

TOWN OF ROCK HALL, MARYLAND

ORDINANCE NO. 2022-05

AN ORDINANCE concerning

Chapter 208 (Trailers) of the Code of the Town of Rock Hall, Maryland

FOR the purpose of amending Chapter 208 (Trailers) of the Code of the Town of Rock Hall to establish additional exceptions for the limited placement of certain trailers within the incorporated Town limits, subject to certain conditions, and to reclassify the penalty for violations of Chapter 208 of the Town Code; providing that the title of this Ordinance shall be deemed a fair summary, and generally relating to trailers in the Town of Rock Hall.

RECITALS

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-202 and § 501 of the Charter of the Town of Rock Hall (the "Charter"), the Council of the Town of Rock Hall (the "Council") is authorized and empowered to pass ordinances to assure the good government of the Town of Rock Hall (the "Town"); protect and preserve the Town's rights, property, and privileges; preserve peace and good order; secure persons and property from danger and destruction; and protect the health, comfort, and convenience of the residents of the Town; and

WHEREAS, pursuant to the foregoing authority, the Council has established regulations regarding the placement of trailers in the Town, which are set forth in Chapter 208 (Trailers) of the Code of the Town of Rock Hall (the "Town Code"); and

WHEREAS, the current regulations set forth in Chapter 208 of the Town Code prohibit trailers, including motor homes and recreation vehicles, within the incorporated limits of the Town, with limited exceptions; and

WHEREAS, the Council, for the good and welfare of the community, deems it necessary and appropriate to amend Chapter 208 (Trailers) of the Town Code for the purpose of establishing additional exceptions for the limited placement of trailers and to reclassify the penalty for violations of Chapter 208 of the Town Code.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Town of Rock Hall that:

SECTION 1. Chapter 208 (Trailers) of the Code of the Town of Rock Hall be and it is hereby amended as follows:

§ 208-2. Trailers of any description prohibited.

- A.** No trailer of any size, shape or description, including motor homes or recreation vehicles, shall be allowed to be driven, placed or otherwise situated on any lot, lots or other ground within the incorporated limits of the Town of Rock Hall.
- B.** This restriction shall not be applicable to any previously recognized trailer court or other similar establishment, nor shall it be applicable to any trailer previously and individually located within said corporate limits; but it shall be applicable to any trailer as aforesaid which, although already located, is attempted to be moved to another location within said incorporated limits. This shall not apply to such recreation vehicles which are parked or stored on premises within the Town of Rock Hall, provided that such vehicles are uninhabited.
- C.** These restrictions shall not be applicable to motor homes or recreation vehicles within the incorporated limits of the Town of Rock Hall for which a license for temporary parking and habitation has been issued by the Town Manager in connection with a Town-sanctioned special event; provided, however, that such license shall be valid for no more than five days, and further provided that the location of the motor home or recreational vehicle is subject to the Town Manager's approval. Standalone generators are not permitted between 10:00 p.m. and 7:00 a.m., notwithstanding any provisions of Chapter 155 (Noise) of the Code to the contrary.
- D.** These restrictions shall not be applicable to motor homes or recreation vehicles within the incorporated limits of the Town of Rock Hall for which a license for temporary parking and habitation has been issued by the Town Manager in connection with a house fire, flood, hurricane, or similar emergency; provided, however, that such license shall be valid for no more than six months unless otherwise approved by the Council, and further provided that the location of the motor home or recreational vehicle is subject to the Town Manager's approval. Standalone generators are not permitted between 10:00 p.m. and 7:00 a.m., notwithstanding any provisions of Chapter 155 of this Code to the contrary.

§ 208-3. Violations and penalties.

Violations of this chapter shall be punishable as a **Class E** municipal infraction, **subject to Chapter 153 (Municipal Infractions) of the Code.** ~~[Violators shall be subject to a fine not to exceed \$100. Repeat offenders may be assessed a fine not to exceed \$200 for each offense.]~~ **Each day a violation continues shall be considered a separate offense and subject to a separate fine.**

SECTION 2. The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. In this Ordinance, unless a section of the Code is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text

is crossed out and enclosed in brackets. Substantive language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

This Ordinance was introduced at a public meeting of the Council of the Town of Rock Hall, held on the 10th day of November, 2022 and having been reviewed and considered for final action after a public hearing on the 8th day of December, 2022, was duly passed and enacted on the 8th day of December, 2022.

THIS SPACE INTENTIONALLY LEFT BLANK

AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF ROCK HALL, MARYLAND, that this Ordinance shall become effective on the 28th day of December, 2022.

VOTE:

YEAS: 5

NAYS: 1

ABSTAINING: 1

Dawn Jacobs yes
Dawn Jacobs, Mayor (VOTE)

Carolyn Jones yes
Carolyn Jones, Vice Mayor (VOTE)

Timothy Edwards yes
Timothy Edwards, Councilmember (VOTE)

Eleanor Collyer yes
Eleanor Collyer, Councilmember (VOTE)

James Cook yes
James Cook, Councilmember (VOTE)

Approved as to form:

Patrick W. Thomas
Patrick W. Thomas, Town Attorney

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Patrick W. Thomas, Town Attorney