

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1072

Introduced by Council President Glenn

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE AND THE LAND USE ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO ESTABLISH A TEMPORARY MORATORIUM ON THE APPROVAL AND ISSUANCE OF PERMITS WITHIN THE CITY'S MUNICIPAL LIMITS FOR SHORT TERM RENTALS

On: 4/4/2022

at: 7:00 p.m.

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

**PUBLIC HEARING**

A Public Hearing is scheduled for 4/18/2022 at 7:00 p.m.

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.

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32           **WHEREAS**, the City Council of Havre de Grace, Maryland (the “City Council”) is  
33 authorized under the Local Government Article and the Land Use Article of the Annotated Code  
34 of Maryland to enact and administer zoning and land use ordinances and a Comprehensive Plan;  
35 and

36           **WHEREAS**, the Comprehensive Plan includes growth management goals designed and  
37 intended to promote the public health, safety, and welfare; and,

38           **WHEREAS**, the City Council desires to review existing requirements of the  
39 appropriateness of short term rentals in certain zoning districts in the City in light of the  
40 proliferation of such uses in the City and surrounding areas; and

41           **WHEREAS**, the City of Havre de Grace has recently experienced a positive trend in the  
42 housing market and an increase in assessed property values that has contributed to downtown  
43 revitalization and redevelopment efforts, as well as the annexation of additional properties for  
44 residential and commercial development; and

45           **WHEREAS**, the City needs time to determine how to incorporate the modern trend in  
46 short term rentals consistent with the Comprehensive Plan in view of the positive housing market.

47           **NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council for Havre de  
48 Grace, Maryland, that:

- 49           1. For the purposes of this temporary moratorium, a short term rental shall be defined as  
50           *“Any dwelling or portion thereof that is available for use or is used for*  
51           *accommodations or lodging of guests, paying a fee or other compensation for a period*  
52           *of less than thirty consecutive days.”* Short term rentals shall not include legally  
53           permitted hotels and motels.
- 54           2. Nothing in this temporary moratorium shall restrict the continued use of existing short  
55           term rentals, such as legally permitted bed and breakfast uses.
- 56           3. A temporary moratorium on the issuance of approvals or permits relating in any way  
57           to short term rentals in Havre de Grace shall be implemented for a period of six (6)  
58           months from and after April 4, 2022 to and including October 4, 2022.
- 59           4. Purpose. The purpose of this moratorium is to give the Director of Planning time to  
60           research and prepare a report regarding the appropriateness of land use restrictions as  
61           it relates to short term rentals, in order to protect the public health, safety, and welfare  
62           of the residents of Havre de Grace and to evaluate any impact short term rentals may  
63           have on existing neighborhoods under current zoning classifications.
- 64           5. Report, recommendations, and legislation. This moratorium is established to allow  
65           Council sufficient time within which to consider the Director of Planning’s report and  
66           recommendations, and to complete the legislative process in a manner to best promote  
67           the policies articulated in the Comprehensive Plan, and to make any recommended  
68           amendments or changes to the City’s Zoning Code by adoption of ordinances under the  
69           statutorily required timelines.

70 6. New and pending applications. The City hereby declares a six (6) month moratorium  
71 on the application for, or issuance of, zoning permits or certificates of occupancy for  
72 short term rentals.

73 7. For the period of six (6) months immediately following the effective date of this  
74 Ordinance, the City, the Planning Commission, the Board of Appeals, the Department  
75 of Planning, and the Zoning Administrator shall not permit, accept, process, interpret,  
76 deliberate upon, decide, or approve any application for a short term rental subject to  
77 this Ordinance.

78 8. Effective date. This temporary moratorium shall be effective upon adoption of this  
79 Ordinance.

80 9. Authority. This Ordinance was adopted in accordance with the authority authorized  
81 under the Local Government Article and the Land Use Article of the Annotated Code  
82 of Maryland and City Charter Sections 33 and 34.

83 **AND BE IT FURTHER ORDAINED** that staff, Boards and Commissions are directed  
84 and requested to act in a manner consistent with the provisions of this temporary moratorium  
85 regarding the activity covered herein;

86 **AND BE IT FURTHER ORDAINED** that nothing in this Ordinance shall be interpreted  
87 as waiving, or contradicting the City Council's authority or power to institute such a moratorium  
88 at any time, or to extend any such moratorium if necessary to protect the health, safety, and welfare  
89 of the City and its residents. This moratorium shall be effective immediately on the effective date.

90 ADOPTED by the City Council of Havre de Grace, Maryland this \_\_\_ day of April, 2022.

91 SIGNED by the Mayor and attested by the Director of Administration this \_\_\_ day of April, 2022.

92 ATTEST:

MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE

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97 Stephen J. Gannatoria  
98 Director of Administration

William T. Martin  
Mayor

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100 Introduced/First Reading: 4/4/2022  
101 Public Hearing: 4/18/2022  
102 Second Reading/Adopted:  
103  
104 Effective Date: