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CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ANNEXATION RESOLUTION NO. 289

Introduced by Council Member Ringsaker

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 BY RESOLUTION TO AMEND 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 1.57 ACRES MORE OR LESS

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

WHEREAS, The Mayor and City Council of Havre de Grace, Maryland have previously adopted an Annexation Plan for the Property subject to this Annexation Resolution pursuant to City of Havre de Grace Resolution No. 2020-17; and

WHEREAS, The Mayor and City Council of Havre de Grace, Maryland have determined that the annexation of the 1.57 acres of land more or less consisting of two parcels, located at 1748

41 Pulaski Highway as more specifically defined herein (“Property”) is in the best interest of the
42 health and welfare of the citizens of Havre de Grace.

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

45 SECTION 1. The Appendix to the Charter of the Mayor and City Council of Havre de
46 Grace, Maryland is hereby amended to add a new Subsection A.35 The Second 2020 Addition to
47 the City Boundaries to read as set forth in the legal description attached hereto as Exhibit A and
48 incorporated by reference herein. (“Property”).

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

54 (a) The Property is currently given a County zoning destination of Commercial
55 Industrial (CI) on the official zoning maps of Harford County. The zoning designation in the City
56 that the Mayor and City Council shall assign to the Property is Commercial (C) as defined in the
57 Havre de Grace Zoning Ordinance.

58 (b) City water and sewer service shall be provided to the Property hereby annexed at
59 generally applicable rates and pursuant to conditions generally applicable to other City-owned
60 properties within the corporate boundaries of the City of Havre de Grace at such time the Mayor
61 and City Council of Havre de Grace approve development of the Property. The cost to construct
62 any facilities necessary to provide water and sewer service to the Property shall be paid according
63 to the laws, rules, regulations and policies, specifications, standards and approvals (including state
64 and county, if any), existing or required at the time of construction, including any applicable
65 recoupment agreements authorized under the Annexation Resolution, and in accordance with the
66 Annexation Plan adopted under Resolution 2020-17 attached hereto and marked Exhibit B.

67 (c) The Mayor and City Council of Havre de Grace, Maryland acknowledge that a
68 legal description of the Property has been prepared by a professional engineer and reviewed by the
69 City.

70 (d) The terms and conditions of this Resolution are consistent with the Annexation
71 Policy of the Mayor and City Council of Havre de Grace, Maryland established by City Code
72 Section 20 (“Annexation Policy”), a copy of which is attached hereto as Exhibit C.

73 SECTION 3. AND BE IT FURTHER RESOLVED that, promptly after the introduction
74 and first reading of this Resolution by the Mayor and City Council of Havre de Grace, Maryland,
75 the Director of Administration shall create a public notice, briefly and accurately describing the
76 proposed change and the conditions and circumstances applicable. The aforesaid notice shall be
77 published two (2) times at not less than weekly intervals in a newspaper or newspapers of general
78 circulation in the City of Havre de Grace and the area to be annexed, as the area to be annexed is
79 less than 25 acres. The aforesaid public notice shall state a time, not less than fifteen (15) days

80 after the second (2nd) publication thereof and not less than 30 days after the Annexation Plan
81 Resolution 2020-17 is approved, provided to the regional and national planning agencies, and the
82 place within the City of Havre de Grace at which a public hearing shall be held to consider public
83 comment to consider this Resolution. The public hearing may be continued or rescheduled in
84 accordance with the requirements set forth in Local Government Article of the Annotated Code of
85 Maryland. Immediately upon the first publication of the specified public notice, a copy of the
86 public notice and other relevant documents shall be provided to the Harford County Council, the
87 Harford County Executive, the Director of the Harford County Department of Planning and
88 Zoning, the Planning Commission of the City of Havre de Grace, and to any other regional or state
89 planning agency having jurisdiction over the property, including the Executive Director of the
90 Baltimore Metropolitan Council.

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

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

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

110 SECTION 7. AND BE IT FURTHER RESOLVED, by the City Council of Havre de
111 Grace, Maryland that the Mayor is authorized to enter into an Annexation Agreement with the
112 recommendation of the Director of Planning, the Director of the Department of Public Works, and
113 the City Attorney to implement the purposes of this Annexation Resolution.

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

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118

[Signatures to follow on next page.]

119 Adopted by the City Council and attested the Director of Administration this ____ day of
120 _____, 2020.

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ATTEST:

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

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Patrick D. Sypolt
Director of Administration

William T. Martin
Mayor

131 Introduced: 08/03/2020
132 Public Hearing: 9/8/2020
133 Adopted: [__/__/2020]
134 Effective Date: [__/__/2020] (45 days from adoption)

135 Attachments:

- 136 Exhibit A – Property Description
- 137 Exhibit B – Resolution 2020-17 - Annexation Plan
- 138 Exhibit C – City Code Section 20 – Annexation Policy

139

Public Hearing

Exhibit A

Metes and Bounds Description

Tax Account No. 06-006078

BEGINNING for the same at a ½" iron pipe heretofore set on the southeasterly right of way line of U.S. Route 40, Pulaski Highway as shown on State Roads Commission of Maryland Plat No. 1833 at the beginning of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 3, 1972 as recorded among the land records of Harford County in Liber HDC 892, folio 609 and by a Confirmatory Deed dated April 29, 1972 as recorded among the land records of Harford County in Liber HDC 899, folio 24. Said point of beginning also bears coordinates, referenced to the Maryland Coordinate System (NAD83/2011) of North 680768.3727 and East 1560279.7719. Thence from the point of beginning, binding on the first course of said conveyance unto Palumbo and on the southeasterly right of way line of U.S. Route 40, as now surveyed,

1) North 57°00'53" East 199.95 feet to a ¼" iron pipe heretofore set. Thence, leaving U.S. Route 40 and binding on the second course of said conveyance unto Palumbo,

2) South 33°00'56" East, passing over a tall ½" pipe heretofore set in a stream at 267.94 feet and continuing, for a total distance of 268.19 feet to intersect the fifth or radius 8469.42 feet, distance 2785 feet course of that parcel or strip of land conveyed by the Manor Real Estate and Trust Company to the Philadelphia Baltimore and Washington Railroad Company by a deed dated January 19, 1911 as recorded among the land records of Harford County in Liber JAR 132, folio 212. Thence, binding thereon,

3) by a curve to the right, non-tangent to the previous course, in a southwesterly direction, of radius 8469.42 feet, and passing over a ¼" iron pipe heretofore set at the end of the seventh or South 53°07' West 265.60 feet chord of the curved tenth course of that tract or parcel of land conveyed by Philadelphia Baltimore and Washington Railroad Company to Isidore Samuelson by a deed dated May 3, 1962 as recorded among the land records of Harford County in Liber GRG 594, folio 07 at an arc length of 29.31 feet and continuing, for a total arc length of 200.30 feet and, subtended by a chord; South 54°26'56" West 200.29 feet. Thence, leaving the outline of the conveyance unto the Philadelphia Baltimore and Washington Railroad recorded in Liber JAR 132, folio 212 and binding reversely on the second or South 32°53' East 276.69 feet line of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 15, 1971 as recorded among the land records of Harford County in Liber HDC 868, folio 610,

4) North 32°59'07" West 277.15 feet to the point of beginning hereof.

CONTAINING 54620 square feet (1.2539 acre) of land, more or less.

BEING the same lot or parcel of land which by a Deed dated June 2, 1989 and recorded among the Land Records of Harford County, Maryland in Liber C.G.H. No. 1554, folio 43 was granted and conveyed by Alfred Palumbo and Marie V. Palumbo, his wife, to Bayside Homes, Ltd., a Maryland corporation, the Grantor herein, in fee simple.

177604.DOC

Tax Account No. 06-045057

BEGINNING for the same at a ½" iron pipe heretofore set on the southeasterly right of way line of U.S. Route 40, Pulaski Highway as shown on State Roads Commission of Maryland Plat No. 1833 at the beginning of the second or South 32°53' East 276.69 feet line of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 15, 1971 as recorded among the land records of Harford County in Liber HDC 868, folio 610 and also the beginning of that tract or parcel of land conveyed by Alfred Palumbo and Marie V. Palumbo to Bayside Homes, LTD by a deed dated October 11, 1989 as recorded among the land records of Harford County in Liber CGH 1589, folio 716. Said point of beginning also bears coordinates, referenced to the Maryland Coordinate System (NAD83/2011) of North 680768.3727 and East 1560279.7719. Thence from the point of beginning, binding on said second course of the conveyance unto Palumbo and on the first course of the conveyance unto Bayside Homes, LTD, as now surveyed,

1) South 32°59'07" East 277.15 feet to intersect the fifth or radius 8469.42 feet, distance 2785 feet course of that parcel or strip of land conveyed by the Manor Real Estate and Trust Company to the Philadelphia Baltimore and Washington Railroad Company by a deed dated January 19, 1911 as recorded among the land records of Harford County in Liber JAR 132, folio 212. Thence, binding thereon,

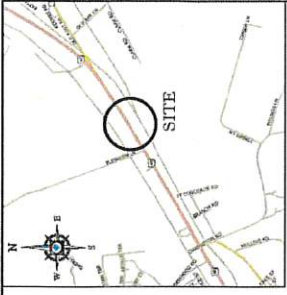
2) by a curve to the right, non-tangent to the previous course, in a southwesterly direction, of radius 8469.42 feet, an arc length of 50.02 feet and, subtended by a chord; South 55°17'44" West 50.02 feet. Thence, Thence, leaving the outline of the conveyance unto the Philadelphia Baltimore and Washington Railroad recorded in Liber JAR 132, folio 212 and binding on the third or North 32°53'00" West 278.79 feet course of the aforesaid conveyance unto Bayside Homes, LTD recorded in Liber CGH 1589, folio 716,

3) North 32°59'07" West 278.66 feet to intersect the aforesaid southwesterly right of way line of U.S. Route 40. Thence, binding on said right of way line,

4) North 57°00'53" East 50.00 feet to the point of beginning hereof.

CONTAINING 13896 square feet (0.3190 acre) of land, more or less.

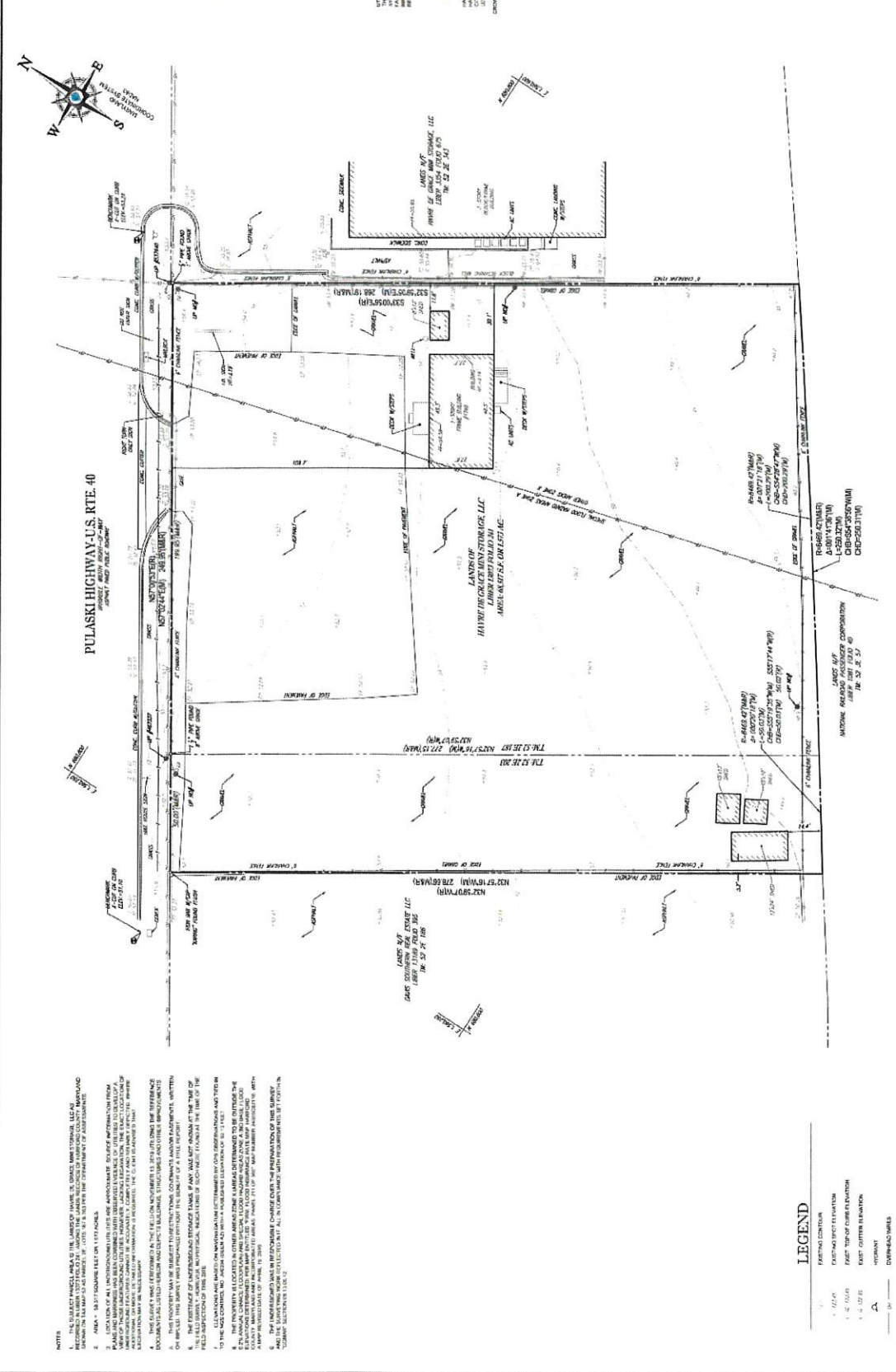
BEING the same lot or parcel of land which by a Deed dated October 11, 1989 and recorded among the Land Records of Harford County, Maryland in Liber C.G.H. No. 1589, folio 716 was granted and conveyed by Alfred Palumbo and Marie V. Palumbo, his wife, to Bayside Homes, Ltd., a Maryland corporation, the Grantor herein, in fee simple.



LOCATION MAP
 DRAWING BY: [REDACTED] DATE: 11/15/19

NOTES:
 1. THIS PLAN AND ALL INFORMATION HEREON WAS PREPARED BY AN EMPLOYEE OF THE CITY OF BALTIMORE. THE CITY OF BALTIMORE DOES NOT WARRANT THE ACCURACY OF THE INFORMATION HEREON.
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UTILITY COMPANIES:
 BALTIMORE GAS SYSTEMS, INC.
 BALTIMORE WATER & LIGHTS, INC.
 BALTIMORE POWER & LIGHTS, INC.
 BALTIMORE TELEPHONE COMPANY
 BALTIMORE CITY DEPARTMENT OF PUBLIC WORKS
 BALTIMORE CITY DEPARTMENT OF PUBLIC UTILITIES
 BALTIMORE CITY DEPARTMENT OF PUBLIC SAFETY
 BALTIMORE CITY DEPARTMENT OF PUBLIC HEALTH
 BALTIMORE CITY DEPARTMENT OF PUBLIC WORKS
 BALTIMORE CITY DEPARTMENT OF PUBLIC UTILITIES
 BALTIMORE CITY DEPARTMENT OF PUBLIC SAFETY
 BALTIMORE CITY DEPARTMENT OF PUBLIC HEALTH



BOUNDARY & TOPOGRAPHIC SURVEY
stack & store
SELF STORAGE

BOHLER
 BOHLER & ASSOCIATES, INC.
 11000 W. JEFFERSON AVE. SUITE 100
 BALTIMORE, MD 21234
 TEL: 410-528-1100
 FAX: 410-528-1101
 WWW.BOHLER-SURVEYING.COM

DATE: 11/15/19
 PROJECT: [REDACTED]

THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1996 AND THE PROFESSIONAL LAND SURVEYING BOARD OF MARYLAND. THE SURVEYING BOARD OF MARYLAND HAS REVIEWED THIS SURVEY AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE SURVEYING ACT OF 1996 AND THE PROFESSIONAL LAND SURVEYING BOARD OF MARYLAND. THE SURVEYING BOARD OF MARYLAND HAS REVIEWED THIS SURVEY AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE SURVEYING ACT OF 1996 AND THE PROFESSIONAL LAND SURVEYING BOARD OF MARYLAND.

ROBERT C. HARR, JR.
 MARYLAND PROFESSIONAL LAND SURVEYOR NO. 11115

DATE: 11/15/19

NOTES:
 1. THIS PLAN AND ALL INFORMATION HEREON WAS PREPARED BY AN EMPLOYEE OF THE CITY OF BALTIMORE. THE CITY OF BALTIMORE DOES NOT WARRANT THE ACCURACY OF THE INFORMATION HEREON.
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 10. THE CITY OF BALTIMORE DOES NOT WARRANT THE ACCURACY OF THE INFORMATION HEREON.

LEGEND
 1. EXISTING CENTERLINE
 2. EXISTING RIGHT OF WAY
 3. EXISTING CURB ELEVATION
 4. EXISTING CURB ELEVATION
 5. EXISTING CURB ELEVATION
 6. EXISTING CURB ELEVATION
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 8. EXISTING CURB ELEVATION
 9. EXISTING CURB ELEVATION
 10. EXISTING CURB ELEVATION

APPROVALS:
 APPROVED BY: [REDACTED]
 DATE: 11/15/19

SCALE:
 1" = 20'

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Exhibit B
CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND
RESOLUTION NO. 2020-17

Introduced by _____

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 1.57 ACRES MORE OR LESS

WHEREAS, the Mayor and City Council of Havre de Grace seek to annex certain property known as 1748 Pulaski Highway/Route 40 and adopt this Annexation Plan in furtherance of a proposed Charter Resolution for Annexation; and

WHEREAS, the property consists of two parcels owned by Havre de Grace Mini Storage LLC, which parcels are contiguous and are located on the east side of Pulaski Highway south of the Stack and Store mini storage facility, 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 "Property"); and.

WHEREAS, the Property is reflected on the attached plat marked Exhibit A and said properties sit on the east side of Pulaski Highway, Route 40, adjacent to the Stack and Store mini storage parcel and west of the Amtrak right of way, which is 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 1748 PULASKI HIGHWAY CONSISTIN OF TWO PARCELS LOCATED EAST OF PULASKI HIGHWAY, IN THE SIXTH ELECTION DISTRICT WITH TAX ID NUMBERS 06-006078 (1.25 ACRES), 06-045057 (0.32 ACRES), CONSISTING OF A TOTAL OF 1.57 ACRES MORE OR LESS.

- 181 2. Introduction. The Property proposed to be annexed in this Plan are situated along
182 Pulaski Highway (Route 40) at the eastern side of south of the Stack and Store mini
183 storage facility. For identification purposes, the Property being annexed consists of two
184 separate parcels known as 1748 Pulaski Highway, with the total acreage being 1.57
185 acres, more or less. The entire area to be annexed is reflected on Exhibit A, acquired
186 by the owners by virtue of and more particularly described in, the following:

187 PARCEL 1: 1748 Pulaski Highway, Tax Map 52, Parcel 187¹, Account ID No. 06-
188 006078, and described in a Deed dated November 16, 2018 and recorded among
189 the Land Records of Harford County, Maryland, in Liber 13073, folio 00241, from
190 Bayside Homes Ltd. to Havre de Grace Mini Storage LLC, consisting of 1.25 acres
191 more or less.

192 PARCEL 2: Designated as Lot 0.32 acres, Tax Map 52, Parcel 203, Account ID
193 No. 06-045057, and described in a Deed dated November 16, 2018 and recorded
194 among the Land Records of Harford County in Liber 13073, folio 241, from
195 Bayside Homes Ltd. to Havre de Grace Mini Storage LLC, consisting of 0.032
196 acres more or less.

- 197 3. Current Conditions. Currently there are no homes located on the Property and no
198 resident voters. The Property is not currently serviced with City water or sewer.
199
- 200 4. Current Zoning. The Property is currently zoned CI/Commercial Industrial district on
201 the official zoning maps of Harford County.
202
- 203 5. Future Proposed Use. Major change is proposed for as the developer has indicated an
204 interest in constructing an addition to the Stack and Store mini storage located on the
205 adjacent parcel. The specific proposed use may change and is not finalized.
206
- 207 6. Proposed Zoning. Proposed zoning for the Property will be C/Commercial.
208 Amendment to the City's zoning code will not be required for the proposed use. The
209 proposed zoning is also consistent with the Comprehensive Plan for the City of Havre
210 de Grace.
211
- 212 7. Public Facilities. There is currently no requirement that the land subject to this
213 Annexation Plan be set aside for a school site, water or sewer treatment facilities,
214 libraries, recreation, or fire, EMS or police departments, except for a construction of a
215 water line from the City's water line to the subject property at the property owner's
216 expense that will serve the proposed development project. The current annexation shall
217 be reviewed for anticipated infrastructure needs. As for water and sewer capacity, the
218 City estimates that it currently has the water and sewer capacity for the property.
219 However, infrastructure improvements for water pressure and volume of delivery may
220 be required. Until the site plan is approved, water and sewer capacity remain
221 uncommitted and not guaranteed. Sewer lines must be extended to the property, and

¹ The revision was to correct a typographical error in the original document which was not caught until after approval by Council and signature by the Mayor. There is no substantive change to the Resolution.

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 Property 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 Property will be serviced by a private trash removal provider.
9. Fire Protection. Fire protection shall continue to be provided to the Property 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 Property 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 Property 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 Property 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 Property 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 Property and prior to the issuance of any new use and occupancy permit.

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

271
272 **NOW THEREFORE**, it is this 3rd day of August, 2020 determined, decided and resolved by the
273 Mayor and City Council to adopt the Annexation Plan

274
275
276 ATTESTED by the Director of Administration and signed by the Mayor of the City of Havre de
277 Grace, Maryland this ____ day of _____, 2020.

278
279
280 ATTEST: THE MAYOR AND CITY COUNCIL
281 OF HAVRE DE GRACE, MARYLAND

282
283 _____
284 Patrick D. Sypolt William T. Martin
285 Director of Administration Mayor

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288 Introduced: 08/03/2020
289 Passed/Adopted: 08/03/2020
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291 Effective Date: 08/03/2020

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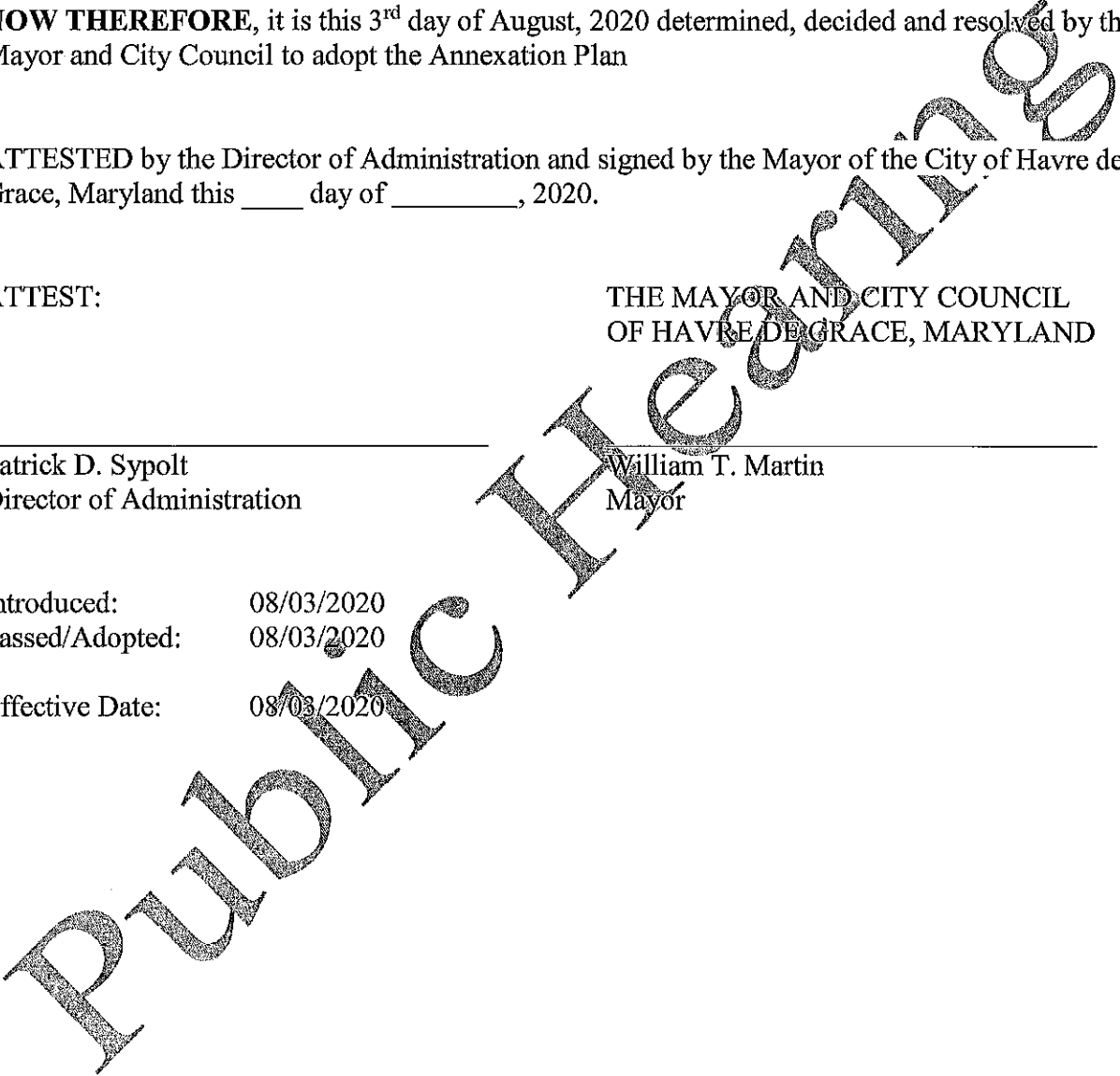


Exhibit A (of Resolution 2020-17)**Metes and Bounds Description**

Tax Account No. 06-006078

BEGINNING for the same at a ½" iron pipe heretofore set on the southeasterly right of way line of U.S. Route 40, Pulaski Highway as shown on State Roads Commission of Maryland Plat No. 1833 at the beginning of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 3, 1972 as recorded among the land records of Harford County in Liber HDC 892, folio 609 and by a Confirmatory Deed dated April 29, 1972 as recorded among the land records of Harford County in Liber HDC 899, folio 24. Said point of beginning also bears coordinates, referenced to the Maryland Coordinate System (NAD83/2011) of North 680768.3727 and East 1560279.7719. Thence from the point of beginning, binding on the first course of said conveyance unto Palumbo and on the southeasterly right of way line of U.S. Route 40, as now surveyed,

1) North 57°00'53" East 199.95 feet to a ¼" iron pipe heretofore set. Thence, leaving U.S. Route 40 and binding on the second course of said conveyance unto Palumbo,

2) South 33°00'56" East, passing over a tall ½" pipe heretofore set in a stream at 267.94 feet and continuing, for a total distance of 268.19 feet to intersect the fifth or radius 8469.42 feet, distance 2785 feet course of that parcel or strip of land conveyed by the Manor Real Estate and Trust Company to the Philadelphia Baltimore and Washington Railroad Company by a deed dated January 19, 1911 as recorded among the land records of Harford County in Liber JAR 132, folio 212. Thence, binding thereon,

3) by a curve to the right, non-tangent to the previous course, in a southwesterly direction, of radius 8469.42 feet, and passing over a ¼" iron pipe heretofore set at the end of the seventh or South 53°07' West 265.60 feet chord of the curved tenth course of that tract or parcel of land conveyed by Philadelphia Baltimore and Washington Railroad Company to Isidore Samuelson by a deed dated May 3, 1962 as recorded among the land records of Harford County in Liber GRG 594, folio 07 at an arc length of 29.31 feet and continuing, for a total arc length of 200.30 feet and, subtended by a chord; South 54°26'56" West 200.29 feet. Thence, leaving the outline of the conveyance unto the Philadelphia Baltimore and Washington Railroad recorded in Liber JAR 132, folio 212 and binding reversely on the second or South 32°53' East 276.69 feet line of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 15, 1971 as recorded among the land records of Harford County in Liber HDC 868, folio 610,

4) North 32°59'07" West 277.15 feet to the point of beginning hereof.

CONTAINING 54620 square feet (1.2539 acre) of land, more or less.

BEING the same lot or parcel of land which by a Deed dated June 2, 1989 and recorded among the Land Records of Harford County, Maryland in Liber C.G.H. No. 1554, folio 43 was granted and conveyed by Alfred Palumbo and Marie V. Palumbo, his wife, to Bayside Homes, Ltd., a Maryland corporation, the Grantor herein, in fee simple.

177604.DOC

Tax Account No. 06-045057

BEGINNING for the same at a ½" iron pipe heretofore set on the southeasterly right of way line of U.S. Route 40, Pulaski Highway as shown on State Roads Commission of Maryland Plat No. 1833 at the beginning of the second or South 32°53' East 276.69 feet line of that tract or parcel of land conveyed by Nicholas DeBonis and Grace B. DeBonis to Alfred Palumbo and Marie V. Palumbo by a deed dated March 15, 1971 as recorded among the land records of Harford County in Liber HDC 868, folio 610 and also the beginning of that tract or parcel of land conveyed by Alfred Palumbo and Marie V. Palumbo to Bayside Homes, LTD by a deed dated October 11, 1989 as recorded among the land records of Harford County in Liber CGH 1589, folio 716. Said point of beginning also bears coordinates, referenced to the Maryland Coordinate System (NAD83/2011) of North 680768.3727 and East 1560279.7719. Thence from the point of beginning, binding on said second course of the conveyance unto Palumbo and on the first course of the conveyance unto Bayside Homes, LTD, as now surveyed,

1) South 32°59'07" East 277.15 feet to intersect the fifth or radius 8469.42 feet, distance 2785 feet course of that parcel or strip of land conveyed by the Manor Real Estate and Trust Company to the Philadelphia Baltimore and Washington Railroad Company by a deed dated January 19, 1911 as recorded among the land records of Harford County in Liber JAR 132, folio 212. Thence, binding thereon,

2) by a curve to the right, non-tangent to the previous course, in a southwesterly direction, of radius 8469.42 feet, an arc length of 50.02 feet and, subtended by a chord; South 55°17'44" West 50.02 feet. Thence, Thence, leaving the outline of the conveyance unto the Philadelphia Baltimore and Washington Railroad recorded in Liber JAR 132, folio 212 and binding on the third or North 32°53'00" West 278.79 feet course of the aforesaid conveyance unto Bayside Homes, LTD recorded in Liber CGH 1589, folio 716,

3) North 32°59'07" West 278.66 feet to intersect the aforesaid southwesterly right of way line of U.S. Route 40. Thence, binding on said right of way line,

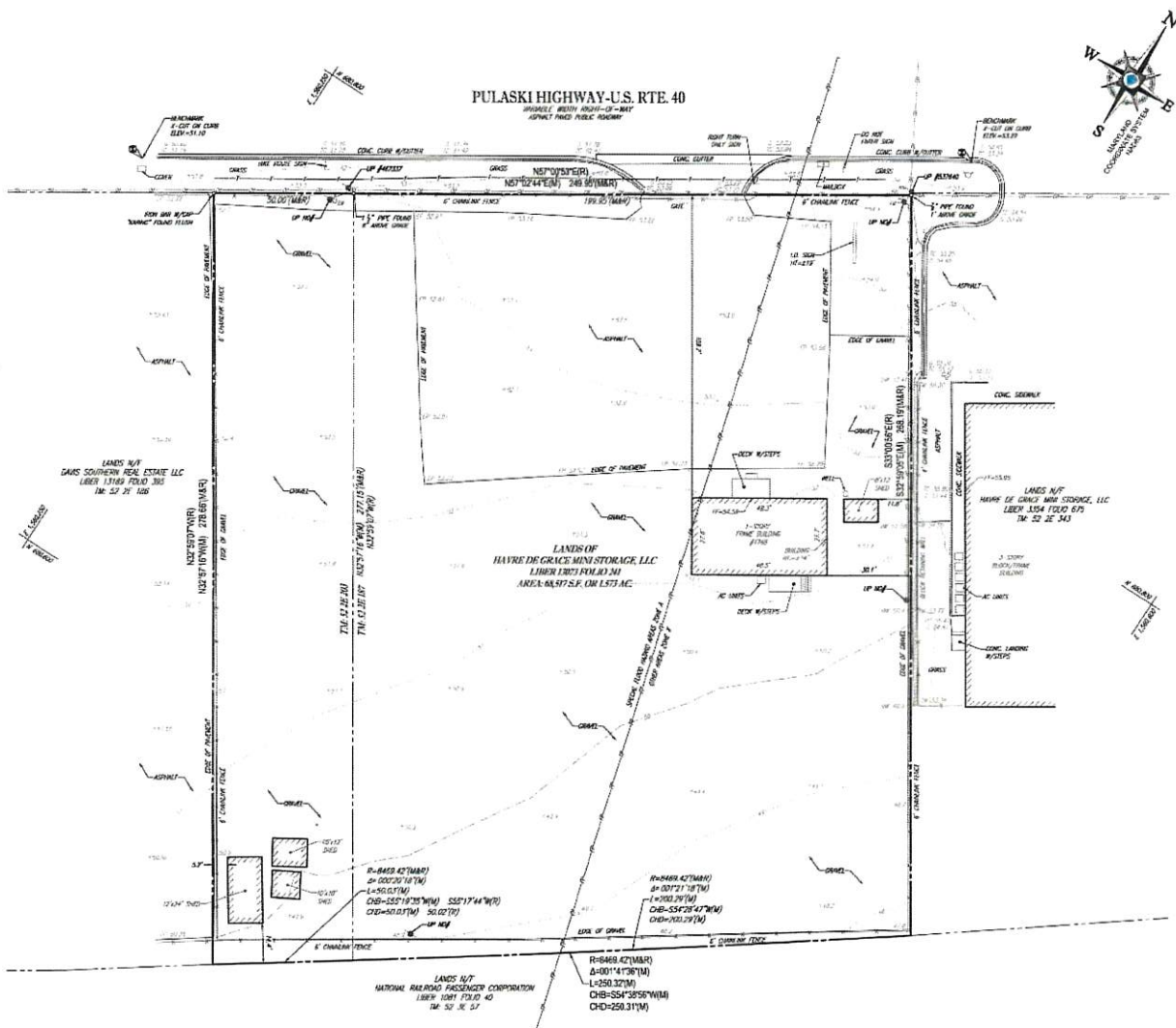
4) North 57°00'53" East 50.00 feet to the point of beginning hereof.

CONTAINING 13896 square feet (0.3190 acre) of land, more or less.

BEING the same lot or parcel of land which by a Deed dated October 11, 1989 and recorded among the Land Records of Harford County, Maryland in Liber C.G.H. No. 1589, folio 716 was granted and conveyed by Alfred Palumbo and Marie V. Palumbo, his wife, to Bayside Homes, Ltd., a Maryland corporation, the Grantor herein, in fee simple.

NOTES

1. THE SUBJECT PARCELS AND THE LINES OF TRAILER OR CRACK MINI STORAGE, LLC AS RECORDED IN LIBER 13073 FOLD 24, AND/OR THE LINES OF TRAILER OR CRACK MINI STORAGE, LLC AS SHOWN ON THE MAP 24.00 PARCELS 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
2. AREA = 59.11 SQUARE FEET ON 1.475 ACRES.
3. LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE SOURCE INFORMATION FROM PLANS AND RECORDS HAS BEEN CORRELATED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THEIR UNDERGROUND UTILITIES. HOWEVER, LACKING EDUCATION, THE EXACT LOCATION OF UNDERGROUND UTILITIES CANNOT BE ACCURATELY CORRELATED AND NOT ALL UTILITIES (WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EDUCATION MAY BE NECESSARY).
4. THIS SURVEY WAS PERFORMED IN THE FIELD ON NOVEMBER 13, 2018 UTILIZING THE REFERENCE POINTS AND USED SURVEY AND QUANTY'S BOUNDARY, STRUCTURED AND/OR IMPROVEMENTS.
5. THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS WRITTEN OR IMPLIED. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
6. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THIS SURVEY. HOWEVER, NO PHYSICAL EVIDENCE OF SUCH TANKS WAS FOUND AT THE TIME OF THE FIELD INSPECTION OF THIS SITE.
7. ELEVATIONS ARE BASED ON MARIETTA DATUM ESTABLISHED BY GPS OBSERVATIONS AND TIED IN TO THE NAD 83 CONTROL NO. 40224 (ELEVATION) WITH A PUBLISHED ELEVATION OF 50.13 FEET.
8. THE PROPERTY IS LOCATED IN OTHER AREAS ZONE 3 (AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOOD ZONE AND SPECIAL FLOOD HAZARD AREAS ZONE 3) AND THE FLOOD PROTECTION DETERMINED FOR MAP 1001 FOLD 40. FLOOD INSURANCE RATE MAP HANFORD COUNTY MARYLAND AND RECORDED IN AREAS PANEL 211 OF 300 MAP NUMBER SUBJECTIVE WITH A MAP REVISED DATE OF APRIL 19, 2018.
9. THE UNDERGROUND ARE IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS SURVEY AND THE SURVEY THEREIN REFLECTED IN ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN COMPTON SECTION 01.12.01.2.



UTILITIES

THE FOLLOWING COMPANIES WERE NOTIFIED BY 201 MAP/PAVEMENT UTILITY SYSTEM (201-454-1001) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES, IDENTIFY AND RECORDING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER: 1030948.

UTILITY COMPANY	LOCAL STATUS	PHONE NUMBER
AT&T TRANSMISSION	CLEANING COMPLETE	(410) 201-1122
BGE ELECTRIC/USEC	CLEANING COMPLETE	(410) 778-5140
BGE GAS/USEC	CLEANING COMPLETE	(410) 778-5140
COMCAST/ITER/USEC	CLEANING COMPLETE	(410) 238-8570
HANFORD COUNTY WCD	MARKED	(410) 784-5000
HANFORD COUNTY DPW	CLEANING COMPLETE	(410) 678-5140
CITY OF HANFORD DE GRACE	CLEANING COMPLETE	(410) 678-5140
LEVEL 3 NETWORK/USEC	CLEANING COMPLETE	(877) 786-2444
LEVEL 3 NETWORK/USEC	CLEANING COMPLETE	(410) 688-9427
CHRYSLER FINANCIAL CENTER	CLEANING COMPLETE	(800) 284-1363
VERIZON	CLEANING COMPLETE	(410) 786-5000

LEGEND

---	EXISTING CONTOUR
---	EXISTING SPOT ELEVATION
---	EXIST TOP OF CURB ELEVATION
---	EXIST GUTTER ELEVATION
▲	HYDRA-MAT
---	OVERHEAD WIRES
---	APPROX LOC UNDERGROUND TEL. LINE PER UTILITY MARKING
●	UTILITY POLE
⊕	ELECTRIC METER
⊕	WATER METER
□	SIGN
□	MAIL BOX
---	FENCE
---	CLEAR CUT
⊕	BENCHMARK
---	CURB WIRE

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, BELIEF AND INFORMATION, THAT THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS; THAT THE PROPERTY LINES AND RELATIONSHIP OF BUILDINGS AND OTHER STRUCTURES TO THE PROPERTY LINES AND THE LINES INDICATED HEREON IS CORRECT.

THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ACCESSION, ETC.

ROBERT C. HARR, JR.
MARYLAND PROFESSIONAL LAND SURVEYOR #1000

DATE: 11-15-18

BOUNDARY & TOPOGRAPHIC SURVEY

stack & store
SELF STORAGE

1240 MAIN HIGHWAY U.S. RTE. 40
HANFORD COUNTY, MARYLAND

BOHLER ENGINEERING

11/15/18

11/15/18

1 OF 1

Exhibit C

§ 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.

§ 20-2. Procedures.

The following procedures shall govern annexation and the zoning of land so annexed:

- A. Petition filing contents. A petition for annexation, prepared in compliance with § 4-404 of the Local Government Article of the Annotated Code of Maryland. The petition shall be signed by the owner of the property and any contract purchaser(s) and shall be filed with the Director of Administration, together with 10 hard copies, one digital format copy of the petition and a nonrefundable fee as established by resolution of the City Council. The City may require additional copies to be provided to the City at its discretion. The petition shall include the following:

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- (1) Descriptive data.
 - (a) A legal description of the property with metes and bounds.
 - (b) Name and address of all members, stockholders, partners, or other individuals having a legal or equitable interest in the entity that owns an interest in the property.
 - (c) The names and addresses of all persons residing in the area to be annexed.
- (2) Exhibit showing:
 - (a) The legal boundaries of the property, to include complete parcels and all property lines in order to eliminate noncontiguous land that may be annexed in the future.
 - (b) The existing land use conditions surrounding the subject property.
 - (c) Existing Harford County zoning and the petitioner's proposed City zoning.
 - (d) A property tax map.
 - (e) An aerial photographic map at an appropriate scale.
 - (f) Topographic map of the property at an appropriate scale.
 - (g) Existing public facilities and improvements.
 - (h) Existing reserved or public areas.
- (3) Certification that each owner of real property, both within the area of the proposed annexation and contiguous to the annexation area, has either executed the petition or has been sent by certified mail and first-class mail to the address listed in the assessments records, within 10 days prior to filing of the petition, a summary in a format provided by the City.
- (4) The petitioner(s) shall submit a concept plan for the proposed annexation area if future public roads are contemplated and/or significant infrastructure improvements will be necessary to service the area to be annexed. The concept plan shall include the following:
 - (a) The boundary of the area to be annexed.
 - (b) The general location of each proposed land use on the property and the percentage of the whole for each use.

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General location of land uses may be shown as irregular graphic shapes depicting the approximate size and relationship to adjacent land uses.

- (c) A table listing proposed densities and land use by type, including the area of each.
 - (d) The density of residential development, the maximum and minimum lot sizes, and the anticipated square footage of commercial and industrial buildings.
 - (e) Existing and proposed arterial and collector streets adjoining (where applicable) and their relationship to the principal land uses on the site.
 - (f) Existing and proposed major utility lines or facilities and their relationship to the principal land uses on the site.
 - (g) Contour lines at a maximum of five-foot intervals.
 - (h) Sensitive environmental features on the site and contiguous to the property, as available from current Harford County or other pertinent geographic information system (GIS) databases. These features shall include streams, wetlands, other waterbodies and floodplains.
- (5) Description of municipal services that may need to be upgraded, initiated, or extended, together with a recommendation regarding the priority for accomplishing the improvements and a recommendation as to possible sources of funding and recoupment for any capital improvements.
 - (6) Fiscal impact of the proposed project.
 - (7) Description of any unique characteristics such as historical, archaeological, institutional, etc., situated in the area to be annexed, with an analysis of how these characteristics would be impacted by annexation.
 - (8) A detailed statement as to whether the land uses and densities permitted under the proposed City zoning classification and the land uses for the annexed area and densities permitted under the current Harford County zoning classification are, or are not, substantially different as that term is defined in § 4-416 of the Local Government Article of the Annotated Code of Maryland.

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- B. Community Informational Meeting (CIM). Within 45 days prior to the petition filing date, the petitioner shall hold a CIM. This meeting will be facilitated by the property owner, developer or their representative and held at a public location (library, City Hall, etc.) adequate to serve the expected turnout of residents. The meeting shall be advertised by a posting on the property or properties at each public road frontage. The City shall advertise the date of the CIM upon notification by the property owner, developer, or their representative. At a minimum, all documents included in the petitioner's filing shall be made available for review at the CIM. The City will provide copies of all documents on the City's website. Within 45 calendar days after the CIM, the developer shall submit a list of attendees and a transcript prepared by a court reporter of the meeting.
- C. Petition preliminary review. Within 90 days following the date of the filing of a petition and all required attachments, the Director of Planning shall conduct a preliminary review of the petition with the petitioner(s), or the petitioner's representative, and the Director of the Department of Public Works. Prior to beginning the review, the Department of Planning shall inform the petitioner(s), in writing, of the date when the petition and all required attachments have been provided and accepted. Based upon this review, the Director of Planning may direct the petitioner to submit additional information within a thirty-day period or to take other reasonable steps with regard to the petition, including:
- (1) Supplementation of the information required to be submitted in the petition.
 - (2) Provision for a study by an independent consultant selected by the City and the petitioner to evaluate the information submitted in support of the petition and to determine the fiscal impact of the annexation on the City.
 - (3) Provision for any other studies necessary for the proper consideration of the petition.
 - (4) Additional mailing, posting, or advertising notice requirements.
- D. Petition review by Planning Commission.
- (1) Upon completion of the review, the Director of Planning shall forward the petition package to the Planning Commission for review at the next scheduled Planning Commission meeting.

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The Director shall advertise the agenda of the Planning Commission on the City webpage. The petitioner shall supply 10 copies and one digital-format copy of the completed petition package to the Director of Planning prior to this submittal.

- (2) The Planning Commission will review the petition for annexation and take public comment during its scheduled meeting.
- (3) The Planning Commission shall submit its recommendation to the City Council within 60 days of the Planning Commission meeting.

E. Payment for processing and review.

- (1) The petitioner shall be responsible for payment for all studies required by the Director of Planning and reimbursement of all staff and attorney time necessary for review of the petition and all studies.
- (2) City staff shall keep an accounting of their time spent on the annexation review reflecting the hourly rate of each employee established by the City.

F. Adoption of annexation plan. Consistent with § 4-415 of the Local Government Article of the Annotated Code of Maryland, the City Council shall adopt an annexation plan which shall be open to public review and discussion at a public hearing.

G. Public hearing.

- (1) When the petitioner has complied with the requirements as specified by the Director of Planning following the review and the annexation petition has been prepared and distributed, the City Council shall introduce an annexation resolution and conduct a public hearing with regard to the proposed annexation at the time and place as shall be established by it.
- (2) The hearing shall be conducted and a record of the proceedings shall be preserved in a manner as the City Council prescribes.
- (3) A description of the annexation and a notice of the time and place of the hearing shall be published as specified in § 4-406 of the Local Government Article of the Annotated Code of Maryland.

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(4) At the hearing, the recommendation of any board, commission, or agency shall be considered as evidence.

H. Conditions. In acting favorably with regard to the petition, the City Council may include in its resolution such conditions and restrictions as are deemed necessary for the protection of the public interest, economic development, furtherance of the health, safety, and welfare of the residents of the City and to secure compliance with any relevant legal standards or requirements.

I. Annexation agreement.

(1) The City Council may, prior to voting on the resolution, enter into an annexation agreement with persons and entities that are petitioners in the annexation petition. Only those petitioners that agree to be responsible to the City for performance of contractual or financial commitments, or that promise community benefits, are required to be a party to the agreement.

(2) The City Council shall hold a public hearing on the proposed agreement prior to the City's final approval and execution of the agreement and before taking a vote on the annexation resolution. The copies of the proposed agreement shall be made available to the public at City Hall no later than 10 calendar days prior to the public hearing.

(3) The effective date of the agreement shall be the date that the approval of the annexation resolution by the City Council becomes final. Upon the annexation resolution becoming final, the agreement shall be binding upon the parties thereto, their heirs, successors, grantees, and assigns.

(4) The annexation agreement shall be recorded by the City in the land records of Harford County, Maryland, within 30 days of the date the annexation resolution becomes final.



J. Zoning. In acting favorably with regard to the petition, the City Council shall designate the zoning classification of the annexed land as provided for in this Chapter and in other applicable laws, ordinances, regulations, and procedures related to zoning of annexed land.

K. Approval or rejection.

(1) No property shall be annexed except by a favorable vote of a majority of the members of the City Council.

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- (2) The City Council may reject the petition for any reason. The City Council is not required to make any finding of fact in the event it rejects the petition.
- L. Other applicable law. This procedure is in addition to any other provisions of the City Charter and Code of the City of Havre de Grace and of the Annotated Code of Maryland that govern annexation and the development of land.

§ 20-3. Legislative authority.

- A. The Mayor and City may legislatively initiate an annexation proposal in accordance with the State Land Use Article § 4-403.
- B. Before an annexation resolution is introduced, the Mayor and City Council shall obtain consent from:
 - (1) At least 25% of the registered voters who are residents in the area to be annexed; and
 - (2) The owners of at least 25% of the assessed valuation of the real property in the area to be annexed.
- C. The annexation resolution:
 - (1) Shall describe by a survey of courses and distances the exact area to be annexed;
 - (2) May also describe by landmarks and other well-known terms the exact area to be annexed; and
 - (3) Shall contain a complete and detailed description of the conditions and circumstances that apply to:
 - (a) The change in boundaries; and
 - (b) The residents and property in the area to be annexed.
- D. The annexation proposal shall be consistent with the City's Comprehensive Plan, Municipal Growth Element and § 20-1 of this chapter.

:7



August 17, 2020
Council Meeting Minutes

Public Hearing on Ordinance 1040 concerning Adequate Public Facilities was called to order at 7:01 PM on August 17, 2020 with Council President Glenn Acting Mayor presiding.

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

Comments from Citizens: Joe Kochenderfer of 819 Tydings RD mailed in his comments of various areas of concern he wished to see addressed. His comments were read into the record by CP Glenn.

With no further comments from citizens the public hearing was closed at 7:04 PM.

The regular meeting of the City Council was called to order on August 17, 2020 at 7:04 PM with

Council Members present: CM Zinner, CM Boyer CM Robertson, and CM Martin CM Ringsaker. CP Glenn presided over the meeting in Mayor Martin's absence.

The Pledge of Allegiance was recited, and opening prayer was given by Pastor Mary Whitehead of The Healing House.

Approval of Minutes:

CM Ringsaker moved to approve the Council Meeting minutes of August 3rd, 2020. Seconded by CM Boyer. Motion carries 5-0.

CP Glenn Acting Mayor read a message to citizens from Mayor Martin who was absent at this evening's meeting.

Comments made by citizens on agenda items: No comments were made.

Resolutions:

Annexation Charter Resolution 288 concerning 1531 Pulaski Highway: Second Reading (CM 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.

A motion for second reading and adoption of Charter Resolution 288 was made by CM Ringsaker with a second by CM Zinner. Motion carries 5-0. Charter Resolution 288 was read into the record. A motion to adopt Charter Resolution 288 on second reading was made by CM Ringsaker with a second by CM Martin. Motion carries 5-0.

New Business: Special Event - Drive-in Musical Performance, August 21, 2020 (Rain date – August 22, 2020), Community Center. Motion to approve CM Boyer. Seconded by CM Robertson. Motion carries 4-1 with CM Martin against.

Business from Council:

Council Member Zinner: CM Zinner wished all staff stricken with COVID-19 continued recovery. CM Zinner shared a census update which placed Maryland in 9th place.

Council Member Robertson: EDAB will meet virtually August 19th from 4pm to 5pm.

Council Member Martin: CM Martin wished to let everyone know that we only have two Sundays left to support the Havre de Grace Ambulance Corp. with their Food Truck event.

Council Member Ringsaker: CM Ringsaker made a motion for reconsideration of the Single Concept Plan for The Green Ianniello and Patrone Properties under Annexation Resolution 277 due to questions that have arisen about the timing of the new owner of Sion Hill and how it affects the Single Concept Plan. This motion was seconded by CM Robertson. The motion carries 5-0. CM Martin made a motion to table discussion of the motion until the City Attorney was able to be back on board. Second by CM Zinner. Motion to table carries 5-0.

Council Member Boyer: CM Boyer asked all residents to please let officials know if they see a problem. Posting complaints on Facebook does not address the problem. If you see something, say something to the ones who can address it. CM Boyer gave kudos to the Arts Collective and Havre de Grace Ambulance Corp for finding imaginative ways to make things work during this difficult time. CM Boyer also added an important date of August 26th. This is the 100th anniversary of the 19th Amendment giving woman the right to vote thanks to the Suffrages who fought for this right. If any citizens have documentation to share with Erika Quesenberg or know of any family member who may have been a part of this great time in history, please let her know.

Council President: CP Glenn wished to send his congratulations out to both Brionna and Stephanie Jones for their amazing abilities and achievements in basketball. Both played College basketball at the University of Maryland. After College they both have extended their basketball careers. Brionna plays in the WNBA for the Connecticut Sun and will be playing this fall overseas with the Czech Republic in the Euro League. Stephanie recently signed to play professionally in Poland. CP Glenn shared this Warrior Proud moment for two great local girls from Havre de Grace. CP Glenn said he has received numerous calls regarding a date for the demolition of the old school. He has reached out to Harry Miller who informed him that they are still working on clean out and hazardous material abatement at both locations which will need to be finalized before demolition.

Comments from Citizens: John Lee of 437 Battery Dr. Thanked Council and Mayor Martin for the Proclamations for the upcoming event on August 22, 2020 at the American Legion in Aberdeen.

Adjournment: A motion was made by CM Boyer and seconded by CM Ringsaker to adjourn at 7:50PM. Motion carries 5-0.

Video recording of the City Council Meeting may be viewed online through Harford Cable Network and the City of Havre de Grace YouTube Channel.

Respectfully Submitted by,
Resa Laird

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1039

Introduced by _____ Council Member Ringsaker _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER, FOR THE PURPOSE OF AMENDING SECTIONS 1, 2, 3, 4, 6, 7, 8 TO MAKE CERTAIN TECHNICAL AND GRAMMATICAL CORRECTIONS AND TO ADD SECTION 127-10 FOOD TRUCK REQUIREMENTS OF THE CITY CODE CHAPTER 127 TITLED PEDDLING AND SOLICITING

On: 7/20/2020

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

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 8/3/2020, and concluded on 8/3/2020.

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.

33 **WHEREAS**, the Mayor and City Council desire to amend the Peddling and Soliciting
34 Chapter 127 of the City Code for technical and grammatical corrections; and

35
36 **WHEREAS**, the Mayor and City Council desire to add Section 127-10 Food Truck
37 Requirements to the Peddling and Soliciting Chapter 127 of the City Code;

38
39 **NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:**

40
41 1. Chapter 127 of the City Code shall be amended and added to as follows:

42
43 § 127-1 **Definitions.**

44 As used in this chapter, the following terms shall have the meanings indicated:

45 **FOOD TRUCK OPERATOR**

46 Includes any vendor that sells any sort of food product for consumption in the City limits from a
47 truck, trailer, mobile smoker/grill or pull-behind cart such as a hot dog cart.

48 **HAWKER**

49 A peddler who sells his/her wares by outcry in the streets and public places.

50 **ITINERANT VENDOR or TRANSIENT MERCHANT**

51 A person who is established[s] [himself] in business in the City with the intention and
52 determination to remain for a short period of one or more weeks or months, or until a
53 particular stock of merchandise is disposed of or until the local market for the commodity
54 handled by the dealer has been exhausted, and who, for such limited period, engages or
55 occupies a lot of ground or the improvements thereon or a part thereof for the exhibition and
56 sale of his goods or wares.

57 **PEDDLER**

58 A person who goes from place to place and/or from house to house carrying for sale and/or
59 exposing for sale goods, wares and merchandise which he/she carries; or a vendor of goods
60 who sells and delivers to customers the identical goods which he/she carries. [with him]

61 **PERSON**

62 An individual, corporation, business trust, estate trust, partnership, association, two or more
63 persons having a joint or common interest or any legal or commercial entity.

64 **SOLICITOR**

65 A person who, going from person to person, house to house, or place to place, seeks orders,
66 subscriptions, contributions or any other kind of support, or who, without necessarily
67 having the intention of making a direct sale, distributes literature, pamphlets, handbills,
68 samples and the like for commercial purposes.

69 § 127-2 **Licenses required.**

70 A. It shall be unlawful for any peddler, hawker, itinerant vendor, transient merchant, [or]

71 solicitor, ~~or food truck operator~~ to operate within the limits of the City without a license
72 issued by the Director of Planning, [Mayor and City Council of Havre de Grace.]

73 B. It shall be unlawful for any peddler, hawker, itinerant vendor, transient merchant, [or]
74 solicitor, ~~or food truck operator~~ to operate within any area for which an area license has
75 been granted, including any area for which an approved City special event permit has been
76 granted, unless such person operates pursuant to the area license. Area licenses shall be
77 issued in accordance with §127-6B of this chapter. [Amended 3-20-2017 by Ord. No. 987]

78 § 127-3 **Application and issuance of licenses.**

79 A. Application requirements.

- 80 (1) Applications for a vendor's or solicitor's license may be obtained from the [City
81 **Manager]** Department of Planning.
- 82 (2) Application for a vendor's or solicitor's license may require such information and proof
83 of identification as the Director of Planning [Chief of Police and the City Manager]
84 may deem appropriate.
- 85 (3) Applications may require the disclosure of location of the permanent residence of all
86 persons operating pursuant to the license.

87 B. The Director of [Economic Development and] Planning shall issue the license applied for
88 after:

- 89 (1) The applicant provides the information as requested by the application and any further
90 information requested by the [Chief of Police] Planning Director as may be necessary
91 in the judgment of the Planning Director [Chief of Police] to identify persons or
92 vehicles operating pursuant to the herein required license.
- 93 (2) The applicant pays the required license fee.
- 94 (3) [The application is approved by the Mayor and City Council.] At the discretion of
95 the Director of Planning, applications may be referred to the Mayor and City Council at
96 any time for final determination.

97 § 127-4 **Form of license; display upon demand.**

98 The license shall be in a form to be determined by the Director of Planning [City Manager]. The
99 form of the license may vary with the type or class of license. ~~The license shall state the date of~~
100 issue, the date of expiration and the limits of the area of operation. Anyone to whom a license is
101 issued shall present the license to any person for inspection upon demand.

102 § 127-5 **Fees; bond.**

103 Fees for such licenses shall be as set by the Mayor and City Council from time to time. Fees shall

104 be based upon the number of persons, vehicles and days of operation. The Mayor and City
105 Council may require the posting of cash or other appropriate bond to insure compliance with the
106 provisions of this chapter.

107 § 127-6 **Classification of licenses. (excluding Food Trucks – see Section 127-10)**

108 A. Individual licenses.

109 (1) A one-year license shall permit up to two persons and one vehicle to operate within the
110 City for a period of one year. Additional persons and vehicles may operate pursuant to
111 any such license for an additional fee.

112 (2) A six-month license shall permit up to two persons and one vehicle to operate within
113 the City for a period of six months. Additional persons and vehicles may operate
114 pursuant to any such license for an additional fee.

115 (3) A daily license shall permit up to two persons and one vehicle to operate within the
116 City for a period of one day. Additional persons and vehicles may operate pursuant to
117 such license for an additional fee.

118 B. Area licenses. An area license shall be issued for three or more itinerant vendors or transient
119 merchants who will operate in a defined area for the period specified in the license. The
120 license shall be issued to a person, the licensee, who shall determine and make available to
121 the Director of Planning [Chief of Police] the name and address of all merchants operating
122 pursuant to the license. The licensee shall be responsible for any violation of this chapter.

123 C. Group licenses. A group license shall be issued for 20 or more persons who will operate
124 within the City limits for a period specified in the license. The license shall be issued to a
125 person, the licensee, who shall determine and furnish the names and addresses of all persons
126 to operate pursuant to the license prior to the issuance of the license. The licensee shall be
127 responsible for any violation of this chapter.

128 § 127-7 **Exceptions.**

129 A. All persons engaged in a business or occupation for which they are required to obtain a state
130 license shall be exempt from the fees imposed under § 127-5 hereof provided that
131 application is made for a license, and the requisite state license is presented for inspection
132 by the Director of [Economic Development and] Planning prior to issuance of the license
133 required herein.

134 B. Nothing in this chapter shall apply to hawkers, peddlers, itinerant vendors, transient
135 merchants, [or] solicitors or food truck operators while dealing in oysters and fish in their
136 unpreserved and natural condition or fresh fruits, vegetables or other country produce or
137 home produce, provided that the seller is the grower, harvester or home producer thereof.

138 § 127-8 **Hours of operation.**

139 It shall be unlawful for any peddler, hawker, itinerant vendor, transient merchant, [or] solicitor
140 or food truck operator to operate within the City of Havre de Grace between the hours of 8:00
141 p.m. and 8:00 a.m.

142 § 127-9 **Violations and penalties.**

143 Any person convicted of committing any unlawful act as provided in this chapter shall be guilty
144 of a misdemeanor. If any unlawful act is continuing, then each day during which such violation
145 continues shall be considered a separate offense. In addition to any criminal penalty which may
146 be imposed, all the provisions of this chapter may be enforced by petition for injunction filed on
147 behalf of the Mayor and City Council of Havre de Grace.

148 § 127-10 Food truck requirements.

149 A food truck operator must comply with the following requirements to operate within the Havre
150 de Grace City Limits:

151 A. <https://ecode360.com/30009192 - 30009192Licenses>

152 (1) Food truck operators must possess a current Harford County Health Department license

153 (2) Food truck operators must possess a current insurance certificate and be in good
154 standing with the State of Maryland

155 (3) Food truck operators must obtain a license to operate at one of the City's approved
156 locations. (Exhibit A)

157 i. Four spaces at Hutchins Park

158 ii. Three spaces at the North Park (Conestego Street loop)

159 (4) Food truck operators may operate on private property, but must have in their possession
160 a signed written document from the property owner providing permission to operate and
161 a current Harford County health department license.

162 (5) Food truck operators must keep the area within a twenty-five-foot radius of his/her truck
163 free of trash and food scraps.

164 (6) Food truck operators will not conduct business in a residentially zoned portion of the
165 City.

166 (7) Food truck operators will not display any signature other than what is lettered on his/her
167 or her food truck and up to two sandwich- style boards or similar signs for the purpose
168 of posting a food menu. Such sandwich board signs must be located no farther than 15
169 feet from the food truck.

170 (8) Food Truck's operators must be self-contained, meaning that all water, wastewater and
171 electric shall be produced and managed by the food truck.

172 (9) Waste cooking oil shall be removed by the operator daily.

173 B. License Term and Conditions

174 (1) A license shall be issued under this Chapter for a period of 90 Days. The license shall be
175 \$50.00 per 90 day period per truck.

176 i. Locations will be assigned on a first come-first serve basis.

177 (2) Renewals will only be accepted within 5 business days of an expiring license.

178 C. Approved City Special Events

179 (1) Any approved City Special Event, whereby a food truck operator wishes to participate
180 will require a separate participation fee.

181

182 Signed by the Mayor and attested by the Director of Administration this _____ day of
183 _____, 2020.

184

185

186 ATTEST:

187

188

189

190 Patrick D. Sypolt
191 Director of Administration

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

William T. Martin
Mayor

192

193

194 Introduced/First Reading: 7/20/2020

195 Public Hearing: 8/3/2020

196 Second Reading/Adopted: 8/17/2020

197

198 Effective Date:

199

200 Legislative History

201 Ordinance No. 987, enacted 3/20/2017

202 Ordinance No. 732, enacted 6/5/1989

203 Ordinance No. 604, enacted 1/5/1981

204 Ordinance No. 506, enacted 7/6/1959

205 Ordinance No. 463, enacted 4/19/1948

206 Ordinance No. 408, enacted 3/2/1936

207 Ordinance No. 270

208 Ordinance No. 188 enacted 12/18/1905

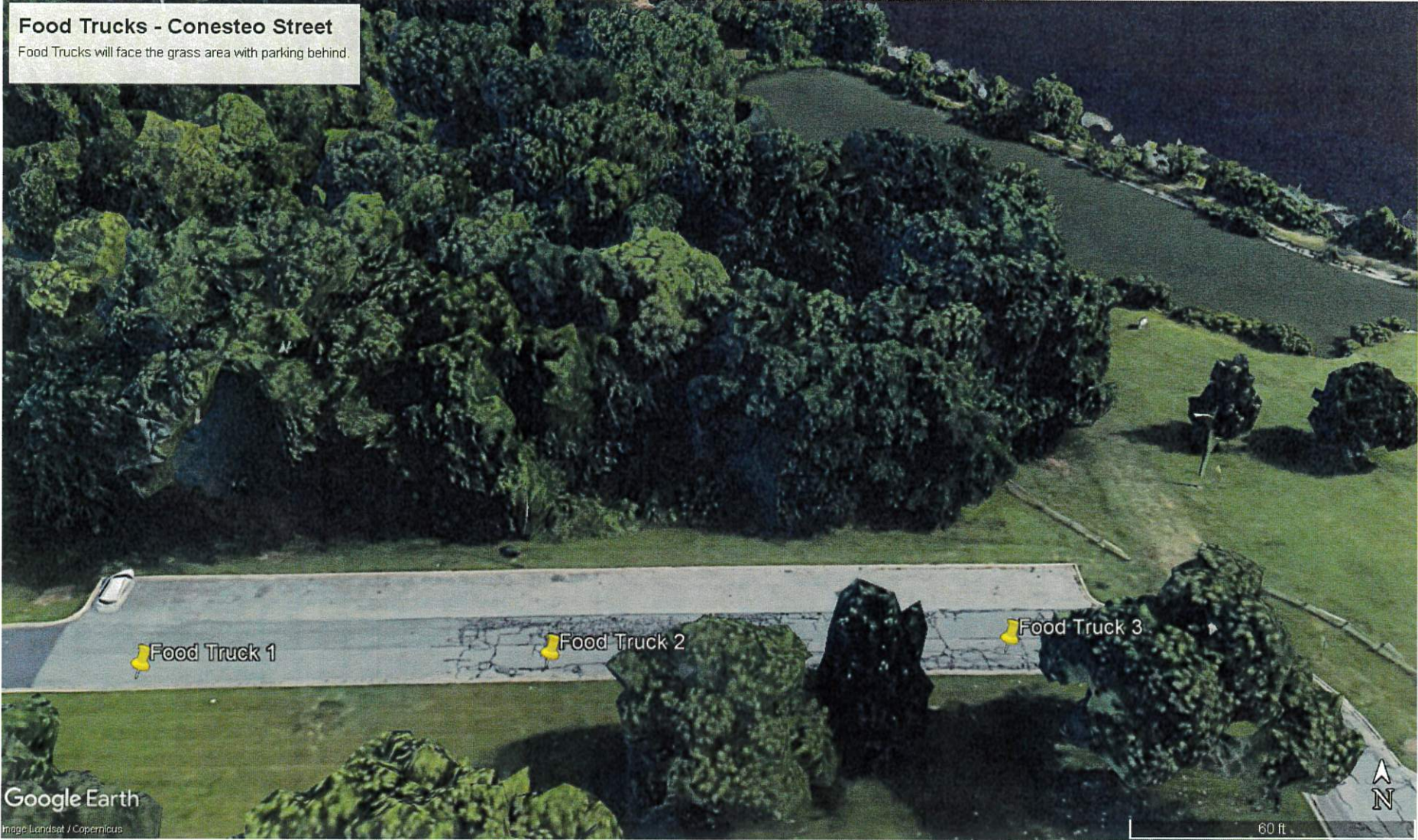
209

Exhibit A



211

Food Trucks - Conestego Street
Food Trucks will face the grass area with parking behind.



212



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078
WWW.HAVREDEGRACEMD.COM

410- 939-1800
410- 575-7043

DEPARTMENT OF PLANNING MEMORANDUM

August 27, 2020

TO: Tamara Brinkman
Administrative Assistant

CM Jim Ringsaker
Council Members

FROM: Shane P. Grimm, AICP
Director of Planning



**Re: Ordinance 1040 – Proposed Amendments to
Adequate Public Facilities**

After consideration of comments from the public and further review of the ordinance, I have prepared the list of proposed amendments below. The amendments are minor in nature and do not substantively affect the ordinance as presented.

1. Line 110 – Replace “shall” with “will”.

Comment: Minor word change.

2. Line 382 – Replace “Subsection C” with “this section”.

Comment: Minor word changes to correct an incorrect section reference.

3. Line 519 – Insert a space between paragraphs [c] and [d].

Comment: Minor format change.

4. Line 598-600 – Indent paragraph consistent with format of document.

Comment: Minor format change.

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1040

Introduced by _____ Council Member Ringsaker

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.

On: 8/3/2020

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

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 August 17, 2020, and concluded on August 17, 2020.

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.

31
32
33

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;

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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

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

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

(6) Grandfathering.

- (a) Unless an extension of the approval of the preliminary plan or site plan is granted in accordance with the applicable City Code allowing for such extension, 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 sewerage 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 sewerage system.
- (c) If development is exempt from the provisions of this subsection concerning the adequacy of the sewerage system, execution of public works agreements for such development is subject to availability of capacity in the sewerage system at the time of preparation of the public works agreements.

B. Water. Approval of all preliminary subdivision plans and site plans for development shall be subject to determination of adequate water capacity in accordance with this Subsection B. 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 water 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.

- 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.

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

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

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

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

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

575 (3) Conditional review.

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

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(b) 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 preliminary subdivision plan or site plan approval or extension is granted. Removal from the waiting list shall occur only when the condition that prevented approval under this subsection no longer exists.

590

(4) Grandfathering.

591

(a) Unless an extension of the approval of the preliminary subdivision 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 roadways.

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(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 roadways.

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

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ATTEST:

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

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Patrick D. Sypolt
Director of Administration

William T. Martin
Mayor

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Introduced/First Reading: 8/3/2020
Public Hearing: 8/17/2020
Second Reading/Adopted:

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618

Effective Date:

619

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. _____

Introduced by _____ Council President Glenn _____

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE, MARYLAND ADOPTED 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, 66 AND 73 CONCERNING THE CITY'S ACQUISITION OF ROADS BY DEEDS OF DEDICATION FOR HEMLER COURT, HARBOR COURT, HALL COURT AND SPINNAKER WAY.

On: 9/8/2020

at: 7:00.p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for _____ [date] at [time] _____.

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.

WHEREAS, Woods of Bayview HOA, has ownership of all roadways, storm water facilities and common areas within the Woods of Bayview subdivision, recorded on various plats recorded among the Land Records of Harford County, including Plat; and

WHEREAS, the HOA membership approved, by a majority vote of the homeowners, to transfer and record the roads and ways, namely, Hemler Court, Harbor Court, Hall Court and Spinnaker

34 Way to the City of Havre de Grace, at such time as the HOA improves those road systems to
35 standards as set forth by the Engineering Firm GEO-TECH and to the satisfaction of the Havre
36 de Grace Director of DPW; and

37
38 **WHEREAS**, on October 1, 2018, the City Council approved Resolution 2018-18 (Exhibit 1)
39 which involved a Memorandum of Understanding outlining the terms and conditions under
40 which roadbeds will be transferred to the City; and

41
42 **WHEREAS**, the Owners have completed all requirements described under the MOU terms and
43 conditions, including an onsite inspection of the road bed, as well as a HOA fee reduction
44 schedule for the next three years as attested to in a signed document by the HOA Board of
45 Directors. (Exhibit 2); and

46
47 **WHEREAS**, the City Attorney and Director of the Department of Public Works determined that
48 the dedicated portions of Hemler Court, Harbor Court, Hall Court and Spinnaker Way include
49 ONLY the road surfaces, and not the curb, gutter-pan or sidewalks, and the City by this
50 Ordinance accepts the dedication of these roads as more fully described in the attached Deed and
51 surveyed plats prepared by Morris & Ritchie Associates, Inc. (Exhibit 3);

52
53 **NOW THEREFORE**, it is this _____ day of September 2020 determined, decided and resolved
54 by a majority of the City Council members that the dedicated portions of the road beds of
55 Hemler Court, Harbor Court, Hall Court and Spinnaker Way including ONLY the roads, and not
56 the curb, gutter-pan or sidewalks, shall be accepted, used and maintained as a public street and
57 that the deeds of dedication transferring fee simple ownership to the City are appropriate and are
58 hereby ratified, approved and confirmed.

59
60 *ADOPTED by the City Council of Havre de Grace, Maryland this ___ day of _____, 2020.*

61
62 *SIGNED by the Mayor and attested by the Director of Administration this _____ day of*
63 *_____, 2020.*

64
65 ATTEST:

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

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69 Patrick D. Sypolt
70 Director of Administration

71 William T. Martin
72 Mayor

73 Introduced/First Reading: 9/8/2020
74 Public Hearing: [mm/dd/yyyy]
75 Second Reading/Adopted: [mm/dd/yyyy]
76 Effective Date: [mm/dd/yyyy]

77 Legislative History
78 Refer to Resolution 2018-18

Exhibit 1

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RESOLUTION NO. 2018-18

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTION 34 OF THE CITY CHARTER TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE WOODS OF BAYVIEW HOMEOWNERS ASSOCIATION

WHEREAS, the Woods of Bayview Homeowners Association (“HOA”) is a small private community desiring to transfer its roadbeds to the City of Havre de Grace (“City”), and

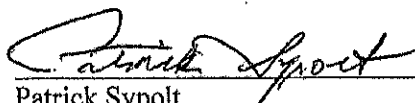
WHEREAS, the City is willing to acquire the roadbeds provided that the roads are repaired and brought up standards required by the Harford County Road Code, and

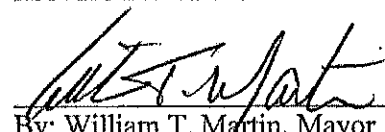
WHEREAS, the City and the HOA desire to enter into a Memorandum of Understanding outlining the terms under which the roadbeds will be transferred to the City,

NOW THEREFORE, it is this 1st day of October, 2018 determined, decided and resolved by the Mayor and City Council that the Mayor is authorized to enter into a Memorandum of Understanding, substantially in the form attached hereto as Exhibit A, for the transfer of the roadbeds to the City.

ATTEST:

MAYOR AND CITY COUNCIL OF HAVRE DE GRACE


Patrick Sypolt
Director of Administration


By: William T. Martin, Mayor

Introduced and adopted: October 1, 2018

Exhibit A (of Resolution 2018-18)

MEMORANDUM OF UNDERSTANDING

between

The Mayor and City Council of Havre de Grace

And

Woods of Bayview HOA

WHEREAS, the Woods of Bayview is a small, private homeowners association community located in Bayview Estates, a residential subdivision established in 1988 in the City of Havre de Grace; and

WHEREAS, the Woods of Bayview Homeowners' Association ("HOA") is responsible for maintaining the private streets in the community, namely Hemler Court, Harbor Court, Hall Court and Spinnaker Way, along with the common areas and the storm water pond; and

WHEREAS, the HOA membership approved by a majority vote of the homeowners, to transfer and record the roads and ways, namely, Hemler Court, Harbor Court, Hall Court and Spinnaker Way to the City of Havre de Grace, at such time as the HOA improves those road systems to standards as set forth by the Engineering Firm GEO-TECH and to the satisfaction of the Havre de Grace Director of DPW; and

WHEREAS, the City of Havre de Grace has reviewed and agreed with the Scope of Work provided by GEO-TECHNOLOGY ASSOCIATES, INC. in determining what is required to bring the road systems into compliance,

NOW THEREFORE, The City of Havre de Grace and the HOA of the Woods of Bayview agree to the following conditions;

1. The HOA will invest approximately \$61,000.00 into the 4 individual road systems to gain compliance as stated in the GEO TECH ENGINEERING report dated October 27, 2017 to bring the 4 roadways (Hemler, Harbor, Hall and Spinnaker Way) into compliance.

2. The HOA shall initiate a minimum increase of their monthly HOA fees by \$3.00 annually for the next three years. The additional revenues generated from the increase in HOA dues and the plowing savings realized, shall be applied directly to the road reserves to complete the required paving within the designated timeframe.

3. The HOA shall have until Dec. 2021 to have all the road improvements completed, including the conveyance and recordation of each roadbed to the City of Havre de Grace.

4. The City of Havre de Grace DPW shall assume the following:

a. Roadway plowing responsibilities for a 3-year period, beginning December 2018, and ending December 2021, unless ALL terms and conditions are not met.

b. Roadbed plowing is defined as ONLY the travel portion of the roadway and does not include the parking areas and the sidewalks (this does not include the parking areas, so the HOA will need to coordinate with residents).

c. Use economy of scale pricing on any paving contracts occurring in the City and apply same for any HOA paving requests from the Woods of Bayview HOA, to help keep costs down.

d. Consider the possibility of allocating up to 25% of the total cost using Community Development Block Grant (CDBG) or Department of Housing and Community Development (DHCD) funding (provided funding availability) under the following conditions

e. As determined by the City Administration, there are no other higher priority projects.

f. The project qualifies and is approved by either DHCD or CDBG.

5. City acceptance of the road beds:

a. The acceptance of the road improvements may be completed in phases, if so desired by the HOA.

b. Once the improvements are in place and meet the established road code guidelines, the City will then validate the improvements for acceptance.

c. Upon acceptance by the City, the HOA shall then make the necessary deed transfers and recordation for the road beds to include Hall Court, Harbor Court, Hemler Court and Spinnaker Way.

d. The City shall not accept any responsibility for the parking areas or sidewalks.

e. The City will not assume full responsibility for the roads, until the roads are transferred and recorded.

6. Should the HOA fail to perform within the timeframe established, the City will only continue to plow and maintain those roadways that have been accepted and recorded (if any).

7. Should the HOA not fulfill its obligation regarding this project, the City may bill the HOA for plowing service rendered except where the City has already accepted the roadways.

WITNESS/ATTEST

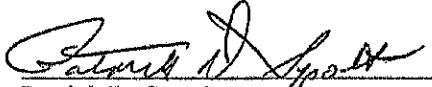
Woods of Bayview HOA

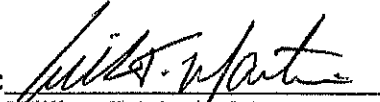
Christy Agent
Woods of Bayview HOA Property Mgr.

By: *Latanya McFadden*
Name: Latanya McFadden
Title: Woods of Bayview HOA President

WITNESS/ATTEST

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE


Patrick D. Sypolt,
Director of Administration

By: 
William T. Martin, Mayor

Approved as to legal sufficiency:

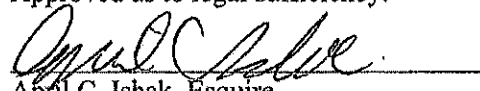

April C. Ishak, Esquire
City Attorney for the City of Havre de Grace

Exhibit 2

BCH Property Management

356 Congress Avenue
Havre de Grace, MD 21078
Office- 410-939-1900

bchpropertymanagement@gmail.com
www.bchrents.managebuilding.com

September 2, 2020

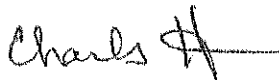
Dear Mayor Martin and City Council Members,

This letter is to affirm the Woods at Bayview increased their monthly dues beginning in January 2019-December 2021 to \$45.00, monthly. The previous monthly dues were \$40.00. This was done in accordance to the MOU, with the City of Havre de Grace, Resolution 2018-18, dated October 1, 2018.

Attached to this letter are the minutes from the Woods at Bayview board meeting, dated October 9, 2018 and a copy of their newsletter informing the community of the increase.

If further information is needed, questions or comments, please feel free to e-mail BCH at bchpropertymanagement@gmail.com.

Regards,



Charles Hiner – President
BCH Property Management

The Woods of Bayview Homeowner's Association

Board of Directors Meeting

October 9, 2018

6:30pm

Call Meeting to Order: 6:30pm

Board Quorum: present

Members present: LaTanya, Robbin, Paula and Charlie

Board Minutes: Approved

Financial Reports:

- Reviewed

Delinquency Report:

- None addressed

Architectural requests:

- None Addressed

Committees:

- LaTanya will remain appointed as President, Robbin as Vice President, Paula as Treasurer and Marie as Secretary. Marie will no longer be a member of the architecture committee and LaTanya will officially replace her on the committee.

Old Business:

- Roads: Robbin updated on roads and MOU.
- 510 Hemler CT fee not waived
- 591 Hall CT send letter no exemption for trashcans
- 508 Hemler CT end letter in reference to trash can on front and need to bring rear fence into compliance. Additional time granted due to home out of compliance prior to sale of home.
- 502 Hemler CT fine not paid; still out of compliance with walk around inspections; turn over to attorney (as 12/10/2018 home is vacant and possibly for sale or rent), fees need to be paid before resale packet can be sent)

New Business:

- o 585 Hall Court trashcans in common area
- o 531 Hall CT fee is waived
- o Review stormwater mgt pond summary from attorney
- o MOU from City of Havre de Grace; HOA will raise monthly dues by \$3.00 for next three years (2019, 2020, 2021) as requested by the City of Havre de Grace; BOD moved to approve MOU pending review by attorney
- o BCH to contact JD Lawn in reference to no longer providing snow removal services due to the city taking over snow removal; will still need to lawn services
- o Budget needs to reflect money moving to the reserve
- o Schedule annual meeting third Thursday in January (1/17/2019)
- o Each member bring at least one proxy vote
- o BCH will mail out proxy to BOD
- o Christmas Holiday contest \$75, \$50, \$25 Home Depots for three top homes. Judging to be held December 15th; light on by 6:30pm

Adjourned at 7:37pm Next Meeting October 10th @6:30pm.

Woods of Bayview



- **THE NEXT ANNUAL MEETING** is scheduled for Thursday, January 17, 2019. Meeting will be held at the Havre de Grace Police Department in the conference room at 7pm.
- **ANNUAL CHRISTMAS DECORATING CONTEST** – Judging to be held on December 15, 2018 at 6:30 pm. Prizes will be awarded.
 - 1st place - \$75 Home Depot Gift Card
 - 2nd place - \$50 Home Depot Gift Card
 - 3rd place - \$25 Home Depot Gift Card
- **HOA DUES INCREASE** – The Woods of Bayview and the City of Havre de Grace have reached an agreement in regards to the City takeover of the roads in the Woods of Bayview community. The Memorandum of Understanding (MOU) has been approved. **As part of this agreement, the HOA dues will increase to \$45 per month beginning January 2019 and continuing through December 2021.** Please take note of this change and have your 2019 payments reflect the updated amount. As always, make payments payable to Woods of Bayview HOA.
- **SNOW REMOVAL** - snow removal will now be handled by the City of Havre de Grace. Please contact the city at 410-939-1800 for any questions or concerns in regards to snow removal.
- **ARCHITECTURAL REQUESTS**- Any architectural changes to the exterior of the home or property **MUST** be approved by the architectural request committee- This includes, painting, solar panels, front door replacements, etc. and removal of trees-The fine structure will be enforced accordingly for any violations. ALL Architectural Request Packets must be submitted to BCH Property Management via mail or email and approval must be given prior to starting work.
- **PARKING**- The Woods Board has reviewed the parking once again and has decided not to assign parking spaces- *Please be considerate of your neighbors*- The parking is on a first come first serve basis; however, parking is not assigned and you are not guaranteed a parking spot in front of your house. In order to be courteous to your neighbors, please ask guests to park in the overflow parking or along non-restricted areas on street
- **PLEASE PICK UP AFTER YOUR PETS**- All pet owners are responsible for picking up after their pets. Pet waste transmits disease so please clean up after your pets immediately.
- **TRASH REMINDERS**- Trashcans are to be stored at the back of your home (Harbour CT is exempt from this due to a limited ease-way behind the homes) When putting cans out for **Trash Pick-Up**, place them in the *front of your own home no earlier than 7:00 pm of the night before and return them to the back of your house by 7:00 pm the following night. Homeowners out of compliance with the section of the rules and regulations are subject to fine.*
 - When placing items out *for BULK PICK-UP*- You **MUST** call the City of Havre de Grace at 410/939-1800 by noon on Thursday and request bulk pick-up for Friday. Items such as mattresses/sofas and appliances will be picked up on Friday /Must call & tell the City what items will be set out.
 - **TRASH AND RECYCLABLES WILL BE COLLECTED SAME DAY!** Please place your containers side by side for pick up every Wednesday.
 - **YARD WASTE**- Picked up EVERY Monday-all year round- grass clippings, leaves, branches, brush, tree trimmings, and Christmas tress- Tie branches in bundles no longer than 4 feet long, not wider than 2 feet nor over 50lbs. Paper lawn bags or trash cans may be used, No plastic bags. If using a trash can and it is too heavy to lift, it will not be picked up.
 - If you have any questions regarding trash pick-up, please contact the City of Havre de Grace at 410-939-1800.

BCH Property Management, 356 Congress Ave., HDG, Md. 21078 – (410)939-1900, bchpropertymanagement@gmail.com
October 2018

Exhibit 3

Karas & Bradford
File No. 220R-0268
Tax ID #

No Title Search
Zero Consideration
Conveyance of Road Bed

Deed exempt from Recording and Transfer Taxes Pursuant to Tax Property Article 12-108 (a) (1) (iv), 13-207 (a) (1)

This Deed, made this ____ day of August, 2020, by and between **The Woods of Bayview Homeowners Association, Inc.**, GRANTOR, and **The Mayor and City Council of the City of Havre de Grace**, a municipal corporation of the State of Maryland, GRANTEE.

- Witnesseth -

That in consideration of the sum of No and 00/100 Dollars (\$.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, in fee simple, all that lot of ground situate in the County of Harford, State of Maryland and described as follows, that is to say:

Road beds for Hemler Court, Harbor Court and Hall Court as shown on a Plat entitled "Revised Open Space, Final Plat, Phase 1, The Woods of Bayview" which is recorded among the Land Records of Harford County, Maryland in Plat Book J.J.R. No. 210, folio 19, as attached hereto.

BEING a part of the land granted and conveyed by and described in the Confirmatory Deed dated July 10, 1997 and recorded in the Land Records of the County of Harford, Maryland, in Liber 2557, Folio 001, from Terra Firma Development, Inc., a body corporate of the State of Maryland, a party of the first part and Bob Ward, Inc., a party of the second part.

Road beds for Spinnaker Way as shown on a Plat entitled "Revised Open Space - Final Plat One - Section IV -- Phase II, The Woods of Bayview" which is recorded among the Land Records of Harford County, Maryland in Plat Book J.J.R. No. 210, folio 47, as attached hereto.

BEING a part of the land granted and conveyed by and described in a Deed dated March 19, 2001 and recorded in the Land Records of the County of Harford, Maryland, in Liber 3478, Folio 294, from Bob Ward at Bayview, LLC, a Maryland limited liability company unto The Woods at Bayview Homeowners Association, Inc.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, that it will specially warrant the property hereby granted, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said The Mayor and City Council of the City of Havre de Grace, a municipal corporation of the State of Maryland, in fee simple.

And Grantor does hereby covenant to execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

_____(SEAL)

STATE OF _____ }
COUNTY OF _____ } ss

I hereby certify that on this ____ day of August, 2020 before me, the undersigned officer, a Notary Public in and for the State aforesaid, personally appeared _____, who acknowledged himself/herself to be the _____ of The Woods of Bayview, a corporation, and that he/she has as _____, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by himself/herself as such _____.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

ATTEST:

**THE MAYOR AND CITY COUNCIL OF
HAVRE DE GRACE**

Patrick D. Sypolt,
Director of Administration

By: _____(SEAL)
William T. Martin, Mayor

STATE OF _____)
COUNTY OF _____) ss

I hereby certify that on this ___ day of August, 2020, before me, the undersigned officer, a Notary Public in and for the State aforesaid, personally appeared William T. Martin, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged himself to be the Mayor of the City of Havre de Grace and who, in my presence, signed and sealed the foregoing Deed and acknowledged it to be his act and deed, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public
My commission expires: _____

Approved for legal sufficiency:

Recommended for approval:

April C. Ishak, City Attorney
City of Havre de Grace

Tim Whittie, PE
Director of Department of Public Works
City of Havre de Grace

[Attorney Certification continued on next page]

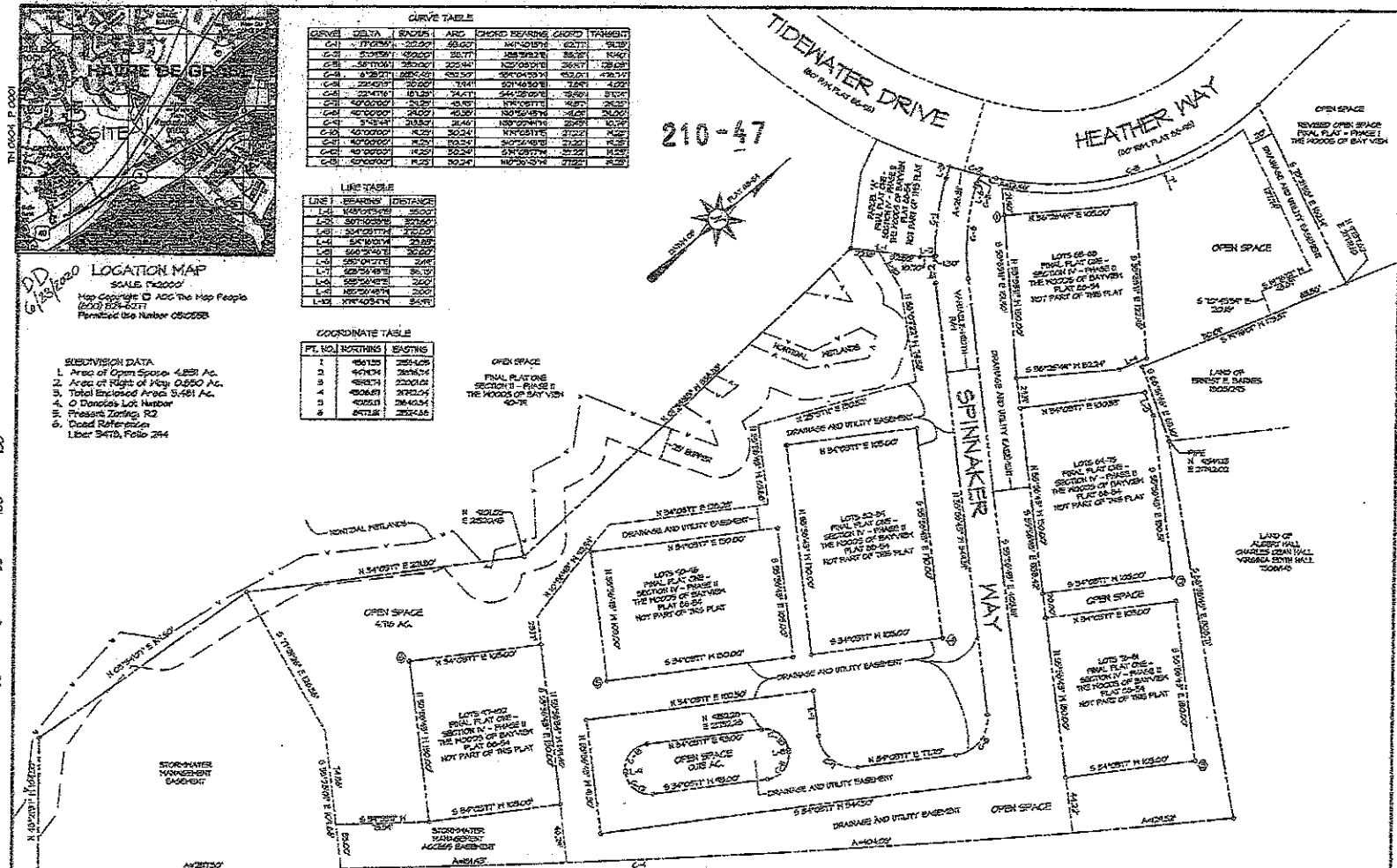
ATTORNEY CERTIFICATION

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

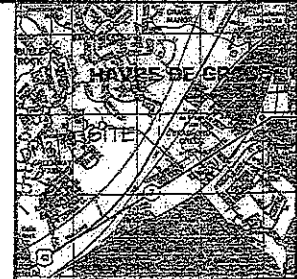
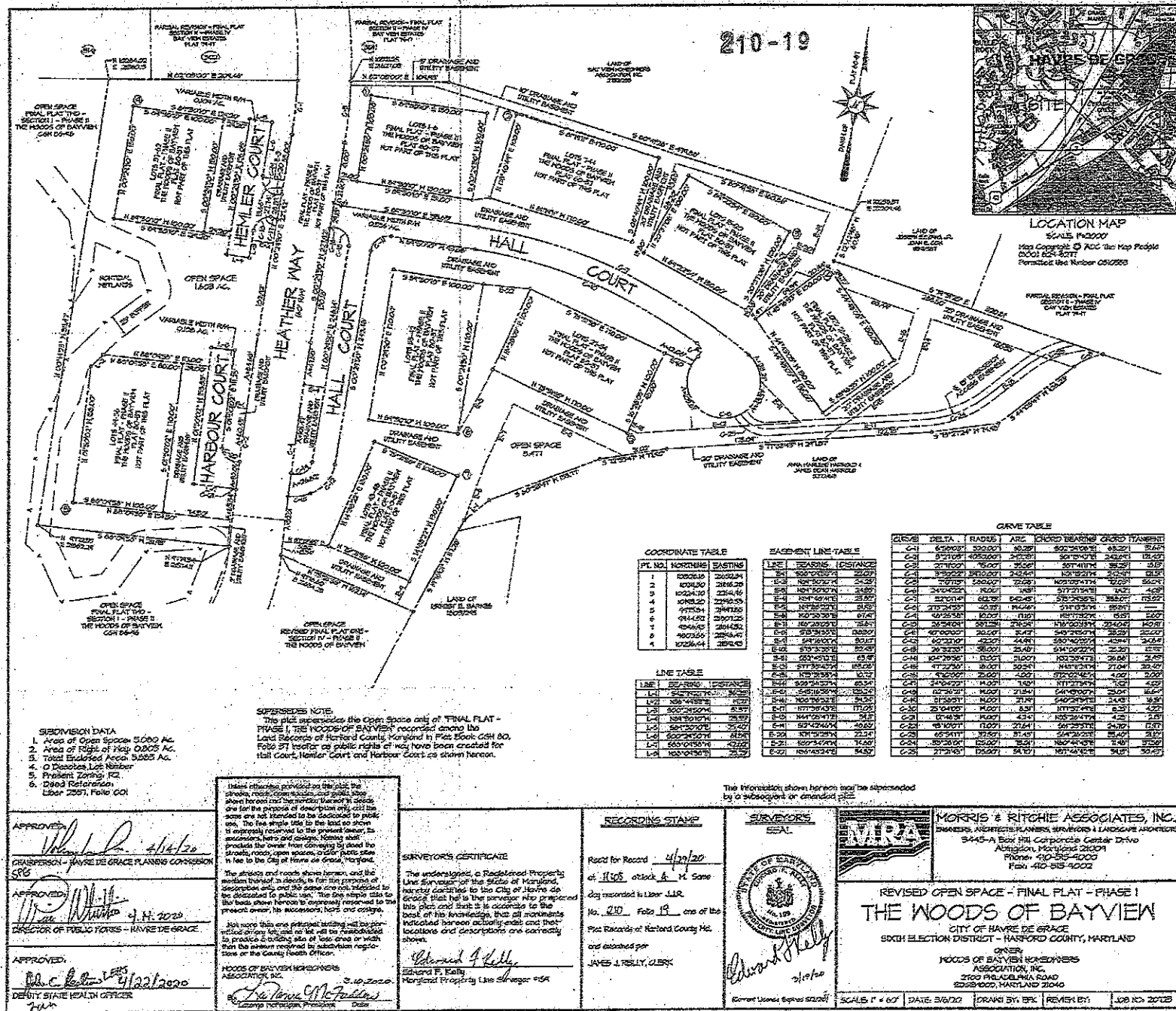
Charles E. Bradford, Attorney

AFTER RECORDING, PLEASE RETURN TO:

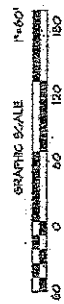
Karas & Bradford
325 South Main Street
Bel Air, MD 21014



210-19



LOCATION MAP
SCALE 1:4000
Map Copyright © ACC (the Map Provider)
00001 601-8077
Permitted Use Number 001950



COORDINATE TABLE

PL. NO.	NORTHING	EASTING
1	12262.10	22622.10
2	12262.10	22622.10
3	12262.10	22622.10
4	12262.10	22622.10
5	12262.10	22622.10
6	12262.10	22622.10
7	12262.10	22622.10
8	12262.10	22622.10
9	12262.10	22622.10
10	12262.10	22622.10

LINE TABLE

LINE NO.	BEARING	DISTANCE
L-1	S 89° 58' 00" W	12.00
L-2	S 89° 58' 00" W	12.00
L-3	S 89° 58' 00" W	12.00
L-4	S 89° 58' 00" W	12.00
L-5	S 89° 58' 00" W	12.00
L-6	S 89° 58' 00" W	12.00
L-7	S 89° 58' 00" W	12.00
L-8	S 89° 58' 00" W	12.00
L-9	S 89° 58' 00" W	12.00
L-10	S 89° 58' 00" W	12.00

EASEMENT LINE TABLE

LINE NO.	BEARING	DISTANCE
E-1	S 89° 58' 00" W	12.00
E-2	S 89° 58' 00" W	12.00
E-3	S 89° 58' 00" W	12.00
E-4	S 89° 58' 00" W	12.00
E-5	S 89° 58' 00" W	12.00
E-6	S 89° 58' 00" W	12.00
E-7	S 89° 58' 00" W	12.00
E-8	S 89° 58' 00" W	12.00
E-9	S 89° 58' 00" W	12.00
E-10	S 89° 58' 00" W	12.00

GRADE TABLE

GRADE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD DISTANCE
G-1	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-2	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-3	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-4	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-5	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-6	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-7	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-8	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-9	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000
G-10	0.0000	0.0000	0.0000	S 0° 00' 00" W	0.0000

- SUBDIVISION DATA**
1. Area of Open Space: 5,000 Ac.
 2. Area of Right of Way: 0,800 Ac.
 3. Total Subdivided Area: 5,800 Ac.
 4. Q Deed/Lot Number
 5. Present Zoning: R2
 6. Deed Reference: Liber 2007, Folio 601

SUPPLEMENTARY NOTE
The plat represents the Open Space only of FINAL FLAT - PHASE I, THE WOODS OF BAYVIEW recorded among the Land Records of Harford County, Maryland in Plat Book 624 10, Folio 371 insofar as public rights of way have been created for Hall Court, Harbor Court and Harbour Court as shown hereon.

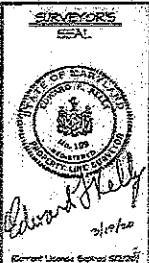
I, the undersigned, being duly qualified and sworn, do hereby certify that the above and foregoing is a true and correct copy of the original as recorded in the Office of the Clerk of the Circuit Court for Harford County, Maryland, and that the same is a true and correct copy of the original as recorded in the Office of the Clerk of the Circuit Court for Harford County, Maryland.

Edward F. Kelly
Surveyor

SURVEYOR'S CERTIFICATE
The undersigned, a Registered Property Line Surveyor of the State of Maryland, having certified to the City of Havre de Grace that he is the surveyor who prepared this plan and that it is accurate to the best of his knowledge, that all monuments indicated hereon actually exist and their locations and descriptions are correctly shown.

Edward F. Kelly
Edward F. Kelly
Maryland Property Line Surveyor #54

RECORDING STAFF
Rec'd for Record 4/19/20
at 11:05 a.m. on 4/19/20
day recorded is Liber 2119
No. 210 Folio 19 one of the Plat Records of Harford County Md. and established per
JAMES J. KELLY, CLERK



MORRIS & RITCHE ASSOCIATES, INC.
BUSINESS ARCHITECTS/LANDSCAPE ARCHITECTS
3445-A Box Hill Corporate Center Drive
Abingdon, Maryland 21811
Phone: 410-315-4000
Fax: 410-315-4002

REVISED OPEN SPACE - FINAL FLAT - PHASE I
THE WOODS OF BAYVIEW
CITY OF HAVRE DE GRACE
58TH ELECTION DISTRICT - HARFORD COUNTY, MARYLAND
OWNER:
WOODS OF BAYVIEW HOMEOWNERS ASSOCIATION, INC.
2700 MELACALANA ROAD
BOWERSWOOD, MARYLAND 21030

SCALE: 1" = 60'
DATE: 3/6/20
DRAWN BY: BRC
REVIEW BY: JLB RD: 20123



INTER-CITY MEMORANDUM

To: City Council President David W. Glenn
From: Mayor William T. Martin
Date: August 28, 2020
RE: Proposed Budget Amendment 2021-01

There are approved fiscal 2020 capital projects that were expected to be completed by year end, but were delayed in part or in full until the current fiscal year. They will, therefore need to be reapproved in the Fiscal 2021 budget.

In addition, there are three (3) grant funded MS4 storm water management projects that needs to be established so the City has the authority to spend the funds.

I will address each of these items individually in the remainder of this memorandum.

General Fund 1

The fiscal 2020 budget included \$100,000 for storm water remediation at the Lock House museum shoreline. At the end of the year, \$27,300 remained on the contract and I am requesting this amount be added to the fiscal 2021 budget to complete the effort.

The \$27,300 will come from left over fiscal 2020 funds. After adjustment, the budgeted beginning fund balance for fiscal 2020 will be \$636,900. The closing process is not yet completed but current projections indicate that the beginning balance will significantly exceed the adjusted budget estimate.

In addition, Harford County created a segregated Stormwater Management Fund dedicated to local watershed protection and restoration projects in April 2020. The estimated contribution for fiscal 2021 is \$231,800. The City has identified 3 major projects totaling \$385,800 which will use this funding along with additional grant funds in fiscal 2021; erosion repair along Concord Point, designing a living shoreline along Water Street, and enhancing the ADA trail in the area of the Lock House and North Park. Estimates for all 3 projects are attached.

The Concord Point erosion repair project is estimated at \$70,400 and will be funded through the County Stormwater Management Fund entirely.

The Water Street Living Shoreline design project is estimated at \$243,100. The design will be funded through a \$103,900 Maryland Department of the Environment Watershed

Assistance Grant Program Award with the remaining \$139,200 being funded through the County Stormwater Management Fund.

The Lock House/North Park ADA Trail and Bridge Construction is estimated at \$72,300. The project will be funded through a \$50,100 Community Development Block Grant program with the remaining \$22,200 being funded through the County Stormwater Management Fund.

Water & Sewer Fund 9

The City is completing renovations at the Water Treatment Plant totaling \$3,216,300 that Citizens approved borrowing for in fiscal 2016. Due to logistical issues, the contract has \$1,263,800 still to be completed. I am therefore requesting this amount be re-established in fiscal 2021.

The City is under contract for \$233,600 to design the repair of the raw water intakes at the Water Treatment Plant and \$63,000 remains on that contract at the beginning of the fiscal year. I am requesting the remaining balance be reauthorized in fiscal 2021.

Additionally, the City had repair and replacement efforts under way and under contract at the end of fiscal 2020. I am requesting the open contract balances be reauthorized in fiscal 2021 to allow completion of the efforts without disruption. There are four (4) open contracts totaling \$96,000 including:

- Rehabilitate the Lafayette Street Pumping Station - \$32,700
- Replacement 2 finished water pumps at the Water Treatment Plant - \$31,100
- Repair the SCADA system at the Wastewater Treatment Plant - \$25,600
- Installing 12" butterfly valve at the Water Treatment Plant - \$6,600

The total funding request for the above is \$1,422,800. The projects will be funded through an increase to the anticipated beginning fund balance that resulted from the projects not being completed by year end. As noted with the General Fund, it is too early in the closing process to provide a precise amount of the fiscal 2020 ending fund balance.

The attached budget amendment schedule lists the individual line items for both the funding sources and expenditures for the above budget amendments.

Please contact George DeHority or Patrick Sypolt if you have any questions or require additional information regarding this amendment request.

BUDGET AMENDMENT

August 28, 2020

Amendment # 2021-01

SOURCE OF FUNDS

Account Number	Account Title	Amount
	General Fund 1	
01-0001-49-98	Beginning Fund Balance	\$27,300.00
01-0001-41-63	County Stormwater Management Allotment	\$231,800.00
01-0001-48-34	State Grants - WAGP	\$103,900.00
01-0001-48-97	CDBG Grants	\$50,100.00
	Water & Sewer Fund 9	
09-0001-49-01	Beginning Fund Balance	\$1,422,800.00
	Total Sources	\$1,835,900.00

USE OF FUNDS

Account Number	Account Title	Amount
	General Fund 1	
01-1251-7087	Lock House Shad Pond	\$27,300.00
01-1251-7083	Living Shoreline Projects	\$385,800.00
	Water & Sewer Fund 9	
09-1231-6501	Finished Water Pumps (2)	\$31,100.00
09-1231-6501	12" Butterfly Valve	\$6,600.00
09-1231-9024	WTP Upgrades	\$1,263,800.00
09-1231-9029	WTP Intake Repairs	\$63,000.00
09-1245-9037	WWTP SCADA Repairs	\$25,600.00
09-1245-9042	Lafayette St Pump Station Rehab	\$32,700.00
	Total Uses	\$1,835,900.00

REASON FOR ADJUSTMENT

To fund 3 MS4 Storm Water Projects and FY 2020 Contract Carry Overs

AUTHORITY

City Council on 9/8/20.

APPROVAL

MAYOR	_____	Date: _____
ADMINISTRATION	_____	Date: _____
FINANCE	_____	Date: _____

PROJECT DESCRIPTION FOR \$231,800

George

	Repair Erosion by Promenade - Decoy Mus	\$ 42,800
	Replant Beach	\$ 27,600
	Part 2 of Living Shoreline PH I Design	\$ 97,600
①	Design of Living Shoreline PH II MATCH - WAGP	\$ 41,630
	Invasives Removal Shad Pond & Shoreline	\$ 13,800
②	Shad Pond Trail (CDBG)	\$ 8,370
		\$231,800

① WAGP - WATER ASSISTANCE GRANT PROGRAM (CHES. BAY TRUST)

TOTAL	=	145,500
WAGP		93,900
		<hr/>
ABOVE		41,600

② TRAIL - TOTAL \$58,500

CDBG (etc)	50,100
	<hr/>
ABOVE	8,400

WAGP - WATERWAY ASSISTANCE GRANT PROGRAM (NDE)

UNDERWOOD & ASSOCIATES, INC.

LANDSCAPE ARCHITECTURE

ECOLOGICAL RESTORATION

A DESIGN/BUILD Co.

To: City of Havre de Grace
711 Pennington Avenue
Havre de Grace, MD 21401
ATTN: Stephanie Noye

Date: May 8, 2020
Quote #: 002

Delivery and placement of stone to address new area of erosion between Concord Point Phase I project area and Phase II project area.

Item	Unit	Price	Quantity	Total
Mobilization	LS	\$5,000.00	1	\$5,000.00
Cobble	CY	\$350.00	108	\$37,800.00
TOTAL:				\$42,800.00

Questions regarding this quote should be addressed to: Chris Becraft, 410-507-5762

Underwood & Associates Cost Estimate

Replacement of wetland & shoreline plants at Concord Point Living Shoreline

ITEM/DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL COST
Bird deterrent (temporary, until plants established)	LS	1	\$10,000.00	\$10,000.00
PLANTING (Includes soil amendment, plant material & installation)				
Herbaceous	EA	2300	\$12.00	\$27,600.00
			TOTAL	\$37,600.00

Plant list

QTY

High Marsh

Hibiscus moscheutos (Marsh hibiscus)

200

Iris virginica (Virginia iris)

200

Panicum virgatum (Switchgrass)

200

Lobelia cardinalis (Cardinal flower)

200

Solidago sempervirens (Seaside goldenrod)

200

Low Marsh

Iris virginica (Virginia iris)

200

Panicum virgatum (Switchgrass)

200

Peltandra virginica (Arrow arum)

200

Pontederia cordata (Pickersweed)

200

Scirpus pungens (3-square)

500

UNDERWOOD & ASSOCIATES, INC.

LANDSCAPE ARCHITECTURE

ECOLOGICAL RESTORATION

A DESIGN/BUILD Co.

May 14, 2020

Stephanie Noye
Department of Public Works
City of Havre de Grace
711 Pennington Avenue
Havre de Grace, MD 21078

Re: Water Street Living Shoreline, Phases I & II

Dear Ms. Noye,

Underwood & Associates (U&A) is pleased to submit two proposals for your review.

1. Completion of the design and permitting services for Phase I of the Water Street Living Shoreline is priced at \$97,539.60 as detailed on the attached budget form.
2. Full design and permitting of Phase II of this project is priced at \$145,501.60. This is a savings of approximately \$50,000.00 as compared to the full budget for Phase I as our efforts on Phase I will significantly reduce the time required to complete Phase II.

Please contact me with any questions about these proposals.

We are excited to continue our partnership with the City of Havre de Grace and see this living shoreline project through to completion.

Sincerely,



Heather Johnson
Operations Manager



Water Street Living Shoreline
Design and Permitting Completion

PHASE I
May 14, 2020

Description	Staff					
	Principal \$220	Project Manager \$154	Project Engineer / Env. Scientist \$176	CADD Staff \$99	Admin \$75	
Task 1: Design Completion						
Meetings						
Community, Permitting Agencies, Design Planning	4	16	40	8	8	
Final Design	8	24	60	36	2	
Plan Revisions						
H&H Calculations						
Submittals						
Sub-Total	\$2,640	\$8,800	\$17,600	\$4,356	\$750	\$34,146.00
Design Phase Total:						\$34,146.00
Task 2: Permitting Completion						
Permitting	24	60	200	96	48	
Task 2a: Prepare and Submit Permits						
Task 2b: Review Meetings (MDE/ACoE/AACo/City)						
Task 2c: Revisions & Resubmittal						
Revise plans and resubmit for approval						
Sub-Total	\$5,280	\$9,240	\$35,200	\$9,504	\$3,600	\$62,824.00
Permitting Phase Total:						\$62,824.00
Reimbursibles						
Printing	8	\$25.00	\$200.00			
Mileage	660	\$0.56	\$369.60			
Reimbursible Total:						\$569.60
Design/Permitting Total:						\$97,539.60

Water Street Living Shoreline
Design and Permitting Proposal

PHASE II
May 14, 2020

Description	Staff					
	Principal \$220	Project Manager \$154	Project Engineer / Env. Scientist \$176	CADD Staff \$99	Admin \$75	
Task 1: Schematic Design (30% Plans)						
Task 1a: Technical Information and Data Gathering Desktop prop./easement eval. Environ. Inventory and Assess. Topographic/Bathymetric Survey & Prepare Base Map	16	40	48	80		
Task 1b: Schematic Design and Report Drainage Area, Slope and Soils Map, Historic Maps Develop Design Engineering Studies Submittals - 30% plans Review Meeting	8	20	80	80	24	
Task 1c: Meetings Community, Permitting Agencies, Design Planning	8	16	16	8	24	
Task 1d: Plan Design and Report Plan Revisions H&H Calculations Submittals Review Meeting	16	24	60	24	16	
Sub-Total	\$10,560	\$22,000	\$35,904	\$19,008	\$4,800	\$92,272.00
Design Phase Total:						\$92,272.00
Task 2: Permitting						
Permitting Task 2a: Prepare and Submit Permits Task 2b: Review Meetings (MDE/ACoE/AACo/City) Task 2c: Revisions & Resubmittal Revise plans and resubmit for approval	24	60	140	100	48	
Sub-Total	\$5,280	\$9,240	\$24,640	\$9,900	\$3,600	\$52,660.00
Permitting Phase Total:						\$52,660.00
Reimbursibles						
Printing	8	\$25.00	\$200.00			
Mileage	660	\$0.56	\$369.60			
Reimbursible Total:						\$569.60
Design/Permitting Total:						\$145,501.60



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078
WWW.HAVREDEGRACEMD.COM

410-939-1800

DEPARTMENT OF PUBLIC WORKS NOTICE OF AWARD

June 18, 2020

TO: Mr. Peter Dacey, Civil Utility Construction Company, Inc.

ADDRESS: 16 Crestmont Drive
Aberdeen, MD 21001

CONTRACT FOR: Lock House/North Park ADA Trail and Bridge Construction
- \$58,500.00

Dear Mr. Dacey:

The City of Havre de Grace Department of Public Works is hereby awarding Civil Utility Construction Company the contract to construct the planned improvements in the amount of \$58,500.00. Notice to proceed will follow shortly.

Before you may start any work at the site, you must ensure that all required documents have been received by the City in accordance with the Contract Documents inclusive of Engineer's proof of insurance. The City will contact Harford County to acquire documents Harford County may require for use of grant funding.

By: Timothy F. Whittle, P.E.

(AUTHORIZED SIGNATURE)

Director, Department of Public Works
(TITLE)

TFW/sn

Richardson, Barbara
to me, Patricia ▾

Tue, Jun 9, 8:58 AM ☆ ↩ ⋮

The Agreement expires June 30 - i don't think there is time to do an amendment - remember, there were expiring funds in the Agreement.

if you have any other funding source to complete the project, please use them. The only other option would be to bill for what is left in the grant, and we can work on an amendment but you won't be able to bill the additional funds until that is fully executed.

Patty - am I correct?

Hammond, Patricia <pahammond@harfordcountymd.gov>
to me, Barbara ▾

Thu, May 7, 2:55 PM ☆ ↩ ⋮

Stephanie,

I reviewed all payments in our County Treasury system and a payment in the amount of \$49,138.74 was made on 4/3/2020 for the first submitted credit card receipts in late March.

The signed contract was for \$100,000, leaving a balance of \$50,138.74.

If you should have any other questions, please let me know.

Patty

Patricia Hammond

Grants Administrator
Harford County, MD - Office of Community & Economic Development
15 S. Main Street, Bel Air, MD 21014
410-638-3045 ext. 1302

Email - pahammond@harfordcountymd.gov



CITY OF HAVRE DE GRACE
 711 Pennington Avenue
 Havre de Grace, MD 21078
 Phone: (410)939-1800

Receipts - emailed 3/16/20
Purchase Order *to CMCS*

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRESPONDENCE, ETC.
NO. 20-02212

SHIP TO
 2 Jerry Foster Way
 Havre de Grace, Md 21078

ORDER DATE: 03/06/20
 DELIVERY DATE:
 FAX TO VENDOR:
 REQUISITION #: 20-00417
 VENDOR ACCT NUM:
 VENDOR PHONE #: (770)933-8166
 VENDOR FAX #: (770)933-8363

VENDOR Vendor #: CM1005
 CMI LIMITED CO.
 605 MOLLY LANE
 SUITE 150
 MARIETTA, GA 30189

PAYMENT RECORD
 CHECK NO. .
 DATE PAID

NOTICE: TAX EXEMPT - TAX ID: 52-6000796

QUANTITY	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL
1.00	Bridge for shad pond project	01-1251-7087	22,100.0000	22,100.00
			TOTAL	22,100.00

- Original invoice plus one copy must be sent to:
City of Havre de Grace, Accounts Payable Dept, 711 Pennington Ave, Havre De Grace, Md 21078-3004
- Payment may be expected within 30 days of receipt of goods, unless otherwise stated.
- C.O.D shipment will not be accepted.
- Purchase Order numbers must appear on all shipping containers, packing slips and invoices. Failure to comply with the above request may delay payment.
- All goods are to be shipped F.O.B Destination unless otherwise stated.
- All materials and services are subject to approval based on the description on the face of the purchase order or appendages thereof. Substitutions are not permitted without approval of the Requesting Department. Material not approved will be returned at no cost to the City.
- All goods and equipment must meet or exceed all necessary city, state and federal standards and regulations.
- Vendor or manufacturer bears risk of loss or damage until property received and/or installed.
- Seller acknowledges that buyer is an equal opportunity employer. Seller will comply with all equal opportunity laws and regulations that are applicable to it as a supplier of the buyer.
- The City is exempt from all federal excise and state tax - ID#52-6000796 / Sales Tax Exempt MD#30042569

[Signature]
 AUTHORIZED SIGNATURE
 3/6/20
 Date

3/17/2020

OMI LIMITED
1185 NORTHCASE PKWY SE
MARIETTA, GA 30067
770-993-0166

Red. B. ridge
over look at
Shad Pond.

OMI LIMITED

Date: 03/17/2020 02:33:25 PM

CREDIT CARD SALE

VISA

CARD NUMBER: *****1436 K

TOTAL AMOUNT: \$22,100.00

APPROVAL CD: 041487

RECORD # 000

CLERK ID: Trannywell

CUST CODE: 1436

SALES TAX: \$0.00

INVOICE #: 149458

Customer Copy



Order #WA80149128

Placed on: Mar 19, 2020

3/19/20 emailed

Billing Information

Joe Conaway
711 PENNINGTON AVE
HAVRE DE GRACE MD 21078

Payment Method: VISA ***7217

Item	Price/Item	Qty	Line Total
------	------------	-----	------------

Ship To Home (1 Item)

711 PENNINGTON AVE , HAVRE DE GRACE, MD 21078

Barenbrug 50 lb. Barvado Tall Fescue Grass Seed	\$133.87	3	\$401.61
---	----------	---	----------

Expect it on Mar 27

Subtotal	\$401.61
Shipping	FREE
Sales Tax	\$24.10

Total	\$425.71
--------------	-----------------

Need help?
Online Customer Support:
1-800-430-3376

Call 7 days a week:
6 a.m. to 2 a.m. EST

ORDER ACKNOWLEDGMENT

Please review carefully to insure the information regarding your order is correct. Any changes to this information will be confirmed by our Customer Service Consultant.

Acknowledgment Date:
03/16/2020

Sold To 6800
Cash Sales-No Tax
Credit Card Customers ONLY
TN 37138
USA
Telephone

Ship To 7801
City of Havre de Grace - Attn Joe Conaway
2 Jerry Foster Way
Havre De Grace, MD 21078
United States of America
Telephone

Ship Via: LOC Customer Number: 6800 Order Number: 442095
 FOB: PREPAID PO Number: 20-02188 Order Date: 03/16/2020
 Credit Terms: Net 30 days CRR Name: CWALLS Warehouse: OH-DISTRIBUTION CTR
 Ship Date: 20200316 CRR Phone Nbr.: 615-847-7000

Item	Description	Rolls	Pkgs	Date		QTY	UCM	Unit Price	Extended Price
				Ship	Request				
6876	GrassProtecta Standard - 6.5' x 66.5'	0	0	03/18/20	03/18/20	26	EA	792.6300	20,813.58
	Shop Order #: 4420951								
	Width: 1.00	IN							
1824	U-Pins (50 EA PER BAG)	0	0	03/18/20	03/18/20	104	EA	65.0000	6,720.00
	Shop Order #: 4420952								
	Width: 1.00	IN							
	105000 Freight-Domestic								1001.97
TOTALS :		0	0			130		TOTAL USD	27,335.55

*** Effective 10/1/2006, an inventory carrying charge of 7.5% based on the order value and number of days late will be applied to available orders not picked up or shipped within 7 days. **

This is an acknowledgment of the order described above. Unless provided otherwise in an existing contract executed in writing by authorized representatives of Buyer and Seller, SELLER'S ACCEPTANCE OF THIS ORDER IS EXPRESSLY CONDITIONED UPON BUYER'S AGREEMENT THAT THE ORDER AND ASSOCIATED PURCHASE AND SALE ARE GOVERNED SOLELY BY THE TERMS AND CONDITIONS OF THIS ACKNOWLEDGEMENT, INCLUDING THOSE ON THE REVERSE SIDE, WITHOUT ANY VARIATION AND REGARDLESS OF THE PROVISIONS OF ANY ORDER OR OTHER DOCUMENT, WHICH PROVISIONS ARE HEREBY SPECIFICALLY REJECTED. YOU MUST SEND SELLER A FACSIMILE AT ONCE IF THIS IS NOT YOUR AGREEMENT.

Ship From Fiberweb, Inc. - Old Hickory, a Berry Global Co, 70 Old Hickory Bl., Old Hickory, TN, 37138, Phone: 615-847-7000, Fax: 615-847-7244

To: Joe Conaway <joe@havredegracemd.com>
Cc: Gfgl Harris <gfglharris@berryglobal.com>

Hi Joe,

Please see attached acknowledgement for your PO # 20-02198 – Our order # 442095.

Please contact Gfgl Harris who is on copy to make your payment.

615-847-7270

Thank You,

Candy Walls

Account Analyst 1, Customer Service

T + 1 615 847 7039

F + 1 615 541 4021

CandyWalls@BerryGlobal.com

Berry

Berry Global

70 Old Hickory Blvd

Old Hickory, TN 37138

www.berryglobal.com

PO 3/17/20
PNC.C.C.

From: Joe Conaway <joe@havredegracemd.com>
Sent: Monday, March 16, 2020 1:44 PM
To: Candy Walls <candywalls@berryglobal.com>

[Quoted text hidden]

[Quoted text hidden]

EVENT APPLICATION CHECKLIST:

EVENT NAME: Candle Light Tour 2020

Sponsor Organization: The Lock House Museum

Business Address: 817 Consted St, Hdg

On Site Contact Person: Julie Rubake

Contact Information Phone: _____ Email: _____

Back-Up Site Contact Person: Joanne Hesley

Contact Information Phone: 410-939-5780 Email: director@thelockhousemuseum.org

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 # 52-1325983

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

Event Category:

_____ Athletic/Recreation

_____ Concert/Performance

_____ Other (explain)

_____ Festival

_____ Carnival

Tour of homes

_____ Parade

_____ 5K/10K/Walk *

- see attached

_____ Rally

_____ Fishing Tournament

description

* 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: Dec 12

Begin Time: 12:00 NOON

Event Starts Date: _____

Time: 4:00 PM

Event Ends Date: _____

Time: 8:00 PM

Breakdown Date: _____

End Time: 9:00 PM

Rain Date Date: Dec 13

Is timeframe the same? Yes _____ 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: See attached list of stops

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

Anticipated Attendance: 500

Admission Fee (if any): \$25-

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. _____
_____ NO _____

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). NO PARKING SIGNS ON UNION AVE.

- 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. NO

- Trash Containers:** (in addition to existing containers) **Please indicate if additional containers will be required and the number needed:** _____ NO

- 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:** _____ NO

- Trash Collection and trash disposal is the responsibility of the Event Sponsor. (Roll off dumpster is the responsibility of the event organizer.)** NO

- Water Supply Needed:** please explain: _____ NO

- Electricity Needed:** please attach an electrical site plan that includes the layout of extension cords, generators and anticipated amperage draw. NO

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

- 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.

no

Alcohol:

Yes No Will there be alcohol sold at your event?

no

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.

Doctors at each stop available to help tour goers - call ambulance if needed.

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.

- list of proposed steps provided

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 Julia Ruhnke
Title Chair - Candle Light Tour Board - Lock House Museum
Phone _____ Email _____
Signature Julia Ruhnke
Date 8/26/2020

Event Title: Lock House Museum - Candlelight Tour

Received by Tamara Brinkman 8-26-2020
City Official Date

Notification: Internal Use Only:

- DPW _____
- PD _____
- Ambulance Corps _____
- SHCO _____
- Impacted Museums _____

Walking and Running Events: N/A

- Per Ordinance 986, walking and running events will be subject to an application fee. (Please see below)

Walk/Run Event Fees: <ul style="list-style-type: none">▪ For Profit Organization \$3,000▪ Non-Profit Organization \$1,500▪ HDG Non Profit or HDG Organization Sponsorship and Sole Beneficiary \$0.00

- Race events will not be permitted on Federal Holidays. Race events will only be permitted on Saturdays (with no rain date).
- Sponsor will provide insurance documents with limits of liability of at least \$1,000,000 naming the City of Havre de Grace as an additional insured and including a waiver of subrogation.
- Sponsor will provide for participant safety (Sponsor to contact local EMS).
- Sponsors will receive an invoice from the City of Havre de Grace upon City Council approval. Payment in full is required within 30 days.
- Non-compliance with submission of fee will result in a cancelled event.

2020 Candlelight Tour

The Candlelight Tour of Homes is a tradition in HdG. This year will be the 49th year. It is also one of the major fundraisers for the Lock House Museum. The Tour this year is Sat, Dec 12, from 4 to 8 PM.

This year, with Covid, it is impossible to ask anyone to open their home to strangers. However, we do not want to cancel the tour. Instead, we would like to propose a different way to hold the tour which would be safer for both our hosts and visitors.

This year, we would like to hold a tour of patios. We would focus on homes with front patios, and ask them to host music, actors, carolers, or similar entertainment on those patios. We would ask those homes to pay special attention to their decorations. The visitors would walk from house to house, as in previous years. Instead of going inside, they would enjoy the entertainment. As a new facet, we would provide an electric taper candle to each tour goer. It would be so pretty to see a group of people in front of each house, with the candles lit.

This tour plan will allow participants to distance from strangers and to social distance in front of each house stop. They will stay outside the complete tour. There will be docents placed at each stop to control the groups and ensure there is distancing. The music/acts will be going inside the homes: to warm up, between sets, to rest. The homeowners can work with the acts to determine what is the best way to provide this space.

The Tour will continue to place candles on Union Ave from Congress to Commerce St. The candles will be placed by the Masons. We do ask that No Parking Signs be placed on Union so the candles are better seen. There will also be luminaries placed at each stop.

Julie Ruhnke

Chair, Candlelight Tour

Candlelight 2020 - Tentative - as of 8/26

stop Home

- 1 Lock House Museum
- 2 Decoy Museum
- 3 Arts By the Bay
- 4 213 S washington
- 5 300 Bourbon St
- 6 410 Fountain ST
- 7 200 S stokes
- 8 410 s Union
- 9 Gazebo in Tyings
- 10 Graw Alley
- 11 463 Commerce St
- 12 212 S Union
- 13 Market St

Name email phone

act

UMC Choir??
 they are covering
 ??
 emma kleinberg
 rogue swan
 al and suzanne
 Scofield: scrooge
 mr hauf
 high school?
 Tidewater Players
 tuba?
 barbershop

Artists

- | | | |
|------------------------------------|-----------------|---|
| 1 Rogue Swan | Caberet | 1 |
| 2 Tidewater Players | ELF | |
| 3 Price Theater | Scrooge | |
| 4 Suzanne Chaldwick and Al Pereraf | Opera/Classics | |
| 5 John Gillette | tuba band | |
| 6 Emma Kleinberg | pop | |
| 7 Mr Hauf Trio | Jazz | |
| 8 Debbie Height | UMC Choir | |
| 9 Diane Sengstacke | barbershop | |
| 10 high School band? | | |
| 11 Brad and Carol Burchette | Christmas Music | |
| 12 Benny Russell | sax | |
| 13 Bay Country Gentlemen | barber shop | |

SPECIAL EVENTS WORK SHEET

	Event:	Lock House Museum Candlelight Tour 2020	Tracking ID: 1011200007			
	Dates:	12/12/2020 (rain date - 12/13/2020)				
	Time of set up:	12:00 PM				
	Take down time:	8-9 pm				
	Time of actual event:	4 pm - 8 pm				
	Location:	various locations (see application)				
	Number of personnel	Regular Pay (Hours)	Overtime Pay Hours*	FULLY Loaded Wage**	Estimated Hours	Total Estimated Cost
PD					0	\$0.00
Notes	This event will be handled by patrol units on duty.					
	Number of personnel	Regular Pay (Hours)	Overtime Pay Hours*	FULLY Loaded Wage**	Estimated Hours	Total Estimated Cost
DPW	2	2	0	\$46.00	2	\$92.00
Notes						
	2	2	0	\$46.00	2	\$92.00
Grand Total						
REVISION 1/10/2020	*Note: OT salary is 1.5 times average salary: ** Note 2 - FULLY Loaded Wage provided by the Finance Department includes Wages, Fringe Benefits & Materials based on the U.S. Department of Health and Human Services Division of Cost Allocation (DCAA)					