

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1210 concerning Establishing Chapter 150
Sidewalk Policy**

(Public Hearing)

Date: **10/7/2025**

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 20, 2025

☐

In Confidential File Drawer

Approve:

Johnny Boker

☐ Yes

☐ No

☐ No Comment

Comment: _____

Casi Boyer

☐ Yes

☐ No

☐ No Comment

Comment: _____

Matthew Ellis

☐ Yes

☐ No

☐ No Comment

Comment: _____

Vicki Jones

☐ Yes

☐ No

☐ No Comment

Comment: _____

Jim Ringsaker

☐ Yes

☐ No

☐ No Comment

Comment: _____

Tammy Lynn

Schneegas

☐ Yes

☐ No

☐ No Comment

Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1210

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 ESTABLISH A
NEW CHAPTER 150 IN THE CITY CODE, TO BE TITLED
"SIDEWALK POLICY," CONCERNING THE REGULATION OF
PUBLIC SIDEWALK USE WITHIN THE 100 AND 200 BLOCKS OF
NORTH WASHINGTON STREET; PROVIDING FOR
ENFORCEMENT, AND PENALTIES; AND FOR OTHER
PURPOSES

On: October 6, 2025
at: 7:00 p.m.

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

PUBLIC HEARING

A Public Hearing is scheduled for October 20, 2025 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.

34 **WHEREAS**, the City of Havre de Grace recognizes the need to balance commercial activity with
35 public safety and accessibility on City sidewalks; and
36

37 **WHEREAS**, the use of public sidewalks for commercial purposes is a special privilege granted
38 by the City and not an inherent right; and
39

40 **WHEREAS**, it is in the public interest to establish a clear and enforceable policy to govern the
41 placement of commercial items, furniture, and signage on public rights-of-way;
42

43 **NOW, THEREFORE**, it is determined, decided, and ordained by the City Council that the
44 following is hereby approved.
45

46 **Chapter 150. Sidewalk Policy**

47

48 **150-1. Title and Scope**

49

50 A. This ordinance shall be known as the "Sidewalk Policy." The provisions of this chapter apply
51 exclusively to all public sidewalks located within the 100 and 200 blocks of North Washington
52 Street. The purpose is to regulate sidewalk use to ensure the health, safety, and welfare of the
53 community by maintaining clear and accessible pedestrian walkways while also allowing for
54 limited commercial activity. The use of public sidewalks for commercial activity, as outlined
55 in this chapter, is a special privilege granted by the City and is subject to the regulations herein.
56

57 B. If a conflict between Chapter 150 and other city code statutes exists, Chapter 150 shall prevail.
58

59 **150-2. Definitions**

60

61 A. **Business Owner:** Any individual, partnership, or corporation that operates a commercial
62 establishment adjacent to a sidewalk governed by this chapter.
63

64 B. **Sidewalk Zones:** The three designated areas of the sidewalk as defined in §150-3 of this
65 chapter.
66

67 **150-3. Sidewalk Zones and Regulations**

68

69 To ensure clear passage, all sidewalks within the designated area shall be divided into three distinct
70 zones, measured from the street-side edge of the main, undeviating linear curb. Where the curb is
71 deviated to accommodate stormwater management, landscaping or other obstacles, the zones shall
72 be aligned with the adjoining zones along the main curb. The placement of all items is restricted
73 to the portion of the sidewalk directly in front of the Business Owner's property and extending no
74 further than the boundary line of the property.
75

76 A. **Zone 1: Commerce Zone.** This zone is for the placement of outdoor furniture, tables, chairs,
77 items for sale, signs, and decorative items. Items must be placed at least 11 feet from the curb.

- 78 B. **Zone 2: Pedestrian Corridor Zone** This is the primary pedestrian walkway and must remain
 79 clear and unobstructed at all times. This zone extends from 5 feet to 11 feet from the curb. No
 80 items are permitted in this zone.
 81
- 82 C. **Zone 3: Signage Zone** This zone is for the placement of no more than one temporary sign per
 83 business which promotes the business and is placed directly in front of the Business Owner's
 84 area of sidewalk. Examples include an A-frame or sandwich board sign. The item must be
 85 placed at least 3 feet from the curb but no more than 5 feet from the curb and shall not be
 86 greater than 4 feet in height. Furniture and items for sale are prohibited in this zone.
 87

88 **150-4. General Provisions**

- 89
- 90 A. **Use and Occupancy Permit Required:** Only businesses that hold a valid Use and Occupancy
 91 Permit issued by the City of Havre de Grace for a physical building location are permitted to
 92 utilize the sidewalks as regulated by this ordinance.
 93
- 94 B. **Business Hours:** All items including signs placed on the sidewalk within Zone 3 may only be
 95 present during a business's operational hours. They must be removed from the sidewalk when
 96 the business is closed.
 97
- 98 C. **Emergency Removal:** The City, by order of the Mayor, may require the temporary removal
 99 of all items including signs from the sidewalk to preserve the public health, safety, and/or
 100 welfare. Business Owners who fail to comply with the order of the Mayor shall have their
 101 items removed and stored by the City at the Business Owner's expense.
 102

103 **150-5. Variance Provisions**

- 104
- 105 A. The Director of Planning, with the consent of the Director of Public Works, may grant a
 106 variance from strict application of this Chapter if the sidewalk in front of the business is less
 107 than 11 feet wide, as measured from the curb to the closest portion of the building and the
 108 Directors determine that the public health, safety and/or welfare is not adversely affected by
 109 the granting of such variance.
 110
- 111 B. The City shall review variance applications on a case-by-case basis to determine appropriate
 112 accommodations while still maintaining a safe and accessible pedestrian corridor zone.
 113

114 **150-6. Enforcement and Penalties**

- 115
- 116 A. Any violation of this chapter may result in a civil citation and/or monetary fines, issued by the
 117 City's Department of Planning.
 118
- 119 B. The City may remove non-compliant items without prior notice upon issuance of an order by
 120 the Mayor that emergency removal is warranted to protect the public health, safety and/or
 121 welfare.
 122

C. For violations of this policy, the City shall have the authority to abate and remove all items from the sidewalk in violation of this policy after written notice is given and the Business Owner fails to remove the items within twelve hours.

D. Violation and Penalty Schedule:

1. First violation: Written warning
2. Second violation within the preceding 12 months: An increased civil fine of \$150.
3. Third violation within the preceding 12 months: Revocation of the special privilege to use the sidewalk and a fine of \$150.

150-7. Indemnification

Any Business Owner placing items and/or signs on the sidewalk under this chapter agrees to indemnify, defend, and hold harmless the City of Havre de Grace, its officials, employees, and agents from any claims arising from the placement, use, or maintenance of said items and/or signs

150-8. Severability

If any provision of this chapter is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision.

ADOPTED by the City Council of Havre de Grace, Maryland this ___ day of ____, 2025.

SIGNED by the Mayor and attested by the Director of Administration this ___ day of ____, 2025.

ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

Christopher Ricci
Director of Administration

William T. Martin
Mayor

Introduced/First Reading: 10/6/2025

Public Hearing:

Second Reading/Adopted:

Effective Date: