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I, [redacted] do swear (or affirm) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the constitution and laws thereof; and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice execute the office of St. Michaels Town Policeman (or patrolman) according to the Constitution and the Laws of this State, and such ordinances as the Commissioners of St. Michaels shall from time to time enact, and such rules for the conduct and behavior of the patrolman of the Town of St. Michaels as the Commissioners of St. Michaels shall enact.

And I believe in the existence of God.

Robert Wayman
Walter W Seyler
J. H. Spedden

William T. Faddoy
Julian B Rose
William J. Giffith
James H. Irwin
~~Edwin L. Sprouse~~

There will be a meeting of the representative leaders of the Tricofields, Rays Point, Rio Vista and surrounding estate areas to which there will now be invited representation of the Beverly and Bentley Hay areas.

Their purpose will be to decide the combined areas response to the action of this Town leadership on 10 October in regards to Zoning. I am not here to discuss details of that ordinance in any way, but only to ~~[illegible]~~ ask some questions and - hopefully - receive some answers that will clarify the Town position and what our own future posture must be.

Inquiry made yesterday, October 23rd, of the Town Clerk indicated that the Board of Appeals membership has not yet been appointed or confirmed by the Town Commissioners. Since your present ordinance does not require all members to be citizens of town proper, it is our hope that the estimated 800 persons living within the one mile area will receive proportionate representation on the board with the town 1500.

As was clearly indicated in our letter of 9/7/72 to each commissioner it is not the wish of the responsible leadership of the areas represented, to precipitate an open-civil war type of conflict in the courts and public news

media. As was expressed in that letter many of us would hope to see this town grow by annexation and share in the tax costs and personal committment — and the economies — of one single municipal corporation. Many — including myself — were born and reared here and have deep familial-emotional committment to the township.

We would far rather heal our differences than be forced to defend what we feel are our rights. If forced to attack we would, because of our loyalties to the town, be forced to focus our assault on its present leadership. The many our friends We would certainly gain allies within the corporate limits

and most probably cause a schismatic reaction with respondant bitterness within the town itself. all this Regardless of the outcome in civil court — the political growth of the area might well be arrested for years.

This is not our wish! But, it may well already be an unavoidable consequence. There will be an immediate appeal to the Board of Appeals of the unacceptable elements of the present zoning ordinance and official map. If any building permits are issued for the questioned industrial, maritime residential, or comercial areas prior to your appointment of the Board of Appeals an immediate ~~injunction~~ restraining order ~~would~~ be sought

in the Circuit Court under Article 66B, Title 2, Annotated Code of Maryland.

If there is an unfavorable response to our requests of the Board of Appeals, the individual property owners will be polled to determine their individual preferences for the following alternatives and to vote to:

choice (a) to cease and desist further action

choice (b) to carry our case to the Circuit court and if necessary the court of appeals - and indicate the amount of the family's financial pledge toward legal fees and court costs.

choice (c) to favor avoidance of court costs and risks and to favor immediate municipal incorporation - giving his name, residence, location and assessed valuation of his property to determine if the

20% of registered voters and 25% of assessed valuation of the area could be met as required under Article 23 A Section 21 of the annotated code of Md.

(d) to prefer choice B first and if that result is unfavorable then to favor choice C.

It would be hoped that the will of the majority would be respected by the other community members. However, any individual aggrieved citizen, at his individual expense would remain entitled to choice B – regardless of the outcome of a community poll.

Question (1) - Did the towns attorney, as he was requested to do by our attorney, clearly indicate to each town commissioner our intent to carry this dispute to the courts if necessary?

<u>Was any other legal consultation sought?</u>

(2) Has the town attorney made it clear to each commissioner that if court action is forced and the plaintiffs can convince the court of negligence, bad faith or malice in making the decision appealed from that COSTS may be allowed <u>against the Board</u> and [redacted] would fall upon the town taxpayer not the plaintiff. (4.08 of paragraph (c) article 66 B Ind Code.)

Question 3 Has the town attorney brought to the Commissioners attention the State Dept. of Assements and Taxation letter of May 19, 1972 to all Supervisors of Assessments regarding Senate Bill 367, 1972 Legislature Session. This relates to rezoning of land and the fact that doing so other than at the request of the owner a person having a property interest in the land has a direct effect on depriving the subdivision, county, and state of otherwise legally due tax income.

Question (4) Presumably in order to prevent such tax loss and limit any collusion.

Article 66B Section 405 subparagraph (d) as specifically relating to Talbot County clearly states that after June 1st, 1971 "any incorporated town of Talbot County must give no less than (7) seven days notice to, and consult with, the planning and zoning commission of Talbot County concerning any proposed changes in existing planning/or zoning of land lying within one mile of the corporate boundaries of any such incorporated town.

? Did the town attorney so inform the commissioners before they approved the present official maps.

If so, why was consultation with the county zoning board not carried out? As of last evening at least three of the members of the county Board had no knowledge that any zoning changes were being proposed.

chosen. I thank you for your time and attention

Keeping of Animals or Fowl in Other Than Stockyards. Any person who keeps or desires to keep or intends to engage in the business of keeping any animals or domestic fowl or tame birds or reptiles within the incorporated limits of any municipality or within the limits of any recognized community shall register that fact with the health department, and also give information as to the number and kind of animals, birds, fowl or reptiles to be so kept with the health department unless specifically exempted under these regulations, and shall be held responsible by the health officer, whether exempted or not, for the maintenance of all such premised in a clean and sanitary condition in conformance with all applicable provisions of the sanitary code.

Exceptions to registration required above shall be made whenever:

a. The animal kept or to be kept as a pet, dog, cat, rabbit, or similar animal commonly called a pet, owned by a person residing on the premises, does not exceed a total of two over four months old, and is not an animal or fowl, or a reptile prohibited under this or any other section of the sanitary code.

b. The animals or fowl are kept or to be kept on premises 1 acre or more in area and intended to be used only for private use and not for any business, sale or hire.

c. The animals, fowl, birds or reptiles are kept in a zoological garden or similar exhibition place under ownership and supervision of a public agency.

d. Animals or fowl are kept in approved laboratories for experimental purposes.

e. Animals or fowl are kept or maintained on a farm.

In addition to permits otherwise required under the sanitary dode and except for the exemptions named above, a specific permit shall be obtained from the health officer for the keeping of animals or fowl within any municipality or recognized community as follows:

a. The keeping of one or more swine, sheep, goats, horses, asses, donkey, mules, ponies, cows, or animals raised for fur-bearing purposes.

b. The keeping of more than 20 chickens or pigeons over 4 months old.

c The temporary keeping of domestic animals for the purpose of shoeing.

d. The shelter of large domestic animals temporarily or permanently in such places as stables, stalls, barns or paddocks.

e. The keeping of more than six dogs or cats over 6 months old.

f. The keeping of more than two rabbits or guinea pigs more than 4 months old.

g. The keeping of more than two ducks, geese or turkeys over 4 months old

No person may keep any animal, fowl or reptile in or on any premises where such keeping is prohibited by law or ordinance of any municipality; or is prohibited as a use of property by the zoning commission; or is prohibited by a regulation of the building inspector, fire prevention bureau or any other governmental authority having competent jurisdiction.

The following are specific prohibitions within the area of jurisdiction:

a. No person other than a zoological garden owner may keep a poisonous reptile of any kind or a wild animal with vicious propensities on any premises.

b. No person may be issued a permit to keep any animal or fowl, the keeping of which requires a special permit unless:

1. The animal or fowl were being kept on such premises in compliance with the sanitary code and without nuisance prior to the passage of this section.

2. The animal or fowl can be kept on premises in compliance with all applicable provisions of the sanitary code in area where not more than three dwelling units or rooming units or a combination of either totaling three were within 100 ft. of the structure, housing such animal or fowl at the time the permit was applied for.

Keeping of Animals or Fowl in Other Than Stockyards. Any person who keeps or desires to keep or intends to engage in the business of keeping any animal or domestic fowl or tame birds or reptiles within the incorporated limits of any municipality or within the limits of any recognized community shall, at their own expense, obtain a permit, upon such forms, and give information as to number and kind of animals, birds, fowl or reptiles to be so kept with the health officer; but unless specifically excepted under these regulations, one shall be held responsible by the health officer, whether owner or not, for the maintenance of all such premises in a clean and sanitary condition in conformance with all applicable provisions of the sanitary code.

Exceptions to registration required above shall be made however:

a. The animal kept or to be kept as a pet, dog, cat, rabbit, or similar animal commonly called a pet, owned by a person residing on the premises, does not exceed a total of two over four months old, and is not an animal or fowl, or a reptile prohibited under this or any other section of these ordinances.

b. The animals or fowl are kept or to be kept on premises located in areas and intended to be used only for pasture and/or for any purpose in agriculture or farming.

c. The animals, fowl, birds or reptiles are kept in a zoological garden or exhibition place under ownership and supervision of a qualified person.

d. Animals or fowl are kept in approved laboratories for experimental purposes.

e. Animals or fowl are kept or maintained on a farm.

In addition to permits otherwise required under the sanitary code and except for the exceptions noted above, a specific permit shall be obtained from the health officer for the keeping of animals or fowl within any municipality or recognized community as follows:

a. The keeping of one or more swine, sheep, goats, horses, asses, donkey, mules, ponies, cows, or similar related for the same purposes.

b. The keeping of more than 20 chickens or pigeons over 3 months old.

c. The temporary keeping of domestic animals for the purpose of sheltering such animals, when the keeping of such animals is not permanently at such place as shelter, stable, barns or kennels.

d. The keeping of more than six dogs or cats over 3 months old.

e. The keeping of more than two rabbits or similar size more than 3 months old.

f. The keeping of more than two ducks, geese or turkeys over 3 months old.

No person may keep any animal, fowl or reptile in or on any premises where such keeping is prohibited by law or ordinance of any municipality, or is prohibited as a nuisance of property by the county health officer; or is prohibited by regulation of a building inspector, fire prevention officer or any other governmental authority having competent jurisdiction.

The following are specific prohibitions within the area of jurisdiction:

a. No person other than a zoological garden owner may keep a poisonous reptile of any kind or any wild animal with violent propensities on any premises.

b. No person may be issued a permit to keep any animal or fowl, the keeping of which requires a special permit unless:

1. The animal or fowl were being kept on such premises in compliance with the sanitary code and without nuisance prior to the passage of this ordinance.

2. The animal or fowl can be kept on premises in compliance with all applicable provisions of the sanitary code in such place as not more than five dwelling units or rooming units or a combination of rooming units and dwelling units within 100 ft. of the structure housing such animal or fowl at the time such permit was applied for.

c. No person requiring a permit to keep animals whose premises now areor subsequent to the adoption of these regulations become a part of a municipality by annexation, may reapply gor such permit applicable to such premises after any permit held under the provisions of a. or b. above has been revoked by the health officer, and;

1. No animal or fowl on or in such premises may be restocked from sources outside the premises unless authorized to do so by the health officer.

2. Whenever premises come within a restricted area wherein the keeping of such animals or fowl is prohibited by reason of zoning, fire, or other such ordinance as specified above, or whenever such premises become a nuisance for reasons beyond the permit holder's control, the health officer shall give notice of intention to revoke the permit for keeping animals or fowl applicable to such premises and shall specify a time limit not exceeding six months from date of issuance of the notice for disposal or removal of all prohibited animals or fowl from such premises, and the permit shall automatically be revoked at the close of business on the last day specified for the expiration of the time limit.

3. Whenever a chicken coop, dove cote, dog kennel, rabbit warren, or other yard or establishment where small animals or fowl are kept shall be maintained closer than 40 feet to any tenement or apartment house, hotel, restaurant, boarding house, retail food stores, building used for school, religious or hospital purposes, or residence other than that occupied by the owner or occupant of the premises upon which said creatures are kept, the permit shall be revoked.

Every stable or other building wherein any animal such as swine, sheep, g goats, horses, asses, donkeys, mules, ponies, cows or animals raised for fur-bearing purposes is kept shall be constructed of such material and in such manner that it can be kept clean and sanitary at all times.

a. Every such stable or other building occupied by authority of a special permit shall be provided with a watertight and fly tight receptacle for manure, of such dimension as to contain all accumalations of manure, which receptacle shall be emptied sufficiently often and in such manner as to prevent its becoming a nuisance. Said receptacle shall be kept securely covered at all times except when open during the deposit or removal of manure or refuse. No manure shall be allowed to accumulate except in such receptacle.

b. The health officer shall require such measures as are necessary to avoid a nuisance, and shall require that any such building be screened tightly against flies, and that it be provided with running water, sewer drain connection flooring impervious to water, and that such other measures be taken as may be necessary ti insure proper protection to public health and safety and compliance with the sanitary code as conditions precedent to the issuance of any such special permit.

All structures, pens, coops, or yards wherein small animals or fowl are kept or permitted to be kept, shall be maintained in a clean and sanitary condition, devoid of all rodents and vermin, and free from objectionable odors,

a. The interior walls, ceilings, floors, partitions, and appurtenances of all such structures shall be whitewashed or painted annually or oftener as the health officer shall direct.

b. The health officer, upon the complaint of any individual or person, shall inspect any such structure or premises and issue any such order as may be necessary to carry out the provisions of this code.

No person shall suffer or permit any horses, mules, donkeys, ponies, cattle, sheep, goats, swine, rabbits, chickens, geese, ducks or turkeys of which he is the owner, caretaker or custodian to be at large within a municipality. Any such creature shall be deemed to be at large when it shall be off the premises owned or rented by its owner and unaccompanied by the owner or an agent or employee of the owner, the caretaker, or the authorized custodian.

c. 75 percent requiring a permit to keep animals whose presence has already announced to the adoption of these regulations because a part of a municipality by annexation, may apply for such permit applicable to such premises or any permit held under the provisions of s. on b. above has been revoked by the health officer, and:

1. To animal or fowl so in such premises may be restrained from nuisance outside the premises unless authorized to do so by the health officer.

2. Whenever premises come within a residential area because of keeping of such animals or fowl is prohibited by reason of zoning, fire, or other such ordinance as specified above, or whenever such premises become a nuisance for reasons beyond the permit holder's control, the health officer shall give notice of intention to revoke the permit for keeping animals or fowl applicable to such premises and shall specify a time limit not exceeding six months from date of issuance of the notice for a hearing on revoking the prohibited animals or fowl from such premises, and the permit shall automatically be revoked at the close of business on the last day specified for the expiration of the time limit.

3. Whenever a chicken coop, dove cote, dog kennel, rabbit warren, or other yard or establishment where small animals or fowl are kept shall be maintained closer than 50 feet to any tenement or apartment house, hotel, restaurant, boarding house, retail food stores, building used for school, religious or hospital purposes, or residence other than that occupied by the owner or occupant of the premises upon which said creatures are kept, the permit shall be revoked.

Every stable or other building wherein any animal such as swine, sheep, goats, horses, asses, donkeys, mules, ponies, cows or animals raised for food-bearing purposes is kept shall be constructed of such material and in such manner that it can be kept clean and sanitary at all times.

Every such stable or other building, constructed of substitute of a special permit shall be provided with a watertight and fly tight receptacle for manure, of such dimension as to contain all accumulations of manure, which receptacle shall be emptied sufficiently often and in such manner to prevent its becoming a nuisance. This receptacle shall be kept securely covered at all times except when open during the deposition or removal of manure or refuse. No manure shall be allowed to accumulate except in such receptacle.

b. The health officer shall require such measures as are necessary to avoid a nuisance, and shall require that any such building be screened with fly resistant filter, and that it be provided with running water, sewer drain, concrete floors, impervious to water, and that such other requirements be taken as may be made any it issue proper protection to public health and safety and compliance with the sanitary code as publishing precedent to the issuance of any such special permit.

All structures, yards, coops, or yards wherein small animals or fowl are kept or permitted to be kept, shall be maintained in a clean and sanitary condition, devoid of all rodents and vermin, and free from objectionable odors.

c. The interior walls, ceilings, floors, partitions, and appurtenances of all such structures shall be whitewashed or painted annually, or otherwise as the health officer shall direct.

d. The health officer, upon sworn complaint of any individual or person shall inspect any such structures or premises and issue his order as may be necessary to carry out the provisions of this code.

No person shall further or permit any horses, mules, donkeys, ponies, goats, sheep, swine, muskrats, opossum, coyote, snake or turkeys of which he is the owner, attendant or custodian to be at large within a municipality. Any such creature shall be deemed to be at large when it shall be off the premises owned or rented by the owner and unaccompanied by the owner or an agent or servant of the owner, the keeper, or the authorized custodian.

No manure shall be dumped or left unsupervised on any street, alley, sidewalk, or on any open area or lot in any inhabited portion of any municipality. Neither shall any manure be used to grade in whole or in part any sidewalk, street or public area in such municipalities unless said manure be completely covered with at least 4 inches of dirt.

No waste vegetable matter or animal matter, used for the feeding of swine sheep, goats, cows, chickens, geese, or ducks, shall be cooked within the city limits.

NOTICE

The Commissioners of St. Michaels have entered into a contract with Tri-County Services, Inc. for collection of garbage and trash in the Town of St. Michaels. The garbage and trash to be collected are subject to the following conditions:

(a) Fiber boxes, hedge cuttings and trimmings shall be cut up to not more than four (4) ft. in length and tied in bundles not exceeding 60 lbs.

(b) Newspapers and magazines shall be tied in bundles of not more than 30 lbs.

(c) Grass and leaves shall be placed in baskets of not more than one bushel capacity.

(d) Hot ashes or coals in containers will not be collected.

(e) Building materials, explosives, poisons, acids, caustics, dirt, sod or stone will not be collected.

(f) Garbage and trash will not be collected if in containers larger than specified below:

(1) For garbage alone - not more than 20 gals.

(2) For trash - not more than 20 gals., with total weight of trash containers full not exceeding 60 lbs.

(g) Garbage and trash will not be collected unless placed within reasonable distance of the curb line of the streets and accessible to the streets.

(h) Maximum pick up at any unit stop on the day appointed for collection of garbage shall be two 20 gal. trash cans, one 60 lb. bundle of cartons, two 30 lb. bundles of paper and magazines, two one bushel baskets of grass and leaves, and one 60 lb. bundle tree trimmings or hedge cuttings.

(i) The following are designated as a unit stop:

(1) One house unit.

(2) Commercial building, each separate business a unit.

(3) Building used for apartment purposes, each separate apartment a unit.

As of February 1, 1963, the dump on Dodson Avenue will be closed.

COMMISSIONERS OF ST. MICHAELS

ST. MICHAELS, MARYLAND

Dear Property Owner:

It is now necessary for us to call to your attention that all property owners along the line of the sanitary sewer system were allowed three years from July 23, 1953 to make the required connection as set forth under Ordinance #78.

The time allowed for such connections expired on July 23, 1956 and upon checking our records we are sorry to find that you have not complied with this Ordinance.

We are hopeful that we shall not be compelled to take additional steps in seeing that this Ordinance is enforced, and that you will immediately proceed to make the proper connection to this system, which we can assure you will save both you and the town additional expense.

Very truly yours,
Commissioners of St. Michaels

COMMISSIONERS OF ST. MICHAELS

ST. MICHAELS, MARYLAND

To The Residents of Rio Vista and Bentley Hay:

Several years ago the Commissioners of St. Michaels were requested by some of the residents of the Rio Vista and Bentley Hay subdivisions, outside of the corporate limits of St. Michaels, to furnish their areas with garbage collection service.

This request was granted and a fee was set. At that time the petitioners were informed that collections would be made on certain days, twice weekly, when this operation did not interfere with necessary, usual or emergency demands on the Town employees but that we would not intentionally neglect the collection of garbage from these areas.

At times this service has been interrupted through no fault or by deliberate neglect of the Town. We have received many complaints at times, some very harsh and abusive.

We do not wish to penalize some people because of the actions of others. We expect justified complaints but if we continue to receive complaints made in the manner aforesaid we will be forced to discontinue garbage collection in these areas.

We know that this service has been given at no profit to the Town. The residents of these subdivisions can perhaps work out an arrangement with a private collector.

We would appreciate it if any resident who is not satisfied with the service given by the Town and who wishes to discontinue it, would notify us.

Very truly yours,
Commissioners of St. Michaels

NOTICE TO ALL OWNERS

OF

ANIMALS OR FOWLS

Ordinance No. 90, enacted July 14, 1964 regulates animals and fowl running at large, provides for impounding, and for the sale or disposition of impounded animals.

The ordinance states that **no animal or fowl, either licensed or unlicensed, shall run at large** on the streets of St. Michaels. Any person finding any animal or fowl on his property may take up same and hold it for disposal by the Police Dept.

The police can return the animal or fowl to its owner if the owner can be found. If not, the police will take the animal or fowl to the nearest animal shelter and a warrant of arrest will be served on the owner for permitting the animal or fowl to go at large. The fine shall not exceed $25.00 or imprisonment in the County Jail not exceeding 7 days, or both.

If the owner cannot be located within 24 hours after the impounding time, the animal or fowl will be disposed of. In the event the animal or fowl cannot be caught, the designated officer will have the authority to destory it.

All dogs kept or permitted to live within the corporate limits of St. Michaels must be licensed by July 1st, 1971. Licenses can be purchased in the Town Office and are for a period of one year. Dog licenses cost $1.50 for dogs and $2.50 for bitches.

To allow a pet to run at large is a nuisance and dangerous to the public health and safety of the residents of St. Michaels.

Beginning August 1, 1971, an officer will be designated with the authority to catch and impound, or destroy all animals running on the streets and in the parks.

Protect your pet and your family — license your dog and keep him or her on your own property.

TOWN COMMISSIONERS

Proposed Ordinance For Planning and Zoning
Of Talbot County

The following is the complete text of the proposed ordinance (and appendix) for the Planning and Zoning of Talbot County to be considered at a public meeting to be held by the County Commissioners of Talbot County in the Easton Armory at 2 P. M., Saturday, May 16th, 1953, as provided by law. Interested persons may obtain copies of the ordinance and proposed zoning maps upon request at the office of the Talbot County Planning and Zoning Commission in the County Building, Easton.

Zones

For the purpose of these regulations, Talbot County — not including incorporated towns — is hereby divided into five (5) zones as follows:

Zone A — Farming
Zone B — Waterfront (including waterfront petition)
Zone C — Suburban
Zone D — Commercial
Zone E — Industrial

Maps

The locations of zones are shown on a set of maps and these maps are made a part of this ordinance.

Section I — General Provisions

Uses permitted in any zone

Agricultural uses and accessory buildings.
Boarding houses.
Churches.
Dwelling single family, guest-house, employee housing.
Home occupations.
Professional office.
Public building.
Signs (See Appendix, Section XII)
Special exceptions (See Appendix, Section X)

Minimum setback in any zone

There shall be a minimum building set-back line,—

(a) An all state highways of fifty (50) feet, measured from the right-of-way line, or the future right-of-way line, as shown on Master Plan.
(b) On all county roads and subdivision streets of fifty (50) feet from the center of the road.

Subdivision in any zone

Minimum area and frontage requirements shall apply only when land is to be subdivided into three or more lots.

No land shall be subdivided into three or more lots until an application on a form to be supplied by the Commission, together with a plat showing that the subdivision is in accordance with the following requirements, shall have been filed with, and approved by, the Zoning Commission.

(a) Lot area and frontages not less than minimum standards for zone in which located.
(b) Streets are at least 50 feet in width and alleys are at least 20 feet in width.

Section II — Zone A—Farming

No restrictions except that permitted uses are limited to those listed under general provisions. Subdivisions must meet minimum requirements of Suburban Zone.

Section III — Zone B— Waterfront (including waterfront petition)

Uses Permitted

Same as the uses listed in Section II, General Provisions.

Area Requirements

Each main building and accessory buildings shall be on a tract of at least two (2) acres.

Building Line

No building shall be closer than 50 feet from any boundary.

Lot Frontage

Each lot shall have a frontage of at least two hundred (200) feet at the front building line or shore line.

Additional Area Requirements

Upon petition of at least eighty (80) per cent of the owners of land within any geographic area of considerable size, the County Commissioners may increase the minimum building area requirement to five (5) acres for each homesite.

Section IV — Zone C— Suburban

Uses permitted

Same as Zone B.

Area Requirements

Each dwelling shall be located on a lot having an area of at least ten thousand (10,000) square feet excepting that in the case of service by a public water system the lot area may be reduced to seven thousand five hundred (7,500) square feet.

Building Line

No building shall be less than fifty (50) feet from the center of a county road or minor subdivision street or eight (8) feet from any other boundary.

Lot Frontage

Each lot shall have a minimum width at the front building line of sixty (60) feet.

Section V — Zone D— Commercial

Uses Permitted

Any use permitted in Zone D
I General Provisions
Apartment house
Automobile sales
Automobile Filling Station
Automobile Garage
Automobile Parking Lot
Building supply and warehouse, retail
Farm Implement sales
Hotel
Laundry and Laundramat
Newspaper and print shop
Restaurant
Retail Business, trades, services and professions
Schools, private
Signs (See Appendix, Sect. XII)
Special Exceptions (See Appendix, Section X)

Automobile Off-Street Parking
(See Appendix, Section XI)

Section VI — Zone E— Industrial

Uses Permitted

Any use permitted in ZoneD
Junk Yard
Any manufacturing or processing excepting slaughter houses, fertilizer works, bone yards, reduction of animal matter smelting or any other use which by reason of emission of odor, dust, smoke or noise would be considered noxious or offensive in the opinion of the Commission — these to be permitted only as Special Exceptions (See Appendix Saction X)

Automobile Off-Street Parking
(See Appendix, Section XI)

— Appendix —

SECTION VII—Definitions

Animal Boarding Place: Any building or buildings designed or arranged for the boarding, breeding or care of dogs, cats, and other animals, but not including stables.

Apartment House: A building containing three or more dwelling units.

Automobile Filling Station: A building or lot having pumps and storage tanks at which fuels, oils, or accessories for the use of motor vehicles are sold at retail.

Automobile Garage, Public: Building or portion thereof, other than an automobile sales room, held out or used for the housing of six or more motor vehicles, where service or repair facilities, if any, are incidental to the principal use for storage. Such garage shall not be considered an accessory use; nor shall it be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk.

Automobile Off-Street Parking Area: A parcel of land, lot, lots, or portions thereof required, in accordance with these regulations, to provide off-street automobile parking.

Automobile Parking Lot, Commercial: A lot or portion thereof, other than an automobile sales lot, held out or used for the storage or parking of six (6) or more motor vehicles, where service or repair facilities are not permitted. Such parking lot shall not be considered an accessory use; nor shall it be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk.

Automobile Repair and Service Station: Building, lot, or both in or upon which the business of general motor vehicle repair and service is conducted, but excluding junk and/or auto wrecking business.

Automobile Sales Lot: A lot arranged, designed, or used for the storage and display for sale of any motor vehicle or any type of trailer provided the trailer is unoccupied, and where no repair work is done except minor incidental repair or automobiles or trailers displayed and sold on the premises.

Billboard: See "Sign".

Board: The Board of Zoning Appeals.

Boarding House: A dwelling containing not more than nine (9) guest rooms where lodging or meals, or both are furnished.

Building, Accessory: A building subordinate to, and located on the same lot with a main building, the use of which is clearly incidental to that of the main building or to the use of the land, and which is not attached by any part of a common wall or covered roof to the main building.

Building Line: A line beyond which the foundation wall and/or any enclosed porch, vestibule, or other enclosed portion of a building shall not project.

Building, Main: A building in which is conducted the principal use of the lot on which it is situated. Any dwelling shall be deemed to be a main building on the lot on which the same is located.

Commission: The Talbot County Planning and Zoning Commission.

Dwelling, One-Family: A building containing not more than one dwelling unit.

Home Occupation: An occupation conducted entirely within a single-family dwelling by a member or members of the immediate family residing therein (a) in connection with which there is used no display except one sign affixed to the building not exceeding a total area of two square feet, not projecting more than one foot beyond the building, and not illuminated, that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; (b) in connection with which there is kept no stock in trade or commodity sold upon the premises; (c) in connection with which no person is engaged or employed other than a member of the immediate family residing on the premises; and (d) in connection with which no equipment or facilities are used other than those needed for purely domestic or household purposes. Boarding and rooming houses, tourist homes and private educational institutions shall not be deemed home occupations.

Hotel: Any building containing ten or more guest rooms where, for compensation, lodging, meals, or both are provided.

Junk Yard: Any land or building used for the abandonment, storage, keeping, collecting, or bailing of paper, rags, scrap metals, other scrap or discarded materials, or for the abandonment, demolition, dismantling, storage, or salvaging of automobiles or other vehicles not in running condition, machinery, or parts thereof.

Kennel: See "Animal Boarding Place".

Lot: A parcel of land occupied or to be occupied by a building and its accessory buildings or by group dwellings and their accessory building, together with such open spaces as are required by these regulations for a lot in the zone in which such a lot is situated. The term "record lot" means the land designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded dced filed among the land records of Talbot County.

Lot Area, Net: The total horizontal area included within the rear, side and front street, or waterfront, or proposed street lines of the lot excluding any streets or highways, whether dedicated or not dedicated to pnblic use, but including off-street automobile parking areas and other accessory uses.

Non-Conforming Use: A use of a building or of land lawfully existing at the time this ordinance became effective and which does not conform with the use regulations of the zone in which it is located.

Professional Office. Rooms and/or buildings used for office purposes by members of any recognized profession, including doctors, dentists, lawyers, accountants, engineers, etc.

Shore Line: Mean high water line.

Sign: Any structure, part thereof, or device attached thereto or painted or represented thereon or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, banner, emblem, insignia device, trademark, or other representation used as, or in the nature of, an announcement, advertisement, direction, or designation of any person, firm, group, organization, place, commodity, product, service business, profession, enterprise, or industry which is located upon any land, on any building, in or upon a window, or indoors in such a manner as to attract attention from outside the building. The flag, emblem, insignia, poster, or other display of a nation, political unit, educational, charitable, religious, or similar group, campaign, drive, or event shall not be included within the meaning of this definition.

Sign, Bnsiness: A sign which directs attention to a business, commodity, service, or other activity.

Sign, Directional or Information: A sign designating the location of a community or an institution of public or quasi-public nature or the opening of an event of public interest, but not including signs pertaining to real estate.

Sign, Incidental:' Name plates or signs designating accessory uses, such as a doctor's office, home occupation, or similar use, or advertising exclusively the sale of farm products produced on the premises.

Sign, Real Estate: A sign advertising the sale, lease, rental, or development of any particular premises or directing attention to the opening and location of a new subdivision, neighborhood, or community.

Street: A public or dedicated way, a private right-of-way, or a proposed right-of-way, widening, or extension of an existing street or public way shown on any plan approved by the Commission.

Street Width: The shortest distance between street lines, measured at right angle to the street right-of-way.

Subdivision: The division of a tract, or portion thereof, into three or more lots or tracts for sale or building development and not for bona fide agricultural purposes.

Tourist Cabin Camp: Any lot, parcel, or tract of land, together with such open spaces as are required under the provisions of these regulations, upon which there are located one or more cottages or cabins used, designed, maintained, or held out for the accommodation of transient guests, whether or not a charge is made therefor.

Tourist Home: A dwelling in which, for compensation, lodging and meals, or lodging only are provided or offered to not more than twelve transient guests. A tourist home shall not be deemed a home occupation.

Trailer (Including Automobile Trailer and Trailer Coach): Any vehicle or structure mounted on wheels for use on highways and streets; propelled or drawn by its own or other motor power; and designed and constructed to provide living and/or sleeping quarters for one or more persons or for use as a selling or advertising device. If the wheels of a trailer are removed, except for repairs, it is deemed a building subject to all of the regulations thereof. A trailer shall not be considered an accessory building.

Trailer Coach Park: Any lot, parcel or tract of land, together with open spaces required by these regulations, used, designed, maintained, or held out to accommodate one or more trailers, including all buildings, structures, tents, vehicles, accessories, appurtenances used or intended as equipment of such trailer coach park, whether or not a charge is made for use of the park and/or its facilities. A trailer coach park does not include automobile or trailer sales lots, on which unoccupied trailers are parked for inspection and sale.

Use: The principal purpose for which a lot or the main building thereof is designed, arranged, or intended and for which it may be used, occupied, or maintained.

Use Accessory: A use of a building, lot, or portion thereof, which is customarily incidental and subordinate to the principal use of the main building or lot.

Wayside Stand: A temporary structure designed, arranged, or used for the display or sale of agricultural or other products grown or produced on the premises upon which such stand is located.

Zone: An area within which certain uses of land and buildings are permitted and certain others are prohibited; yards and other open spaces are required; lot areas, building height limits, and other requirements are established; all of the foregoing being identical for the zone in which they apply.

Zoning Map: The "Zoning Map of Talbot County", together with all amendments thereto subsequently adopted.

SECTION IX—Amendment Procedure

Filing of Applications

Proposals for amendment of the zoning test or map may be made by any interested person or governmental agency by filing with the Clerk of the Board of County Commissioners an application in triplicate for the proposed amendment.

Form of Applications—General

All applications shall be subscribed by the applicant and shall state his name and address.

Form of Applications—Text Amendments

In case of a text amendment, the application shall set forth new text to be added and existing text to be deleted.

Form of Applications—Local Map Amendments

In case of a local map amendment, the application shall be in such a form as the Commission may prescribe and shall include a written statement specifying the following:

(a) The election district and municipality or community in which is located the land proposed to be reclassified and the location with respect to nearby public roads in common use;
(b) Description of land with sufficient fullness to denote particular location with clarity. A surveyor's description and plot is suggested unless land is accurately marked and easily identifiable;
(c) The present classification and the classification or two alternative classifications proposed for such land;
(d) The name and address of the owner of the land;
(e) The area of the land proposed to be reclassified stated in square feet if less than one acre and in acres if one acre or more; and
(f) The application number and date of application of, and action taken on all prior applications filed within three years previously for the reclassification of the whole or any part of the land proposed to be reclassified.

Commission Recommendation

Within a reasonable time and not more than five (5) days in any case after acceptance for filing of any application, the Clerk shall transmit two copies thereof to the Commission for its study and recommendation. The Commission shall submit a written recommendation within thirty days which shall be incorporated in the application file, and which shall thenceforth be considered a part of the record on the application.

Hearing Procedure

Notice of Hearing

Upon accepting any application for filing, the Clerk shall set the application for hearing at a specified date, time and place, and shall cause to be published once in at least two weekly newspapers of general circulation published in the County, a notice of the public hearing on such application stating the application number, date, time, and place of hearing and containing:

1. A summary of the amendment if a text amendment; and
2. The location of the property, its area, name of owner, change of classification or two alternative classifications applied for, and application number if a local map amendment; or
3. The designation of the area covered, if a zoning plan map amendment, and the place where copies of the map or maps may be obtained.

The Clerk shall notify the applicant and the Commission by mail of the date, time, and place of hearing. The date of hearing shall not be less than thirty (30) days following the newspaper publication of the notice. All application files in the custody of the Clerk shall be open to public inspection in his office and under his supervision during regular office hours.

Final Amendment Proceedings

Action by the Board of County Commissioners

An application for a map or text amendment shall be decided on the basis of the evidence of record.

An application for a map or text amendment shall be either approved or denied on the merits, or dismissed, or allowed to be withdrawn.

No application for a local map amendment shall be approved for a class of zone other than that applied for, or if application is made for two alternative classes, the application shall not be approved for a class of zone other than one of the two applied for.

No application for a local map amendment shall be approved for a greater area than that applied for, but an application may be approved for a smaller area than that applied for if the reclassification of such smaller area is supported by the evidence of record and if such smaller area is accurately delimited in the record.

Resolution, Opinion and Vote

The decision of the Board of County Commissioners approving, denying, or dismissing any application for a map or text amendment shall be rendered within sixty (60) days of the hearing (unless such time is extended by said Board), and shall be in the form of a resolution adopted by the Board of County Commissioners in open session by a majority of those voting on roll call by yeas and nays and appearing in the minutes of the meeting, and the resolution shall not be valid unless it so appears. The resolution when adopted shall be accompanied by an opinion of the Board of County Commissioners setting forth its conclusions and reasons which shall be filed in the office of the Clerk of said Board. A copy of the resolution and opinion shall be promptly mailed by the Clerk to the applicant, the Commission, and to all persons entering their appearance at the hearing as shown by the hearing transcript; and a copy shall be promptly furnished the Clerk to the members of the Board of Zoning Appeals.

SECTION X—Board of Zoning Appeals: Variances and Special Exceptions

The Board of Zoning Appeals is referred to in this Ordinance as the "Board."

Powers and Duties

The Board is hereby empowered to adopt and, from time to time, amend or supplement rules or procedure not inconsistent with the provision of this ordinance.

The Board is hereby authorized to compel the attendance of witnesses at hearings or meetings, and the chairman or other members of said Board may administer oaths.

The Board shall keep minutes of its proceedings, meetings, and hearings.

All actions or decisions of the Board shall be taken by resolution, in which at least two members must concur. Each resolution shall contain a statement of the grounds and findings forming the basis of such action or decision, and the full text of said resolution and record of members' votes shall be incorporated in the minutes of said Board. No appeal requesting the same relief in regard to the same property shall be received or heard by the Board for a period of twelve (12) months following the date of said resolution, except that this limitation shall not affect the right of the Board to grant a rehearing as provided in the Board's Rules of Procedure.

For assistance in reaching decisions, relative to variances or special exceptions, the Board may request technical service, advice, data, or factual evidence from the Commission.

The Board of Zoning Appeals is hereby authorized to:

Grant variances from the strict application of these regulations when by reason of exceptional narrowness, shallowness, or shape of specific parcels of property at the time of the original enactment of this Ordinance or amendments thereto or by reason of exceptional topographical conditions or other extraordinary situation or conditions of specific parcels of property where the strict application of these regulations or amendments thereto would result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of said property; provided that such relief or variances can be granted without substantial impairment of the intent, purpose, and integrity of the General Plan, as embodied in this Ordinance. This provision shall not be construed to permit the Board, under the guise of a variance to change the use of land.

Hear and decide appeals where it is alleged by appellants that there is error in any refusal of any permit or order, requirement, decision, or determination made by the Commission.

Hear and decide petitions for Special Exceptions.

Hear and decide appeals in regard to property affected by Master Highway Plans.

Public Hearings

Notice of Public Hearings

Before making its decision on any appeal, petition for grant of Special Exception, request for a variance, request for relief from provisions of a Master Highway Plan or any other matter within the Board's purview, the Board shall hold a public hearing thereon. At least ten (10) days' notice of the time and place of such hearing shall be sent to the appellant or petitioner, to the Commission, and to owners or tenants of property located within 500 feet of the property affected. The Board may, in its discretion, send notice of hearings to other interested parties, organizations, or agencies. Such notices shall contain the name of the appellant or petitioner, the date, time, and place fixed for the hearing, and a brief statement of the error alleged by the appellant or of the variance, special exception or other relief requested.

Additional Notice of Public Hearing

In cases of a petition for special exception, the Board may require additional notice of hearing by one (1) advertisement in two (2) newspapers of general circulation in the community affected by such petition. Such advertisement shall appear not less than ten (10) days prior to the day of public hearing and shall contain the same information as is required in the notice sent by mail. The cost of such advertisement shall be paid by the petitioner.

Continuation of Adjourned Hearings

Hearings may be adjourned from time to time and, if the time and place of the continued hearing be publicly announced at the time of the adjournment, no further notice of such continued hearing shall be required; otherwise, notice thereof shall be given, as in the case of the original hearing.

Limitation of Authority

Nothing contained in these regulations shall be deemed to authorize the Board to reverse or modify any refusal of a permit or any other order, requirement, decision, or determination which conforms to the provisions of this Ordinance and which, therefore, is not erroneous; nor to authorize the Board to validate, ratify, or legalize any violation of law or any of the regulations of this Ordinance.

The Board shall not amend any of these regulations of the Zoning Map; nor shall such power or authority be vested in the Board.

Who May File an Appeal

Appeals to the Board of Zoning Appeals may be made by any person, board, association, corporation, or official allegedly aggrieved by the grant or refusal or a building use or occupancy permit or by any other administrative decision based or claimed to be based in whole or in part upon any of these regulations or the Zoning Map.

Appeals shall be made on forms provided therefor, and all information required on such forms shall be furnished by the appellant. Forms shall be filed with the Secretary of the Board, and the appellant shall pay the Secretary for expenses incidental to the appeal. No form shall be accepted by the Secretary unless it contains all pertinent information and is accompanied by the required fee to defray expenses.

Appeals and applications filed in proper form shall be numbered serially, docketed and placed upon the calendar of the Board. The calendar of appeals to be heard shall be posted conspicuously in the office of the Board of Zoning Appeals during the period before such hearing date.

Request for Special Exceptions

Petitions for the grant of Special Exceptions shall be filed with the Board of Zoning Appeals on forms provided therefor. The petitioner shall submit two (2) copies of plans and/or specifications or other data or explanatory material, stating the methods by which he will comply with the conditions specified for each grant of special exception. One (1) copy of such plans, specifications, and explanatory material shall be forwarded to the Commission. At the time of filing his request for a grant of special exception the petitioner shall pay to the Board of Zoning Appeals the fee required to cover the cost of advertising, and of the sending of notices and other miscellaneous expenses in connection with this petition.

Notice of Action

Notice of action taken by the Board of Zoning Appeals on each petition for special exception shall be transmitted to the petitioner, to the Commission, and to the Clerk of the County Commission. In case where special exceptions have been granted, the said notice shall set forth the conditions, standards, and/or safeguards or rules to which the special exception is subject.

General Provisions

A Special Exception may be granted when the Board of Zoning Appeals finds that:

(a) The proposed use does not affect adversely the General Plan for the physical development of the County.
(b) The proposed use will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the use or development of adjacent properties or the general neighborhood.
(c) The standards set forth in each particular use for which a special exception may be granted have been met.

Uses for Which Special Exceptions May Be Granted in any zone and specific provision relative thereto:

Airports and Airfields.
Animal Hospitals, Veterinary Clinics and Animal Boarding Places.
Cemetery or other place for the burial of human dead.
Golf Course, Country Club, or Private Club.
Golf Course, Miniature; Golf Driving Ranges.
Hospitals, Nursing and Care Homes, Medical and Dental Clinics.
Hotels.
Public Utility Building and Major Structures, Including Radio and TV Broadcasting Stations.
Recreational Establishments of a Commercial Nature such as a baseball, football stadium, arena, race track or swimming pool.
Rifle and Skeet Shooting Range, Outdoor.
Sand, Gravel, or Clay Pits; Rock or Stone Quarries.
Sawmill.
Temporary Structures and Wayside Stands for the sale of farm products produced on the premises. No wayside stand shall be less than twenty-five (25) feet from the nearest edge of roadway, and all display of goods shall be at least twenty (20) feet from the nearest edge of roadway. Such temporary structures shall be permitted on approval of the Commission for a period of not exceeding three (3) years, subject to renewal.
Theatre, Outdoor.

Trailer Coach Parks and Tourist Cabin Camps—Motor Courts—Motels

In any Commercial Zone, or immediately adjacent thereto, a lot, tract or parcel of land to be used for a trailer coach park, a tourist cabin camp, or a combination of the two, or for a motor Court or Motel, hereinafter referred to as a "park" or a "camp", upon a finding by the Board of Zoning Appeals that such use will not constitute a nuisance because of noise, sanitary conditions or traffic, and will not affect adversely the present character or future development of the surrounding residential community, and that such use of land will conform to the following minimum requirements:

A. The area of a lot, parcel, or tract of land on which the park or camp is to be located shall contain not less than five (5) acres and shall have a frontage of not less than 200 feet abutting a public highway, street, road, or other public right-of-way.

B. No trailer coach, tourist cabin, or any type of building shall be located within fifty (50) feet of any boundary or property line of such lot, parcel or tract of land, or within a distance of one hundred (100) feet from any public highway, street, road, or other public right-of-way; nor shall any such type of building be located within fifteen (15) feet of any such building.

C. If at any time any park or camp abuts the property line of a lot, parcel or tract of land developed for residential use, a substantial, sightly, solid, tight fence five (5) feet in height shall be constructed and maintained within the park or camp along the full length of such abutting property line. The frontage of the area of the said park or camp abutting a public highway, street, road, or other public right-of-way shall be screened from view by screen planting five (5) feet in height except for required openings for ingress or egress.

D. The following additional requirements shall also be met:

1. In the case of Trailer Coach Parks:
   (a) Special conditions, such as provisions for additional fencing and/or planting or other landscaping, additional setback from property lines, location and arrangement of lighting, and other reasonable requirements deemed necessary to safeguard the general community interest and welfare, may be invoked by the Board as requisites to the grant of special exceptions.
   (b) No trailer shall be parked overnight on any highway, street, road, or other public right-of-way, except in an emergency and subject to any further prohibitions, regulations, and limitations imposed by the traffic and parking regulations or ordinances for such highway, street, or other public right-of-way.
2. In the case of Tourist Cabin Camps:
   (a) Each tourist cabin camp shall be laid out into tourist cabin plots, each having a minimum area of at least one thousand (1,000) square feet, a width of twenty-five (25) feet, frontage on a driveway at least twenty (20) feet from any building in which the sanitary or laundry facilities of the camp are located.
   (b) Each tourist cabin plot shall be clearly defined by markers at the corners.
   (c) Each cabin shall be so located on its plot that there is at least fifteen (15) feet of clear space between it and any other cabin.

SECTION XI—Automobile Off-Street Parking

General Provisions

There shall be provided at the time any main building or structure is erected or increased in capacity, minimum off-street parking space with adequate provisions for ingress and egress by standard size motor vehicles in accordance with the following provisions:

Designs and Plans

Designs and plans for areas to be used for automobile off-street parking of three or more cars shall be approved by the Commission. Plans for such areas submitted to the Commission shall show in detail the location and extent of the area; locations and types of walls, fences, and screen planting; proposed layout of parking spaces; and other features, conditions or requirements of this Ordinance.

All off-street parking areas shall be suitably surfaced. Angular parking with backing out of vehicles directly into the public street is prohibited.

Loading Space

For any building or premises used for commercial or industrial purposes, adequate indoor or off-street outdoor space for the loading and unloading of goods and materials shall be provided as the Commission shall deem necessary, taking into consideration the size and proposed use of the building and its location with respect to streets and alleys. Such space, whether inside or outside a building shall be in addition to other applicable requirements of this schedule for off-street parking space.

Size of Parking Space

For the purpose of this section, one (1) automobile parking space is assumed to be two hundred (200) square feet of area, exclusive of adequate interior, ingress and egress driveways.

Computing Number of Employees

For the purpose of this section, the number of employees shall be computed on the basis of the average nnmber of persons to be employed, taking into consideration day, night and seasonal variations.

Distance from Main Building

All automobile off-street parking areas shall be located on the site or conveniently near, and in no case more than five hundred (500) feet distant from, the main building or use to which such parking facilities are appurtenant.

Off-Street Parking Space shall be provided as follows:

Apartment, Hotel—One (1) parking space for each guest or sleeping room or suite, and if such establishments employ five or more employees, one parking space for each five employees.

Commercial building devoted to retail sales, merchandizing, or similar nse—Two (2) square feet for retail sales and merchandizing, and one (1) square foot of parking space for each square foot of floor area used for office or storage purposes.

Community center, library, museum, civic club, private club, lodge and similar uses—One (1) square foot of parking space for each square foot of floor area.

Industrial and manufacturing establishment—One (1) parking space for each four (4) employees, or one (1) parking space for each four hundred (400) square foot of floor area, whichever the Commission shall deem most appropriate.

Lodging, rooming and boarding house—One (1) parking space for each three (3) guests.

Office building, professional building, or similar use, in which there is no retail or merchandizing establishment—Two (2) square feet of automobile parking space for each square foot of office space on all floors.

Professional office—Two (2) spaces for each professional person occupying or using said office.

SECTION XII—Signs

General Provisions

For the purpose of this section and any other relating to signs in this Ordinance, any of the following words are intended to include any tense, or with the prefix "re", the others: affix, alter, attach, display, erect, hang, move, place, post, repair.

All signs, of any type or description, which exceed forty (40) square feet in area are absolutely prohibited in any Zone.

Signs Which May Be Erected Without a Permit

One incidental sign not exceeding four (4) square feet in area may be erected without a permit. Such sign, if illuminated, shall be of an enclosed lamp design, non-flashing and containing no colored illumination. Such signs, if used to advertise commercial enterprises or home occupations shall be attached to the building. Reflector type signs may also be used. All such signs shall be designed so as not to shine or reflect light into adjacent residential dwellings.

Any temporary real estate sign not exceeding six (6) square feet in area may be erected on the premises to which it pertains. Such sign shall not be illuminated.

Temporary signs not exceeding six (6) square feet indicating an event of public interest such as a State or County fair, public or general election, horse show, etc.

Directional and Informational Signs Which May be Erected, Hung, Placed or Painted Only With a Permit From the Commission.

In Any Zone, directional or informational signs of a public or quasipublic nature, not exceeding twelve (12) square feet in area for the benefit of the travelling public in locating communities, points of interest, recreational facilities, etc. Such signs shall not be illuminated, but may be of the beaded reflector type. No advertising matter whatsoever shall be contained on signs of this type.

Real estate directional signs not over forty (40) square feet in area, which direct attention to the opening of a new sub-division, neighborhood, or community, may be erected in any Zone for a period of one (1) year upon obtaining a permit from the Commission. Such signs shall be at least fifty (50) feet from the pavement or any highway intersection, and shall not be illuminated.

Business Signs Including Billboards.

In Commercial and Industrial Zones only business signs including billboards not exceeding forty (40) square feet in area are permitted. The total area of all signs in any one Commercial or Industrial building site shall not exceed one (1) square foot in area for each foot of lot frontage.

Business signs must be affixed flat against the walls of buildings, fences.

Miscellaneous Provisions Relating to Signs

Permits

Application for permits shall be submitted on forms obtainable at the office of the Commission. Each application shall be accompanied by plans showing the area of the sign, the size, character, and color of letters, and designs proposed; the method of illumination, if any; the exact location proposed for such sign; and, the proposed method of fastening such sign to the building structure.

Area of Signs

The area of signs shall include the entire face of the sign and any wall work incidental to its decoration and, in the case of an open sign made up of individual letters, figures, or designs, the space between such letters, figures and designs shall be included.

Existing Signs

Any sign or advertising structure contrary to the provisions of this ordinance and not advertising on its entire surface a business or product of the premise on which it is located, shall be deemed a non-conforming use and shall be removed within one (1) year, after the adoption of this ordinance.

In case the supporting members of a non-conforming advertising structure shall become broken, such structure shall be deemed to be destroyed and shall not be replaced.

SECTION XIII—Non-Conforming uses.

Any building or use except signs lawfully existing at the time of adoption of this ordinance, or lawfully existing at the time this ordinance is subsequently amended, may be continued, even though such building, structures or use does not conform to the regulations of the use District or Zone in which it is located; subject, however to the following provisions:

A non-conforming use may be extended, not to exceed fifty (50) percent of its area, on land owned or within a building existing at the time of adoption of this Ordinance by resolution of the Commission.

Structural alterations of a building or structure which does not conform to the provisions of this Ordinance may be made only if the building is being altered to conform to the requirements of the use District or Zone in which it is located.

No building in which a non-conforming use has been changed to a more restricted use shall again be devoted to a less restricted use. No non-conforming use, once abandoned, shall thereafter be re-established. "Abandonment" shall be defined as the cessation of a non-conforming use for a period of one month or more.

No building or structure devoted to a non-conforming use, shall in the event of destruction or serious damage by fire, flood or similar cause, be reconstructed for the purpose of carrying on the non-conforming use. "Serious Damage" shall be defined as damage which reduces the value of any structure by more than half its prior value.

Any lot appearing on a plat in County Court House prior to date of this Ordinance shall be deemed a buildable lot.

SECTION XIV—Validity.

Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the Ordinance in its entirety or of any part thereof, other than that so declared to be invalid.

SECTION XV—Violations, Penalties

Any person, firm or corporation, either as owner, lessee, occupant or otherwise who violates any of the provisions of this Ordinance or violates or fails to comply with any order or regulation made hereunder, or who interferes in any manner with any person in the performance of a duty by the terms of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than three hundred (300) dollars or by imprisonment in the County jail not to exceed ninety (90) days, or both. Each day such violation continues shall be deemed a separate offense.

County Commissioners
of Talbot County
Charles N. Sheridan, Clerk