

Introduction – August 8, 2018
Adopted - September 12, 2018
Effective - October 3, 2018

ORDINANCE NO. 496

ORDINANCE OF THE COMMISSIONERS OF ST. MICHAELS AMENDING THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 333 (WATERWAYS MANAGEMENT) AMENDING §333-10(D) BY AMENDING EXISTING LANGUAGE AND INSERTING NEW LANGUAGE REGARDING BOATLIFTS IN THE TOWN WATERS OF HIDDEN HARBOR

WHEREAS, the Commissioners of St. Michaels (the "Commissioners") are authorized by Md. Code Ann., Local Gov't §5-202 to enact such ordinances as it deems necessary to assure the good government of the Town, and to protect the health, comfort and convenience of the citizens of the Town; and

WHEREAS, the Code of the Town of St. Michaels, Maryland (the "Code") in its entirety was adopted by the Commissioners on June 8, 2006 and became effective on June 28, 2006; and

WHEREAS, pursuant to Ordinance No. 430, the Commissioners repealed and re-enacted Chapter 333 (Waterways Management) of the Code in its entirety; and

WHEREAS, the Commissioners recognize that the established character of Hidden Harbor, the bulk of whose waters lie outside the corporate limits of the Town of St. Michaels, are substantially different from the waters and character of the St. Michaels Harbor and that the presence of boatlifts in the waters of Hidden Harbor do not adversely affect the character thereof; and

WHEREAS, the Commissioners believe that with the proposed ordinance change, a balance between the rights of the Town's citizens, and residents outside the Town fronting on the waters of Hidden Harbor can be obtained.

NOW, THEREFORE BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF ST. MICHAELS that Chapter 333 (Waterways Management) of the Code of the Town of St. Michaels is hereby amended as follows, with new language shown in *italics* and underlined and deleted language shown in (parenthesis) and with a ~~strike through~~.

SECTION 1

Chapter 333 Waterways Management

§333-10. Prohibited acts.

The following acts are prohibited by this chapter:

- D. Boat lifts. Boat lifts are prohibited within a waterway *other than Hidden Harbor* except when operated at and in connection with a commercial boatyard or marina permitted by Chapter 340, Zoning, for the purpose of hauling vessels out of a waterway for repair and/or storage or for the securing of the fire/rescue vessel owned and operated by the St. Michaels Fire Department.

SECTION 2

AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance 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 yea and nay vote of The Commissioners of St. Michaels.

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 12th day of September, 2018 in the meeting room of the Edgar M. Bosley, Jr. Municipal Administration Building (Town Office), St. Michaels, Maryland.

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| BIBB | yea |
| BOOS | yea |
| HARROD | yea |
| GORMAN | yea |
| WINDON | yea |

I HEREBY CERTIFY that the above Ordinance No. 496 was passed by a yea and nay vote of The Commissioners of St. Michaels on the 12th day of September, 2018.

ATTEST

THE COMMISSIONERS OF ST. MICHAELS


Jean R. Weisman,
Town Clerk/Manager

BY:  (SEAL)
William E. Boos, President

I HEREBY CERTIFY that an exact copy of this Ordinance was posted from the 13th day of September, 2018 at 8:30 o'clock a.m. to the 2nd day of October, 2018, at 4:30 o'clock p.m., on the bulletin board at the Town Office in St. Michaels, Maryland, and that a summary of the aforesaid Ordinance No. 496, the date of its passage, its effective date and the fact that the entire text of the Ordinance may be read on the bulletin board 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.

Date: 10/4, 2018

 (Seal)
Jean R. Weisman
Town Clerk/Manager