

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1103 concerning Approval of Extension of
Temporary Moratorium on Short Term Rentals
(Public Hearing)**

Date: **4/5/2023**

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 April 17, 2023
 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. 1103

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 AND THE LAND USE ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO EXTEND THE TEMPORARY MORATORIUM ON THE APPROVAL AND ISSUANCE OF PERMITS WITHIN THE CITY’S MUNICIPAL LIMITS FOR SHORT TERM RENTALS

On: 4/3/2023

at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for April 17, 2023 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.

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

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

35 **WHEREAS**, the City Council desired to review existing requirements of the
36 appropriateness of short term rentals in certain zoning districts in the City in light of the
37 proliferation of such uses in the City and surrounding areas; and

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

42 **WHEREAS**, the City needs time to determine how to incorporate the modern trend in
43 short term rentals consistent with the Comprehensive Plan in view of the positive housing market;
44 and

45 **WHEREAS**, by Ordinance No. 1072, the City Council established a six-month
46 moratorium on approval or establishment of short term rentals until the City had time to consider
47 a long term policy with respect to such rentals; and

48 **WHEREAS**, the moratorium expired by its terms on October 4, 2022; and

49 **WHEREAS**, by Ordinance No. 1084, the City Council extended the temporary
50 moratorium for six-months on approval or establishment of short term rentals until the City had
51 time to consider a long term policy with respect to such rentals; and

52 **WHEREAS**, the extended moratorium will expire by its terms on April 4, 2023; and

53 **WHEREAS**, the City would like to extend the moratorium to July 1, 2023 when Ordinance
54 No. 1098 will take effect.

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

- 57 1. For the purposes of this temporary moratorium, a short term rental shall be defined as
58 *“Any dwelling or portion thereof that is available for use or is used for*
59 *accommodations or lodging of guests, paying a fee or other compensation for a period*
60 *of less than thirty consecutive days.”* Short term rentals shall not include legally
61 permitted hotels and motels.
- 62 2. Nothing in this temporary moratorium shall restrict the continued use of existing short
63 term rentals, such as legally permitted bed and breakfast uses.

- 64 3. A temporary moratorium on the issuance of approvals or permits relating in any way
- 65 to short term rentals in Havre de Grace shall be implemented until July 1, 2023.
- 66 4. Purpose. The purpose is to extend the moratorium to July 1, 2023 when Ordinance No.
- 67 1098 will take effect.
- 68 5. New and pending applications. The City hereby declares a moratorium on the
- 69 application for, or issuance of, zoning permits or certificates of occupancy for short
- 70 term rentals until July 1, 2023.
- 71 6. For the period between April 4, 2023 and June 30, 2023, the City, the Planning
- 72 Commission, the Board of Appeals, the Department of Planning, and the Zoning
- 73 Administrator shall not permit, accept, process, interpret, deliberate upon, decide, or
- 74 approve any application for a short term rental subject to this Ordinance.
- 75 7. Effective date. This temporary moratorium shall be effective upon adoption of this
- 76 Ordinance.
- 77 8. Authority. This Ordinance was adopted in accordance with the authority authorized
- 78 under the Local Government Article and the Land Use Article of the Annotated Code
- 79 of Maryland and City Charter Sections 33 and 34.

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

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

87 ADOPTED by the City Council of Havre de Grace, Maryland this ___ day of ____, 2023.

88 SIGNED by the Mayor and attested by the Director of Administration this ___ day of ____,
 89 2022.

90 ATTEST: 91 92 93 94 _____ 95 Stephen J. Gamatoria 96 Director of Administration 97	MAYOR AND CITY COUNCIL OF HAVRE DE GRACE _____ William T. Martin Mayor
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98 Introduced/First Reading: 4/3/2023
 99 Public Hearing:
 100 Second Reading/Adopted:
 101 Effective Date: