



## The Mayor and Commissioners of the Town of Elkton

### Ordinance 4 - 2010

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BY: Mayor and Commissioners

Public Hearing: June 7, 2010 (Planning Commission)

Introduction: June 16, 2010 (Mayor and Commissioners)

Adoption: July 7, 2010

Effective: July 27, 2010

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#### AN ORDINANCE CONCERNING

#### ELKTON ZONING ORDINANCE

**FOR THE PURPOSE** of amending the Elkton Zoning Ordinance, Article XII, Supplementary Use Regulations, Section 19. Festivals, Events of Public Interest or Special Events, Occasional, Outdoor (22.20).

**WHEREAS**, XI-E, Constitution of the State of Maryland, Article 23A, Annotated Code of Maryland; Article 66B, Annotated Code of Maryland; and the Charter and Code of the Town of Elkton provide the authority under which the Mayor and Commissioners may adopt, repeal, and/or amend the ordinances of the Town of Elkton; and

**WHEREAS**, the Mayor and Commissioners adopted the Elkton Zoning Ordinance on November 8, 1994, amended from time to time thereafter, and

**WHEREAS**, the Elkton Planning Commission has proposed and recommended the hereinafter stated amendment to the Elkton Zoning Ordinance following their public meeting held on June 7, 2010, said public hearing being held in conformance with the requirements of the Elkton Zoning Ordinance, Article XIX.

**NOW, THEREFORE**, the Mayor and Commissioners of the Town of Elkton hereby ordain that:

Section 1: The Elkton Zoning Ordinance, Article XII, Supplementary Use Regulations, Section 19. Festivals, Events of Public Interest or Special Events, Occasional, Outdoor (22.20) shall be repealed; and

Section 2: The Elkton Zoning Ordinance, Article XII, Supplementary Use Regulations, Section 19. Festivals, Events of Public Interest or Special Events, Occasional, Outdoor (22.20) shall be amended, and shall read as follows.

## **Elkton Zoning Ordinance**

### **Article XII, Supplementary Use Regulations, Section 19. Festivals, Events of Public Interest or Special Events, Occasional, Outdoor (22.200)**

#### **Section 19. Festivals, Events of Public Interest or Special Events, Occasional, Outdoor (22.200)**

Occasional outdoor festivals or special events, including, but not limited to horse shows, carnivals, dog shows, arts and crafts shows, music festivals, etc., and seasonal business use may be permitted in any district by the Mayor and Commissioners provided that fees are paid and licenses obtained as required by Title 5, Chapter 5.04 of the Code of the Town of Elkton and further provided:

1. The proposed site shall be of sufficient size to accommodate the use without adversely affecting adjacent land uses.
2. No temporary sanitary facility or trash receptacle may be located within two hundred (200) feet of an existing dwelling; no tent shall be located within two hundred fifty (250) feet of an existing dwelling.
3. A drawing to scale shall accompany the application and shall accurately depict the standards of this section.
4. Non-recurring festivals or events shall not exceed seven (7) days in any twelve (12) consecutive months.
5. Seasonal business uses shall not exceed a total of ninety (90) days in any twelve (12) consecutive months.
6. A maximum continuous sound level of 60 db and a maximum peak sound level of 75 db shall not be exceeded adjacent to land used for residential purposes, and operations shall cease not later than 11:30 pm.
7. Activity areas shall be at least five hundred (500) feet from a residential district.
8. Vehicular access shall be derived only from an arterial or major collector.
9. A minimum of one parking space shall be provided for every five hundred (500) square feet of ground area.
10. In cases where it is deemed necessary, the Mayor and Commissioners may require the applicant to post a bond to ensure compliance with the conditions of the conditional-use permit.

11. If the permit applicant requests the Town to provide extraordinary services or equipment or it is otherwise determined that extraordinary services or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the Town a fee sufficient to reimburse the Town for the costs of these services. These requirements shall not apply if the event has been anticipated in the budget process and sufficient funds have been included in the budget to cover the costs incurred.

**DATE OF EFFECT**

**THIS ORDINANCE** shall be effective on the 27<sup>th</sup> day of July, 2010.

**IN WITNESS WHEREOF**, we have set our hands and seals, and adopted Ordinance 4-2010, attached hereto, this 7<sup>th</sup> day of July 2010.

**AFFIRMING**

Mayor Joseph L. Fisona  
Commissioner Charles H. Givens, Sr.  
Commissioner Charles E. Hicks, V  
Commissioner Mary Jo Jablonski  
Commissioner Earl M. Piner, Sr.