

Introduction - May 14, 2014
Public Hearing – June 11, 2014
Adopted – June 25, 2014
Effective – July 16, 2014

ORDINANCE NO. 447

AN ORDINANCE TO AMEND THE TOWN OF ST. MICHAELS CRITICAL AREA MAP TO REFLECT MAPPING EFFORTS REQUIRED BY HOUSE BILL 1253. THE PROPOSED MAP REFLECTS NEW STATE DETERMINED SHORELINE AND LANDWARD BOUNDARIES OF TIDAL WETLANDS AND THE DELINEATION OF THE 1,000-FOOT CRITICAL AREA BOUNDARY BASED ON CURRENT AERIAL IMAGERY AND PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY; AND GENERALLY RELATING TO CRITICAL AREA LAND CLASSIFICATIONS.

WHEREAS, The Commissioners of St. Michaels (hereafter the "Town") is a Maryland municipal corporation empowered by Maryland Constitution, Art. 11-E (Municipal Corporations); by Maryland Code (1957) Art. 23A (Municipal Corporations), as amended; by Maryland Code (1957) Article 66B, as amended; by Maryland Code, Natural Resources Art., Title 8 (Waters), Subtitle 18 (Chesapeake And Atlantic Coastal Bays Critical Area Protection Program); and by the Charter of the Town of St. Michaels (hereafter the "Town Charter"); and

WHEREAS, the Town is governed by a body of five officials known as the Commissioners of St. Michaels (the "Town Commissioners"); and

WHEREAS, the Town Commissioners have adopted a codification of the Town Charter and all Town ordinances, known collectively as the Code of the Town of St. Michaels, Maryland (hereafter the "Town Code"); and

WHEREAS, the Critical Area Commission and the Department of Natural Resources have worked cooperatively to develop updated Critical Area Maps for Talbot County including the Town of St. Michaels; and

WHEREAS, the provisions of COMAR 27.01.11 established all aspects for the map update including source data, the mapping methodology and the updated map approval process; and

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WHEREAS, based on the specified criteria for map preparation, the Eastern Shore regional GIS Cooperative prepared the map, with Talbot County Department of Public Works and Town Staff reviewing said map; and finding that the map revealed only minor changes from that originally adopted by the Town (*See Attachment B*); and

WHEREAS, the aforementioned Regulations specify that the process of local approval shall be completed within 24 months of March 28, 2013 (*See Attachment B*); and

WHEREAS, in accordance with §340-87 A (Amendments to the Official Critical Area Maps) and §340-93 (Public Hearings) of the Town Code; public notice was published on May 29, 2014 and June 5, 2014, that a public hearing would be held by the Town Commissioners on June 11, 2014, concerning the change in the Town's Critical Area Map; and

WHEREAS, after having given due public notice, the Town Commissioners conducted a public hearing on June 11, 2014 to receive public comment on the aforesaid amendments.

SECTION 1.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that the Town of St. Michaels Critical Area Map shall be amended to reflect the changes as required by House Bill 1253 and the provisions of COMAR 27.01.11.

SECTION 2

AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance including Attachments A & B, shall take effect twenty (20) days from the date of its enactment, having been read at two (2) meetings of The Commissioners of St. Michaels and having been passed by a ye and nay vote of The Commissioners.

HAVING BEEN INTRODUCED, read for the first time, and ordered posted for public review at a Public Meeting of The Commissioners of St. Michaels held on the 14th day of May, 2014, at 5:00 o'clock p.m., in the meeting room at the Edgar M. Bosley, Jr. Municipal Building, (Town Office), 300 Mill Street, St. Michaels, Maryland.

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I HEREBY CERTIFY THAT A COPY OF THE ORDINANCE AS INTRODUCED WAS POSTED for public review in the lobby of the Town Office from 8:30 a.m. on the 15th day of May, 2014 to 8:30 a.m. on the 26th day of June, 2014.

_____(SEAL)
JEAN R. WEISMAN
Town Clerk / Manager

HAVING BEEN READ for the second time and passed by a yea and nay vote of The Commissioners of St. Michaels at a Public Meeting of The Commissioners of St. Michaels held on this 25th day of June, 2014, at 5:00 o'clock p.m., in the meeting room at the Town Office, St. Michaels, Maryland.

Borders	-	____yea____
Clark	-	____yea____
Harrod	-	____yea____
Myers	-	____yea____
Windon	-	____yea____

I HEREBY CERTIFY that the above Ordinance No. 447 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 25th day of June, 2014

ATTEST: THE COMMISSIONERS OF ST. MICHAELS

By: _____
_____(Seal) Jean R. Weisman, Town Clerk / Manager Joanne Clark, President

I HEREBY CERTIFY that an exact copy of this Ordinance, as adopted, was posted for public review from the 26th day of June, 2014, at 8:30 o'clock a.m. to the 15th day of July, 2014, at 8:30 o'clock a.m., in the lobby of the Town Office in St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No. 447 the date of its passage, its effective date and the fact that the entire text of the Ordinance may be read in the lobby of the Town Office, St. Michaels, Maryland, for at least twenty (20) days following the passage, has been published at least once each week for two (2) consecutive weeks following the passage of said Ordinance in a newspaper having general circulation in the Town of St. Michaels

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_____(Seal)
Jean R. Weisman, Town Clerk\Manager