must be provided to the Administrative Assistant prior to the scheduled event. It is your responsibility to contact the Harford County Sheriff's Office for the appropriate permit: <https://harfordsheriff.org/services/gambling/>.

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.

*We will have a first aid kit available. Ems staff
are available close by off Rt. 155.*

It is the responsibility of the EVENT SPONSOR to contact Emergency Medical Services (EMS) if onsite services are needed.

Event Site Plan:

Your event application must include a detailed site plan (attach a map such as Google Maps) to include the following:

- The location of fencing and/or barricades. (Fencing plans must indicate areas within the plan that are removable for Emergency Access.
- The location of First Aid station and/or ambulances.
- The location of all stages, tents, canopies, portable toilets, trash containers, recycling containers, beer gardens, vendors, controlled admissions areas and any other temporary structures and activities.
- General locations and/or source of electricity.
- Placement of vehicles or trailers. **(No vehicles permitted in Tydings Park).**
- Exit locations for outdoor events that are fenced.
- If you are erecting tents or fencing on City property, you are required to notify **Miss Utility 7 days prior** to the event due to underground electric lines and other utilities: **Phone: 800-257-7777.**
- Other related components of your event not listed above.

Advertising/Signage:

Approved special events may place **“APPROVED” signs in “APPROVED” locations** within the City’s right-of-way 21 days prior to event and must be removed within 48 hours following the event.

Who may post a sign?

- o Only Non-Profit Organizations may post event signs.

When should signs be posted?

- o Signs may be posted 21 days prior to the event, and must be removed 48 hours after the event.

What is an Approved Sign?

- o Professionally manufactured yard signs, not larger than 18” x 24”.

What is not an approved sign?

- o Hand written, hand-painted or hand-drawn signs are not permitted.

Approved Locations:

- o City Right of Way and City Parks
 - May not be placed in a city flower bed/garden.
 - May not be placed on a City right of way that is in front of a private residence.
- o Special permission from the Maryland State Highway Administration must be obtained for signs located on:
 - Otsego Street
 - Revolution Street
 - Superior Street
 - Union Avenue
 - US Route 40
 - Ohio Street (<https://www.roads.maryland.gov/mdotsha/pages/index.aspx?PageId=807>)
- o Special permission must be obtained for any signs placed inside the gates of Bulle Rock.

Affidavit:

Each sponsor shall provide a waiver holding the City and its employees harmless from liability.

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.

Print Name of Event Organizer Rebecca Jessop

Title Executive Director

Phone 410-812-3126

Email ExecutiveDirector@HdGArtsCollective.org

Signature Rebecca Jessop

Date 8/10/20

Event Title: _____

Received by _____

City Official

Date

Notification: Internal Use Only:	
<input type="checkbox"/>	DPW _____
<input type="checkbox"/>	PD _____
<input type="checkbox"/>	Ambulance Corps _____
<input type="checkbox"/>	SHCO _____
<input type="checkbox"/>	Impacted Museums _____