CITY COUNCIL
READ FILE COVER SHEET

Subject: **Ordinance 1086 concerning Amending Chapter 205 Zoning as it pertains to Accessory Dwelling Units**
(Public Hearing)

Date: **9/20/2022**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- ☐ FYI
- ☒ **Read and Comment as Needed**
- ☒ **Action Required by October 3, 2022**
- ☐ In Confidential File Drawer

Approve:

Casi Boyer ☐ Yes ☐ No ☐ No Comment
Comment: _____

Dave Martin ☐ Yes ☐ No ☐ No Comment
Comment: _____

Jim Ringsaker ☐ Yes ☐ No ☐ No Comment
Comment: _____

Jason Robertson ☐ Yes ☐ No ☐ No Comment
Comment: _____

Tammy Lynn Schneegas ☐ Yes ☐ No ☐ No Comment
Comment: _____

Carolyn Zinner ☐ Yes ☐ No ☐ No Comment
Comment: _____

Note: N/A

CITY COUNCIL

OF

HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1086

Introduced by Council Member Schneegas

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 OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CHAPTER 205 ZONING AS IT PERTAINS TO ACCESSORY DWELLING UNITS (ADU)

On: 9/19/2022

at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for 10/3/2022 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.

Public Hearing

BE IT DETERMINED, DECIDED, AND ORDAINED, AS FOLLOWS:

Chapter 205 Zoning shall be amended as follows, with words shown underlined to be added and those shown **[bold brackets]** to be deleted.

§ 205-9 Height, lot, yard townhouse and **[cottage dwelling]** accessory dwelling unit (ADU) requirements.

H. **[Cottage dwelling]** ADU requirements. An **[cottage dwelling]** ADU may be permitted by the Board of Appeals as a conditional use on a single lot in the R, R-1, R-2, RO and RB Districts, provided that the following provisions are met:

(1) The lot owner occupies one of the two dwellings on the lot as a principal residence.

(2) Occupants of the **[Cottage dwelling]** ADU shall park their vehicles off-street on the subject property; at least one off-street space shall be provided in addition to any off-street parking required for the main dwelling unit.

(3) No separate address will be assigned to the **[Cottage dwelling]** ADU.

(4) Attached ADUS cannot exceed 1,200 square feet.

(5) Detached ADUs are limited to the least of:
(a) 50% of the footprint of the house
(b) 10% of the total lot area; or
(c) 1,000 square feet of gross floor area

(6) All ADUs must meet the height, lot and yard requirements of this Chapter unless an existing accessory structure or existing part of the home is being converted to an ADU. This section does not apply to expansions of accessory structures or additions to existing homes.

(7) Entrance to the ADU must be accessed from the side or rear of the ADU unless the existing main entrance is used for both units.

(8) ADUs can only be used as short-term rentals as defined and regulated under Chapter 147 of the City Code.

(9) ADUs cannot be subdivided from the main property, sold fee simple, nor converted into a condominium or other form of conveyance for ownership or sale separate from the main structure.

(10) ADUs are subject to Capital Cost Recovery Fees per the methods prescribed in Chapter 196 of the City Code.

(11) ADUs in the City's designated Historic District must be reviewed by the Havre de Grace Historic Preservation Commission prior to meeting with the Board of Appeals.

Public Hearing

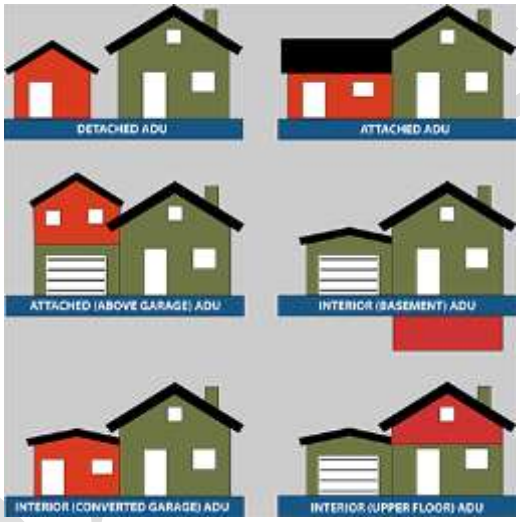
Recommendations by the Historic Preservation Commission may be used as conditions by the Board of Appeals when considering conditional use approval.

[(4)] (12) Such other conditions that the Board of Appeals may deem appropriate to a particular case.

[(5)] (13) Prior to the issuance of a use and occupancy permit by the City, the owner of the lot shall record a confirmatory deed that describes the foregoing conditions and limitations in the land records of Harford County.

§ 205-13 Definitions.

ACCESSORY DWELLING UNIT (ADU)
A residential living unit on the same parcel as a single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled dwelling (see example below).



[DWELLING, COTTAGE
A separate secondary dwelling on a single residential lot, subject to Board of Appeals approval as a conditional use.]

§205-19. Accessory uses and structures.

[E. One additional dwelling unit in single-family detached structures, provided that the total habitable floor area of the structure is at least 1,000 square feet.]

[F.] E.

§205-22. Accessory uses and structures.

Public Hearing

[E. One additional dwelling unit in single-family detached structures, provided that the total habitable floor area of the structure is at least 1,000 square feet.]

[F.] E.

§205-25. Accessory uses and structures.

[E. One additional dwelling unit in single-family detached structures, provided that the total habitable floor area of the structure is at least 1,000 square feet.]

[F.] E.

§205-28. Accessory uses and structures.

[E. One additional dwelling unit in single-family detached structures, provided that the total habitable floor area of the structure is at least 1,000 square feet.]

[F.] E.

[G.] F.

[H.] G.

In accordance with the provisions of the Maryland Ann. Code, Land Use Article, §4-203 and the City Charter requirements, this ordinance shall become effective no earlier than ten days after the close of the public hearing on the Zoning Code amendments set forth herein.

ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2022.

SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____, 2022.

ATTEST:	MAYOR AND CITY COUNCIL OF HAVRE DE GRACE
_____	_____
Stephen J. Gamatoria Director of Administration	William T. Martin Mayor

Introduced/First Reading: 9/19/2022
Public Hearing: 10/3/2022
Second Reading/Adopted:
Effective Date:

Legislative History
Ordinance No. 904, enacted 5/4/2009

Public Hearing

CITY COUNCIL
READ FILE COVER SHEET

Subject: **Ordinance 1087 concerning Amending Chapter 205 Zoning as it pertains to Lot of Record**

(Public Hearing)

Date: **9/20/2022**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- ☐ FYI
- ☒ **Read and Comment as Needed**
- ☒ **Action Required by October 3, 2022**
- ☐ In Confidential File Drawer

Approve:

Casi Boyer ☐ Yes ☐ No ☐ No Comment
Comment: _____

Dave Martin ☐ Yes ☐ No ☐ No Comment
Comment: _____

Jim Ringsaker ☐ Yes ☐ No ☐ No Comment
Comment: _____

Jason Robertson ☐ Yes ☐ No ☐ No Comment
Comment: _____

Tammy Lynn Schneegas ☐ Yes ☐ No ☐ No Comment
Comment: _____

Carolyn Zinner ☐ Yes ☐ No ☐ No Comment
Comment: _____

Note: Attached as supplemental information: Map of Residentially Zoned Properties by Area

CITY COUNCIL

OF

HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1087

Introduced by Council Member Schneegas

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 OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO AMEND CHAPTER 205 ZONING AS IT PERTAINS TO LOT OF RECORD

On: 9/19/2022

at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for 10/3/2022 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.

Public Hearing

BE IT DETERMINED, DECIDED, AND ORDAINED, AS FOLLOWS:

Chapter 205 Zoning shall be amended as follows, with words shown underlined to be added and those shown **[bold brackets]** to be deleted.

Section 205-3(E) Continuing existing uses and approvals.

E. Single-family detached dwellings on lots less than 8,000 square feet, which have been or may be constructed on lots created by virtue of deeds or of subdivision plats recorded in the land records of Harford County prior to March 15, 1982, shall be exempt from the single-family, residential lot specifications contained in Table I of this chapter, except where stated below: **[Parcels or lots of record, except those located on a lane or alley, shall also be exempt from the off-street parking requirements contained in Chapter 122.]**

1) Lot coverage shall not exceed 75% of the total lot area;
2) Setbacks are required to meet building standards for fire safety and other safety standards.

F. All parcels or lots created by virtue of deeds or of subdivision plats recorded in the land records of Harford County prior to March 15, 1982, except those located on a lane or alley, shall be exempt from the off-street parking requirements contained in Chapter 122.

In accordance with the provisions of the Maryland Ann. Code, Land Use Article, §4-203 and the City Charter requirements, this ordinance shall become effective no earlier than ten days after the close of the public hearing on the Zoning Code amendments set forth herein.

ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2022.

SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____, 2022.

ATTEST:	MAYOR AND CITY COUNCIL OF HAVRE DE GRACE
_____	_____
Stephen J. Gamatoria Director of Administration	William T. Martin Mayor

Introduced/First Reading: 9/19/2022
Public Hearing: 10/3/2022
Second Reading/Adopted:

Effective Date:

Legislative History
Ordinance No. 904, enacted 5/4/2009
Ordinance No. 1025, enacted 11/18/2019

Public Hearing

Table 1

City of Havre de Grace

TABLE I

PERMITTED USES (RESIDENTIAL)	Lot Type	Minimum Lot Area (sq.ft.)	Maximum Lot Coverage (percent)	Minimum Lot Width (feet)	Minimum Front Yard Setback (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Bldg. Height (feet)
SINGLE-FAMILY DETACHED								
R	A	15,000	40	100	25	15	40	40
R-1	B	10,000	40	75	15	10	40	40
R-2, RO, RB	C	5,000	40	50	15	5	25	40
Lane Frontage RO, RB	CC	2,700	50	30	15	5	25	40
DUPLEXES								
Over/Under R-2, RO, RB	AA	6,000	50	50	15	5	25	40
Side by Side R-2	BB	8,000	40	80	15	5	25	40
Side by Side RO, RB	AA	6,000	50	50	15	5	25	40
Semi-Detached								
R-2	DD	4,000	40	40	15	5 n.6	25	40
RO, RB	EE	3,000	50	25	15	5 n.6	25	40
TOWNHOUSES								
R-2, RO, RB	GG	1,920	60	24	15	NONE n.3	25	40
CONDITIONAL USES (RESIDENTIAL) n.1								
Single-family Detached								
R	B	10,000	40	75	15	10	40	40
R-1, R-2, RO, RB	D	5,000	50	25	NONE	NONE	25	60 n.2
DUPLEXES								
Over/Under R-2, RO, RB	DD	4,000	40	40	15	5	25	40
Side by Side R-2	AA	6,000	50	50	15	5	25	40
Side by Side RO, RB	HH	5,000	50	50	NONE	NONE	25	60 n.2
SEMI-DETACHED								
R-2	EE	3,000	50	25	15	5 n.6	25	40
RO, RB	JJ	2,500	50	25	NONE	NONE	25	60 n. 2

City of Havre de Grace

TABLE I

Residential Conditional Uses n.1 (continued)	Lot Type	Minimum Lot Area (sq.ft.)	Maximum Lot Coverage (percent)	Minimum Lot Width (feet)	Minimum Front Yard Setback (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Bldg. Height (feet)
TOWNHOUSES								
R-2, RO, RB	E	1,440 n.4	60	18 n.4	10	NONE n.3	25	60 n.2
MULTI-FAMILY								
R-2, RO, RB	F	10,000	50	100	15	15	40	80 n.2
ROOMING HOUSE								
R-2, RO, RB	FF	10,000	50	100	15	15	40	40
HOTEL, MOTEL								
Permitted C; Cond.RB	F	10,000	50	100	15	15	40	80 n.2
CHURCHES								
Permitted R, R-I, R-2, RO, RB	G	40,000	60	100	15	15	40	100
Permitted C; Cond. R-I, R-2, RO, RB	H	6,000	80	60	NONE	NONE	NONE	100
COMMUNITY FACILITIES	I	3,000	NONE	25	15	15	15	60
CLUBS	J	10,000	60	100	NONE	NONE	15	60
SCHOOLS	K	15,000	50	100	15	15	15	60
UTILITY STRUCTURES	L	NONE	50	NONE	15	5	5	60
PARKING FACILITIES	M	---	---	40	---	---	---	60
OFFICES, RETAIL STORES, BANKS, PERSONAL SERVICE SHOPS, FUNERAL ESTABLISHMENTS, RESTAURANTS, ANIMAL CARE FACILITIES, THEATERS								
Permitted	N	1,200	NONE	NONE	NONE	NONE	NONE	60
Conditional	O	400	NONE	NONE	NONE	NONE	NONE	60

City of Havre de Grace

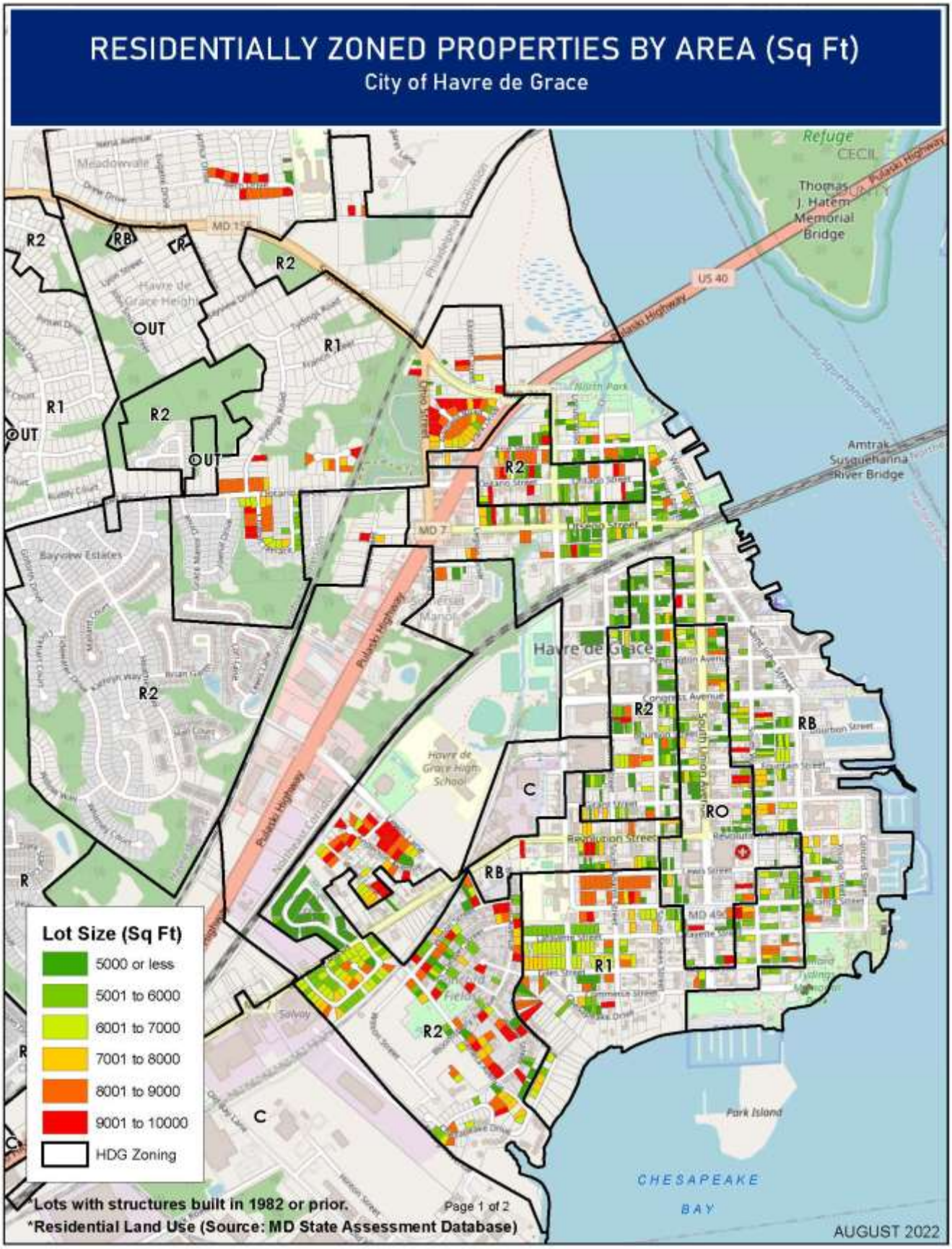
TABLE I

	Lot Type	Minimum Lot Area (sq.ft.)	Maximum Lot Coverage (percent)	Minimum Lot Width (feet)	Minimum Front Yard Setback (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Bldg. Height (feet)
HOSPITALS	P	12,000	60	100	15	15	30	100
MARINAS, GAS STATIONS, WHOLESALERS, STORAGE TOWERS, GREENHOUSES, OUTSIDE SALES, LABORATORIES, TERMINALS	Q	10,000	50	100	15	10	15	60
CONFERENCE CENTER	R	10 acres	50	100	15	15	40	80
HOTEL AND CONFERENCE CENTER	S	10 acres	50	100	15	15	40	80
GOLF COURSE	T	50 acres	NONE	100	15	15	15	60
AGRICULTURAL RETAIL	U	10 acres	NONE	100	15	15	15	40 n.5
AGRICULTURAL SERVICES	V	10 acres	NONE	100	15	15	15	40 n.5
AGRICULTURE	W	50 acres	NONE	100	15	15	15	40 n.5

NOTES:

1. All require approval by the Board of Appeals.
2. Yard setback requirements are increased by one foot for every two feet of building height in excess of 40 feet.
3. See "General townhouse requirements" Section for distances between building blocks as contained in the text of this chapter.
4. See also "Additional provisions for Conditional Use townhouse projects" Section as contained in the text of this chapter.
5. The height limitation shall not apply to silos or water towers. In no event shall such silo or water tower exceed 80 feet from grade.
6. No yard setback required at abutting or common walls.

Pub


RESIDENTIALLY ZONED PROPERTIES BY AREA (Sq Ft)
City of Havre de Grace
Lot Size (Sq Ft)
5000 or less
5001 to 6000
6001 to 7000
7001 to 8000
8001 to 9000
9001 to 10000
HDG Zoning
*Lots with structures built in 1982 or prior.
*Residential Land Use (Source: MD State Assessment Database)
Page 1 of 2
AUGUST 2022
Thomas J. Hatem Memorial Bridge
Amtrak Susquehanna River Bridge
Havre de Grace
CHESAPEAKE BAY
Park Island
R2
RB
R
OUT
R1
C
RO

RESIDENTIALLY ZONED LOTS BY AREA (sq ft)

Count of Lot Size	Column Labels						
Zoning	5000 or less	5001 to 6000	6001 to 7000	7001 to 8000	8001 to 9000	9001 to 10000	Grand Total
R1	48	56	46	30	70	29	279
R2	290	76	57	36	51	47	557
RB	226	60	32	23	16	8	365
RO	59	16	5	5	5	5	95
Grand Total	623	208	140	94	142	89	1296

*Lots with structures built in 1982 or prior.
*Residential Land Use (Source: MD State Assessment Database).

Page 2 of 2

CITY COUNCIL
READ FILE COVER SHEET

Subject: **Ordinance 1088 to Authorize Agreement with HDG Green Team for Food Forest**
(Public Hearing)

Date: **9/20/2022**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- ☐ FYI
- ☒ **Read and Comment as Needed**
- ☒ **Action Required by October 3, 2022**
- ☐ In Confidential File Drawer

Approve:

Casi Boyer ☐ Yes ☐ No ☐ No Comment
Comment: _____

Dave Martin ☐ Yes ☐ No ☐ No Comment
Comment: _____

Jim Ringsaker ☐ Yes ☐ No ☐ No Comment
Comment: _____

Jason Robertson ☐ Yes ☐ No ☐ No Comment
Comment: _____

Tammy Lynn Schneegas ☐ Yes ☐ No ☐ No Comment
Comment: _____

Carolyn Zinner ☐ Yes ☐ No ☐ No Comment
Comment: _____

Note: N/A

CITY COUNCIL

OF

HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1088

Introduced by Council Member Boyer

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 OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO ENTER INTO AN AGREEMENT WITH THE HAVRE DE GRACE GREEN TEAM LTD, AS IT RELATES TO A FOOD FOREST ON CITY PROPERTY AT TODD PARK

On: 9/19/2022

at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for 10/3/2022 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.

Public Hearing

WHEREAS, the Havre de Grace Green Team Ltd., an Internal Revenue Code 501c3 tax-exempt Maryland corporation, ("Green Team") in good standing, was established in April 2013 by a group of volunteers to review, evaluate, and implement sustainable green initiatives; and

WHEREAS, the Green Team's goal is to create a "Greener" more sustainable community within the City of Havre de Grace; and

WHEREAS, the Green Team and the City entered into a Memorandum of Understanding ("MOU") in June 2018 with respect to the operation of a Food Forest on City-owned property at Todd Park, and extended the MOU in September 2020; and

WHEREAS, the Green Team wishes to enter into an Agreement with the City of Havre de Grace to continue the food forest on City-owned property at Todd Park; and

WHEREAS, the use of Todd Park as a Food Forest to be maintained by the Green Team is consistent with the City's general purposes and in the aid of education and charity within the City;

NOW THEREFORE, it is this ____ day of _____, 2022 determined, decided and ordained by the Mayor and City Council that the Mayor is authorized to enter into an Agreement with the Havre de Grace Green Team, LTD, in a form substantially similar to that which is attached as **EXHIBIT A** to this Ordinance, for a period of two (2) years, at which time the Agreement may be renewed at the discretion of the Mayor and City Council of Havre de Grace.

ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2022.

SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____, 2022.

ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

_____

Stephen J. Gamatoria
Director of Administration

_____

William T. Martin
Mayor

Introduced/First Reading: 9/19/2022
Public Hearing: 10/3/2022
Second Reading/Adopted:

Effective Date:

Public Hearing

EXHIBIT A to ORDINANCE NO. 1088

City of Havre de Grace
711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078 410-939-1800
WWW.HAVREDEGRACEMD.COM

AGREEMENT BETWEEN HAVRE DE GRACE GREEN TEAM AND THE CITY OF HAVRE DE GRACE, MARYLAND

This Agreement ("Agreement") dated the ___ day of _____, 2022 is entered into by the Havre de Grace Green Team, Ltd., a charitable organization in good standing and organized under the laws of Maryland ("Green Team"), and the Mayor and City Council of Havre de Grace, a Maryland municipal corporation ("City"), for the purposes of defining the rights and responsibilities of each party with respect to the operation of a Food Forest by the Green Team on a parcel of land known as Todd Park owned by the City ("Food Forest"). Both parties agree to bind themselves according to the provisions of this Agreement to the extent this Agreement is not inconsistent with the City Code, City Charter or Maryland law.

The Green Team agrees to:

1. Provide $1,000,000 of liability insurance, naming the City of Havre de Grace, 711 Pennington Avenue, Havre de Grace, MD 21078 as additional insured for any claim arising from the operation of the Food Forest or execute a separate waiver of liability holding the City harmless for any injuries or damages arising out of the Green Team' s operation of the Food Forest which injuries or damages in anyway relate to the planting, maintenance, harvesting or consuming fruits or vegetables grown in the Food Forest.

2. Limit the planting and/or cultivation to non-invasive or non-intrusive plants, and annual/perennial edible plants, flowers, herbs and fruit trees and nut trees.

3. Supervision of the Food Forest will be the responsibility of the Green Team members.

4. Keep the Food Forest neat and orderly with no storage of gardening materials outside of a single storage shed which shed shall be approved by the City. A water tote as approved by the City, may also be permitted.

5. Be responsible for the pruning of trees and bushes, weeding of gardens, watering of all plants, and the harvesting of all fruits and vegetables.

6. The gardens and trees shall be planted in such a manner and configuration in the Food Forest as pre-approved by the Director of Public Works and such configuration shall not interfere with the City's general maintenance and upkeep of the public park.

7. Notify the Department of Public Works to schedule pick-up of any yard waste created by the operation of the Food Forest (i.e., tree limbs, weeds, spoiled fruit, etc.).

Public Hearing

8. The Food Forest will generally be available to the public from dawn to dusk, seven (7) days a week.

9. Monitor and secure the use of water to prevent waste of water supplied by the City.

10. Only use the water for the purpose of maintaining the trees, bushes and gardens.

The City agrees to:

1. Allow the Green Team to use approximately 2.63 acres of Todd Park, located on Seneca Avenue, for the purpose of planting and maintaining a Food Forest and vegetable garden available to the public.

2. Allow the Green Team to install signage explaining the food forest and identifying the plants therein.

3. Provide the Food Forest a reasonable source and volume of water in a manner most efficient and effective for the City provided that the volume of water provided under this Agreement may be reviewed by the City to determine the impact on City operations which may require modification of this Agreement.

4. Provide equipment and labor to assist the Green Team in the planting of trees and bushes, provided, however, that under no circumstances will overtime labor be provided by the City's employees, and provided further that the amount of labor required by this Agreement may be reviewed by the City to determine its impact on the City's operations which may require modification of this Agreement.

5. Provide woodchips when most efficient and effective for the City provided that the volume of woodchips provided under this Agreement may be reviewed by the City to determine the impact on the City's operations which may require modification of this Agreement.

This Agreement shall be for a term of two (2) years with an annual review to be presented by the Green Team by July 1st.

The City, at its sole discretion, may terminate this Agreement or amend any portion of the Agreement at any time and for any reason if it is deemed to be in the best interest of the City.

ATTEST:	HAVRE DE GRACE GREEN TEAM, LTD
_____	_____
ATTEST:	MAYOR AND CITY COUNCIL OF HAVRE DE GRACE
_____	_____
By: Stephen J. Gamatoria Director of Administration	By: William T. Martin Mayor

Public Hearing

Approved for legal sufficiency:

_____

April C. Ishak, City Attorney

Public Hearing

CITY COUNCIL
READ FILE COVER SHEET

Subject: **Ordinance 1089 concerning a Tax Waiver for 1830 Pulaski Highway**

(Public Hearing)

Date: **9/20/2022**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- ☐ FYI
- ☒ **Read and Comment as Needed**
- ☒ **Action Required by October 3, 2022**
- ☐ In Confidential File Drawer

Approve:

Casi Boyer ☐ Yes ☐ No ☐ No Comment
Comment: _____

Dave Martin ☐ Yes ☐ No ☐ No Comment
Comment: _____

Jim Ringsaker ☐ Yes ☐ No ☐ No Comment
Comment: _____

Jason Robertson ☐ Yes ☐ No ☐ No Comment
Comment: _____

Tammy Lynn Schneegas ☐ Yes ☐ No ☐ No Comment
Comment: _____

Carolyn Zinner ☐ Yes ☐ No ☐ No Comment
Comment: _____

Note: N/A

CITY COUNCIL

OF

HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1089

Introduced by Council President Ringsaker

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 OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO WAIVE A PORTION OF PROPERTY TAXES FOR PROPERTY LOCATED AT 1830 PULASKI HIGHWAY TAX ID NUMBER 06-002501

On: 9/19/2022

at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for 10/3/2022 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.

Public Hearing

WHEREAS, the property previously owned by Madori Properties LLC located at 1830 Pulaski Highway, Havre de Grace, Maryland ("Property") was annexed on February 5, 2018 by Annexation Resolution No. 283; and

WHEREAS, Khodal LLC acquired the Property in a third-party arms-length transaction which was recorded among the Land Records of Harford County at Liber 15378, folio 0039 on February 23, 2022; and

WHEREAS, due to delays and shutdowns as a result of the COVID state of emergency, the State of Maryland did not record the annexation in the State files until later in 2022, after the date the Property was transferred from Madori Properties LLC to Khodal LLC, and therefore no "City Property Tax" bills were ever mailed with respect to the Property from 2018 through 2021; and

WHEREAS, as no tax bills yet existed, the City tax could not be calculated and collected at the time of title transfer from Madori Properties LLC to Khodal LLC; and

WHEREAS, the City has already granted a waiver of tax to adjoining property owner Dorothy Lewis, whose property was annexed as part of the same 2018 annexation; and

WHEREAS, the State of Maryland notices of tax assessments have now caught up with the 2018 annexation and the referenced Property has been assigned a tax account number and updated tax bill for collection of City taxes; and

WHEREAS, Khodal LLC is on notice and will pay all City taxes assessed as part of the annexation for FY 2023 and going forward;

NOW, THEREFORE, due to the delay in State notification and challenging communications during COVID, it is determined, decided, and ordained by the City Council that the City will waive the City tax bill from FY 2018 through FY 2022 totaling $18,802.41 and all associated late payment penalties and interest for the Property with Tax ID 07-002501 and will begin the collection process with the new tax bill for FY 2023.

ADOPTED by the City Council of Havre de Grace, Maryland this __ day of _____, 2022.

SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____, 2022.

ATTEST:	MAYOR AND CITY COUNCIL OF HAVRE DE GRACE
_____	_____
Stephen J. Gamatoria Director of Administration	William T. Martin Mayor

Introduced/First Reading: 9/19/2022
Public Hearing: 10/3/2022
Second Reading/Adopted:

Effective Date:

Public Hearing