THE TOWN OF UNION BRIDGE

UNION BRIDGE CODE

(Codified August 15, 2010)
# THE TOWN OF UNION BRIDGE
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CHAPTER 1
GENERAL PROVISIONS

1. The laws of The Town of Union Bridge, Maryland as adopted by Ordinances are codified herein in the form submitted by the Town Attorneys and are hereby approved, adopted, ordained and enacted as law in The Town of Union Bridge. This publication shall be known as the "Union Bridge Code."

2. The Ordinances of The Town of Union Bridge enforced on the date of the adoption of the Union Bridge Code shall be deemed consolidated and merged into the Union Bridge Code from and after August 15, 2010 provided however, that the provisions appearing in the Union Bridge Code, so far as they are the same in substance as Ordinances existing as of such date, shall be considered as continuations thereof and not as new enactments.

3. The fact that the provisions of an Ordinance have been made part of the Union Bridge Code shall not alter or affect any action, right or liability arising under such Ordinance prior to the codification of the Ordinance into the Union Bridge Code.

4. In compiling the Union Bridge Code, certain formatting, grammatical and other minor changes were made in the language of the Ordinances so codified. It is the intention of the Mayor and the Town Council that all such changes be adopted as part of the Code so as to supersede any prior language.

5. The sections, paragraphs, sentences, clauses and phrases of the Union Bridge Code are severable, and if any phrase, clause, sentence, paragraph or section of the Union Bridge Code shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such declaration shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of the Union Bridge Code.

6. The provisions of any Ordinance in effect on the date hereof inconsistent with the terms of the Union Bridge Code are hereby repealed but only to the extent of the inconsistency.

7. The Union Bridge Code is intended to reflect the local laws of the Town as amended from time to time and, therefore, shall be deemed amended and supplemented upon the duly authorized amendments passed by the Town Council and Mayor from time to time. The Clerk-Treasurer shall be responsible to incorporate such duly adopted modifications into the Union Bridge Code promptly upon the effective date thereof.
CHAPTER 10
ANIMALS

1. ANIMAL CONTROL. While The Town of Union Bridge is exempt from the animal control laws of Carroll County as recited in Chapter 45 of the Union Bridge Code, the text of the Carroll County Animal Control Law, as now codified in Chapter 81 of the Code of Public Local Laws and Ordinances of Carroll County (the “Carroll County Code”), as same may be amended, expanded (in any form, including by subsequent supplemental ordinance or Code revision) or recodified from time to time, is hereby incorporated by reference as the law of The Town of Union Bridge; except that said text is hereby modified so that references to zoning shall mean the zoning laws of The Town of Union Bridge and reference to “the Board of County Commissioners” in Section 81-4 (license revocation), Section 81-10 (public nuisance/vicious animals), as such sections may be renumbered, amended or recodified, shall mean “The Town Council of The Town of Union Bridge”. [Ordinance No. 297].

CHAPTER 20
BOARDS AND COMMISSIONS

1. PLANNING COMMISSION. The Town of Union Bridge shall have a planning commission. The planning commission shall be known as the Union Bridge Planning Commission and shall be subject to the provisions of MD CODE ANN., LAND USE ARTICLE, Title 2. The powers and duties of the Union Bridge Planning Commission shall be those powers, duties and responsibilities applicable to municipalities as set forth and defined in MD CODE ANN., LAND USE ARTICLE, as amended from time to time.

MEMBERSHIP–TERMS. The Union Bridge Planning Commission shall consist of five members, as provided in MD CODE ANN., LAND USE ARTICLE, Section 2-102, namely one member of the Town Council, serving in an ex officio capacity, and four other members, all of whom shall be appointed by the Mayor and confirmed by the Town Council. The Members of the Commission other than the ex-officio Council Member shall serve with such compensation, if any, as may be deemed appropriate and authorized by the Town
Council from time to time. The term of each member, other than the Council member, shall be five years, or until such Member’s successor shall take office. The terms of the Members of the Commission shall be staggered. Vacancies in any unexpired term shall be filled by the same appointment and confirmation mechanism and such appointment shall be effective through the expiration of the unexpired term. [Ordinance 297].

2. **BOARD OF ZONING APPEALS.** The Town of Union Bridge shall have a Board of Zoning Appeals. The Board of Zoning Appeals shall be composed of three (3) members whose terms shall be for a period of three (3) years. The Board of Zoning Appeals shall operate in accordance with the provisions of MD CODE ANN., LAND USE ARTICLE, Title 4, Subtitle 3, as amended or recodified. The members shall be appointed by the Mayor and confirmed by the Town Council. The Town Council shall appoint one (1) alternate member who may sit when a permanent member is absent. [Ordinance No. 191].

**CHAPTER 30**

**BUILDING CODE**

The Carroll County Construction Codes shall apply within The Town of Union Bridge, subject to Chapter 45 of the Union Bridge Town Code. [Ordinance No. 296].

**CHAPTER 40**

**CABLE TELEVISION**

The Carroll County Cable Television law shall apply within The Town of Union Bridge, subject to Chapter 45 of the Union Bridge Town Code [Ordinance No. 296].

**CHAPTER 45**

**CARROLL COUNTY LEGISLATION IN TOWN**

1. **GENERAL EXEMPTION FROM COUNTY LAWS.** The Town of Union Bridge shall be generally exempt, as contemplated by MD CODE ANN.,
LOCAL GOVT ARTICLE, 4-111(B)(3)ii)(2), as hereafter amended or recodified, from all Carroll County legislation which involves matters over which the Town has been granted authority pursuant to MD CODE ANN., LOCAL GOVT ARTICLE, Title 4. This exemption shall extend to all legislation in existence or such legislation as may be passed from time to time by the County Commissioners of Carroll County; provided that this exemption shall not apply to any items enumerated in Section 2 hereunder.

2. **ELECTION TO APPLY CERTAIN COUNTY LAWS.** The general exemption established in Section 1 above does not apply to the following:

A. (1) The Carroll County Construction Codes, as codified in Chapter 97 of the Code of Public Local Laws and Ordinances of Carroll County (the “Carroll County Code”), and as further amended or recodified by Carroll County from time to time, provided that in addition thereto applicants must file an application for building permit with the Town and pay such administrative fee as may be set by the Town from time to time in connection with the filing of such application; and the denial of a variance under Carroll County Code Section 97-4(A)(59) Chapter 38, Section 3800.10 (Floodplain) may be appealed to the Town Council of The Town of Union Bridge.

   (2) The Carroll County Livability Standards law as codified in Chapter 141 of the Carroll County Code, and as further amended or recodified by Carroll County from time to time.

   (3) The Carroll County Grading, Erosion and Sediment Control law as codified in Chapter 121 of the Carroll County Code, and as further amended or recodified by Carroll County from time to time.

   (4) The Carroll County Cable Television law, as codified in Chapter 93 of the Carroll County Code, and as further amended or recodified by Carroll County from time to time, provided that wherever a franchisee is required to act in accordance with federal, State or County laws or regulation it shall include all town laws or regulations; and references in Section 93-8(A) (Liability and Indemnity) and 93-14(B) (Recourse) to the “Commissioners, its agents, servants, officials, officers, boards, Commissions and employees” shall also mean the “Town, its agents, servants, officials, officers, boards, commissions and employees”. Notwithstanding any definitional language which Ch. might be construed to exclude The Town of Union Bridge from the geographic area subject to the Carroll County Cable Television law, the Town shall be considered part of the County for purposes thereof.
(5) The Carroll County Forest Conservation law as codified in Chapter 115 of the Carroll County Code, and as further amended or recodified by Carroll County from time to time.

B. (1) The County Commissioners of Carroll County, through the appropriate designated agencies, are hereby granted authority and jurisdiction to manage and enforce the laws enumerated in paragraph A immediately above.

(2) The laws specifically enumerated in paragraph A above, as amended or recodified from time to time by the County Commissioners of Carroll County, shall apply within the corporate limits of The Town of Union Bridge as expanded or reconfigured from time to time. [Ordinance No. 296].

3. ENFORCEMENT AGREEMENT. The Town of Union Bridge is hereby authorized to enter into an agreement with Carroll County to define and/or delegate the administration and enforcement to be performed by County agencies on behalf of the Town in connection with the laws of The Town of Union Bridge pursuant to MD CODE ANN., Local Government Article, §4-111. Upon such agreement Carroll County and its relevant agencies shall be so authorized to administer and enforce any designated law accordingly. [Ordinance No 297].

CHAPTER 46
COMPENSATION OF OFFICIALS

The Mayor’s compensation shall be Two Thousand Four Hundred Dollars ($2,400.00) per year payable in monthly installments of Two Hundred Dollars ($200.00) and Forty Dollars ($40.00) for any special meeting or committee meeting. The compensation for each Council Member shall be Nine Hundred Sixty Dollars ($960.00) per year and Forty Dollars ($40.00) for any special meeting or committee meeting [Resolution 02-17 (March 27, 2017) and Resolution No. 02-19 (April 22, 2019)].

CHAPTER 50
CURFEW

1. DEFINITIONS.
In this section:

A. "Curfew hours" means:
   (1) 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day; and
   (2) 12:01 a.m. through 6:00 a.m. on any Saturday or Sunday.

B. "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, or automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

C. "Establishment" means any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

D. "Guardian" means:
   (1) a person who, under court order, is the guardian of the person of a minor; or
   (2) a public or private agency with whom a minor has been placed by a court.

E. "Minor" means any person under 18 years of age.

F. "Operator" means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

G. "Parent" means a person who is:
   (1) a natural parent, adoptive parent, or step-parent of
another person; or
(2) at least eighteen (18) years of age and authorized by a parent or guardian to have the care and custody of a minor.

H. "Public place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

I. "Remain" means to:
(1) linger or stay; or
(2) fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

J. "Serious bodily injury" means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

2. **OFFENSES.**
   A. A minor commits an offense if the minor remains in any public place or on the premises of any establishment within the Town during curfew hours.

   B. Any parent or guardian of a minor commits an offense if the parent or guardian knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the Town during curfew hours.

   C. The owner, operator, or any employee of an establishment commits an offense if such person knowingly allows a minor to remain upon the premises of the establishment during curfew hours.
3. **DEFENSES.**

   A. It is a defense to prosecution under Section 3 that the minor was:

   1. accompanied by the minor's parent or guardian;
   2. on an errand at the direction of the minor's parent or guardian, without any detour or stop;
   3. in a motor vehicle involved in interstate travel;
   4. engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
   5. involved in an emergency;
   6. on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;
   7. attending an official school, religious, or other recreational activity supervised by adults and sponsored by The Town of Union Bridge, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreation activity supervised by adults and sponsored by The Town of Union Bridge, a civic organization, or another similar entity that takes responsibility for the minor;
   8. exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly, provided that notice of the planned activity is delivered to the Mayor of The Town of Union Bridge at least
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seventy-two (72) hours prior to the activity taking place.

B. It is a defense to prosecution under Section 2C that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

4. ENFORCEMENT.

Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest pursuant to this section unless the officer reasonably suspects that an offense has occurred and that, based on any response and other circumstances, no defense in Section 3 is present.

5. PENALTIES.

A. A person who violates a provision of this Chapter is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not less than Fifteen Dollars ($15.00) nor to exceed Three Hundred Dollars ($300.00) or imprisonment for not more than fifteen (15) days, or both. Any violation of this Chapter shall be classified a misdemeanor.

B. Any police officer or person designated by the Town may issue a citation to the offender. The person receiving the citation may elect to stand trial for the offense by notifying the Town in writing of the person’s intention to stand trial within thirty (30) days of the date on which the citation was issued. The fine shall be payable within thirty (30) days from the date on which the citation was issued; or, in the event of trial, within ten (10) days after conviction and expiration of appeal period. The person in violation shall be responsible for administrative late charges in the amount of Five Dollars ($5.00) for every thirty (30) day period, or part thereof, during which payment of a fine assessed hereunder is delinquent.

6. SEVERABILITY.

If any provision of this Chapter or the application thereof to any
person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provision or any other application of this Chapter which can be given effect without the invalid provision or application, and for this purpose the provisions of this Chapter are declared severable. [Ordinance No. 272].

CHAPTER 60
FEES SCHEDULES

1. PROCESSING FEES.
   The following fees shall be collected by The Town of Union Bridge upon submission of the relevant application:

   A. Residential.
      (1) Concept Plan - $200.00 plus $20.00 per lot.
      (2) Preliminary Plan - $200.00 plus $20.00 per lot.
      (3) Final Plan - $200.00 plus $20.00 per lot.
      (4) Major Revisions - $200.00 plus $20.00 per lot.

   B. Commercial.
      (1) Site Plan - $200.00 plus $100.00 per 1,000 square feet of floor area
      (2) Major revisions - $100.00 plus $80.00 per 1,000 square feet of floor area.

   C. Miscellaneous.
      In addition to the above fees, all engineering, legal and planning consultant fees, or other technical consulting fees, associated with any application for subdivision, development review or approval, plus an administrative fee in the amount of five percent (5%) of these charges (excluding the flat fees in A and B above), shall be reimbursed to the Town by the Owner/Developer within fifteen (15) days from the date on which The Town of Union Bridge issues the bill for reimbursement, and in all instances prior to the approval of any outstanding application. The record title Owner and the Developer shall be jointly and severally liable for full and prompt payment thereof. Upon default in timely payment, any amount due, together with interest of twelve percent (12%) per annum, shall be collectible in the same manner as Town real property taxes against the property which is the subject of the application.
2. **PUBLIC WORKS FEES.**

   A. The following fees shall be collected by The Town of Union Bridge simultaneously with the execution of the public works agreement:
      
      (1) Public Works Administration Fee - One percent (1%) of
          the amount bonded under the public works agreement.
      
      (2) Street Light Maintenance - $100.00 per street light times
          three (3) years.
      
      (3) Open Space Maintenance - $1,000.00 per acre of open
          space conveyed, or to be conveyed, to the Town, including only areas which
          require mowing or landscaping by the Town.

   B. **Inspection Fees.** The public works agreement shall contain an
      estimated cost of inspection fees for the work to be performed thereunder. This
      amount shall be collected by the Town in cash simultaneously with the execution
      of the public works agreement. These funds shall be separately accounted for by
      the Town. Once the actual inspection fees are determined, the account shall be
      adjusted by refunding any overpayment to the developer, or by charging the
      developer any underpayment. In the event there is a charge to the developer, the
      Town shall itemize the inspection services, including an enumeration of any
      inspection services which were not originally anticipated.

3. **AUTHORITY.**

   The Town of Union Bridge is hereby authorized through its offices
   and agents to charge and collect the fees herein recited in a manner and upon
   such terms and conditions as they may deem appropriate from time to time. In
   the event a party subject to these fees feels that the amount of any fee is
   disproportionate with the services provided due to special circumstances, that
   party may request in writing an abatement or waiver of the fee from the Town
   Council. Nothing contained herein is intended to restrict or otherwise govern the
   Town’s procedure for bonding public works.

4. **AMENDMENT.**

   The Town shall have the authority to revise all or any part of the fees
   hereby established, including the addition of other fees which may become
   appropriate in connection with the subdivision, development review and public
works process from time to time. Any such change shall be done by Resolution introduced by the Mayor and Town Council at least twenty (20) days prior to its passage which revised fees shall be effective no sooner than the date of passage. A fair summary of the purpose of the resolution and the notice of public hearing shall be advertised once after the introduction of the Resolution in a newspaper having general circulation in the Town. The Resolution, when enacted, shall supersede the then existing fees to the extent stated in the Resolution and shall become part of this Chapter upon the effective date stated in the Resolution. It shall not be necessary to pass an Ordinance to revise or adopt such fees. If any Resolution fails to restate or amend an existing fee, that fee shall be deemed to remain in force and unchanged unless specifically extinguished by the Resolution. [Ordinance No. 273; Resolution 02-11, effective Feb. 28, 2011]

CHAPTER 70
FLOODPLAIN

FLOODPLAIN MANAGEMENT. While The Town of Union Bridge is exempt from the Carroll County Floodplain Management laws as recited in Chapter 45 of the Union Bridge Code, the text of the Carroll County Floodplain Management Law, as codified in Carroll County Code Chapter 153, as same may be amended, expanded (in any form including by subsequent supplemental Ordinance or Code revision) or recodified from time to time, is hereby incorporated by reference as the law of The Town of Union Bridge, except that said text is hereby modified so that:

A. references to the “County” in connection with granting final approvals or variances from the requirements of the Code shall mean “The Town of Union Bridge (the “Town”);”

B. any requirement for off-site easements may be waived, diminished or varied by the Town for reasonable cause and any easement stated to be conveyed to the “County” shall be conveyed to the “Town” for lands within the Town’s corporate boundaries unless otherwise directed by the Town;

C. the disclaimer of liability in Section 153.003(D) is expanded to include the Town, its agents, officers and employees;
D. any violations, imposition of penalty, enforcement action or notification thereof under Sections 153.096, 153.097 and 153.999 to be initiated by the County shall be first approved by the Town;

F. in Section 153.099 (Appeals) “Board of County Commissioners and Board of Appeals” shall mean the “Town Council of The Town of Union Bridge” and the “County” shall mean the “Town”. [Ordinance No. 311, effective October 2, 2015].

CHAPTER 80
FOREST CONSERVATION

The Carroll County Forest Conservation law shall apply within The Town of Union Bridge, subject to Chapter 45. [Ordinance No. 296].

CHAPTER 90
GRADING AND SEDIMENT CONTROL

The Carroll County Grading, Erosion and Sediment Control law shall apply within The Town of Union Bridge, subject to Chapter 45. [Ordinance No. 296].

CHAPTER 100
LANDSCAPING

While The Town of Union Bridge is exempt from the Carroll County Landscape law as recited in Chapter 45 of the Union Bridge Code, the text of the Carroll County Landscape Enhancement of Development law, as now codified in Chapter 134 of the Carroll County Code, as same may be amended, expanded (in any form including by subsequent supplemental ordinance or Code revision) or recodified from time to time, is hereby incorporated by reference as the law of The Town of Union Bridge; except that references to “County” in Section 134-6(M) (Variances), 134-7 (Security) and 134-8 (Enforcement) shall mean “The Town of Union Bridge”; all references to the “Planning Commission” shall mean the “Union Bridge Planning Commission”; and in Section 134-9 references
CHAPTER 110
LICENSES

1. PERFORMANCES AND EXHIBITIONS. Any person who shall, within the limits of The Town of Union Bridge, act, exhibit, play or perform any play, farce, interlude or show, opera, concert or other theatrical or dramatic performance or entertainment, or show a public exhibition for gain, without a license for that purpose first had and obtained from the Mayor, under the seal of the Corporation, shall forfeit and pay a fine of ten dollars and costs of such, in addition to the License for each and every offense; the said fines and forfeitures to be recovered before the Mayor or some Justice of the Peace within the corporate limits of Union Bridge as other fines and forfeitures are collected. The License as aforesaid shall express for what it is granted and the time it is to continue. The License for such plays, performances or exhibitions, etc. shall be as follows: For every opera, or theatrical exhibition shall be not less than one nor more than five dollars for each performance; for Circus or feats of horsemanship, not less than one nor more than ten dollars for each performance; all side shows accompanying circuses, shall pay not less than one nor more than ten dollars for each performance, for musical concerts not less than one nor more than five dollars for each performance, for rope or wire walking or wire dancing, or puppet shows, or ring or ball throwing or what is known as merry-go-round, not less than one or more than five dollars for each performance; for any other exhibition not less than one nor more than ten dollars, all of which shall be at the discretion of the Mayor. The residents of The Town of Union Bridge shall be, and are exempted from the provisions of this Ordinance. [Ordinance No. 26, effective September 5, 1890]

2. STREET VENDORS.
   A. No person shall hawk, peddle or vend any goods, wares or merchandise of any description upon the streets or highways of The Town of Union Bridge, nor shall any itinerant peddler go from house to house to vend or sell any goods, wares or merchandise, either by sample or otherwise, without first having taken out a license therefor, and paid to the Clerk of the Mayor and Common Council of Union Bridge the yearly sum of Ten Dollars ($10.00);
provided, however, that this Chapter shall not apply to any person or persons
selling any farm or garden products raised by him or her, nor shall it apply to
sales under judicial processes or to sales made by auctioneers.

B. Any person who shall hawk, peddle, vend or sell any goods,
wares or merchandise, or shall go from house to house to peddle, vend or sell,
either by sample or otherwise, any goods, wares or merchandise within the
 corporate limits of The Town of Union Bridge without first having taken out the
license as required by the previous section of this ordinance, shall, upon
conviction thereof before any Justice of the Peace of Carroll County, forfeit and
pay a fine of Ten Dollars ($10.00) for each offense; and in default of payment
thereof shall be sentenced to imprisonment in the jail of Carroll County for a
period not exceeding thirty (30) days, or until such fine and costs shall be paid.
[Ordinance No. 124, effective July 21, 1936].

3. MECHANICAL AMUSEMENT MACHINES.

A. Definition of Terms.

(1) “Mechanical Amusement Machines” as used in this
Ordinance shall mean any machine, device or appliance, including but not limited
to any pinball machine (with or without flippers), video games, skeeroll ally,
radio rifle game, strength-testing device, pokerine, mutoscope and other so called
“arcade type” devices which are offered for use by public, as a game,
entertainment or amusement whether or not the element of skill in the operation
thereof predominates over the element of chance or luck, which may be operated
or caused to operate by the insertion of a coin, slug, token, plate or disk. The
definition of “mechanical amusement machine” shall not include kiddie rides
such as devices using metal, wooden, plastic or paper mache figures of horses,
animals, boats, rockets or other figures mounted on a coin operated mechanism,
which, when in operation move in a rocking or rolling fashion; nor shall the
definition include billiard or pool tables, ping-pong or table-tennis, big six-
wheels, bingo, paddlewheels, wheels of fortune or musical machines.

(2) “Charitable Organization” shall mean any corporation,
association, community association or non-profit group or organization for
charitable or benevolent purposes and includes any corporation or person who
organizes or promotes an activity where the gross receipts derived therefrom are
devoted exclusively to charitable, religious or education purposes or incur
exclusively to the benefit of a volunteer fire company, non-profit rescue squad or to a service, fraternal or veteran organization, whose charters have been granted by the Congress of the United States or when such gross receipts inure to the benefit of any agricultural fair; provided no part of the net earnings thereof inure to the benefit of any stockholders or members of such community association or non-profit groups.

(3) “License year” as used in this Section shall mean the period of time commencing on the first day of January each year and ending on the last day of December, unless otherwise provided in the specific license.

B. Prohibitions and Restrictions.

(1) No person, association or corporation offering any mechanical amusement machine, for public use shall knowingly permit any person between the ages of 6 years and 16 years to operate any such machine, between the hours of 8:00 A.M. and 3:00 P.M. on any day on which the public schools of Carroll County are in session during the regular school year.

(2) It shall be unlawful for any business or association open to the general public including bowling alleys, skating rinks, pool halls, bars and other similar type of amusement centers and business establishments using mechanical amusement machines, and other similar types of devices to remain open between the hours of 2:00 A.M. and 5:00 A.M. on secular days of the week and between 2:00 A.M. and 8:00 A.M. on Sundays. Nothing contained herein shall restrict the conduct of any such business during these times so long as the mechanical amusement machines are inoperable and not offered for use during the hours specified.

(3) Nothing in this Section shall be construed to authorize license or permit the display or use of any gambling device whatsoever, or any mechanism which has been or may be judicially determined to be a gambling device.

C. License Required.

(1) Every applicant intending to operate a mechanical amusement machine shall first obtain a license for each such machine from the Town Clerk.
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(2) Each applicant requesting a license shall submit a written application which shall set forth the following:

(a) The name of the applicant;
(b) The names and addresses of all officers thereof;
(c) The dates during which the proposed licensed machines are to be operated;
(d) The place where the proposed licensed machines are to be operated;
(e) The names and addresses and dates of birth of the owners of the proposed licensed devices;
(f) The names and addresses of those persons who shall actually operate or supervise the operation of the proposed licensed machines.

D. License Fee.

(1) The annual license fee for each mechanical amusement machine shall be Twenty-Five Dollars ($25.00) per machine for the first five (5) machines; Fifty Dollars ($50.00) per machine for the next five (5) machines; and One Hundred Dollars ($100.00) per machine for each machine in excess of ten (10). The machine count shall be based upon all machines located at a single place of business regardless of ownership.

(2) For any license issued by the Town after the beginning of the license year, the license fee shall be reduced by an amount equal to one-twelfth (1/12) of the annual fee for each full calendar month since the beginning of the license year; and if a license is voluntarily surrendered to the Town prior to the expiration of the license year, the Town shall refund to the licensee an amount equal to one-twelfth (1/12) of the annual fee for each full calendar month remaining in the license year.

E. Exceptions to License Fee.

(1) Charitable organizations shall obtain a license for each mechanical amusement machine while it operates and shall not be required to pay the license fee set forth above, but shall instead pay a Five Dollar ($5.00) processing fee for each mechanical amusement machine to the Town Clerk.

(2) Any individual or establishment that possesses an
Alcoholic Beverage License issued by Carroll County, which permits the sale and consumption of alcoholic beverages on the premises shall obtain a license for each mechanical amusement machine which it possesses or operates and shall only pay a processing fee of Five Dollars ($5.00) per license for the first three (3) mechanical amusement machines and shall pay the full license fee as set forth in Section 4 for each mechanical amusement machine in excess of three (3). For purposes of machine count the first three (3) machines shall be counted as if they were three (3) of the first five (5) machines paying Twenty-Five dollars ($25.00).

(3) Any person or organization may request a special exemption from the license fees as set forth in this Section for a specified period of time not to exceed ten (10) days. No special exemption will be granted to the same individual or organization for more than two (2) separate periods within 12 consecutive months.

F. Penalty.

Any violation of the provisions of this Chapter shall be deemed to be a misdemeanor and any person or organization found guilty of a violation hereunder shall be subject to a fine not to exceed One Hundred Dollars ($100.00) and imprisonment for ninety (90) days, or both. [Ordinance No. 258, effective January 19, 1992].

CHAPTER 120
LIVABILITY STANDARDS

The Carroll County Livability Standards law shall apply within The Town of Union Bridge, subject to Chapter 45. [Ordinance No. 296].

CHAPTER 125
LOITERING

1. No person shall loiter or prowl in a place, at a time or in a manner not usual for law abiding citizens, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety or persons or property in the vicinity, in any public way, street, highway, place, or alley and refuse to obey the lawful command of a police officer to move on or provide to said police
officer a lawful reason for remaining on said public way, street, highway, place or alley if the alleged loitering by said person would create or cause to be created any of the following:

(a) Danger of a breach of the peace;
(b) the unreasonable danger of a disturbance to the comfort and repose of any person acting lawfully on or in a public way, street, highway, place, or alley reserved for pedestrians;
(c) The obstruction or attempted obstruction of the free normal flow of vehicular traffic or the normal passage of pedestrian traffic upon any public way, street, highway, place of alley;
(d) The obstruction, molestation or interference or attempt to obstruct, molest or interfere with any person lawfully on or in a public way, street, highway, place, or alley to fear for his or her safety.

2. UNLAWFUL ASSEMBLY. No person who is a member of a group of three or more persons who are loitering or prowling in a place, at a time or in a manner not usual for law abiding citizens, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity, in a public way, street, highway, place, or alley, shall refuse the lawful command of a police officer to move or provide to said police officer a lawful reason for remaining in a public way, street, highway, place, or alley, whether said group is stationary or in transit, if the alleged loitering would create or cause to be created any of the following:

(a) Danger of a breach of the peace;
(b) The unreasonable danger of a disturbance to the comfort and repose of any person acting lawfully on or in a public way, street, highway, place, or alley reserved for pedestrians;
(c) The obstruction or attempted obstruction of the free normal flow of vehicular traffic or the normal passage of pedestrian traffic upon any public way, street, highway, place, or alley;
(d) The obstruction, molestation or interference or attempt to obstruct, molest or interfere with any person lawfully on or in a public way, street, highway, place, or alley, in a manner that would cause a reasonable person
or pedestrian of a public way, street, highway, place or alley to fear for his or her safety.

3. No person shall be convicted under this section if the police officer failed to comply with the procedure outlined herein.

4. No person shall be convicted under this section if it appears at trial than the explanation given by the person is true and, if believed by the police would:
   (a) have dispelled the fear from human safety;
   (b) have dispelled the concern for safety of property;
   (c) have dispelled the fear of a breach of the peace;
   (d) have provided a justifiable reason for obstructing vehicular or pedestrian traffic, subject to the discretion of the court.

5. If a person takes flight upon appearance of a police officer who identifies himself as such, or refuses to identify himself, or attempts to conceal himself, said police officer has probable cause to believe a violation of this section has occurred and is hereby duly authorized to make an arrest.

6. Any person, firm or corporation who violates the provisions of this Chapter and is found guilty of said violation shall be fined not less than Twenty-Five Dollars ($25.00) or more than Five Hundred Dollars ($500.00) for each offense and a separate offense shall be deemed committed on each day during which a violation occurs or continues.

7. The provisions of this section shall not apply to solicitation for any lawful business or any lawful charity for donations or financial support.

8. Should any provisions (section, paragraph, sentence, clause, or any other portion) of this Chapter be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable. [Ordinance No. 237, effective June 9, 1985].
CHAPTER 130
NUISANCES

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1. **ANIMAL CONTROL.** See UNION BRIDGE CODE CHAPTER 10.

2. **OTHER ANIMAL AND RELATED ACTIVITIES.**

   A. **Prohibited Activities.** The following activities are prohibited:

   1. Keeping of putrid flesh, fish, vegetables or other items emitting offensive odors or smells in Town.
   2. Keeping of offal, blood of cattle, sheep, hogs or other animals which emits offensive odors or smells.
   3. Throwing or discharging of blood of any slaughtered animal or filthy water or slop upon any Town streets, lanes, alleys, gutters or enclosures.
   4. Keeping of a slaughterhouse, privy cellar, blind-well, hog-pen, sink or other place whatsoever which may emit offensive smells or odor; there is an affirmative duty to keep these places clean and free from odor.
5. Casting, throwing, placing or depositing the carcass of any animal, fowl, or fish, or any excrement of filth from any vault, privy, stable or hog pen on or in any Town street, alley or square.

6. Allowing any carcass, excrement or filth on an owner’s property for more than five (5) hours unless covered with sufficient earth to prevent odor.

7. Permitting any horse, mule, ox, cow, bull, steer, goat, sheep, hogs, pigs, chickens or fowl of any kind to run at large on Town streets.

8. Keeping or maintaining any live hog or swine on or upon any land, building, pen, yard of other enclosure within the Town, except when brought in for sale or reshipment for less than twenty-four (24) hours.

9. Keeping a stand for a stallion or jack for the purposes of trying, mating or serving mares within Town.

10. Horse racing or excessive fast riding on streets, or riding or leading of any horse or mule, wagon or vehicle, on sidewalks or pavements; or keeping standing any horse, mule or wagon buggy or other vehicle at street crossings so as to obstruct travel.

B. Enforcement. The violation by any person or entity of any of the provisions of Section 2(A)(1)-(10) above shall be a misdemeanor punishable as provided by Section 20-97 of the Charter of the Town of Union Bridge, as amended from time to time.

3. ILLEGAL CONDUCT.

A. Prohibited Activities. The following activities are prohibited:

1. Placing or depositing any earth, stones, wood, lumber, refuse from gardens, old boots or shoes, tin, sweepings, dust, ashes, offal, dirt, garbage, paper, handbills, dirty liquids, tin cans, stove pipes, hoops, old iron of any kind on public streets, alleys, lanes, sidewalks or square of the Town, except in connection with ongoing construction.

2. Keeping boxes, barrels, lumber, firewood, coal or other substances or materials on sidewalks, pavements or streets so as to obstruct travel or impair drainage.

3. Firing-off, using or discharging any cannon, gun, rifle,
pistol, sling shot, air gun, spring gun, B-B gun, pellet gun, fire cracker or other explosive or combustible implements or materials within the Town (except during a parade or authorized fireworks or as may be necessary for animal control).

4. Carrying of gun, pistol, rifle or other firearm, or any other dangerous weapon, or the shooting with guns, revolvers or other firearms, or the firing of gunpowder or other explosives or material (except during a parade or authorized fireworks, as may be necessary for animal control) or the storing of gunpowder or other explosive substances in such a quantity to endanger life and property.

5. Throwing, shooting or hurling of stones, clubs, snowballs, pellets or other missiles across Town streets which might wound or hurt others.

6. Indecent exposure of the person or doing other obscene acts or things; or being drunk or profanely cursing or swearing or acting in a riotous, boisterous, disorderly manner are prohibited; commission of assault and battery, gambling or any act to the prejudice of the peace.

7. Consuming or possessing any alcoholic beverage while standing, sitting, loafing or loitering upon any of the streets, highways, alleys, sidewalks or public places in Town; or on private property without the consent of the Owner. it is not unlawful to transport alcoholic beverage from a licensed retailer.

8. Burning of chimneys in dry weather, or the continuing use of unsafe chimneys or stove pipes are prohibited.

9. Entering or staying upon the premises known as the Union Bridge Community Center between 9:00 P.M. and 6:00 A.M. except when attending a scheduled function or event lasting beyond 9:00 P.M.

B. Enforcement. The violation by any person or entity of any of the provisions of Section 3(A)(1) - (9) above shall be a misdemeanor punishable as provided by Section 20-97 of the Charter of the Town of Union Bridge, as amended from time to time.

4. KEEPING OF PROPERTIES.

A. Obstructions to Streets, Alleys, Sidewalks, etc.

1. It shall not be lawful for the owner or owners of any lot or
premises in the Town or occupant of said Lot to allow any limb or limbs of any tree or shrubbery, or to put up or hang over any of the pavements, streets or alleys any signs, board or other obstruction, less than ten (10) feet above sidewalks or less than thirteen and one-half (13 1/2) feet above pavement, streets or alleys which carry vehicular traffic.

2. Owners and occupants of occupied premises and owners and persons in charge of unoccupied premises fronting on any of the streets of the Town shall further trim and keep trimmed the trees and shrubs on such lots and the trees and shrubs growing along the curbs of the pavement of such lots, in such manner that the boughs of such trees and shrubs shall not interfere with lamps or lamp posts, or obstruct, delay, or hinder the free passage of any pedestrian or vehicular traffic along any street.

3. It shall be unlawful for any person to stand, sit, lounge, or be, or place any chairs, wood, coal, or other obstacles, on any sidewalks or streets in the Town so as to block up or bar such sidewalks or streets unnecessarily, or materially hinder or impede the free and uninterrupted passage thereof by all persons or vehicles having occasion to pass or park thereon.

B. Maintenance of Properties fronting Public Streets and/or Sidewalks

1. Owners and occupants of premises fronting upon any street, with paved gutter or sidewalk shall keep such gutter or sidewalk free and clean of all filth, dirt, earth, snow, ice or any other obstruction of any kind whatsoever, at all times of the year; and during the months of May, June, July, August and September clear and clean of all grass or any other foreign substances growing therein.

2. Owners and occupants of premises fronting upon any street with paved sidewalks shall remove snow and ice from the traveled portions of the sidewalk to a width of at least thirty (30) inches within twenty-four (24) hours after any snow or ice ceases to fall.

3. It shall be unlawful to remove or deposit such obstructions, filth, dirt, earth, snow, ice, and grass as set forth above in subparagraphs (1) and (2) in such a manner that results in the obstruction or impediment of the natural drainage flow of water through any gutters or to discharge or place such materials on the traveled portion of any public streets.
4. The Town Clerk may notify any owners or occupants in violation of this subsection by mail, physical delivery or posting prominently on the subject premises. The notice shall order the owners and/or occupants to comply with subsection (1) and (2) and/or to remove such obstruction, filth, dirt, earth, snow, ice or grass within twenty-four (24) hours from actual receipt of such mailed notice or from the date and time of physical delivery or posting. Upon the owners or occupants failure to comply with the order, the Town may remove or cause the previously mentioned items to be removed and the expense of such removal shall constitute a lien upon the premises where such condition occurred to be collected as Town taxes, if not otherwise first paid to the Town of Union Bridge.

5. Removal by the Town as provided herein and reimbursement to the Town of expenses as herein provided shall not bar prosecution of any such owner or occupant for violation of this subsection B as otherwise provided herein.

C. Maintenance of Premises.
1. Owners and occupants of occupied premises and owners and persons in charge of unoccupied premises, including vacant lots, within the Town are hereby charged with the duty of maintaining such premises at all times in a sanitary, clean and tidy condition and so as to prevent the accumulation thereon of refuse, or the storage of an excess of other undesirable material, which constitutes a nuisance, fire hazard, health hazard or danger to the public.

2. Owners and occupants of occupied premises and owners and persons in charge of unoccupied premises, including vacant lots, are hereby charged with the duty of maintaining any grass on such premises at a height of not more than six (6) inches, and the further duty of maintaining such premises free of noxious weeds and dense underbrush.

D. Enforcement.
1. If at any time the maintenance of any premises within the Town is found to be in violation of this Section 4 KEEPING OF PROPERTIES, notwithstanding the fact that the Town Clerk may have also invoked the independent procedures in Section 4B above, the Town shall give notice in writing to the owner, occupant or person in charge of such premises, stating
therein the condition which constitutes such violation, and directing the addressee to remedy such condition within ten (10) days, and it shall be unlawful for any such owner, occupant or person in charge to fail to comply with the terms of such written notice.

2. Any owner, occupant or person in charge of premises to whom such notice is addressed may, within three (3) days from receipt thereof, appeal to the Town Council, in writing, in which case the terms of such notice shall be stayed pending action of the Town Council, which action shall be final.

3. Upon the failure of any person to whom notice has been given pursuant to this Section 4, KEEPING OF PROPERTIES to comply with the terms of such notice, or with the terms imposed by the Town Council on appeal, as the case may be, the Town Clerk shall direct the appropriate Town Officer or engage the services of an independent contractor to remedy the condition which is the subject of such notice, and the expenses incurred by the Town in so doing, plus a reasonable administrative fee, shall be charged to the addressee of such notice, to be collectable as Town taxes; and such expenses shall constitute a lien upon the premises upon which such condition occurred, to be collected as Town taxes are collected, if not otherwise first paid to the Town.

4. The failure to keep and maintain property as set forth above shall constitute a municipal infraction at the time such failure occurs against the owner and/or occupant of the property on which the condition exists pursuant to Section 20-97 of the Town Charter of Union Bridge. The fine for each such offense shall not exceed five hundred dollars ($500.00). The issuance of notice and collection of expenses as set forth above shall not bar the prosecution of the municipal infraction.

5. KEEPING OF BUILDINGS AND OTHER STRUCTURES.
   A. Whenever it shall be found by the Mayor and Council of Union Bridge that any building or structure within the corporate limits of The Town of Union Bridge is unsightly and/or dangerous to the health, safety and welfare of the people of Union Bridge, the Mayor and Council may order that the building or structure be vacated, demolished, removed or altered, repaired or improved as specified in this order. If any order of the Mayor and Council of Union Bridge is not complied with within thirty (30) days of issuance, or within a shorter period of time if so required by circumstances, then such order may be issued by the
Mayor and Council of Union Bridge through their officers, employees, agents or contractors and the expense incurred in complying with the order shall be paid by the owner of the property. A bill for these expenses shall be sent to the Owner by first class mail, postage prepaid, and posted at the property. If the Owner fails to make payment within thirty (30) days of billing date, such expenses incurred in complying with the order shall become a lien against the property and/or land, subject to interest at a rate of six percent (6%) per annum.

B. A copy of the order shall be mailed to the owner of the property, or agent, by registered mail to such owner or agent at last known address; and a copy shall be posted on the property at least ten (10) days prior to Mayor and Council authorization to incur expenses in executing order, unless the condition of the property is such as to require immediate action, in such case the period of posting notice shall be determined by the Mayor and Council.

C. Any person in actual possession of, or having charge, care or control of any property within the corporate limits of Union Bridge, as executor, administrator, trustee, guardian or agent, shall be deemed the owner or owners of such property within the meaning of this Section 5, and shall be bound to comply with the provisions hereof the same as the owner, and notice to any such person of any order by the Mayor and Council of Union Bridge shall be considered the same as if such person or persons were actually the owner or owners of the property stated in the order.

D. The failure to abate any condition in the time stated above for which notice has been given as set forth above shall constitute a municipal infraction against the owner and/or occupant of the property on which the condition exists pursuant to Section 20-97 of the Town Charter of Union Bridge. The fine for each such offense shall be no greater than one thousand dollars ($1,000.00).

   A. The following actions are prohibited:
      1. Dumping or depositing of rubbish, waste matter, refuse, garbage, trash, junk or other debris anywhere in Town except in a trash can,
dumpster or receptacle designed for such use.

2. Dumping or depositing of rubbish, waste matter, refuse, garbage, trash, junk, or other thing whatsoever in a dumpster or other trash receptacles kept on property owned by the Town, including but not limited to the Town Hall location and the Community Center, unless such item or items dumped or deposited were generated from authorized activities on the property, or were expressly authorized by the Town.

3. Dumping or depositing of rubbish, waste matter, refuse, garbage, trash, junk or other debris, in the Town of Union Bridge, which is generated at any location not within the Town, whether or not placed in a public or private trash receptacle, which trash is then removed, or intended to be removed, by the Town or its contractors, at the Town’s expense, to a landfill or other approved solid waste facility.

B. Any violation of Section 6(A)(1) - (3) shall be a municipal infraction pursuant to Section 20-97 of the Union Bridge Town Charter and the fine for each violation shall not exceed five hundred dollars ($500.00). [Ordinance No. 263, effective October 17, 1993].

7. **Junk Vehicles.**
   A. **Junk Vehicles - Definitions.**
      (1) **Junk Vehicle.** Any registered or unregistered motor vehicle which is not in running condition, or which is in such state of disintegration or disrepair as to have no value as a motor vehicle. A vehicle will be deemed to be not in running condition and a junk vehicle, if any of the following conditions apply:

      The windshield is broken or has been removed.
      The vehicle is being stripped or used for parts.

      The engine will not start.

      The transmission will not operate sufficiently to propel the vehicle at roadway speeds.
Any of the doors are removed.

More than thirty percent (30%) of the window glass other than the windshield is broken or removed.

The hood or trunk lid has been removed, or is detached and inoperable.

The driver's seat has been removed or is present in the vehicle but not firmly attached to it.

Any of the wheels or tires have been removed.

The steering wheel has been removed, or does not operate.

Both headlights are inoperable.

The vehicle does not have firmly affixed to it, registration tags for the vehicle (license plates) valid for the year in question. This provision shall not be applied within sixty (60) days of the expiration date of previously valid tags for the vehicle which are firmly affixed to it.

Any vehicle not operated on a public highway within the proceeding three (3) months shall be deemed a junk vehicle for the purposes of this Ordinance, unless said vehicle is a vehicle under repair for which a permit has been obtained from the Town.

(a) Junk vehicle shall not include any farm equipment or vehicle in operating condition actually used in farming operations.

(b) Junk vehicle shall not include any vehicle actually undergoing repairs, for the purpose of making the vehicle operable, and for which
a permit to keep such vehicle has been obtained from the Town.

(c) Junk vehicle shall not include any properly licensed motor vehicle temporarily disabled because of a breakdown, which is repaired and placed back into service within 21 days of the date of the breakdown.

2. **Licensed Motor Vehicle.** A motor vehicle which has firmly affixed to it, in accordance with the laws of the State of Maryland, valid and current registration tags for that vehicle.

3. **Vehicle Under Repair.** A motor vehicle which although not in running condition is actually under repair, or in the process of being restored, which repairs or restoration are for the purpose of rendering the vehicle operable and useful as a motor vehicle, and useable on the public highways.

4. **Other Terms.** Other terms used herein not specifically defined shall have the meanings used in the Transportation Article of the Maryland Annotated Code.

B. **Junk Vehicles Prohibited.**

It shall be unlawful to maintain or keep or permit any person to maintain or keep any junk vehicle on property within the Town of Union Bridge, unless the vehicle is totally enclosed within a substantial structure, consisting of four (4) sides and a roof. It shall not be sufficient for the purposes of this Section to cover a junk vehicle with a canvas or tarpaulin.

C. **Vehicles Under Repair.**

1. **Violation.** It shall be unlawful to maintain or keep or permit any person to maintain or keep any unlicensed motor vehicle, or any motor vehicle which though validly licensed is not operable or in running condition on property within the Town of Union Bridge, unless same is totally enclosed within a substantial structure, consisting of four (4) sides and a roof, or unless a permit for same has been obtained from the Town, and is prominently displayed on the vehicle. It shall not be sufficient for the purposes of this Section to cover such vehicle with a canvas or tarpaulin.
(2) **Grace Periods For Certain Vehicles.** No permit shall be required for any licensed motor vehicle temporarily disabled because of breakdown, which is repaired and placed back into service within 21 days of the date of breakdown.

(3) **Newly Purchased Vehicle.** No permit shall be required until forty-five (45) days from the date of purchase of the motor vehicle under repair.

(4) **Repair Facilities.** This subsection shall not apply to the temporary storage of vehicles at a licensed automobile/truck repair facility, garage or terminal.

(5) **Permits For Vehicles Under Repair.**
   (a) An owner of a vehicle under repair may make application for a permit for a vehicle under repair by applying in person to the Town Clerk, and presenting the original title certificate for the vehicle in the name of the owner and permitting same to be inspected by the Town Clerk. It shall not be sufficient, and a permit may not be issued to the owner upon a bill of sale, or upon a title certificate in the name of a previous owner, even though duly assigned and transferred to the applicant.
   
   (b) **Permit Fee** -- The fee for permits shall be Ten Dollars ($10.00) to be collected by the Town Clerk.
   
   (c) **More Than One (1) Vehicle** -- A separate permit, and fee, for each vehicle under repair shall be required.

(6) **Information Required.**
   An applicant shall complete any forms or documents requested by the Town Clerk, and shall supply the following information:
   
   (a) The make, model, color, serial number, and certificate of title number of the vehicle.
   
   (b) The name and present address, and driver's license soundex number of owner.
   
   (c) The location where the vehicle is stored, and the
location, if different, at which repairs will be made.

(d) If the vehicle has registration tags affixed, the tag numbers.

(e) The date when vehicle was purchased by owner.

(f) The nature of repairs to be made to the vehicle.

(g) The date when repairs are expected to be completed.

(h) The expected cost of parts and the number of hours of labor required to complete the repairs.

(7) **Affidavit.**
An applicant for a permit shall be required to make an affidavit under oath and under penalty of perjury that the information supplied in the application for permit is true and correct, that the owner's purpose in keeping the vehicle is for repairs, and that it is the intention of owner to repair and restore the vehicle to operating condition.

(8) **Display On Vehicle.**
The permit for a vehicle under repair shall be conspicuously displayed on the vehicle by taping the permit to the inside of either the windshield on the driver's side or the driver's door window, such that the face of the permit faces outward.

(9) **Period of Validity.**
A vehicle under repair permit shall be valid for six (6) months from the date of issue.

(10) **Renewal Permits.**
Upon expiration of the initial vehicle under repair permit, or upon expiration of any renewal permit, the owner may apply for a renewal permit.

A renewal permit shall be valid for a period of 90 days from the expiration date of the preceding permit. The fee for a renewal permit shall be the same as for an initial permit. The procedure for application for a renewal permit shall be the same as for application for an initial permit, including
the information and affidavit required. In addition, owner shall state the repairs completed within the proceeding ninety (90) days.

(11) **Denial By Clerk.**

The first renewal permit requested shall be issued upon application by owner. Where the Clerk has reasonable grounds to believe that no actual repairs were made to the vehicle within the preceding 90 days, or that the vehicle is not actually under repair for the purpose of being returned to operation as a motor vehicle, the Clerk may refuse to issue any renewal permit, subsequent to the first renewal permit. For any renewal permit subsequent to the first renewal permit, the Clerk may require additional proof of actual repairs to the vehicle including, but not limited to, receipts for parts or photographs showing the work done. In the event that the Clerk refuses to issue a renewal permit, the owner shall have 15 days from such refusal to dispose of the vehicle.

D. **Notification of Violation.**

When it is believed that a motor vehicle is being kept on property within the Town of Union Bridge in violation of this Ordinance, notice shall be given by posting same on the vehicle in question, or by delivery to any dwelling home or occupied building on the property in question, which notice shall be effective on the date posted or delivered.

E. **Correction Of Violation.**

(1) The owner of the vehicle in question, or the property owner, shall have ten (10) days from the effective date of notice to remove the vehicle in question, or to apply to the Town Clerk for a vehicle under repair permit.

(2) In the event that the vehicle in question is not a junk vehicle, or does not require a permit for a vehicle under repair, as provided in this Ordinance, the owner shall within the ten (10) day period provide satisfactory evidence of same to the Town Clerk.

(3) If the notice of violation is received within the 21 day grace period for temporarily disabled vehicles, or the forty-five (45) day grace period for newly purchased vehicles, satisfactory proof of same must be made to the Town Clerk within ten (10) days of the notice of violation. In that event, the
notice shall serve as notice that the vehicle must be licensed and operational by the end of the grace period, or removed within ten (10) days of the expiration of the grace period. Failure to notify the Town Clerk within the ten (10) day period shall operate as a waiver of the grace period and shall subject the vehicle and property owner to the penalties which would apply had the grace period not been provided.

F. **Vehicles To Be Removed From The Town Of Union Bridge.**
   It shall not be a defense to a charge of violation of Section E above that the vehicle is removed from the property on which it was kept at the time of notice of violation, if the vehicle is merely moved to another location within the Town limits.

G. **Owner Of Property Presumed Responsible.**
   For the purposes of enforcement of this Section 7 of Chapter 130, it is presumed, in the absence of clear convincing evidence to the contrary, that the owner of property upon which a motor vehicle is kept has knowledge of the presence of the vehicle on said property. Where the owner of property is aware of the presence of the motor vehicle upon his property, it is conclusively presumed that the vehicle is being kept on said property with the permission and acquiescence of the property owner. Both the owner of property and the owner of the vehicle are responsible for violations of Section 7 of Chapter 130.

H. **Notice of Violation Not A Waiver.**
   Notwithstanding any of the provisions of this Section, the delivery of notice of a violation of this Ordinance, and the ten (10) day period provided for removal of vehicle or correction of the violation, shall not be construed as a waiver of any violation existing on, prior to, or subsequent to, the date of the notice.

I. **Enforcement Procedures Available.**
   (1) Any time after the expiration of ten (10) days after notice of violation of any provision of this Section 7 of Chapter 130, the Town may utilize, without limitation on any other legal rights which may be available, any or all of the following enforcement methods:
(a) Issue a citation for municipal infraction as permitted by Section 7, Subsection J of Chapter 130;
(b) Apply for an injunction as permitted by Section 7, Subsection K of Chapter 130; and/or
(c) Impound the vehicle as permitted by Section 7, Subsection K of Chapter 130.

(2) Any police officer or other person designated by the Mayor or Town Council may act on behalf of the Town of Union Bridge in connection with the enforcement rights set forth herein.

J. Municipal Infraction.
Any violation of this Section 7 shall be a municipal infraction as defined by the Annotated Code of Maryland Article 23A, Section 3. The penalty for such infraction shall be Twenty-five Dollars ($25.00) for any first violation and Fifty Dollars ($50.00) for any subsequent violation. Each motor vehicle left, stored, or parked in violation of this Section 7, Chapter 130 shall constitute a separate violation. Each day a vehicle is left, stored or parked in violation of this Section 7, Chapter 130 shall constitute a separate violation.

K. Injunctive Relief.
Without limitation upon or election against any other available remedy, The Town of Union Bridge may apply to a court of competent jurisdiction for an injunction enjoining any violation of this Section 7, Chapter 130. An injunction shall be issued prohibiting any continued violation of this section upon a showing that after notice from the Town to remove vehicles from subject property such vehicles were not removed. The court shall award attorney's fees and costs to any party who succeeds in obtaining an injunction hereunder.

L. Impoundment.
Any time after the expiration of ten (10) days from the date on which notice of violation was given pursuant to paragraph D above, the Town may take possession of and remove any vehicle in violation of this Section 7, Chapter 130. Such vehicle is forfeited, and becomes the property of The Town of
Union Bridge, which may dispose of the vehicle in any manner deemed reasonable.

When disposing of such vehicles, the Town may, at its option, follow the procedures set forth in Title 25, Subtitle 2 of the Maryland Vehicle Law (§25-201 et seq. of the Transportation Article of the Annotated Code of Maryland) or such other laws of the State of Maryland which exist, or may be enacted, relating to the disposition of abandoned vehicles provided that nothing in the State laws shall be construed to limit the application, procedures or standards set forth elsewhere herein. [Ordinance No. 276, Section 5, effective January 4, 1998].

8. **DESTRUCTION OF PROPERTY.**
   A. Any unlawful entry upon any lot, yard, garden or enclosure of any of the inhabitants of the Town, and taking away therefrom or pulling up or destroying any fruit flower, plant, tree or vegetable growing therein or destroying or mutilating and injuring any fencing arbor or other useful or ornamental fixtures thereto belonging; or cutting off or mutilating, injuring or destroying any tree, street lamp, sign, awning, curb-stone, sidewalk, street crossing, or any other useful or ornamental fixture planted, put up or made for the comfort of the inhabitants of said Town, are each and all hereby prohibited and forbidden.

   B. Whosoever shall be convicted of committing any act in the foregoing section mentioned, may be fined in any sum not exceeding Ten (10) dollars, and may be committed to the Carroll County Jail or other appropriate place of confinement within the Corporate limits of said Town not exceeding ten days for any one offense, until the fine and costs are paid. [Ordinance No. 6, effective September 1, 1884].

9. **DISTURBANCE OF PUBLIC GROUNDS.**
   Any removal or taking away of sod, earth, sand or gravel or any other substance or material from any of the streets or alleys or public grounds of the Town without the consent of the Street Committee being thereto first had and obtained shall be deemed and is hereby declared to be a trespass and in violation of Section 8 immediately above, providing for the protection of the property and for the comfort and convenience of said Town of Union Bridge and its
inhabitants; and any and every person and their aiders and abettors who shall be convicted of committing such trespass, shall be dealt with and be liable to the same proceedings had in and about the same as is provided for by Section 8B immediately above [Ordinance No. 9, effective September 1, 1884].

10. RAILROAD RELATED OFFENSES.
   A. The idle and disorderly assembling of children or other persons at the Rail Road Depot on the platform of the railroad in the Town of Union Bridge in such manner as to obstruct or interfere with the free passage of persons having business at said Depot, and the unnecessary or disorderly jumping on or off the platform, or the entering of the railroad cars at the Depot or on their approaching or leaving the same by any person or persons not desiring a passage, nor having business therein, is hereby prohibited, and it shall be the duty of the Bailiff of this Corporation or any Constable by him authorized, to disperse any such assemblages, and to arrest any person or persons so offending in any of the ways above mentioned and to convey them before any Justice of the Peace in the limits of said Town, and on conviction thereof, such person so offending shall be subject to a penalty of from one to five dollars for each offense at the discretion of the Justice of the Peace and costs of suit, and on failure to pay the same, to commitment to the town lock-up for not exceeding ten days.

   B. Any person who shall willfully deface, injure or mutilate any railroad cars within the limits of the Town shall on conviction thereof be subject to a penalty or fine of from one to five dollars at the discretion of the Justice of the Peace, and costs of said suit, and on failure to pay the same to commitment to the Town lock-up for not exceeding ten days.

   C. Any person or persons who shall throw any stone or other missile in the limits of said Corporation at any passenger train or freight train of cars passing on the railroad through said Town, the person or persons so offending shall on conviction thereof before a Justice of the Peace forfeit and pay such offense a fine of from one to five dollars at the discretion of the magistrate and costs of suit and on failure to pay said fine and costs be committed to the Town lock-up for not exceeding ten days. [Ordinance No. 12, effective August 26, 1884].
11. **COASTING OR SLIDING.**

   A. No person or persons shall hereafter be permitted to coast or slide in any of the streets or alleys in the Town of Union Bridge, not to catch hold of, or get on to ride on any sleigh, sled, buggy, or other vehicle, without permission of the owner or owners, driver or drivers in the said streets or alleys, under a penalty of not less than one dollar nor more than ten dollars and costs of such for each and every such offense.

   B. The Bailiff of this Corporation or any Constable of Carroll County is hereby authorized and required to arrest any person or persons violating Section A immediately above and take them before any Justice of the Peace of the State of Maryland, within the Corporate limits of said Town to be tried for said offense, and on conviction thereof shall be subject to a fine of not less than one dollar nor more than ten dollars and costs of suit for each and every such offense, and on failure to pay said fine and costs to be committed to the Town lock-up for not exceeding ten days; the informer being entitled to the one half of the fine that may be imposed on any person or persons for violating any matter or thing named in Section A immediately above. [Ordinance No. 33, effective February 19, 1894].

12. **DISORDERLY HOUSE NUISANCE.**

   A. Definitions. For the purpose of this article, the following definitions shall apply:

   (1) **Dwelling:** Any building arranged, designed or used, in whole or part, to provide living facilities for one or more families. “Dwelling” shall include both the enclosed area within a dwelling as well as the exterior premises of the dwelling within the boundary lines of any real property on which the dwelling is located.

   (2) **Occupant:** Any person who lives in or has possession of or holds an occupancy interest in a dwelling or any person residing in or frequenting the premises of the dwelling with the actual or implied permission of
the owner or lessee.

(3) Owner: Any person, agent, operator, firm or corporation having a legal or equitable interest in a dwelling, or recorded in official governmental records as holding title to a dwelling; or otherwise having control of a dwelling, including the guardian of the estate of any such person and the executor or administrator of the estate of such person.

(4) Abatement Committee: A committee of three (3) persons designated by the Clerk-Treasurer made up of two (2) elected Town officials and one (1) private citizen chosen from a list of private citizens approved by the Town Council.

B. Disorderly house nuisances enumerated. A disorderly house nuisance is a dwelling as defined in this article where any of the following has occurred within a twelve (12) month period counting from violation to violation:

(1) Two or more criminal arrests, criminal citations, criminal indictments, criminal warrants, criminal summonses, civil citations, civil summonses or calls to the Carroll County 911 Call Center arising out of separate and distinct facts and circumstances (as defined by the statues of the State of Maryland and/or the ordinances of the Town of Union Bridge or of Carroll County, Maryland) which occur at the dwelling or on property in proximity to the dwelling; or

(2) Two or more violations of the provisions of the Alcoholic Beverage Article of the Annotated Code of Maryland arising out of separate and distinct facts and circumstances; or

(3) Two or more violations of Chapter 10 of the Union Bridge Code (Animals) arising out of separate and distinct facts and circumstances; or

(4) Two or more violations of Union Bridge Code Chapter 45(2)(A)(2), now known as Chapter 171 of the Carroll County, Maryland, Code of Public Local Laws and Ordinances (Livability Code), arising out of separate
and distinct facts and circumstances; or

(5) Two or more violations of Union Bridge Code Chapter 125 (Loitering) or Chapter 130 (Nuisances) arising out of separate and distinct facts and circumstances; or

(6) A combination of two (2) incidents from any of the above categories arising out of separate and distinct facts and circumstances.

C. Prohibited Acts by owners or occupants.

(1) No owner or occupant of any dwelling shall allow or permit such dwelling to be, or become, a disorderly house nuisance.

(2) An owner and/or occupant shall be deemed to have allowed or permitted a dwelling to be or become a disorderly house nuisance if:

   (a) The owner or occupant has personally committed the acts set forth in Chapter 130, Section 12(B); or

   (b) Such acts were committed by invitees of the occupant or owner; or

   (c) Such acts were committed by persons attending events, or functions, sponsored, permitted or allowed by the occupant or owner; or

   (d) Such acts were committed by a combination of those circumstances set forth in Chapter 130, Sections 12(C)(2)(a), (b) or (c) above; or

(3) The owner or occupant has been provided with the written notice of a disorderly house nuisance pursuant to Chapter 130, Section 12(D) below, the facts alleged therein are true, and the owner or occupant fails or refuses to enter into a nuisance abatement agreement, or after entering into such agreement, fails to comply with its terms.
D. Notice.

No person shall be prosecuted for a violation of this article until such person shall have been served with the notice provided for herein, and the person has either failed or refused to enter into the nuisance abatement agreement provided for hereinafter or, after entering into such agreement, the person fails to comply with its provisions. Such notice may be served on such person by personal service, or, in the case of an occupant or occupant owner, by certified mail addressed to the address of the dwelling or, in the case of a nonoccupant owner, by certified mail to his/her last known address or, if none, the address to which any tax statement is sent to such owner for the dwelling or by posting of the dwelling on the structure or at a location on the exterior premises, or by any other method of service reasonably calculated to give actual notice. Such notice shall contain, at a minimum, the following:

1) That a disorderly house nuisance exists as defined by Chapter 130, Section 12(B) at the location specified in the notice;

2) The date of the commission of the acts which constitute the basis for the disorderly house nuisance, the name(s) of the person(s) committing such acts, if known, and other facts and circumstances upon which the Town relies to allege that such acts form the basis for the disorderly house nuisance. Copies of police reports may serve as this documentation;

3) The date, time and place where the person is to appear and meet with the Abatement Committee to participate in nuisance abatement conference;

4) That failure to appear, or failure to make satisfactory arrangements for an alternative date and time, at the time, place and manner designated in the notice may result in prosecution of a violation of this article and the imposition of penalties, as prescribed by this article.

E. Nuisance abatement conference. At the nuisance abatement conference, the Abatement Committee and the owner and/or occupant shall discuss the facts constituting the disorderly house nuisance and shall attempt to
agree on specific actions that the owner and/or occupant can take to abate said disorderly house nuisance.

F. Nuisance abatement agreement.

(1) At the conclusion of the nuisance abatement conference, the Abatement Committee shall submit to the owner and/or occupant a proposed written nuisance abatement agreement. If, at the conclusion of the conference, the Abatement Committee needs more time to draft said proposed agreement, then a follow-up meeting shall be scheduled with the owner and/or occupant within ten (10) days of the initial conference for submittal and review of the completed proposed nuisance abatement agreement.

(2) Any nuisance abatement agreement under this article shall include a list of specific actions and schedule of deadlines for said actions to abate the disorderly house nuisance. It may also include provisions for a periodic reassessment of the agreement’s effectiveness, and the procedure for a modification of the agreement. A nuisance abatement agreement or any written modification to said agreement may impose conditions or requirements on the owner and/or occupant for a period of up to twenty-four (24) months from the date the original agreement is entered into by the owner and/or occupant and the Town. A nuisance abatement agreement or any modification may impose one or more of the following conditions or requirements:

   (a) Institution of eviction proceedings against identified individual(s) from the dwelling in question;

   (b) Written notification from the owner and/or occupant to an identified individual or individuals that they are prohibited from entering on to the premises of the dwelling;

   (c) Utilization of written leases containing a provision or provisions requiring eviction for criminal activity;

   (d) The completion of improvements upon the premises of the
dwelling which have the impact of mitigating crime, including but not limited to
the erection of fences, installation of security devices upon the entrances or
increased lighting; and/or

(e) Any other reasonable condition or requirement designed
to abate the disorderly house nuisance.

(3) Once a proposed written nuisance abatement agreement or
written modification to a nuisance abatement agreement has been submitted to the
owner and/or occupant, said owner and/or occupant shall have forty-eight (48)
hours to review it and enter into said agreement by signing it and returning it to
the Town Clerk-Treasurer.

G. Commencement of prosecution.

The Town may commence prosecution alleging a violation of this
article under the following circumstances:

(1) The owner and/or occupant commits a violation described in
Chapter 130, Section 12(C) above; or

(2) The owner and/or occupant does not attend a nuisance abatement
conference with the Abatement Committee within the time period set forth herein; or

(3) The owner and/or occupant fails or refuses to sign a proposed
written nuisance abatement agreement or proposed written modification to said
agreement within the prescribed time period set forth herein;

(4) The owner and/or occupant subsequently fails or refuses to comply with any condition or requirement set forth in a nuisance abatement
agreement, including any prescribed deadlines for taking particular actions.

H. Violations and penalties.
(1) Any person who shall violate a provision of this article, or fail to comply therewith, or with any of the requirements thereof, shall be subject to prosecution or enforcement action within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to other remedies, any violation may be deemed a municipal infraction and prosecuted as such. The penalty for violation shall be a fine of Five Hundred Dollars ($500.00) for each offense, which may be doubled in accordance with applicable law, and/or the person may be subject to issuance of an abatement order.

(2) Upon a finding of guilt under this article, the court may, in addition to other remedies permitted by law, impose any or all of the following conditions:

(a) The completion of improvements upon the premises of the dwelling which have the impact of mitigating crime and criminal activity, including, but not limited to, the erection of fences, installation of security devices or increase lighting;

(b) Requirement of a written lease for occupants which includes provisions requiring eviction for criminal activity;

(c) Submitting tenancy lists on a periodic basis to the Town;

(d) Imposition of a period of court supervision with the posting of a cash bond of no less than the minimum fine and up to the amount of the maximum fine for the period of court supervision conditioned on the successful completion of the conditions imposed by the court under the court supervision, and failure to complete successfully shall result in forfeiture of the bond to the Town; and

(e) Any other condition reasonably related to the objective of abating the disorderly house nuisance. (Ordinance No. 313, effective February 12, 2017)
# CHAPTER 150
## SEWERS AND SEWAGE

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I. ENABLING SECTIONS

1. **SEWER REGULATIONS.**

   To provide guidelines, standards and order to the operation and control of the Town public sewer facilities, the provisions set forth hereinbelow entitled “TOWN OF UNION BRIDGE SEWER REGULATIONS” shall apply.

2. **SEWER USER FEES.**

   To assist in funding the maintenance, repair and improvements to the Town public sewer facilities, the rate structure provisions set forth hereinbelow and entitled “TOWN OF UNION BRIDGE SEWER USER FEES”, as revised from time to time are hereby authorized and made applicable to users of the Union Bridge public sewer system. The Town shall have the authority to revise user fees from time to time which changes shall be done by resolution introduced by the Mayor and Town Council at least thirty (30) days prior to its passage and which revised user fees shall be effective no sooner than the date of passage. A fair summary of the purpose of the resolution and notice of a public hearing shall be advertised once after the introduction of the resolution in a newspaper having
general circulation in the Town. The resolution when enacted shall supersede the then existing user fees established to the extent stated in the resolution and shall become effective on the date stated in the resolution. It shall not be necessary to pass an additional ordinance to revise said user fees.

3. **CONNECTION FEES.**
   To fund the costs of the connection by users to public sewer lines including all incidental costs to the system, direct and indirect, the provisions of the schedule set forth hereinbelow and entitled ‘TOWN OF UNION BRIDGE CONNECTION FEES”, as revised from time to time, are hereby authorized and made applicable to connections to the Union Bridge public sewer system. The Town shall have the authority to revise connection fees from time to time which changes shall be done by resolution introduced by the Mayor and Town Council at least thirty (30) days prior to its passage and which revised connection fees shall be effective no sooner than the date of passage. A fair summary of the purpose of the resolution and notice of a public hearing shall be advertised once after the introduction of the resolution in a newspaper having general circulation in the Town. The resolution when enacted shall supersede the then existing connection fees established to the extent stated in the resolution and shall become effective on the date stated in the resolution. It shall not be necessary to pass an additional ordinance to revise said connection fees.

4. **GENERAL SEWER ASSESSMENT FEES.**
   In order to adequately upgrade, expand and maintain the Town’s sewer facilities to keep pace with ever-changing technologies and regulations as growth occurs within the corporate boundaries of the Town, the provisions for general sewer assessment fees for new users set forth hereinbelow and entitled ‘TOWN OF UNION BRIDGE GENERAL SEWER ASSESSMENT FEES”, as revised from time to time, are hereby authorized and made applicable to those applying for use of the Union Bridge public sewer system. The Town shall have the authority to revise the general sewer assessment fees from time to time which changes shall be done by resolution introduced by the Mayor and Town Council at least thirty (30) days prior to its passage and which revised general sewer assessment fees shall be effective no sooner than the date of passage. A fair summary of the purpose of the resolution and notice of a public hearing shall be
advertised once after the introduction of the resolution in a newspaper having general circulation in the Town. The resolution when enacted shall supersede the then existing general sewer assessment fees established to the extent stated in the resolution and shall become effective on the date stated in the resolution. It shall not be necessary to pass an additional ordinance to revise the general sewer assessment fees.

II. TOWN OF UNION BRIDGE SEWER REGULATIONS

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A. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

(1) BOD (denoting “biochemical oxygen demand”). The quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at twenty degrees centigrade (20°C.), expressed in milligrams per liter, as
determined in accordance with the latest issue of American Public Health Association Standard Methods for the Examination of Water and Wastewater or by a method acceptable to the State Department of Health and other agencies having jurisdiction.

(2) Building drain. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet [one and five-tenths (1.5) meters] outside the inner face of the building wall.

(3) Building sewer. The extension from the building drain to the public sewer or other place of disposal, also called “house connection”.

(4) Combined sewer. A sewer intended to receive both wastewater and storm or surface water.

(5) Flotable oil. Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of flotable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

(6) Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

(7) Industrial wastes. The wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

(8) Interference.
   i) An inhibition or disruption of the wastewater treatment works or operations, or its sludge processes use or disposal which causes either a violation of any requirement of the wastewater treatment works discharge permit or prevents sewage sludge use or disposal by the wastewater treatment works in accordance with any applicable statutory provisions, regulations or permits issued
under them; including but not limited to:

- Section 405 of the Clean Water Act.

- The Solid Waste Disposal Act (SWDA)[including Title II more commonly referred to as the “Resource Conservation and Recovery Act (“RCRA”) and any state regulation contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA].

- The Clean Air Act.

- The Toxic Substances Control Act.

ii) Damage to sewer systems; and injury or threats to wastewater treatment workers or public health, safety and comfort.

(9) Leachate. Wastewater produced by the percolation of rainwater through a municipal solid waste landfill.

(10) May. When used herein this term means permissive.

(11) Natural outlet. Any outlet, including storm sewers into a watercourse, pond, ditch, lake or other body of surface or ground water.

(12) Pass through. Discharge of pollutants through the wastewater treatment works into waters of the state in quantities or concentrations which cause a violation of any requirement of the wastewater treatment works discharge permit.

(13) Person. Any individual, firm, partnership, company, association, society, corporation, group of entity.

(14) pH. The logarithm of the reciprocal of the hydrogen ion concentration.

(15) Pretreatment. Treatment of wastewaters from sources before
introduction into the joint treatment works.

(16) Properly shredded garbage. The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch [one and twenty-seven hundredths 91.27 centimeters] in any dimension.

(17) Public sewer. A common sewer controlled by a governmental agency or public utility.

(18) Qualified analyst.

i) Any person holding an undergraduate degree in chemistry or in a closely allied field (e.g., biology, sanitary engineering); or

ii) Any other person who has demonstrated competency in wastewater analysis by having analyzed satisfactorily a minimum of three (3) reference wastewater samples as supplied upon request by the approving authority.

(19) Sanitary sewer. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

(20) Septage. The liquid and solid material produced in individual on-site wastewater disposal systems, principally septic tanks and cesspools.

(21) Service Area. The area actually served by the Town’s sewerage system as same may be expanded from time to time.

(22) Sewer. A pipe or conduit which carries wastewater or drainage water.
(23) Sewage. Wastewater.

(24) Sewerage system. Wastewater facilities.

(25) Shall. When used herein this term means mandatory.

(26) Slug. Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four hour concentration or flow during normal operation, or shall adversely affect the collection system and/or performance of the wastewater treatment works.

(27) Storm drain (sometimes termed “storm sewer”). A sewer or drain for conveying water, groundwater, subsurface water or unpolluted water from any source.

(28) Suspended solids (SS). Total suspended matter that either floats on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering under standard laboratory procedure.

(29) Town. The Town of Union Bridge, Maryland. Any provision contained herein which requires Town review, approval, action, or the like, shall mean review approval, action, or the like, by any officer of the Town or a designee of the Mayor and Town Council.

(30) Wastewater. The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

(31) Wastewater facilities. The structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.
(32) Wastewater treatment works. An arrangement of devices and structures for treating wastewater, industrial wastes and sludge.

(33) Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently.

B. Use of public sewers required.

(1) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town or in any area under the jurisdiction of the Town any human or animal excrement, garbage or other objectionable waste.

(2) It shall be unlawful to discharge to any natural watercourse within the service area of the Town’s public sewer system or in any area under the jurisdiction of the Town any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage within the Town’s service area.

(4) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Town’s service area is hereby required at his expense to install suitable toilet facilities therein and shall connect such facilities directly with the proper public sewer in accordance with the provisions of these regulations. All buildings, dwellings, apartments, living units or other structures in Town discharging water, sewage or other liquid of fluid substances therefrom shall be connected to the sanitary sewage system of the Town and shall discharge any such substance into and through the system.

(5) All privies, privy vaults, cesspools, septic tanks and drains on properties connected with a sanitary sewer shall be abandoned as soon as possible.
and in no case later than thirty (30) days after the connection of such properties to such sanitary sewer, and left in such way that they cannot again be used or injuriously affect the public health; and all wells that are found by the Town or any public health authority having jurisdiction to be polluted or a menace to health shall likewise be abandoned and closed.

(6) Privies, privy vaults, cesspools, septic tanks, drains and polluted wells abandoned and closed pursuant to this section shall be subject to inspection by the Town, its designee and by any public health authority having jurisdiction, and the owner of the property upon which any such abandoned and closed facility is located shall take such remedial action as may be prescribed by such inspector to assure that such closed and abandoned facility will not constitute a hazard to the public health or safety.

(7) In cases of infeasibility or special circumstances, for good cause shown, and with the approval of the Carroll County Health Department or other regulating agency, the Town may grant such exception to the within Section B as may be necessary and appropriate.

C. Building sewers and connections.

(1) No authorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town.

(2) There shall be three (3) classes of sewer permits: for residential use, for commercial use and for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on forms furnished by the Town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the Town’s judgment.

(3) All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be
occasioned by the installation of the building sewer. The property owner shall be responsible for furnishing, installing and maintaining the service pipe from the curb or property line, as designated by the Town, to the house or building on his premises.

(4) Each mobile home and/or trailer unit used for residential or commercial purposes and having domestic water and/or sanitary facilities therein shall be considered a separate and independent building and, as such, shall have its own separate and independent building drain and building sewer.

(5) Where existing building sewers connected to a public sanitary sewer or public storm sewer are to be abandoned by reason of demolition of buildings and structures or for any other reason, they shall be disconnected and permanently sealed at the curbline or at the public sewer as directed by the Town. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town, to meet all the requirements hereof.

(6) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and back-filling the trench shall all conform to the requirements of the Carroll County Plumbing Code and/or other applicable rules and regulations of the Town and the State. In the absence of code provisions or in amplification thereof, the material and procedures set forth in appropriate specifications of the American Society for Testing materials and Water Pollution Control Federation Manual of Practice No. 9, as same shall be amended from time to time, shall apply.

(7) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Exceptions to this requirement shall be requested in writing and shall be approved or disapproved by the Town.
(8) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building drain or building sewer which in turn is connected directly or indirectly to a public sanitary sewer.

(9) The connection of the building drain to the building sewer or the building sewer into the public sewer shall conform to the requirements of the Carroll County Plumbing Code and/or other applicable rules and regulations of the Town and State or, in the absence of code provisions or in amplification thereof, the procedure set forth in appropriate specifications of the American Society for Testing Materials and the Water Pollution Control Federations Manual of Practice No. 9 as same shall be amended from time to time. All such connections shall be made gastight and watertight. All connections of building sewers into the public sewer shall be performed by persons authorized by the Town. The prescribed procedures and materials must be approved by the Town before installation.

(10) The owner of any improved property shall maintain and repair the building drain and lateral at his own expense and shall remove all trees, tree roots and other obstructions of the building drain and lateral. Where such maintenance or repairs are neglected by the owner, the Town may, ten (10) days after mailing written notice to the owner, make or cause to be made such maintenance or repairs as may be necessary and charge the owner of said improved property for the cost thereof.

(11) The applicant for the building sewer permit shall notify the Town when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made in the presence of and under the supervision of the Town. The Town shall be notified twenty-four (24) hours before time for backfilling.

(12) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.
D. Use of public sewers.

(1) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

(2) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Town. Industrial cooling water or unpolluted process water may be discharged to a storm sewer or natural outlet, on approval of the Town, and upon acquiring a National Pollution Discharge Elimination System Permit (NPDES permit) from the office of Environmental Programs, or such then applicable permit or approval.

(3) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

   (a) Any gasoline, benzene, naphtha, fuel oil, engine oil, fuel additives, paint products, organic solvents or other flammable or explosive liquid, solid or gas.

   (b) Any waters or wastes containing toxic, poisonous or in any way harmful solids, liquids or gases in sufficient quantity which, either singly or by interaction with other wastes, pass through or interfere with the wastewater treatment works.

   (c) Any waters or wastes having a pH stabilized, lower than six point zero (6.0) or higher than nine point zero (9.0), or having any other corrosive or scale-forming property capable of causing damage or hazard to structures, equipment and personnel of the wastewater facilities and wastewater treatment works or hinder and/or reduce the normal treatment works or hinder and/or reduce the normal microbiological action, sludge conditioning and sludge dewatering capabilities of the wastewater treatment works.
(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works, such as but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, styrofoam, foam rubber, sanitary napkins, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, bones, paper dishes, cups, milk containers, bentonite lye, building materials, rubber, leather, porcelain, china, ceramic wastes, etc., either whole or ground by garbage grinders.

(e) Any waters or wastes prohibited by any permit issued by the Town, county, state and federal government agencies.

(4) The following described substances, materials, waters or wastes shall be limited in discharges to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, public property or constitute a nuisance. The Town may vary the limitations established in this subsection (d) if found to be appropriate giving due consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without Town approval are as follows:

(a) Any liquid or vapor having a temperature higher than one hundred four degrees Fahrenheit (104°F.)[forty degrees centigrade (40°C.)] or less than thirty-two degrees Fahrenheit (32°F.)[zero degrees centigrade (0°C.).]

(b) Wastewater containing more than one hundred (100) milligrams per liter of oil of an animal or vegetable origin or twenty-five (25) milligrams per liter of petroleum oil, nonbiodegradable cutting oils or other oil of
mineral origin.

(c) Wastewater from industrial plants containing flotable oils, fat or grease.

(d) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

(e) Any waters or wastes containing substances which are limited by the national Categorical Pretreatment Standards as same may change from time to time. Standards may be set by the Town when the national standard is determined to be insufficient to protect the wastewater facility from adverse affects or when the national standard has not been promulgated. Upon promulgation of National Categorical Pretreatment Standards for a particular subcategory, the national standards, if more stringent than the limitations imposed by the Town for sources in the subcategory, shall immediately supersede the limitations imposed by the Town.

(f) Any waters or wastes containing phenols or any other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Town as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.

(g) Any radioactive substances and/or isotopes of such half-life or concentration as may exceed limits established by the Town in compliance with applicable state and federal regulations.

(h) Quantities of flow, concentration, or both, which constitute a “slug” as defined herein.

(i) Waters and wastes containing substances which are not
amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(j) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.

(k) Any waters or wastes containing at any time total solids greater than one thousand two hundred fifty (1,250) milligrams per liter or of such character and quantity that unusual attention or expense is required to handle such materials in the sewerage facility.

(l) Any waters or wastes containing dye from any source that will not have an effluent equivalent to that produced by alum coagulation and chlorination to remove suspended or colloidal matter and bleach the dissolved dyes.

(m) Any waters or wastes having an average daily chlorine demand in excess of twelve (12) milligrams per liter at a detention time of twenty (20) minutes.

(n) Industrial waste having an average daily BOD greater than two hundred twenty (220) milligrams per liter.

(o) Industrial waste having an average daily content of suspended solids greater than two hundred fifty (250) milligrams per liter.

(p) Industrial waste slugs having an average daily flow greater than five percentum (5%) of the average daily sewage flow at the wastewater treatment works.

(q) Septage containing the following substances in
concentrations exceeding these listed.

<table>
<thead>
<tr>
<th>Substance</th>
<th>Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total suspended solids</td>
<td>15,000 mg/l</td>
</tr>
<tr>
<td>BOD subscripts 5</td>
<td>5,000 mg/l</td>
</tr>
<tr>
<td>Total kjeldahl nitrogen</td>
<td>600 mg/l</td>
</tr>
<tr>
<td>Total phosphorus</td>
<td>150 mg/l</td>
</tr>
<tr>
<td>Grease</td>
<td>9,600 mg/l</td>
</tr>
<tr>
<td>pH</td>
<td>6 to 9 units</td>
</tr>
</tbody>
</table>

Septage must be discharged at the location approved by the Town.

(r) Leachate containing the following substances in concentrations exceeding these listed:

<table>
<thead>
<tr>
<th>Substance</th>
<th>Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total suspended solids</td>
<td>15,000 mg/l</td>
</tr>
<tr>
<td>BOD subscripts 5</td>
<td>22,500 mg/l</td>
</tr>
<tr>
<td>Ammonia nitrogen</td>
<td>500 mg/l</td>
</tr>
<tr>
<td>pH</td>
<td>6 to 8</td>
</tr>
</tbody>
</table>

(5) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section D(4), and which in the judgment of the Town, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or sludge management or which otherwise create a hazard to life or constitute a public nuisance, the Town may, upon giving official notice to the discharger:

(a) Reject the wastes;

(b) Require pretreatment according to the pretreatment standards as adopted by the Town to an acceptable condition for discharge to the
public sewers;

(c) Require control over the quantities and rates of discharge;

(d) Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions The Town of Union Bridge Sewer User Fees schedule; and/or

(e) Require immediate discontinuance of the waste discharge until such time as it meets the requirements of these regulations.

Any person so notified shall immediately stop or eliminate the discharge. In the event that the discharger shall fail to comply with the notice, the Town shall take such actions as are deemed reasonably necessary to prevent or minimize damage to the sewerage system or danger to persons or property, including, where in the opinion of the Town the danger is clear, present and substantial, immediate severance of the discharger’s sewer connection to the sewerage system.

If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town and subject to the requirements of all applicable codes, ordinances, regulations and laws.

(6) Grease, oil and sand interceptors shall be provided when, in the opinion of the Town, they are necessary for the proper handling of liquid wastes containing flotable grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owners shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Town. Any removal and hauling of the collected materials not performed by the owner’s
personnel must be performed by currently licensed waste disposal firms.

(7) Where pretreatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(8) When required by the Town, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure, together with necessary meters and other appurtenances in the control structure to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Town. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

(9) The Town may require a user of sewer services to provide information needed to determine compliance herewith. The Town may review and copy records to obtain the required information. These requirements may include:

(a) Wastewater discharge peak rate and volume over a specified time period.

(b) Chemical analyses of wastewaters.

(c) Information on raw materials, processes and products affecting wastewater volume and quality.

(d) Quantity and disposition of specific liquid, sludge, oil, solvent or other material important to sewer use control.

(e) A plot plan of sewers of the user’s property showing sewer and pretreatment facility locations.

(f) Details of wastewater pretreatment facilities.
(g) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

(h) Any other information required by the flow measurement, sampling, analysis and monitoring standards as adopted by the Town.

(10) All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in these regulations shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and shall be determined by or under the direct supervision of a qualified analyst at the control structure provided or upon suitable samples taken at said control structures. In the event that no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis by the Town.

(11) No statement contained in these regulations shall be construed as preventing any special agreement or arrangement confirmed in writing between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment of the appropriate sewer user fees by the industrial concern pursuant to the provisions of this Chapter. Any National Categorical Pretreatment Standards or state standards will not be waived by a special agreement.

E. Discharge of wastewater into storm sewers.

Discharge of wastewater into storm sewers shall not be permitted.

F. Industrial waste discharge permits.

(1) Prior to discharging or continuing the discharge of any industrial waste to the sewerage system, the owner of the improved property from
which such discharge is proposed to be made shall apply to the Town in letter form for a permit to make such discharge. The letter of application shall provide a detailed description of the nature and extent of the discharge to the satisfaction of the Town. Application to continue discharge of individual waste shall have been made within six (6) months after passage hereof.

(2) A fee of twenty-five dollars ($25.00) shall be charged for issuance of a discharge permit.

(3) An industrial waste discharge permit shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period of less than a year or may be stated to expire on a specific date. The discharger shall apply for permit reissuance a minimum of one hundred eighty (180) days prior to the expiration of the discharger’s existing permit. The terms and conditions of the permit shall be subject to modification by the Town during the term of the permit as discharge limitations or requirements as identified in Section D are modified or other just cause exists. The discharger shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(4) Within nine (9) months of the promulgation of a National Categorical Pretreatment Standard, the industrial waste discharge permit of dischargers subject to such standards shall be revised to require and impose conditions to ensure compliance with such standard within the time frame prescribed by such standard. Where a discharger, subject to a National Categorical Pretreatment Standards, has not previously submitted an application for an industrial waste discharge permit, as required by this Section F, the discharger shall apply for an industrial waste discharge permit within one hundred eighty (180) days after the promulgation of the applicable National Categorical Pretreatment Standards. In addition, a discharger with an existing industrial waste discharge permit shall submit to the approving authority within one hundred eighty (180) days after the promulgation of an applicable National Categorical Pretreatment Standards, on forms to be provided by him, the information required by 40 CFR 403.12(b) and the compliance schedule required
by Subsection (b) of that section, or such other regulations and amendments as may from time to time become applicable. Within ninety (90) days following the date for final compliance with applicable pretreatment standards or, in the case of a new discharger, following commencement of discharge to the sewage system, any discharger of industrial waste subject to pretreatment standards shall submit a report to the approving authority upon forms to be provided by him containing the information required by 40 CFR 403.12(d) and, thereafter, semiannually in the months of June and December the report required by 40 CFR 403.12(e), or such other regulations and amendments as may from time to time become applicable.

(5) Industrial waste discharge permits may contain the following applicable special permit conditions:

(a) Any exception to the discharge standard set forth in Section D.

(b) Limits on the average and maximum wastewater constituents and characteristics.

(c) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.

(d) Requirements for installation and maintenance of inspection and sampling facilities.

(e) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.

(f) Compliance schedules.

(g) Requirements for submission of discharge reports.

(h) Requirements for maintaining and retaining plant records
relating to wastewater discharge as specified by the approving authority and
affording access by the Town thereto for reviewing and copying the plant records.

(i) Requirements for notification of the Town of any new
introduction of wastewater constituents or any substantial change in volume or
character of the wastewater constituents being introduced into the wastewater
treatment system.

(j) Requirements for notification of slug discharge.

(k) Other conditions as deemed appropriate by the approving
authority to ensure compliance with this Chapter.

G. Pretreatment compliance enforcement.

Notwithstanding the existence of any delegation agreement, to
ensure compliance with the pretreatment requirements, the Town may take any of
the following actions against an industrial user:

(1) Seek injunctive relief necessary to prevent irreparable harm to
the wastewater facility, to the health and safety of plant workers or to the
environment.

(2) Seek civil penalties.

(3) Seek criminal penalties.

(4) Impose a penalty or fine of not less than two hundred fifty
dollars ($250.00) for each day a violation of pretreatment standards or
requirements occurs.

H. Drainage of swimming pools.

Drain lines from all swimming pools in the Town may be connected
to storm sewers, and filter backwash lines shall be discharged to the sanitary
sewerage system as follows:

(1) Sand filter backwash shall be discharged to the sanitary sewer, subject to the provisions set forth in Section D(6).

(2) Diatomaceous earth filter backwash shall be connected to the sanitary sewer through settling tanks with three (3) months storage capacity of spent diatomaceous earth, which tanks shall be readily accessible for removing solid waste for disposal.

I. Removal, transportation and disposal of septage, leachate and industrial wastes.

(1) This section is intended for any owner using a tank truck or any equipment in the transportation and disposal of septage, leachate and industrial wastes. The equipment and tank truck shall conform to the following requirements:

(a) the container shall be watertight.

(b) Tanks, containers or other equipment shall be so constructed that every position of the interior and exterior can be easily cleaned and shall be kept in a clean and sanitary condition.

(c) Piping, valves and permanent or flexible connections shall be accessible and easily disconnected for cleaning purposes.

(d) The inlet opening, or opening to every container, shall be so constructed that the material will not spill outside during filling, transfer or transport.

(e) The outlet connections shall be so constructed that no material will leak out, run out to other than the point of discharge and shall be of a design and type suitable for the material handles and capable of controlling the flow or discharge without spillage, undue spray or flooding immediate
surroundings while in use.

(f) No connection shall be made at any time between a tap or outlet furnishing potable water on any premises and any container or equipment holding material by any means other than an open connection.

(2) The septage, leachate or wastes discharged by the tank trucks at the wastewater treatment works shall not contain industrial waste, chemicals or other matter, with or without pretreatment that does not conform to the requirements of Section D hereof.

(3) Any septage, leachate and industrial waste to be discharged from tank trucks within the Town shall be disposed at the location approved by the Town. The Town may regulate the time or times of discharge, the rate or rates of discharge and the amount of discharge.

(4) Any hauler, operator, person or persons cleaning cesspools, septic tanks, privies or any other container governed by this section shall be licensed by the appropriate jurisdiction before cleaning such containers and hauling the material to the designated place of disposal within the Town.

J. Protection from damage.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be guilty of a misdemeanor and subject to immediate arrest and fine not to exceed Five Hundred Dollars ($500.00) in addition to payment of restitution. This provision shall be in addition, and shall not limit, any other criminal or civil liability which may attach.

K. Powers and authority of inspectors.

(1) Authorized employees or representatives of the Town bearing proper credentials and identification shall be permitted to enter all properties for
the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of these regulations.

(2) Authorized employees or representatives are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential unless a significant public health concern is at issue. The industry must establish that the revelation to the public of the information in question might result in an advantage to the competitors.

(3) While performing the necessary work on private properties, authorized employees or representatives of the Town shall observe all safety rules applicable to the premises established by the owner or operator of the business conducted at the property to the extent the rules are not inconsistent with necessary actions to be performed hereunder.

L. **Sewer extensions.**

(1) All applications for sewer service shall be made in writing. The Town shall be responsible for approval or denial of sewer extensions.

(2) The owner or owners applying for such sewer extension shall be responsible for the cost of making such an extension including but not limited to mains, pumping stations, connections, fittings or other facilities required to render proper service. Title to the sewer shall be vested in the Town, and the sewer shall at all times remain the sole property of the Town and shall not be trespassed upon or interfered with in any respect. This property shall be maintained by the Town and may be used as the Town deems fit.

(3) When sewer facilities are to be constructed, the owner will furnish plans for review by the Town and all other agencies having jurisdiction. These plans will denote location, profile and any other pertinent details required by agencies having jurisdiction. The Town may also require a public works agreement spelling out the conditions by which a sewer will be extended.
Before an extension of a sewer is made by the Town, the owner or applicant shall post security for the estimated cost of the sewer extension. Final adjustments will be made upon the receipt of all bills and expenses that may be incurred in the extension of a sewer. Any surplus security will be returned to the owner. Any deficit will be billed to the owner upon final accounting.

The Town will not be required to make any reimbursement to the owner for additional connections to such sewers or enter into any type of buy-back agreement.

The Owner shall be responsible for reimbursing the Town for the preparation, review and approval of construction drawings, plans and other related documents for all sewer extensions. Said fee shall be in addition to the costs for which the owner is responsible under Subsection 2 of this Section.

M. Mandatory hook-ups and penalties for failure to pay charges relating thereto.

It shall be the duty of the Town Clerk to notify, in writing, each property owner whose property reasonably can be served by a newly installed sewer line, but which is not connected thereto, that such owner shall have a period of six (6) months in which to connect to such sewer and to pay the applicable special benefit assessment therefor, without the imposition of any penalty.

It shall be the duty of the Town Clerk to notify, in writing, each property owner whose property reasonably can be served by a then existing sewer line, and who is not connected thereto, that such owner shall have a period of six (6) months in which to connect to such sewer and to pay the connection charge and applicable general sewer assessment fees therefor without the imposition of any penalty.

After the expiration of one (1) year from the date of the notice
provided for in Subsection 1 of this section, or upon the expiration of six (6) months from the date of notice provided for in Subsection 2 of this section, any property owner so notified who has not then paid the connection charge and special benefit assessment applicable to his property shall pay a penalty of one percent (1%) of such charge or assessment, or both, for each month, or fraction thereof, that such charge or assessment remains unpaid.

N. **Suspension, Interruption or Discontinuance of Service.**

(1) In any instance in which the owner of any building, dwelling, apartment, living unit or other structure desires to suspend his sewer services for a period exceeding sixty (60) days, he may do so by written application made at least five (5) days prior to the cutoff date.

(2) The Town will make reasonable efforts to avoid interruptions in service but when interruptions occur, service shall be re-established in the shortest time practicable. Planned interruptions will be made at a time when it will cause the least inconvenience and shall be preceded by notice deemed most appropriate by the Town.

(3) Service may be discontinued under the following circumstances:

(a) Without notice in the event of a condition determined by the Town to be hazardous.

(b) Without notice in the event of customer use of equipment in such a manner as to adversely affect the Town’s equipment or the Town’s service to others.

(c) Without notice in the event of unauthorized use of water or misrepresentations to Town in request for service.

(d) For customer tampering with equipment furnished and owned by the Town.
(e) For failure of the customer to fulfill his contractual obligations for service and/or facilities.

(f) For failure of the customer to permit the Town to have reasonable access to its equipment.

(g) For non-payment of the sewer bill within thirty 30) days of the date of the bill.

(h) For failure of the customer to furnish such service equipment, permits, certificates, and/or rights-of-way, as shall have been specified by the Town as a condition to obtaining service, or in the event such equipment or permissions are withdrawn or terminated.

(i) Upon discontinuation of sewer service for any premises in accordance with the foregoing provisions or for violation of any other Town rule or ordinance, a charge will be made for restoration of service in the amount of the actual cost of the restoration of service; provided that the minimum charge shall be Thirty Dollars ($30.00) which minimum charge must be paid in advance of the restoration of service and will be credited towards the actual cost thereof.

O. Penalties.

(1) Any person found to be violating any provision hereof for which a specific penalty is not enumerated shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. In the event that the violation has caused or can potentially cause physical damage to the sewerage works and/or degradation of the treatment plant effluent to the degree that it does not meet the current requirements of appropriate state or federal regulatory agencies, the Town shall require immediate correction of the violation or denial of service until satisfactory corrections are made.
(2) Any property owner who shall fail to connect to the Town sanitary sewage system as herein provided, without obtaining an exception, shall be guilty of a misdemeanor and shall be subject to a fine of not less than Two Hundred Dollars ($200.00), per offense, nor more than Five Hundred Dollars ($500.00) per offense, and that such violation for each month shall be deemed a separate offense.

(3) Any person violating the provisions of Section D hereof shall be guilty of a misdemeanor and shall be subject to a fine of not less than Two Hundred Fifty Dollars ($250.00) nor more than One Thousand Dollars ($1,000.00) per violation. Violations shall be considered a separate violation for each day they occur.

(4) Any person violating any of the provisions, hereof, other than those for which some other penalty is specified, shall be liable to the Town for any expenses, loss or damage occasioned the Town by reason of such violation and for a fine not to exceed Five Hundred Dollars ($500.00) per violation. Each discharge or act in violation hereof shall be deemed a separate violation. Discharge or acts which cannot be separately identified shall be deemed a separate violation for each day they occur.

(5) This “Penalties” section shall not supersede or otherwise affect any other specific penalties or liabilities contained herein or arising elsewhere.

P. Validity and Applicability.

(1) The invalidity of any section, clause, sentence or provision of this chapter shall not affect the validity of any part of this chapter which can be given effect without such invalid part or parts.

(2) The provisions hereof shall apply to any property annexed into The Town of Union Bridge effective upon the effective date of annexation, unless extended or revised by the Town as part of the annexation proceeding.

III. FEE SCHEDULES - PUBLIC SEWER
A. **Town of Union Bridge Sewer User Fees.**

(1) A charge or fee is hereby established to be paid by the Owners of all buildings, dwellings, apartments, living units or other structures, which charge or fee shall be a quarterly minimum amount irrespective of usage plus an amount based upon the metered water used or consumed during each quarter year in or about such buildings, apartments, living units or other structures, as follows:

a. **RESIDENTIAL USES.**

Quarterly minimum charge per user (effective July 1, 2017): $44.81

Charge per 1,000 gallons of water consumed in addition to quarterly minimum charge (effective July 1, 2017), provided that the charge per 1,000 gallons of water consumed in addition to quarterly minimum charge shall automatically increase annually by three percent (3%) over such charge for the prior fiscal year and continuing on the same date each and every year unless waived or modified for a given fiscal year by resolution of the Town Council adopted prior to the scheduled date for such increase (Resolution 03-12, effective July 1, 2012)

Each single family home, each apartment or other area within a structure arranged or designed for occupancy by one family or each private, segregated living area for one person (any one of which sometimes referred to herein as a “living unit”) shall be charged as a separate living unit for purposes of applying the rate schedule above and shall pay separate minimum charges. Where more than one (1) living unit is served through a single water meter, each living unit shall be responsible for separate minimum charges.

b. **OTHER USES.**

Non-residential other uses shall be subject to the same rate schedule as set forth in Section A above. If the other use is deemed to produce a rate of flow of sewage similar to, or less than, a typical residential unit then it will be treated as a single unit, i.e., responsible for one (1) minimum charge plus actual use. Charges for other uses deemed to produce more than a typical residential unit shall be determined by using available information to approximate
use compared to that of a single dwelling and set a reasonable number of units to be charged by dividing the anticipated approximate use by the typical use for a residential unit. Each unit shall be charged a separate minimum charge.

c. **INACTIVE UNITS.**

It is understood that the Town incurs expense providing sewer treatment capacity and distribution of service to users. Accordingly, a unit or living unit shall be obligated to pay minimum user charges regardless of vacancy, habitability, discontinued service or other non-usage for any reason other than complete demolition and removal of the unit or living unit.

d. **NOTICE BY UNIT OWNERS.**

It shall be the Owner’s responsibility to notify the Town in writing if the actual number of units served by a single water meter is different than what is billed by the Town for the Owner’s premises. The Town may backcharge for all charges, fees or penalties hereunder for any period for which a bill understated the number of living units or for a living unit that was not billed, unless such notice was received by the Town prior to the date the billing was payable or would have been payable if timely issued.

(2) The source of water for every building, dwelling, apartment, living unit or other structure discharging waste, water, sewage or other liquid or fluid substances into the Town's sanitary sewer system shall be metered.

(3) The owner of any building, dwelling, apartment, living unit or other structure who can reasonably demonstrate that he uses a substantial amount of water that is not discharged into the Town's sanitary sewage system shall have the privilege of applying to the Town for permission to install a separate water meter to measure the water not discharged into the sanitary sewer system. For all such water, the owner shall not be charged a sewer rate as established herein above. All costs and expenses relating to the installation of such a separate water meter shall be paid by the property owner.

(4) The charge, rate, fee, penalty or assessment levied or imposed
hereby shall be a lien on the premises served and may be collected in the same manner as provided for the collection of taxes imposed by the Town upon the assessable property therein. If any charge, rate or fee is not paid within thirty (30) days from the date of billing, a penalty of ten percent (10%) shall be charged, and the Town shall have the right to disconnect water service to the property after five (5) days' written notice.

(5) Bills which are incorrect due to meter or billing errors will be adjusted as follows:

a. Whenever a meter in service is tested and found to have over-registered more than two percent (2%), the Town will recalculate the bills for service.

b. If a meter in service fails to register then the Town will render an estimated bill.

c. If a meter is found to be more than two percent (2%) slow, the Town may bill the customer for the amount the test indicates has been undercharged for the period of inaccuracy, which period shall not exceed the last six (6) months the meter was in service.

d. When it has been determined that a customer has been overcharged or undercharged, the amount of the overcharge or undercharge shall be adjusted, refunded, credited, or billed as the case may be.

(6) The Town shall review the sewer charges annually and revise them periodically, if necessary, to meet operation and maintenance expenses. The Town shall maintain all the records as are necessary to document compliance with the federal regulations.

(7) Amounts collected as user fees shall be placed in a separate sanitary sewer account maintained by the Town for the purpose of redemption of sewer bonds, payment of interest thereon and upkeep and maintenance of the system.
(8) Nothing contained herein shall prohibit the Town from setting sewer user fees by some other method reasonably calculated to approximate use and corresponding charges as set forth above in special cases where the formula contained herein is inappropriate [Resolution No. 3-08, effective July 1, 2008].

B. **TOWN OF UNION BRIDGE - CONNECTION FEES**

A charge shall be made for each sewer connection to the Town’s sewer system in the amount of One Thousand Dollars ($1,000.00) minimum, or actual cost, whichever is greater.

The charge shall be collected at the time the building sewer permit application is filed, unless some other time is set by a resolution passed by the Mayor and Town Council for good cause to facilitate a specific project.

The Town may waive, credit or otherwise adjust a sewer connection charge or charges as part of a public works agreement where an owner is giving similar value in some other form [Ordinance No. 256, effective July 1, 1991].

C. **TOWN OF UNION BRIDGE - GENERAL SEWER ASSESSMENT FEES**

1. In any instance in which the Town shall furnish sewage service to any building, dwelling, apartment, living unit or other building or structure, as herein set forth, a general sewer assessment fee is hereby levied and imposed, payable prior to the issuance of a building permit and in the case of a subdivision lot upon the earlier recordation of the lot if so required by Town, upon the owner of such property or properties to be served in the amount or amounts as follows:

   a) Residential

   Each dwelling, each dwelling unit in a multi-family dwelling, each apartment unit or each living unit including independent living retirement units .............................................. $ 7,068.00
b) Industrial Manufacturing

Minimum (includes buildings containing up
to 5,000 square feet total floor space $ 7,068.00
Next 10,000 square feet ........................................ 0.18 per square foot
Next 15,000 square feet ........................................ 1.06 per square foot
All over 30,000 square feet ....................................... 0.96 per square foot

c) Industrial Warehousing

Minimum (includes buildings containing up
to 2,000 square feet total floor space $ 3,533.00
Next 3,000 square feet ........................................ 1.27 per square foot
Next 5,000 square feet ........................................ 1.06 per square foot
Next 20,000 square feet ........................................ 0.82 per square foot
All over 30,000 square feet ....................................... 0.60 per square foot

d) Schools and Colleges, Including
   Dormitories (students and staff)

1 to 100 persons ....................................................... $ 14,136.00
101 to 250 persons ................................................... $ 35,340.00
251 to 400 persons ................................................... $  6,544.00
401 to 1,000 persons ............................................... $113,088.00
Each additional 400 persons or fraction thereof
over 1,000 ...................................................................... $  49,476.00

e) Assisted Living Facilities

Per Person based on Full Capacity .................................. $  1,843.83

f) Hospitals and Nursing Homes

1 to 15 beds .................................................................$ 11,167.20
15 to 48 beds.............................................................................................................$ 27,988.80
Each additional bed over 48 ..................................................................................... $  417.16

g) Hotels and Motels

1 to 10 rooms ........................................................................................................... $  7,068.00
11 to 50 rooms ...........................................................................................................$17,671.20
Each additional room over 50 .................................................................................. $  583.20

h) Commercial (retail, wholesale, business offices)

Minimum (includes buildings containing up
to 5,000 square feet total floor space)................................................................. $ 7,068.00
Next 5,000 square feet......................................................................................... $1.18 per square foot
Next 10,000 square feet......................................................................................... $0.91 per square foot
All over 20,000 square feet .................................................................................. $0.70 per square foot

2. a) In any instance in which an existing structure is altered to
convert to additional dwelling units or business offices, there shall be imposed a
special sewer benefit assessment of Three Thousand Five Hundred Thirty-Two
Dollars and Eighty Cents ($3,532.80) for each unit or office added.

b) In the event an existing structure is demolished, but the
minimum user fees for the structure continue to be paid in a timely manner
thereafter, then no general sewer assessment fee shall apply to a new structure or
replacement structure of similar size and category as the structure being replaced.
If the replacement structure is not similar in size, then the Town Council shall
determine a special benefit assessment based upon the proportionate increase in
size. If the payment of minimum user fees is not made when due on property
where a structure has been demolished, then the full general sewer assessment fee
shall apply to any new structure or replacement.

3. In any instance in which an industrial or commercial structure is
altered to add additional square footage, there shall be imposed a special sewer
benefit assessment in accordance with the schedules hereinbefore set forth.
Expansion of existing structures shall be allowed credit for previously paid special sewer benefit assessments in all types of uses except dwellings and dwelling units.

4. In situations where no specified category is provided for in this section, the Town Council shall determine the applicable special sewer benefit assessment to be charged in proportion to the most similar use specified above.

5. The Town may waive, credit or otherwise adjust a general sewer assessment fee or fees as part of a public works agreement where an owner is giving similar value in some other form. [Ordinance No. 255, effective July 1, 1991; Resolution 03-05, effective November 28, 2005; Resolution 5-09, effective September 28, 2009].
CHAPTER 160
SIDEWALKS

1. The owner or owners (a tenant for ninety-nine years, or for ninety-nine years renewable forever, or the executor or administrator of such tenant or the guardian of an infant owner, or a mortgagor in possession shall be deemed and taken as such owner) of every lot situate within the corporate limits of The Town of Union Bridge, and abutting any public street in said Town, shall make or cause to be made a pavement or sidewalk and curb along the public street in conformity with the grade and curb line as shall be established by the Street Commissioner of The Town of Union Bridge. The Town may require sidewalks to be replaced to the same standard as the adjoining sidewalks, including materials, patterns, colors, dimensions and structural integrity.

2. It shall be the duty of such owner or owners to keep such pavement or sidewalk and curb in good and substantial repair. The Street Commissioner may determine, in accordance with the Union Bridge Sidewalk Maintenance Regulations, that a sidewalk is in need of repair when a sidewalk is so cracked or uneven as to create a safety hazard and refer the matter to the Town Council for further action.

3. Before any owner or other person proceeds to tear up, excavate, tunnel under, pave or repair any public sidewalk, pavement or curb in Town, such owner or other person shall first apply to said Street Commissioner in writing for the grade and curb line of such pavement, sidewalk or curb; and obtain a permit to perform the work. In reviewing applications for permits and issuing permits, the Street Commissioner shall apply the existing sidewalk criteria under the Union Bridge Sidewalk Maintenance Regulations then in force and may, prior to issuance of a permit, seek assurances that the work will be performed by a qualified contractor and/or adequately bonded. In the event of emergency, the owner shall file for a permit as soon as practicable after the work begins, and shall not restore the permanent pavement or sidewalk until the permit is issued.

4. All pavements or sidewalks shall be made, repaired or replaced with
such materials, colors, patterns, depth, mix, width, slope and other criteria as may be set forth in the Union Bridge Sidewalk Maintenance Regulations. The regulations shall be adopted, and amended by the Town from time to time, by written resolution introduced at a public meeting of the Town Council, posted at the Town offices for at least fifteen (15) days thereafter and adopted by the Town Council no sooner than twenty (20) days after the date of introduction.

5. Whenever, in the judgment of The Town of Union Bridge upon referral by the Street Commissioner, it may be necessary to fill up or dig down to the proper grade, or to pave, repair or relay the pavements, sidewalks or curbs abutting any public street within the corporate limits of The Town of Union Bridge, the Town Council of Union Bridge shall pass an order requiring the owner or owners of any such lot or premises to fill up or dig down to the proper grade, or pave, repair or relay the pavements, sidewalks or curbs along such owner’s lot or premises abutting the public street within thirty (30) days from the time when such owner or owners shall have been notified of the order by the Street Commissioner. Such notice shall be served upon the owner or owners personally or by certified mail. In the event that any such lot owner or owners cannot be so served, the Street Commissioner shall publish said notice in a newspaper of general circulation in Union Bridge, Maryland, once per week for two (2) consecutive weeks, and the thirty (30) days for compliance shall be reckoned from the second (2nd) publication. If any such owner or owners shall neglect to fill up or dig down to the proper grade, or pave, repair, or relay the pavement, sidewalk or curb, within thirty (30) days after receipt of said notice, then The Town of Union Bridge may immediately thereafter direct the Street Commissioner to cause the same to be done at the expense of the owner or owners of said lot, payable by such owner within ten (10) days after the work is invoiced by Town to such owner. If not timely paid, such expense, together with an addition thereto of fifteen percent (15%) for the expense of collection, plus interest thereon at ten percent (10%) per annum, shall become due and payable and shall immediately be a lien on said property until paid, and shall be collectible in the same manner as are Town real property taxes or by suit at law.

6. The cost and expense for sidewalk construction, maintenance, replacement and repair shall be borne by the owner or owners of the lot or
property. The cost and expense for curb construction, maintenance, replacement and repair shall be borne one-half (½) by the owner or owners of the lot or property and one-half (½) by the Town, provided, however, that in the case of new home construction on lots created by subdivision after the date hereof, or on newly installed roads, the owner or owners of the lot or property shall pay the full cost and expense of initial sidewalk, curb and gutter construction.

7. A. Any person wilfully tearing up or defacing any pavement, sidewalk, curb or gutter; failing to comply with a permit issued hereunder; or failing to obtain a permit where required hereunder, shall be deemed to have committed a municipal infraction subject to a fine of One Hundred Dollars ($100.00).

B. Any person who cleans, treats, uses chemicals or otherwise conducts activity contrary to the standards contained in the Union Bridge Sidewalk Maintenance Regulations shall be deemed to have committed a municipal infraction subject to a fine of One Hundred Dollars ($100.00).

C. Each week during which a violation hereunder remains in effect shall constitute a separate municipal infraction.

8. Nothing contained herein shall be deemed to relieve or diminish the obligation of any responsible party to avoid or control obstructions, uses, nuisances or other activities that may be prohibited under any other Town law or regulation.

9. Any ruling or order of the Street Commissioner or the Town Council which directs an owner to install, maintain, relay or repair a sidewalk or curb may be appealed by filing a written request for hearing before the Town Council within fifteen (15) days after receipt of such ruling or order. In the event of such appeal, the obligation to perform work shall be suspended until thirty (30) days after the Town Council hears and decides the appeal. Failure to properly file a timely appeal shall constitute a waiver of any objection or exception to the action in question.

10. The Mayor shall appoint the Street Commissioner of The Town of Union Bridge with the consent of the Town Council. In the absence of such
appointment or in the case of vacancy, the Zoning Commissioner shall be authorized to perform the functions of the Street Commissioner without further action of the Council.

11. The Town Council by resolution may declare certain sections of the Town subject to a common program for sidewalk and curb upgrade and improvements as a single undertaking based on need and efficiencies of scale. Upon adoption of such resolution, reasonable notice thereof shall be provided each owner in the designated area, by mail or posting at the owner’s property, and a meeting shall be held to discuss the program. After this meeting, the Council may adopt and distribute any details of the program which it deems necessary and appropriate, including timing, bidding and performance by contractors, owners obligations, specifications, costs, financing, deferred payment options or the like. [Ordinance No. 300, effective May 14, 2006].

CHAPTER 165
SKATEBOARDING RESTRICTIONS

1. No person shall ride, operate or cause to be operated a skateboard on the public streets, alleys or entrance ways to same within the Town.

2. No person shall ride, operate or cause to be operated a skateboard within the Town at any public place including public streets, alleys, entrance ways or sidewalks after 10:00 p.m.

3. A. A first offense of this Chapter shall be enforceable by a police officer who shall cause a notification to be given to the offender’s parents, guardian or legal custodian. If the offender is an adult then notice shall be given to the offender.

B. The second offense of this Chapter shall be enforceable by a police officer who shall issue a citation to the offender and, if the offender is a minor, a copy of the citation to the offender’s parents, guardian or legal custodian. The second offense shall cause the imposition of a fine in the amount
of $10.00 to be levied against the offender. If the offender is a minor the fine is enforceable against the minor’s parents, guardian or legal custodian.

C. The third offense and subsequent offenses shall be enforceable by a police officer who shall issue a citation to the offender and, if the offender is a minor, a copy of the citation to the offender’s parents, guardian or legal custodian. The third offense and each subsequent offense shall cause the imposition of a fine in the amount of $25.00 to be levied against the offender. If the offender is a minor the fine is enforceable against the minor’s parents, guardian or legal custodian.

4. Violations of this Chapter shall be Municipal infractions as defined in MD CODE ANN., Article 23A, Section 3 and shall be subject to all of the conditions, procedures and remedies set forth therein. [Ordinance No. 248, effective September 11, 1988].

CHAPTER 170
STORMWATER MANAGEMENT

While The Town of Union Bridge is exempt from the Carroll County Stormwater Management law as recited in Chapter 45 of the Union Bridge Code, the text of the Carroll County Stormwater Management law, as now codified in Chapter 191 of the Carroll County Code, as same may be amended, expanded (in any form including by subsequent supplemental ordinance or Code revision) or recodified from time to time, is hereby incorporated by reference as a law of the Town of Union Bridge; except that said text is hereby modified so that:

(i) the reference to “unincorporated areas of Carroll County” is deleted and replaced with “corporate boundaries of The Town of Union Bridge”;

(ii) references to the “County”, except where the context relates to parts of Carroll County located outside the corporate limits of the Town, shall mean “The Town of Union Bridge”;

(iii) the requirements of Section 191-16(c) (dam breach easements) may be waived or lessened upon a showing of reasonable cause;
(iv) in Section 191-17.1 “Comptroller” shall mean “Clerk-Treasurer”;

(v) in Section 191-27, the “Board of County Commissioners and the Board of Appeals” shall mean the “Union Bridge Planning Commission”.

[Ordinance No. 297, effective September 11, 2005].

CHAPTER 180
STORM SEWER SYSTEMS

While The Town of Union Bridge is exempt from the Carroll County Storm Sewer Systems laws as recited in Chapter 45 of the Union Bridge Code, the text of the Carroll County Environmental Management of Storm Sewer System law, as codified in Carroll County Code Chapter 105, as same may be amended, expanded (in any form including by subsequent supplemental Ordinance or Code revision) or recodified from time to time, is hereby incorporated by reference as a law of The Town of Union Bridge; except that said text is hereby modified so that references to the “County”, the “County Separate Storm Sewer System (CS4)”, the “Board of County Commissioners or the Board of Appeals”, except where the context relates to parts of Carroll County outside the corporate limits of the Town, shall mean “The Town of Union Bridge”, the “storm sewer systems and facilities owned by The Town of Union Bridge” and the “Town Council of The Town of Union Bridge”, respectively. This Chapter is not intended to repeal or otherwise affect Chapter 150 provided, however, that if any provision hereof is deemed by the Town to be inconsistent with Chapter 150 then the terms hereof shall control. [Ordinance No. 297, effective September 11, 2005].

CHAPTER 185
STREETS

1. STREET CONSTRUCTION AND PERMITS.

A. No person or persons, for themselves or for any other person, firm or corporation, shall by any means excavate, dig into, burrow or tunnel under any street, road or alley within the corporate limits of Union Bridge
without first obtaining from the Town a permit therefor, which permit shall designate the particular area of the street, road or alley to be excavated, dug into, burrowed or tunneled under, and shall be valid for a period not exceeding thirty (30) days from the date of issuance.

B. The cost of such permits shall be as follows:
(a) For a permit to excavate, dig into, burrow or tunnel under any street, road or alley that has not been surfaced with concrete, asphalt, macadam or other hard surfacing material, the cost shall be twenty-five dollars ($25.00).
(b) For a permit to excavate, dig into, burrow or tunnel under any street, road or alley that has been surfaced with concrete, asphalt, macadam or other hard surfacing material the cost shall be seventy-five dollars ($75.00); provided further, that if the person, firm or corporation applying for and issued a permit as aforesaid shall, within a period of ten days following the breaking of the surface of any such street, road or alley, refill, resurface and restore the same to its original condition of compaction and surfacing, then the entire cost of said permit, less the sum of One Dollar ($1.00) shall be returned to such person, firm or corporation; otherwise no rebate or return of the cost of such permit, or any part thereof, shall be authorized or permitted.

C. Any person or persons who shall excavate, dig into, burrow or tunnel under any street, road or alley within the corporate limits of Union Bridge without first obtaining a permit as herein provided, upon conviction of violating the provisions hereof before any Trial Magistrate sitting in Carroll County, shall be fined a sum not less than Twenty-five Dollars ($25.00) nor more than One Hundred Dollars ($100.00) and costs for such offense, and in default of the payment thereof shall be sentenced to imprisonment in the Jail of Carroll County, for a period not exceeding twenty-five (25) days, or until such fine and costs as may have been imposed shall be paid. [Ordinance No. 156, effective November 8, 1954].

2. MAIN STREET ROADBED.
The public easement in the Main Street bed of Main Street to the full extent of the title thereto which is vested in the Mayor and City Council of Union Bridge, so far as the same may be necessary for the purposes of said road be and the same is hereby granted to the State of Maryland, in order that the said Main Street may be included by the State Roads Commission in the public highway above mentioned which is now in course of construction; and the Mayor and City Council
of Union Bridge does hereby relinquish to the State of Maryland jurisdiction and control over the said Main Street as a public highway to the extent provided in certain acts of the General Assembly of Maryland so that such jurisdiction and control may be exercised thereafter by the said State Roads Commission or any officials or official agents or agent of the State of Maryland who may be assigned thereto, provided, however that nothing herein shall be taken or construed to deprive the said Mayor and City Council of Union Bridge of police power over said Main Street. [Ordinance No. 99, effective December 4, 1922].

3. **TELEPHONE LINES - WESTERN MARYLAND TELEPHONE COMPANY.**

   The Western Maryland Telephone Company of Carroll County, a body corporate of the State of Maryland, be and it is hereby authorized and empowered to use the streets, alleys and ways of the Town of Union Bridge for the purpose of constructing and building telephone lines, means and appliances and for the purpose of maintaining and keeping the same in order, subject however to such conditions and provisions concerning said uses of said streets, alleys, and ways as the said Mayor and Common Council, may from time to time enact and ordain provided that the said Mayor and Common Council or street committee or a majority of them shall designate the streets, alleys and ways or either of them, by consent of property owners first obtained to plant poles, and the particular parts thereof, over and upon which said lines shall be constructed by said company and provided further that the said Mayor and Common Council shall have the right to use whatever means the said Telephone Company may use for carrying its wires for the purpose of carrying a wire, or wires for the use of the corporate business of said Town of Union Bridge, and the right to connect said wire with the telephone line of said company, so as to give the use of said telephone lines, in Carroll County to said Mayor and Common Council for corporate business of said Town without charge or payment therefor, and provided further that the said Mayor and Common Council shall have the use of the lines and appliances of said telephone company at its stations in Carroll County for the purpose of sending and receiving communications on or concerning its corporate business. [Ordinance No. 37, effective December 10, 1895].

4. **TELEPHONE LINES - CHESAPEAKE AND POTOMAC TELEPHONE COMPANY.**

   A. The Chesapeake and Potomac Telephone Company of Baltimore City, its successors and assigns, shall have the right, and are hereby authorized and
empowered to continue to maintain, operate and keep in repair, and from time to time replace wherever necessary, the poles, cables, wires and other equipment of said Company now located upon and over the streets, alleys, and other public highways of Union Bridge that the said Company, its successors and assigns, shall also have the right whenever required to place upon said poles additional cables and wires and to erect and place upon and over the streets, alleys and public highways and thereafter to maintain, operate and keep in repair and replace whenever and wherever necessary poles and cables and to extend its said lines of poles and wires as may be necessary to supply demands for service; also to construct, maintain, operate and keep in repair underground conduits with manholes and other necessary appurtenances for the reception of said overhead cables and wires.

B. Whenever said company, its successors and assigns shall desire to construct any such conduits or to erect additional poles a map or maps upon which shall be designated every street, alley or public highway, upon which or in which such work is proposed to be done shall be filed with the Mayor and Common Council for their approval; that no such conduits shall be constructed or additional poles placed without the approval of the Mayor and Common Council; that all pavement removed in the prosecution of any of said work shall, at the expense of said Company, its successors or assigns, be restored to the like good order and condition in which it was before the said work was done; and that if any of said pavement should subsequently sink, it shall be restored by said company to the level of the surrounding surface, that said company, its successors and assigns, shall in the doing of such work, comply with any reasonable rules and regulations that may be lawfully prescribed by the Mayor and Common Council respecting such use of the streets, alleys and public highways, and shall hold the Town harmless from any damage that might be caused by said work, or any thereof, and provided further that said Mayor and Common Council shall have the power to order the relocation of any poles that may occupy objectionable positions; that said Company, its successors and assigns, shall permit the use by the municipal authorities of its said poles and conduits where constructed, for the carrying of wires to be placed without expense to the Company, of any system of police or fire alarm, telegraph or telephone that may hereafter be established by said authorities, said use, however, not to interfere with the use of such poles and conduits by said company, its successors and assigns, and provided the said The Chesapeake and Potomac Telephone Company of Baltimore City shall furnish free of cost a telephone in the Town Hall, to the Mayor, one of the City
Council, or the Clerk to said Mayor and Council, for the use of said municipal authorities on local business. [Ordinance No. 62, effective March 5, 1906].

CHAPTER 190
TAXES

1. PROPERTY TAXES - PROCEDURES AND LEVY.

A. Beginning July 1, 1964, the Fiscal Year for The Town of Union Bridge shall be the period commencing July 1st in each year and ending June 30 following.

B. Beginning July 1, 1964, the Taxable Year shall be the period commencing July 1 of each year and ending on June 30 following.

C. From and after July 1, 1964, the date of finality is January 1 and the semi-annual date of finality is July 1 of each year.

D. For the taxable period commencing July 1 of each year and ending on June 30 following, the Mayor and Town Council of The Town of Union Bridge shall, after the date of finality and before July 1, set the tax rate on all assessments of property and make a levy on real property and personal property from the records of assessments of the Supervisor of Assessments for Carroll County, as provided by existing law. Corporation taxes and other assessments certified by the State Department of Assessments and Taxation shall be based upon certifications as provided by existing law.

E. i) All taxes for the taxable year commencing July 1 and ending June 30 in each year, shall be due and payable on July 1 of the year in which levied, and will bear interest until paid at the rate of two-thirds of one percent per month or fraction thereof beginning October 1 of the same year; or in the case of a partial-year levy ninety (90) days after the bill therefor is mailed or otherwise made available to the taxpayer.

ii) Nothing contained herein shall prevent the semiannual payment of taxes for owner-occupied residential property, or other payment procedures available under the laws of the State of Maryland, in which case the interest and penalty at the rates prescribed herein, and any service charge associated therewith, shall apply as of the dates designated under State law.
F. In addition to interest for delinquent payment, there shall be a penalty in the amount of one-half of one percent (.5%) per month or fraction thereof until paid for any tax not paid on or before October 1 of the year in question; or, in the case of a partial-year levy, on or before ninety (90) days after the tax bill therefor is mailed or otherwise made available to the taxpayer.

G. Tax sales of all property on which taxes are unpaid shall be made as may be authorized and permitted by applicable provisions of The Union Bridge Town Charter and the laws of the State of Maryland at the time of such sales. This tax sale provision shall be in concurrence with and in addition to any other proper collection methods that may exist. [Ordinance No. 306, effective January 10, 2010].

2. ADMISSIONS AND AMUSEMENT TAX.

A. Pursuant to the authorization of Section 4-102(b)(1) of the Tax-General Article of the Annotated Code of Maryland, as amended or recodified from time to time, a tax is imposed on the gross receipts derived from any admissions and amusement charge as defined in Section 4-101(b) of the Tax-General Article of the Annotated Code of Maryland, as amended or recodified from time to time, at the rate of five percent (5%).

B. Pursuant to the authorization of Section 4-102(b)(2) of the Tax-General Article of the Annotated Code of Maryland, as amended or recodified from time to time, an additional tax is imposed on reduced charges or free admissions as set forth in Section 4-105(f) of the Tax-General Article of the Annotated Code of Maryland, as amended or recodified from time to time.

C. The Clerk-Treasurer shall provide the Comptroller of the Treasury of the State of Maryland with any documentation which may from time to time be necessary to administer the collection of these taxes. [Ordinance No. 257, effective December 15, 1991].
3. **AUTHORITY TO GRANT EXEMPTION FROM PERSONAL PROPERTY TAX.**

   A. The Town shall have the authority to exempt the following property, or any part thereof, from personal property tax by resolution introduced at least twenty (20) days prior to its passage:

   i) tools, implements, machinery, apparatus or engines used in manufacturing;
   
   ii) tools, implements, machinery, apparatus or engines used in a research or development operation;
   
   iii) the stock in business of a person engaged in a manufacturing, research or development operation, or commercial business; or
   
   iv) raw materials and manufactured products in the possession of a manufacturer or research or development operation.

   B. A fair summary of any such resolution and notice of a public hearing shall be advertised once after introduction of the resolution in a newspaper, newsletter or electronic medium having general circulation in the Town. The resolution may be adopted and become effective at any time after the conclusion of said public hearing conducted by the Mayor and Town Council. The resolution, by its own terms, may be for a finite number of tax years or may remain in effect indefinitely unless and until revised, modified, rescinded or revoked by subsequent resolution.

   C. Nothing contained herein shall relieve the property owner from the obligation to apply for and procure an exemption, or from other applicable procedural requirements concerning the exemption or the assessment of personal property tax or appeals associated therewith under State law as administered by the Maryland State Department of Assessments and Taxation, or its successor agency.

   D. Unless varied by the terms hereof or a resolution adopted pursuant hereto, any term used herein shall have the meaning ascribed to it in the Tax-Property Article of the Annotated Code of Maryland, as administered and interpreted by the Maryland State Department of Assessments and Taxation, or its successor agency. [Ordinance No. 310, November 6, 2012].
CHAPTER 200
TRAFFIC/PARKING

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1. **RULES OF THE ROAD.**

   A. **State Law.** The rules of the road as set forth in MD CODE ANN., Title 21, Transportation Article, as amended or recodified from time to time, are hereby adopted and incorporated as the rules of the road of the Town of Union Bridge. Any provisions or penalties contained herein are in addition to those provided by State law. Any word used in the following Sections shall be interpreted in accordance with the definition established, and as interpreted, in the Maryland Transportation Article.

   B. **Authority To Limit Speed.** The maximum speed limit shall be determined and clearly posted by the Town giving due consideration to public safety and the appropriate traffic engineering standards.

   C. **Authority To Control Traffic.** The Town may impose such conditions or restrictions on traffic as may be appropriate for public safety or convenience. Any such sign or signal shall be displayed in a manner which is clearly visible and comprehensible to the operator of a vehicle. The operator of any vehicle shall obey all signs and traffic signals relating to traffic.

   D. **Traffic Control Officers.** The Town may designate a person or persons to direct or control traffic. anyone operating a vehicle shall obey any bailiff, police officer, crossing guard or other designee of the Town signaling or
otherwise directing traffic.

E. **Sidewalks And Other Walkways.** No vehicles or bicycles shall be driven or ridden on sidewalks, walking paths or similar pedestrian walkways. No vehicles or bicycles shall be parked on any part of a sidewalk, walking path or other pedestrian walkway, except that bicycles may be temporarily parked on a sidewalk while the operator transacts business at the place of business of another so long as the bicycle is parked in such a fashion as not to obstruct pedestrian movement on the sidewalk.

F. **Animals And Animal-Driven Apparatus.** No person shall allow any animal to run at-large upon any highway; nor shall any person ride or drive any animal or animal driven cart, wagon or other apparatus upon any highway in a manner that is dangerous, reckless or otherwise violates the laws applying to the operation or parking of vehicles.

G. **Penalties.** In addition to any separate offenses which may arise under State law from the violation of this Section, any violation of paragraph C, D, E or F shall be a misdemeanor and any person who shall violate any such provision shall be subject to a fine of Twenty-Five Dollars ($25.00) per violation. Each day that any violation continues shall be a separate offense. Citations for any parking violation set forth in this Section may be issued by any police officer or person designated by the Town to enforce the provisions hereof. The person receiving the citation may elect to stand trial for the offense by notifying the Town in writing of his intention to stand trial within twenty-five (25) days of the date on which the citation was issued. The fine shall be payable within thirty (30) days from the date on which the citation was issued; or, in the event of trial, within ten (10) days after conviction and expiration of appeal period. If any such fine is not paid within thirty (30) days of the date due and payable, then there shall be assessed in addition to the fine a separate administrative late charge which shall be in an amount equal to the sum of the original fine plus Ten Dollars ($10.00), to be paid by the person in violation or the registered owner of the vehicle in case of an unoccupied vehicle. [Amended 9/12/10 by Ordinance No. 308]
2. PARKING RULES.

A. State Law. The parking rules as set forth in MD CODE ANN., Title 21, Transportation Article, as amended or recodified from time to time, are hereby adopted and incorporated as the rules of parking of the Town of Union Bridge. Any provisions or penalties contained herein are in addition to those provided by State law. Any word used in the following Sections shall be interpreted in accordance with the definition established, and as interpreted, in the Maryland Transportation Article.

B. General Authority To Control Parking. The Town is hereby authorized to control parking by the outright prohibition of parking, limitation on the hours of parking, temporary limitation of parking due to weather conditions, implementation of metered parking or such other controls as may be appropriate for the public safety and convenience and in such areas of Town as may be designated by the Town Council. Any such parking restrictions shall be posted or displayed in a manner which is clearly visible and comprehensible.

C. Posted Signs. No person may park or stand in contravention of any sign or other signal posted in accordance with this section. Signs located in the Town of Union Bridge shall have the same meaning as they have for State roads. Signs relating to snow emergency routes and phases for snow plans shall be administered under the same plans and procedures as for State roads.

D. Meters. (1) Any vehicle parking at a metered space must pay the fee pursuant to the terms of the meter. The meter fee shall be twenty-five cents (25¢) per hour and shall be shown on the meter. The meter fee may be increased or decreased from time to time as determined by resolution of the Town Council at a regular meeting after public hearing and notice of the time and place thereof by publication once in a newspaper of general circulation in the Town. [Resolution 05-05, effective December 19, 2005].

(2) All metered parking spaces shall be limited to a maximum of two (2) hours continuous parking per vehicle on Monday, Tuesday, Wednesday, Thursday and Saturday from 9:00 A.M. to 6:00 P.M. and on Friday from 9:00
A.M. to 9:00 P.M. The two (2) hour parking restriction shall not apply on Sundays and banking holidays.

E. **Meters - Limited Exceptions.** Any vehicle parked in a metered space for the purpose of loading or unloading or taking on or discharging passengers shall be exempt from paying the meter fee but only for a period not to exceed fifteen (15) minutes.

F. **Protection of Parking Meters.** It shall be unlawful for any person to deface, injure, tamper with or open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Ordinance, and it shall be unlawful for any person, without the proper authority, to remove any coin from any parking meter.

G. **Limited Parking Areas.** No person shall park any vehicle in an area in which parking time is limited by sign or meter longer than the time prescribed by the sign or meter.

H. **Obstruction Of Traffic.**
   (1) No person shall park any vehicle upon any street or alley in such a manner that the vehicle shall constitute an obstruction to the free flow of traffic upon the street or alley.
   (2) No person shall sit, stand, lounge, malinger or otherwise remain situate on a public street, lane, alley, sidewalk or Town parking lot in such a manner as may obstruct, hinder or alter the safe, legal and uninterrupted passage of any person or vehicle.
   (3) No person shall leave open any car door, or place any other article of personal property, in such a manner as may protrude into a public street, lane, alley, sidewalk or Town parking lot and obstruct, hinder or alter the safe, legal and uninterrupted passage of any person or vehicle.

I. **A Maximum Time For Continuous Parking.** No vehicle shall be permitted to remain parked continuously upon any street for more than six (6) days, except where a lesser time is provided by this Chapter and except where such vehicle is parked in front of a property owned, leased or occupied by the
driver of the vehicle or where such parking is permitted with the permission of the owner, lessee or occupant of the property.

J. **Large Vehicles And Farm Machinery.** No person shall park any truck exceeding three-fourths (3/4) ton capacity, bus, towed vehicle, trailer or piece of farm machinery upon any street or highway for a period of more than four (4) hours.

K. **Painted Curb.** No person shall park any vehicle next to a painted curb.

L. **Private Property.** No person shall park any vehicle on the private property of another person without permission.

M. **Distance Between Vehicles.** No person shall park any vehicle upon any street or alley closer than two (2) feet from any other standing vehicle.

N. **Lined Spaces.** No person shall park any vehicle over a line of any marked parking space.

O. **Unlicensed Vehicles.** No vehicle, other than a farm vehicle, without bearing a current license plate or plates shall be parked on any street or alley at any time.

P. **Applicability To Police Officers.** The parking rules of this section shall have no application to the parking of a police vehicle by a police officer in a space or area covered by this chapter when the police officer is on duty or conducting official police business.

Q. **Vehicles Tagged For Violation.** Any vehicle remaining upon any street or highway for more than twenty-four (24) hours after being tagged for a parking violation or any vehicle parked in a manner to obstruct the flow of traffic shall be deemed to be abandoned. Any vehicle impounded pursuant to the immobilization procedures hereof shall be deemed abandoned forty-eight (48) hours after the time for hearing or appeal on such impoundment has expired and
the vehicle may be disposed of under the procedures for abandoned vehicles or junk vehicles as set forth elsewhere in this Code at the sole discretion of the Mayor.

R. Vehicle Under Repair. No vehicle shall be repaired or motor tested on any public street, lane alley or lot, or other property owned by the Town, except in emergencies; and in no event, including emergencies, shall any vehicle under repair block or obstruct any street or sidewalk, or remain on any Town street, lane, alley or lot or other property owned by the Town more than forty-eight (48) hours.

S. Penalties. In addition to any separate offenses which may arise under State law from the violation of this Section, a violation of any of paragraphs C - R shall be a misdemeanor and any person who shall violate any such provision shall be subject to a fine of Twenty-Five Dollars ($25.00) per violation, except for failing to pay the meter fee in accordance with Section 2, Paragraph D(1) which shall be a fine of Five Dollars ($5.00) per violation. Each day that any violation continues shall be a separate offense. Citations for any parking violation set forth in this Section may be issued by any police officer or person designated by the Town to enforce the provisions hereof. The person receiving the citation may elect to stand trial for the offense by notifying the Town in writing of his intention to stand trial within twenty-five (25) days of the date on which the citation was issued. The fine shall be payable within thirty (30) days from the date on which the citation was issued; or, in the event of trial, within ten (10) days after conviction and expiration of appeal period. If any such fine is not paid within thirty (30) days of the date due and payable, then there shall be assessed in addition to the fine a separate administrative late charge which shall be in an amount equal to the sum of the original fine plus Ten Dollars ($10.00), to be paid by the registered owner of the vehicle.

3. REPORTING OF VIOLATIONS.
In the event of failure to pay a parking fine imposed or stand trial, the violation may be referred to the Motor Vehicle Administration as provided by the Maryland Code and Section 26-305 of the Transportation Article, or any other state or federal reporting provisions as same may change from time to time.
4. PARKING ENFORCEMENT.

A. Authority to Immobilize or Impound Vehicle.
   (1) When any unattended vehicle is found parked at any time upon any street of the Town of Union Bridge against which there are three (3) or more unsatisfied citations for parking violations, provided that at least thirty (30) days has elapsed since the issuance of the first citation, the Town is authorized to cause such vehicle, either by towing or otherwise, to be removed or conveyed to and impounded in any place designated by the Town or immobilized in such a manner as to prevent its operation, except that no such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle unless the vehicle is moved while the device or mechanism is in place.
   (2) Any police officer or other person designated by the Mayor or Town Council may act on behalf of the Town of Union Bridge in connection with impoundment or immobilization and the procedures relating thereto. Said police officer or designee may procure such towing contractors or other agents necessary to carry out the enforcement action.

B. Immobilization.
   (1) In any case involving immobilization pursuant to this section, the Town shall cause to be placed on such vehicle in a conspicuous manner notice sufficient to warn any individual to the effect that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage to the vehicle. The notice shall further advise the owner or operator that the vehicle has been immobilized by the Town for failure to satisfy citations for parking violations; that the owner has the right to contest the immobilization by submission of a written request to the Town within ten (10) days from the date of the immobilization or said right shall be deemed to have been waived; and that release of the vehicle may be obtained upon payment of the booting fee and other amounts owed in connection with the violations.
   (2) The owner of an immobilized vehicle shall be permitted to secure release of the vehicle upon payment of a booting fee in the amount of Fifty Dollars ($50.00) together with any unpaid fines and administrative expenses. The
booting fee or other expenses may be revised by vote of the Town Council at a regular meeting.

(3) It shall be unlawful for any person to tamper with or remove or attempt to remove the immobilization device without authorization from the Town of Union Bridge. It shall be unlawful for any person other than the owner or operator or person authorized by either of them to remove the warning notice regarding immobilization. Any violation of any subsection hereof is declared to be a municipal infraction. The penalty for violation shall be One Hundred Dollars ($100.00) for each offense.

(4) If the hearing official determines that a vehicle should not have been immobilized, the owner shall not be required to pay the booting fee or any administrative charges relating to the immobilization. If any such fees have been paid, a refund shall be made to the owner. The hearing official shall have no authority to modify any fines or administrative charges. If the District Court of Maryland or other tribunal rules in favor of the owner upon all of the parking violations charged against the vehicle immobilized, all fees or other charges for immobilization shall be refunded to the owner.

C. Impoundment.

(1) In addition to the authority to impound vehicles granted elsewhere in this Code, the Town of Union Bridge may also impound any vehicle which constitutes an obstruction to traffic, as described in Section 2, paragraph H; any vehicle which is parked in violation of a snow emergency plan or similar posted restriction, as described in Section 2, paragraph C; or any vehicle which has not been released to its owner within twenty-four (24) hours of being immobilized as described herein.

(2) The owner of an impounded vehicle shall be permitted to secure release of the vehicle upon payment of the costs of the removal, towing, impoundment and storage of said vehicle, together with any unpaid fines and administrative expenses, prior to the release of the vehicle.

(3) If the hearing official determines that a vehicle should not have been impounded, the owner shall not be required to pay the impoundment costs, or if they have been paid, a refund shall be made to the owner. The hearing official shall have no authority to modify any fines or administrative charges. If the District Court of Maryland or other tribunal rules in favor of the owner upon
all of the parking violations charged against the vehicle impounded, all fees or other charges for impoundment shall be refunded to the owner.

D. Notification And Hearing.

(1) Unless the owner of any vehicle impounded or immobilized appears to secure a release of the vehicle within twenty-four (24) hours after the vehicle has been immobilized or impounded, said owner shall be given written notice by certified mail at the owner's address as indicated on the vehicle registration within forty-eight (48) hours after the vehicle has been impounded or immobilized that the owner has the right to contest the validity of the impoundment or immobilization at a hearing which will be held within seventy-two (72) hours from the submission of a written request for hearing, excluding Saturdays, Sundays and holidays; provided however that a notice of immobilization shall also be sufficient without further notice to satisfy the notice requirements for any vehicle which is impounded after it has been immobilized for twenty-four (24) hours as authorized herein.

(2) The notice shall further advise that the owner's right to a hearing shall be deemed to have been waived if the owner fails to make written request for hearing within ten (10) days of mailing the certified mail notice or if the owner executes a written waiver when releasing the immobilized or impounded vehicle.

(3) Requests for a hearing shall be referred to the Mayor or President of the Town Council to act as the hearing official. The hearing official shall consider the relevant facts and circumstances in making a determination as to the validity of the impoundment or immobilization. The determination of the hearing official shall be the final decision of the Town and shall be rendered in writing. The decision shall not affect the responsibility of any person for fines, penalties or charges which might be imposed by the District Court of Maryland for municipal infractions.

(4) An appeal of the decision of the hearing official may be filed pursuant to Maryland Law no later than thirty (30) days from the date of the decision. [Ordinance No. 276, effective January 4, 1998].
CHAPTER 210
WATER

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I. ENABLING SECTIONS
   1. WATER REGULATIONS.
      To provide guidelines, standards and order to the operation and control of the Town public water facilities the following provisions set forth hereinbelow entitled “TOWN OF UNION BRIDGE WATER REGULATIONS” shall apply.

   2. WATER USER FEES.
      To assist in funding the maintenance, repair and improvements to the Town public water facilities, the rate structure provisions for water usage included hereinbelow, as revised from time to time, and entitled “TOWN OF UNION BRIDGE USER FEES,” are authorized and made applicable to users of the Union Bridge public water system. The Town shall have the authority to revise user fees from time to time which changes shall be done by resolution introduced by the Mayor and Town Council at least thirty (30) days prior to its passage and which revised user fees shall be effective no sooner than
the date of passage. A fair summary of the purpose of the resolution and notice of a public hearing shall be advertised once after the introduction of the resolution in a newspaper having general circulation in the Town. The resolution when enacted shall supersede the then existing user fees established to the extent stated in the resolution and shall become effective on the date stated in the resolution. It shall not be necessary to pass an additional ordinance to revise said user fees.

3. **CONNECTION FEES.**

To fund the costs of the connection by users to public water lines including all incidental costs to the system, direct and indirect, the provisions for connection fees included hereinbelow and entitled “TOWN OF UNION BRIDGE CONNECTION FEES,” as revised from time to time, are hereby authorized and made applicable to connections to the Union Bridge public water system. The Town shall have the authority to revise connection fees from time to time which changes shall be done by resolution introduced by the Mayor and Town Council at least thirty (30) days prior to its passage and which revised connection fees shall be effective no sooner than the date of passage. A fair summary of the purpose of the resolution and notice of a public hearing shall be advertised once after the introduction of the resolution in a newspaper having general circulation in the Town. The resolution when enacted shall supersede the then existing connection fees established to the extent stated in the resolution and shall become effective on the date stated in the resolution. It shall not be necessary to pass an additional ordinance to revise said connection fees.

4. **GENERAL WATER ASSESSMENT FEES.**

In order to adequately upgrade, expand and maintain the Town’s water facilities to keep pace with ever-changing technologies and regulations as growth occurs within the corporate boundaries of the Town, the provisions for general water assessment fees for new users set forth hereinbelow and entitled “TOWN OF UNION BRIDGE GENERAL WATER ASSESSMENT FEES”, as revised from time to time, are hereby authorized and made applicable to those applying for use of the Union Bridge public water system. The Town shall have the authority to revise the general water assessment fees from time to time which changes shall be done by resolution introduced by the Mayor and
Town Council at least thirty (30) days prior to its passage and which revised
general water assessment fees shall be effective no sooner than the date of
passage. A fair summary of the purpose of the resolution and notice of a public
hearing shall be advertised once after the introduction of the resolution in a
newspaper having general circulation in the Town. The resolution when enacted
shall supersede the then existing general water assessment fees established to the
extent stated in the resolution and shall become effective on the date stated in the
resolution. It shall not be necessary to pass an additional ordinance to revise the
general water assessment fees.

II. TOWN OF UNION BRIDGE WATER REGULATIONS

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A. Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

(1) Building Connections. Pipes, fittings, valves, plumbing facilities and related equipment used by an Owner to connect into the Town’s water facilities whether the property is residential, business, commercial in nature.

(2) Meters. Mechanical and/or electrical devices approved for use by the Town which monitor and account for the flow of water used by a designated user or users at a designated location.

(3) Service. The act of the Town supplying water according to the needs of the Town and its citizens.

(4) Town. The Town of Union Bridge, Maryland. Any provision contained herein which requires Town review, approval, action, or the like, shall mean review, approval, action, or the like, by an officer of the Town or a designee of the Mayor and Town Council.

(5) Water. Water placed, or to be placed in the Town’s public water system and intended to be stored and distributed according to the needs of the Town and its citizens.

(6) Water Facilities. All components of the Town’s public water system, including but not limited to, mains, laterals, pipes, tanks, valves, gauges, meters, pumps, wells and related equipment, and land dedicated to use as part of said water system.

B. Use of public water required.

(1) Owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Town’s water service area are hereby required at the Owner’s expense to connect directly to the Town’s public water system in accordance with the provisions of these regulations.

(2) In cases of infeasibility or special circumstances, for good cause shown, and with the approval of the Carroll County Health Department or other regulating agency, the Town may grant such exception to the within Section B as may be necessary and appropriate.
C. **Building Connections.**

(1) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any water facility or appurtenance thereof without first obtaining a written permit from the Town. An approved application by the Town shall constitute a contract between the Town and applicant, obligating the applicant to pay to the Town its rates as established or as may be established from time to time. The applicant also shall comply with the Town’s rules and regulations. Applications for service installations will be accepted subject to there being an existing and adequate main in a street or right-of-way abutting on the premises to be served. The contract shall in no way obligate the Town to extend its mains to service the premises under consideration.

(2) The Owner or his agent shall make application for water service on forms furnished by the Town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the Town’s judgment. The Town may condition the permit with restrictions on use, times of use, volume of use or other matters deemed appropriate by the Town to protect, conserve and preserve water based upon existing conditions or conditions reasonably anticipated to occur. The Town may limit the duration of permit and/or require periodic reapplication as conditions may require. The Town shall not be required to make any connection which it may deem not to be economically feasible or which may constitute an undue burden upon the Town’s physical water plant or system.

(3) All costs and expense incidental to the building connection shall be borne by the Owner. The Owner indemnifies the Town from any loss or damage that may directly or indirectly be occasioned by the installation of public water to a building. The property Owner shall be responsible for furnishing, installing and maintaining the service pipe from the curb or property line, as designated by the Town, to the house or building on his premises.

(4) Each mobile home and/or trailer unit used for residential or commercial purposes and having domestic water and/or sanitary facilities therein shall be considered a separate and independent building and, as such, shall have its own separate and independent water line and meter.

(5) Where existing building connections are to be abandoned
by reason of demolition of buildings and structures or for any other reason, they shall be disconnected and permanently sealed as directed by the Town. Existing water facilities may be used in connection with new buildings only when they are found, on examination and test by the Town, to meet all the requirements hereof.

(6) The size, slope, alignment, materials of construction of water facilities and building connections and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Carroll County Plumbing code and/or other applicable rules and regulations of the Town and the State.

(7) Building connections shall conform to the requirements of the Carroll County Plumbing Code and/or other applicable rules and regulations of the Town and State. All building connections into the public water facilities shall be performed by persons authorized by the Town. The prescribed procedures and materials must be approved by the Town before installation.

(8) The Owner of any improved property shall maintain and repair building connections at his own expense and shall remove all trees, tree roots and other obstructions. Loss of water through leakage shall be kept to a minimum. Excessive leakage shall constitute a willful waste of water. Where such maintenance or repairs are neglected by the Owner, the Town may, ten (10) days after mailing written notice to the Owner, make or cause to be made such maintenance or repairs as may be necessary and charge the Owner of said improved property for the cost thereof.

(9) The applicant for the water service permit shall notify the Town when the building connection is ready for inspection and connection to the public water facilities. The connection and testing shall be made in the presence of and under the supervision of the Town. The Town shall be notified twenty-four (24) hours before time for backfilling.

(10) All excavations for construction of building connections or water facilities shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

(11) When a prospective customer has made application for a new service or has applied for the reinstatement of an existing service, it is assumed that the piping and fixtures which the service will supply are in order to
receive same and the Town will not liable in any case for any accident, breaks or
leakage arising in any way in connection with the supply of water or failure to
supply same or the freezing of water pipes or fixtures of the customer, nor for any
damage to the property which may result from the usage or nonusage of water
supplied to the premises.

(12) Between November 15 and March 15, the Town may, in
its discretion, defer making connections until weather and ground conditions will
reasonably permit such connections.

(13) The Town will furnish and install the following
equipment: corporation stop, service pipe to the property line, curb stop and curb
box and remote reading unit. The meter and meter box shall be installed at the
expense of the customer.

(14) Building connection pipes shall not be less than three-
fourths inch inside diameter.

(15) Curb stops are not to be used by the customer or his
agent for turning on or shutting off the water supply. The control of the water
supply by the Customer shall be by means of a separate stop located just inside
the building wall. Curb stops are for the exclusive use of the Town.

(16) Every service pipe must be provided with a stop and
waste cock on the inside of the cellar or foundation wall adjacent to the location
where the pipe passes through it, easily accessible, fully protected from freezing,
and all pipes in the building must be laid in such way that they can be fully
drained by that waste cock.

(17) The service pipe from the property line to the premises
shall be installed at the expense of the Owner. For this installation the Owner or
applicant shall employ a competent registered plumber, satisfactory to the Town,
to do the work and comply with national or prevailing plumbing codes in the
area. The minimum size and cover shall be the same as that used from main to
property line. Materials and method of construction shall be approved by the
Town, and if the service has not been installed in accordance with the Town’s
requirements, water service will not be turned on until such defects have been
remedied. The service pipes between the property line and the premises and all
piping and fixtures on or in the premises of the Owner or applicant shall be
maintained by him and the work performed by a competent registered plumber in
a manner satisfactory to the Town.
(18) In all future installations or re INSTALLATIONS of service lines, only one (1) premise will be supplied through one (1) service pipe and under the control of one (1) curb stop. Any violations of these regulations by any customer shall be deemed a violation by all customers involved, and the Town may take such action as could be taken against a single Owner, except that such action shall not be taken until an innocent Owner, who is not in violation of the Town’s rules, has been given a reasonable opportunity to attach his pipe to a separately controlled service connection.

(19) In the event any service line between the curb box and the meter is improperly maintained or is damaged, the Town shall have the right to discontinue service to such premises upon written notice to the customer. Service shall not be restored until satisfactory repairs have been made.

D. Protection from damage.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the water facilities. Any person violating this provision shall be guilty of a misdemeanor and subject to immediate arrest and fine not to exceed Five Hundred Dollars ($500.00) in addition to payment of restitution. This provision shall be in addition, and shall not limit, any other criminal or civil liability which may attach.

E. Powers and authority of inspectors.

(1) Authorized employees or representatives of the Town bearing proper credentials and identification shall be permitted to enter all properties, public and private, for the purpose of reading meters, inspection, observation, measurement, sampling and testing in accordance with the provisions of these regulations.

(2) While performing the necessary work on private properties, authorized employees or representatives of the Town shall observe all safety rules applicable to the premises established by the Owner or operator of the business conducted at the property to the extent the rules are not inconsistent with necessary actions to be performed hereunder.

F. Extension of Water Facilities.
(1) The Town’s water facilities may be extended only upon application to and approval from the Mayor and Town Council.

(2) An Owner applying to extend the Town’s water facilities to his property or a designated area shall be responsible from the cost of making such an extension including but not limited to mains, pumping stations, connections, fittings or other facilities required to render proper service. Title to the water facilities shall be vested in the Town and shall at all times remain the sole property of the Town. Water facilities shall not be trespassed upon or interfered with in any respect. This property shall be maintained by the Town and may be used as the Town deems fit.

(3) When water facilities are to be constructed, the Town shall determine whether it will construct the facilities or have the Owner construct the facilities. Where appropriate, the Owner may be required to furnish plans for review by the Town and all other agencies having jurisdiction. These plans will denote location, profile and any other pertinent details required by agencies having jurisdiction. The Town may also require a public works agreement spelling out the conditions by which a water facilities will be extended.

(4) Before an extension of water facilities is made, the Owner or applicant shall post security for the estimated cost of the water extension. Final adjustments will be made upon the receipt of all bills and expenses that may be incurred in the extension of a water facility. Any surplus security will be returned to the Owner. Any deficit will be billed to the owner upon final accounting.

(5) The Town will not be required to make any reimbursement to the Owner for additional connections to such water facilities or enter into any type of buy-back agreement.

(6) The Owner shall be responsible for reimbursing the Town for the preparation, review and approval of construction drawings, plans and other related documents for all water extensions. Said fee shall be in addition to the costs for which the Owner is responsible under Subsection 2.

G. Mandatory hook-ups and penalties for failure to pay charges relating thereto.
(1) It shall be the duty of the Town Clerk to notify, in writing, each property Owner whose property reasonably can be served by a newly installed water line, but which is not connected thereto, that such Owner shall have a period of six (6) months in which to connect to such water and to pay the applicable charges and fees therefor, without the imposition of any penalty.

(2) It shall be the duty of the Town Clerk to notify, in writing, each property Owner whose property reasonably can be served by a then existing water line, and who is not connected thereto, that such Owner shall have a period of six (6) months in which to connect to such water and to pay the applicable charges and fees therefor, without the imposition of any penalty.

(3) After the expiration of one (1) year from the date of the notice provided for in Subsection (1) of this section, or upon the expiration of six (6) months from the date of notice provided for in Subsection (2) of this section, any property Owner so notified who has not then paid the connection charge or other applicable assessment shall pay a penalty of one percent (1%) of such charge or assessment, or both, for each month, or fraction thereof, that such charge or assessment remains unpaid.

H. Same - Fire protection service.

(1) Private. The following rates are available for private fire service, including sprinkler systems and hydrants located on private property, and are subject to the rules and regulations of the Town. All water sold at these rates shall be used for fire purposes only.

<table>
<thead>
<tr>
<th>Type</th>
<th>Rate per Annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>For each 4-inch connection</td>
<td>$100.00</td>
</tr>
<tr>
<td>For each 6-8inch connection</td>
<td>$500.00</td>
</tr>
<tr>
<td>For each 8-inch connection</td>
<td>$600.00</td>
</tr>
<tr>
<td>For each 10-inch connection</td>
<td>$800.00</td>
</tr>
<tr>
<td>Fire hydrants, each</td>
<td>$100.00</td>
</tr>
</tbody>
</table>

(2) Sprinkler systems. The following connection charge shall be made for each connection to the Town’s water system for private, commercial or industrial sprinkler systems: two hundred dollars ($200.00) per inch of inside
diameter of service lateral. In addition, each such customer shall pay for all costs of installation from the main to the protected premises.

I. **Tank-truck sales.**

Any water sold and dispensed by truck or tank from a metered location to be designated by the Town shall be charged at twice the prevailing minimum charge and quarterly user rate in effect at the time provided that nothing herein shall compel the Town to make water available to trucks or tanks.

J. **Same - Billing; interest on delinquent accounts.**

(1) All bills will be rendered quarterly to the property owners. Bills will not be rendered to tenants of property owners except upon request in writing by the property owner.

(2) Bills are due and payable upon receipt thereof and if not paid within thirty (30) days of the mailing date service may be discontinued five (5) days after written notice of the Town’s intent to discontinue service.

(3) A penalty charge of ten percent (10%) will be imposed on all past due accounts.

K. **Meters.**

(1) All meters will be furnished by and remain the property of the Town, which reserves the right to stipulate the size, type and make of meter to be used as well as the location of the setting. Minimum meter size shall be a five-eighths inch meter.

(2) When possible, the meter will be set in the basement in a convenient place or in a meter box at the curb or property line to control the entire supply, the location to be provided and maintained by the Owner. In the event the customer desires any change in the location or position of the meter, meter box of vault, such change in location shall be made by the Town at the cost and expense of the Owner.

(3) All meters shall be maintained by and at the expense of the Town insofar as ordinary wear and tear are concerned, but the Owner will be held responsible for damages as a result of freezing, hot water, or other external causes when such damage results directly or indirectly from the negligence of the customer. When such damage occurs, the Town will furnish and set another
meter to replace the one frozen or otherwise damaged, and the cost of such repairs, including replaced parts, labor and transportation charges, shall be paid for by the Owner.

(4) Any Owner may be required to install a suitable check valve and relief valve in the service line on the outlet side of the meter in such a manner as to prevent the return of hot water to the meter and shall pay the cost of all repairs necessitated by failure to do so.

(5) The quantity recorded by the meter shall be taken to be the amount of water passing through the meter, which amount shall be accepted as conclusive by both the Owner and the Town, except when the meter has been found to be registering inaccurately or has ceased to register. In such cases the quantity may be determined by the average registration of the meter in a corresponding past period when in order, or by the average registration of the new meter, whichever method is representative, in the opinion of the Town, of the conditions existing during the period in question.

(6) The Town reserves the right to remove and to test any meter at any time and to substitute another meter in its place. In the case of a disputed account involving the question of accuracy of the meter, such meter will be tested by the Town upon the written request of the applicant, provided that the meter in question has not been tested by the Town within the previous twenty-four (24) months. A report of the testing will be provided to the customer within a reasonable time period.

(7) If a meter is found to be inaccurate, it shall be replaced at Town expense. However, if a meter is found to be accurate, the Owner will bear all costs of testing and related expense.

(8) The Owners shall permit no one, except an agent of the Town or otherwise lawfully authorized to do so, to remove, inspect or tamper with the meter or other property of the Town on his premises. The customer shall notify the Town, as soon as it comes to his knowledge, of any injury to or any cessation in registration of the meter.

L. **Discontinuance of service.**

(1) Whenever the Owner desires to have a service contract terminated or water service discontinued, the Owner shall so notify the Town in writing. Until such notice is received by the Town, the owner shall be
responsible for the payment of all service rendered by the Town, including charges for meter repairs caused by damage by hot water or freezing. A reasonable time after the receipt of such notice shall be allowed the Town to take a final reading of the meter or meters and to discontinue service.

(2) Service may be discontinued without notice for any one of the following reasons:

   (a) In the event of a condition determined by the Town to be hazardous.
   (b) In the event customer uses equipment in a manner so as to adversely affect the equipment or water service.
   (c) In the event of unauthorized use of water.

(3) Service may be discontinued upon five (5) days written notice by personal delivery, posting on the property or registered mail for anyone of the following reasons:

   (a) Use of water for purposes other than for consumption on the premises served or in violation of an express restriction.
   (b) Misrepresentation in application.
   (c) Willful waste of water.
   (d) Molesting or tampering with Town property or seals on appliances.
   (e) Vacancy.
   (f) Nonpayment of bills when due.
   (g) Cross-connection of the Town’s water service pipe with any other water supply source.
   (h) Refusal of reasonable access to property or equipment.
   (i) Failure of customer to comply with conditions, permits or agreements associated with the use of water.

(4) When water has been turned off from any premises for any of the above reasons, except for vacancy, a charge will be made for restoring service in the amount of the actual cost of turning on the water, except that the minimum charge therefor shall be thirty dollars ($30.00) payable in advance.

M. Power to conserve water supply; restrictions on use of water; violations and penalties.
The Mayor and Town Council shall exercise control of the water supply at all times and, in case of shortage of water or for any other reason, the Mayor and Town Council, in the exercise of its discretion, may determine that the water supply should be conserved.

Any user or consumer of water, upon notice from the Town, its agents or employees or upon notice published for two (2) consecutive days in one (1) newspaper of general circulation in Carroll County, shall comply with any order passed by the Mayor and Town Council to conserve the water supply.

Any violation of any order of the Mayor and Town Council under this section is declared to be a municipal infraction. The penalty for violation shall be twenty-five dollars ($25.00) for each initial offense and fifty dollars ($50.00) for each repeat offense. In addition to any other penalty provided herein, the Town may, at any time and without further notice, discontinue the water service of any person violating any order under this section.

N. Allocation of water service supply.

(1) Upon a finding that the capacity and capability of the Town’s water supply system is, or shortly will be, inadequate to supply the reasonably anticipated demands therefor, the Mayor and Town Council is authorized to establish, by resolution, and allocation policy regarding the issuance of permits for water service connections.

(2) Upon a finding described in Subsection (1), the Mayor and Town Council is also authorized to establish, by resolution, a contingency plan to prohibit, restrict and allocate the issuance of permits for water service connections in the event of major operational problems, supply interruption or contamination of the Town’s water supply resources or as a result of state directive.

(3) Upon a finding described in Subsection (1), no water service connection shall be approved which is not in accordance with any allocation policy adopted by the Mayor and Town Council.

O. Interruption of Service and Reduction of Pressure.

As necessity may arise in case of main breaks, emergency or other unavoidable cause, the Town shall have the right to temporarily cut off the
water supply in order to make necessary repairs, connections, improvements, etc., but the Town will use all reasonable and practicable measures to notify the customer in advance of such discontinuance of service. In any case the Town shall not be liable for any damage or inconvenience suffered by the customer, nor for any claim against it at any time for interruption in service, lessening of supply, inadequate pressure, quality of water or any cause beyond its control. All customers having boilers upon their premises, depending upon the pressure of the water in the Town’s pipes to keep them supplied, are cautioned against danger of collapse, and any such damage shall be borne exclusively by the Owner. The Town shall have the right to reserve a sufficient supply of water at all times in its reservoirs to provide for fire or any other emergencies and may restrict or regulate the quantity of water used by its customers in case of scarcity or whenever the public welfare may require it. Any Owner requiring reduced water pressure shall do so through pressure reducing valves, to be furnished and installed at the Owner’s expense, on the outlet side of meter ahead of the stop and drain valve.

P. **Mingling of Waters Prohibited.**

No water will be furnished to any premises where any possibility exists of the mingling of the water furnished by the Town with water from any other source. Nor will the town permit its mains or service pipes to be connected in any way to any piping, tank, vat or other apparatus containing liquids, chemicals or any other matter which may flow back or have cross-connection into the Town’s service pipes or mains, or any other water facilities or units and consequently endanger or adversely affect the water supply. An exception may be made to this rule at the option of the Town, provided that proper safeguards are installed which shall be inspected and have the approval of the Town.

Q. **Hydrants.**

(1) Water from hydrants or other fire protection systems shall be used only in case of fires; except, that water from public fire hydrants may be used in a reasonable amount and at such times and places as the Town may permit. The testing of hydrants and fire-fighting apparatus by any fire company may be permitted upon request by an authorized agent or employee. No pumps
will be permitted to be connected with water pipes so as to draw water directly from main or service pipe, except for fire purposes, without specific permission from the Town.

(2) The opening or closing of any fire hydrant or plug, except in case of fire, without the written permission of the Town shall be deemed a tampering with the appliances of the Town.

R. Tampering with System; penalty.

It shall be unlawful for any person or persons to wrongfully connect, disconnect, tap or interfere or tamper with any of the canals, springs, reservoirs, tunnels, mounds, dams, plugs, mains, pipes, conduits, connections, taps, engines and machinery or other appliance of the Town for the purpose of wasting or using such water or to in anywise tamper with any meters used to register the water consumed, unless such person or persons will be duly authorized by or be in employ of the Town. Any person violating a provision of this Section R shall be guilty of a misdemeanor and shall be subject to a fine of not less than Two Hundred Fifty Dollars ($250.00) nor more than One Thousand Dollars ($1,000.00) per violation.

S. Penalties.

(1) Any person found to be violating any provision of this Chapter for which a specific penalty is not enumerated shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. In the event that the violation has caused or can potentially cause physical damage to the water facilities to the degree that they do not meet the current requirements of appropriate state or federal regulatory agencies, the Town shall require immediate correction of the violation or denial of service until satisfactory corrections are made.

(2) Any property Owner who shall fail to connect to the Town public water facilities as herein provided, without obtaining an exception, shall be guilty of a misdemeanor and shall be subject to a fine of not less than Two hundred Dollars ($200.00) per offense, nor more than Five Hundred Dollars ($500.00) per offense, and such violation shall be of a continuing nature and such
violation for each month shall be deemed a separate offense.

(3) Any person violating any of the provisions, hereof, other than those for which some other penalty is specified, shall be liable to the Town for any expenses, loss or damage occasioned the Town by reason of such violation and for a fine not to exceed Five Hundred Dollars ($500.00) per violation. Each act in violation hereof shall be deemed a separate violation. Acts which cannot be separately identified shall be deemed a separate violation for each day they occur.

(4) This “Penalties” section shall not supersede or otherwise affect any other specific penalties or liabilities contained herein or arising elsewhere.

T. Validity and Applicability.

(1) The invalidity of any section, clause, sentence or provision of this Chapter shall not affect the validity of any part of this Chapter which can be given effect without such invalid part or parts.

(2) The provisions hereof shall apply to any property annexed into The Town of Union Bridge effective upon the effective date of annexation, unless extended or revised by the Town as part of the annexation proceeding.

U. Liability.

The Town will endeavor to provide water in continuous supply at adequate pressure, but it will not be responsible for damage claimed by a customer for interruption to service or for variation in pressure. [Ordinance No. 256, effective July 1, 1991].

III. FEE SCHEDULES - PUBLIC WATER

A. TOWN OF UNION BRIDGE - WATER USER FEES

(1) A charge or fee is hereby established to be paid by the Owners of all buildings, dwellings, apartments, living units or other structures, which charge or fee shall be a quarterly minimum amount irrespective of usage plus an amount based upon the metered water used or consumed during each quarter year in or about such buildings, apartments, living units or other structures, as follows:
a. RESIDENTIAL USES.

Quarterly minimum charge per user (effective July 1, 2017): $39.14

Charge per 1,000 gallons of water consumed in addition to quarterly minimum charge (effective July 1, 2017), provided that the charge per 1,000 gallons of water consumed in addition to quarterly minimum charge shall automatically increase annually by three percent (3%) over such charge for the prior fiscal year and continuing on the same date each and every year unless waived or modified for a given fiscal year by resolution of the Town Council adopted prior to the scheduled date for such increase (Resolution 02-12, effective July 1, 2012)

Each single family home, each apartment or other area within a structure arranged or designed for occupancy by one family or each private, segregated living area for one person (any one of which sometimes referred to herein as a “living unit”) shall be charged as a separate living unit for purposes of applying the rate schedule above and shall pay separate minimum charges. Where more than one (1) living unit is served through a single water meter, each living unit shall be responsible for separate minimum charges.

b. OTHER USES.

Non-residential other uses shall be subject to the same rate schedule as set forth in Section A above. Each separate use shall be treated as a separate unit. Where more than one (1) unit is served through a single water meter, each unit shall be responsible for a separate minimum charges.

c. INACTIVE UNITS.

It is understood that the Town incurs expense providing water capacity and distribution of service to users. Accordingly, a unit or living unit shall be obligated to pay minimum user charges regardless of vacancy, habitability, discontinued service or other non-usage for any reason other than complete demolition and removal of the unit or living unit.

d. NOTICE BY UNIT OWNERS.

It shall be the Owner’s responsibility to notify the Town in writing if the actual number of units served by a single water meter is
different than what is billed by the Town for the Owner’s premises. The Town may backcharge for all charges, fees or penalties hereunder for any period for which a bill understated the number of living units or for a living unit that was not billed, unless such notice was received by the Town prior to the date the billing was payable or would have been payable if timely issued.

(2) The source of water for every building, dwelling, apartment, living unit or other structure shall be metered.

(3) The charge, rate, fee, penalty or assessment levied or imposed hereby shall be a lien on the premises served and may be collected in the same manner as provided for the collection of taxes imposed by the Town upon the assessable property therein. If any charge, rate or fee is not paid within thirty (30) days from the date of billing, a penalty of ten percent (10%) shall be charged, and the Town shall have the right to disconnect water service to the property after five (5) days' written notice.

(4) Bills which are incorrect due to meter or billing errors will be adjusted as follows:

   a. Whenever a meter in service is tested and found to have over-registered more than two percent (2%), the Town will recalculate the bills for service.

   b. If a meter in service fails to register then the Town will render an estimated bill.

   c. If a meter is found to be more than two percent (2%) slow, the Town may bill the customer for the amount the test indicates has been undercharged for the period of inaccuracy, which period shall not exceed the last six (6) months the meter was in service.

   d. When it has been determined that a customer has been overcharged or undercharged, the amount of the overcharge or undercharge shall be adjusted, refunded, credited, or billed as the case may be.

(5) The Town shall review the water charges annually and
revise them periodically, if necessary, to meet operation and maintenance expenses. The Town shall maintain all the records as are necessary to document compliance with the federal regulations.

(6) Amounts collected as user fees shall be placed in a separate water account maintained by the Town for the purpose of redemption of bonds, payment of interest thereon and upkeep and maintenance of the system.

(7) The presentation or nonpresentation of a bill shall not be held to be a waiver of any of the above rules.

(8) The Town may establish a requirement for any new building connections to post a deposit not to exceed one year's worth a minimum quarterly user fees to guarantee payment of bills and penalties. [Resolution 2-08, effective July 1, 2008].

B. CONNECTION FEES

A charge shall be made for each building connection to the Town’s water system in the amount of One Thousand Dollars ($1,000.00) minimum, or actual cost, whichever is greater.

The charge shall be collected at the time the building permit application is filed, unless some other time is set by a resolution passed by the Mayor and Town Council for good cause to facilitate a specific project.

The Town may waive, credit or otherwise adjust a water connection charge or charges as part of a public works agreement where an owner is giving similar value in some other form. [Ordinance No. 256, effective July 1, 1991].

C. GENERAL WATER ASSESSMENT FEES.

1. In any instance in which the Town shall furnish water service to any building, dwelling, apartment, living unit or other building or
structure, as herein set forth, a general water assessment fee is hereby levied and imposed, payable prior to the issuance of a building permit, upon the owner of such property or properties to be served in the amount or amounts as follows:

a) **Residential**

Each Dwelling, each dwelling unit in a multi-family dwelling, each apartment unit or each living unit ................................................................. $ 4,282.00

b) **Industrial Manufacturing**

Minimum (includes buildings containing up to 5,000 square feet, total floor space) ................................................................. $ 4,495.50
Next 10,000 square feet ............................................................... $0.77 per square foot
Next 15,000 square feet ............................................................... $0.71 per square foot
All over 30,000 square feet ........................................................... $0.64 per square foot

c) **Industrial Warehousing**

Minimum (including buildings containing up to 2,000 square feet, total floor space) ................................................................. $ 2,408.70

Next 3,000 square feet ................................................................. $0.83 per square foot
Next 5,000 square feet ................................................................. $0.71 per square foot
Next 20,000 square feet ............................................................... $0.58 per square foot

d) **Schools and Colleges, Including Dormitories (students and staff)**

    1 to 100 persons ...........................................................................$10,275.00
    100 to 250 persons ....................................................................$24,083.00
    250 to 400 persons .................................................................... $38,531.00
    400 to 1,000 persons .................................................................$77,063.00
Each additional 400 persons or fraction thereof over 999 ....................$33,715.00
e) Hospitals, Care Homes and Nursing Homes

1 to 20 beds ................................................................. $  7,707.00
20 to 60 beds ............................................................... $ 19,266.00
Each additional bed over 59 ........................................... $  256.00

f) Hotels and Motels

1 to 10 rooms ............................................................... $  4,495.00
10 to 50 rooms ............................................................ $12,041.00
Each additional room over 49 ....................................... $  385.00

g) Commercial (retail, wholesale, business offices)

Minimum (includes buildings containing up
to 5,000 square feet total floor space)............................... $  4,495.00

Next 5,000 square feet ................................................. $0.77 per square foot
Next 10,000 square feet .............................................. $0.64 per square foot
All over 20,000 square feet ......................................... $0.51 per square foot

2.  a) In any instance in which an existing structure is altered
to convert to additional dwelling units or business offices, there shall be imposed
a special benefit assessment of Two Thousand Five Hundred Sixty-Nine Dollars
($2,569.00) for each unit or office added.

   b) In the event an existing structure is demolished, but
the minimum user fees for the structure continue to be paid in a timely manner
thereafter, then no general water assessment fee shall apply to a new structure or
replacement structure of similar size and a similar category as the structure being
replaced. If the payment of user fees is not made when due on such a demolished
structure, then the full general water assessment fee shall apply to any new
structure or replacement.
3. In any instance in which an industrial or commercial structure is altered to add additional square footage, there shall be imposed a special benefit assessment in accordance with the schedules hereinbefore set forth. Expansion of existing structures shall be allowed credit for previously paid special benefit assessments in all types of uses except dwellings and dwelling units.

4. In situations where no specified category is provided for in this section, the Town Council shall determine the applicable special benefit assessment to be charged in proportion to the most similar use specified above.

5. The Town may waive, credit or otherwise adjust a general water assessment fee or fees as part of a public works agreement where an owner is giving similar value in some other form. [Ordinance No. 256 effective July 1, 1991; Resolution No. 34-00, effective November 27, 2000 as to rates; Resolution No. 04-09, effective September 28, 2009, as to changes in text not affecting rates].

CHAPTER 215
WATER RESOURCE MANAGEMENT

1. WATER RESOURCES. While The Town of Union Bridge is exempt from the Carroll County Water Resource Management laws as recited in Chapter 45 of the Union Bridge code, the text of the Carroll County WATER RESOURCE MANAGEMENT law, as now codified in Chapter 218 of the Carroll County Code, as same may be amended, expanded (in any form including by subsequent supplemental ordinance or Code revision) or recodified from time to time, is hereby incorporated by reference as a law of The Town of Union Bridge; except that all references to “County”, other than in Section 218-5 (Delineation of Areas) and Section 218-19 (Manual), shall mean “The Town of Union Bridge” and references to the “Board of County Commissioners and Board of Appeals” shall mean the “Town Council of The Town of Union Bridge”. [Ordinance No. 297, effective September 11, 2005].
CHAPTER 220
ZONING

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ARTICLE 1. Purpose.

Section 1.0. Generally.

The purpose of this Chapter is to promote the health, safety, morals and the general welfare of the community, by regulating and restricting the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the density of population, the size of lots, yards, courts, and other open spaces, and the location and use of buildings, structures, and land for trade, industry, residence, and other purposes; to provide for adequate light and air, to prevent congestion and undue crowding of land; to secure safety from fire, panic, and other danger; and to conserve the value of property.

ARTICLE 2. Application.

Section 2.0. Effective date; application within Town.
This Chapter took effect on the 26th day of January, 1977 and shall apply to all lands, buildings and properties and their uses within the territorial limits of the Town of Union Bridge. [Ordinance No. 201 superseded Ordinance No. 173A]

ARTICLE 3. Districts Established; District Maps, District Boundaries

Section 3.0. Districts established.

For the purpose of these regulations, the Town of Union Bridge is hereby divided into districts as follows:

"C" - Conservation District
"R-20,000" - Residence District
"R-10,000" - Suburban Residence District
"R-6,000" - Urban Residence District

"B-L" - Local Business District
"B-G" - General Business District
"I-R" - Restricted Industrial District
"H" - Historic District

Section 3.1. District Maps.¹

The districts shall be of the number, size and shape as shown on the zoning maps of the Town of Union Bridge and said maps with the necessary symbols, legends, and explanatory matter thereon, are hereby made and declared to be a part of this ordinance. As evidence of the authenticity of said maps, they shall be signed by the Mayor and Council of Union Bridge upon the adoption of these regulations.

¹Editor's note. The zoning maps of Union Bridge are not set out in this volume.
Section 3.2. Rules for interpretation of district boundaries.

Where uncertainty exists as to the boundaries of districts as shown on the official zoning maps, the following rules shall apply:

(a) Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;

(b) Boundaries indicated as approximately following property lines or platted lot lines, shall be construed as following such lines;

(c) Boundaries indicated as approximately following city limits shall be construed as following city limits;

(d) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

(e) Boundaries which are drawn parallel to road lines and which do not coincide with property lines or lot lines, and were not designated by dimensions, shall be determined by use of the map scale as shown thereon;

(f) Boundaries which are in unsubdivided property or where district boundary divides a lot, shall be determined by the use of the map scale as shown thereon;

(g) Where a district boundary line as shown on the zoning map or maps divides a lot which was in single ownership and of record at the time of enactment of this ordinance the use authorized thereon and the other district requirements applying to the least restricted portion of such lot under this ordinance shall be considered as extending to the entire lot, provided the more restricted portion of such lot is entirely within fifty (50) feet of said dividing district boundary line. The use so extended shall be deemed to be conforming.

Section 4.1. Ordinance deemed minimum regulations; uniformity.

The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land except as hereinafter provided.

Section 4.2. Compliance with ordinance.

Except as hereinafter specified, no land, building, structure or premises shall hereafter be used, and no building or part thereof or other structure shall be located, erected, reconstructed, extended, enlarged, converted or altered except in conformity with the regulations herein specified for the district in which it is located.

Section 4.3. Nonconforming uses.

(a) Any building, structure or premises lawfully existing at the time of the adoption of this ordinance, or lawfully existing at the time this ordinance is subsequently amended, may continue to be used even though such building, structure or premises does not conform to use or dimensional regulations of the zoning district in which it is located; subject, however, to the following provisions:

(b) Structural alterations of a building or structure, or the use of a parcel, lot or tract of land which does not conform to the provisions of this ordinance shall be allowed only if the building or structure to be altered or the parcel, lot or tract of land to be used shall be made to conform with the requirements of the zoning district in which it is located; however, upon application, the Board may approve the structural alteration of a building or structure, or the use of a parcel, lot or tract of land which is not in conformance with the provisions
of the Ordinance, subject to the provisions of Article 16, Section 16.6.

(c) If no structural alterations are made, a nonconforming use of a building, structure or premises may, with approval of the Board, be changed to another nonconforming use which in the opinion of the Board is of the same or a more appropriate use or classification. In the case of a nonconforming junk yard operation, the Board may, based on specific findings of fact, decide upon an application filed by the landowner as to whether a relocation of a nonconforming junk yard operation, either in whole or in part, to another location on the immediate property or to a location on an adjoining property, constitutes a suitable substitution of use which has substantially less adverse impact to the general public and adjoining or confronting property. In granting any such relocation as herein provided, the Board shall attach such conditions or requirements as it may deem necessary to protect the public interest, the adjoining and confronting property owners, and the intent and purpose of the Ordinance.

(d) Whenever a nonconforming use has been changed to a more appropriate use in the opinion of the Board, such use shall not thereafter be changed to a less appropriate use or classification.

(e) No building, structure or premises where a nonconforming use has ceased for one (1) year or more shall thereafter be used except in conformance with the Zoning Ordinance.

(f) The owner or operator of any existing nonconforming use involving used car lots, service garages or junk yards shall, not later than 12 months from the effective date of this Ordinance certify in writing, on a prescribed form, to the Office of the Zoning Administrator, that such nonconforming use did exist on the effective date of this ordinance. In order that the exact nature and extent of such nonconforming use may be determined, a survey plat prepared by a professional engineer or registered surveyor shall accompany any
prescribed form. The survey shall include the following:

(1) North arrow.
(2) Scale - One inch equal to one hundred feet.
(3) Election District.
(4) Outline of parcel or parcels upon which the nonconforming use is located.
(5) Bearings, distances and acreage of that portion of the parcel or parcels expressly used for the nonconforming use on the effective date of this ordinance.
(6) Use, dimensions and location of all existing buildings.
(7) Certification and seal of professional engineer or registered surveyor.

(g) 1. The owner or tenant of property on which there exists a nonconforming use involving the keeping of farm animals or setbacks or other area requirements relating to the keeping of farm animals, shall by September 30, 2008 certify in writing, in a form satisfactory to the Office of the Zoning Administrator, that such nonconforming use did validly exist as of the date of the certification. In order to properly document and authenticate the nature and extent of the use and the nonconforming aspects thereof, the certification shall include:

   i) a sketch of the premises showing all structures, feeding pens, fencing, pasture or other areas in which animals are kept or moved, including dimensions thereof and distances to all property lines; and

   ii) the type, age and identifying description of each animal located on the premises.

2. In the event no certification for a nonconforming use for farm animals is made as required above in the time prescribed, then the nonconforming use shall be conclusively deemed invalid and use of the premises shall be in conformity with all current zoning laws.

3. Upon the filing of a valid certification for a nonconforming use for farm animals, the use shall be allowed to continue for up to three (3) years after the date of such certification as to the animals designated in the certification, provided, however, that such animals shall be amortized so that no new farm animals shall be brought to the
premises except in conformity with current zoning laws. Offspring shall be permitted to
stay on the premises during this three (3) year period but only so long as the parent
designated in the certification shall live and be kept on the premises. Once removed from
the premises to another boarding location, no animal shall be permitted to return to the
premises, except in conformity with current zoning laws. It is the intent hereof that
nonconforming uses involving farm animals shall be reduced in intensity as individual
animals die or are otherwise removed from the premises so that the non-conformity shall
be amortized in its entirety no later than the date which is three (3) years from the date
that the valid certification was filed. (Amended by Ordinance No. 304, effective June 8,
2008)

(h) Nothing in these regulations shall prevent the restoration of a
nonconforming building or structure destroyed by fire, windstorm, flood, and
explosion or act of public enemy or accident, or prevent the continuance of the
use thereof as it existed at the time of such destruction provided that a zoning
certificate is obtained and restoration begun within one (1) year of such
destruction.

Section 4.4. Uses prohibited under other town, county or state laws.

Any existing or proposed use which is determined to be in conflict with any
existing ordinance or laws of the Town of Union Bridge, Carroll County, or law
or regulation of the State of Maryland or other governmental agency shall be
prohibited, even though such use may be allowed under the terms of this
ordinance.

Section 4.5. Agricultural uses permitted generally.

Except for compliance with yard requirements and distance requirements set
forth in section 4.12, nothing in this ordinance shall prohibit the use of land for
agricultural purposes or the construction or use of buildings or structures incident
to the use for agricultural purposes of the land on which such buildings or
structures are located, unless specifically prohibited by ordinance of the Town of
Union Bridge.
Section 4.6. Construction or use under prior zoning certificate.

Where a zoning certificate and/or a building permit has been validly issued prior to the adoption of this ordinance, the construction or use so authorized may be completed or continued in accordance with any conditions required therefor; provided, however, that such construction or use shall have been started within one (1) year of the date of issuance of such zoning certificate and completion thereof carried on in a normal manner and not discontinued for reasons other than those beyond the builders' or users' control. Where an appeal is pending for a conditional use, under the terms of Zoning Ordinance Number 192 and which has been filed not more than 90 days prior to the adoption of this ordinance, the Board of Appeals shall have the power to consider such appeal under the terms of Zoning Ordinance Number 192; provided, however, that all papers constituting the appeal shall have been filed with the Zoning Administrator prior to the adoption of this ordinance.

Section 4.7. Uses approved under Zoning Ordinance No. 192.

Where any approval has been granted by a Board of Appeals and/or Mayor and Council under terms of Zoning Ordinance No. 192, adopted by the Mayor and Council of Union Bridge, and which was effective as of December 30, 1974, such approval with any conditions imposed thereon by the Board of Appeals and/or Mayor and Council shall apply to any use which has been established thereunder. In those cases where a time limit has been imposed as a condition of approval, the Board may approve, upon reapplication and after public hearing, one extension of time of equal duration but in no case to exceed five (5) years.

Section 4.8. Buildable lots.

Any lot which was a buildable lot under the terms or regulations in effect at the time of the adoption of this ordinance and which was established or recorded at that time shall be deemed a buildable lot for the erection only of a single-family dwelling, subject to the provisions of Section 14.1.
Section 4.9. Use of same yard space for more than one building prohibited.

No part of a minimum required yard or other open space provided about any building or structure for the purpose of complying with the provisions of this ordinance shall be included as part of a minimum required yard or other open space required under this ordinance for another building or structure.

Section 4.10. Major road plans.

In an area where a Major Road Plan has been duly adopted in accordance with the Land Use Article of the Annotated Code of Maryland, as amended, showing a proposed new highway or street or a proposed relocation or widening of an existing highway or street, no building or part of a building shall be permitted to be erected within the lines of such proposed highway or street except as provided hereinafter:

(a) The Zoning Administrator shall issue a zoning certificate for such construction as applied for, provided the Maryland State Highway Administration, the Carroll County Roads Department, the Mayor and Council of Union Bridge, or appropriate authority, upon and within thirty days of written notice thereof does not reaffirm and substantiate its plans to provide such construction in accordance with the Major Road Plan.

(b) The owner of the property so affected shall, following the expiration time of such written notice, have the right to appeal to the Board the refusal of a zoning certificate, and the Board may give approval to build if it should find, after public hearing, and upon the evidence and arguments presented to it upon such appeal, (1) that the entire property of the appellant of which the area affected by the Major Road Plan forms a part, cannot yield a reasonable return to the owner unless such appeal is granted, and (2) that balancing the interest of the general public in preserving the integrity of the plan and the
interest of the owner of the property in the use and benefits of his property, the granting of such permit is required by consideration of reasonable justice and equity.

Section 4.11. Essential services or essential utility equipment.

Essential services or essential utility equipment, as defined and enumerated in Section 19.12, shall be permitted in any district, as authorized and regulated by law and ordinances of Union Bridge, it being the intention hereof to exempt such essential services or essential utility equipment from the application of this ordinance.

Section 4.12. Distance requirements.

Any uses or buildings subject to compliance of this section shall be located at least two hundred (200) feet from, any lot in a "R" District or any lot which is part of a duly recorded residential subdivision, or any lot occupied by a dwelling, school, church, or institution for human care not located on the same lot as the said use or buildings.

Section 4.13. Ponds, Lakes and Stabilization Lagoons.

Unless approved by the Board, all ponds, lakes and stabilization lagoons shall be located a minimum of 200 feet from the centerline of any public road; except roads having a legally established right-of-way width in excess of 60 feet (in the vicinity of said proposed pond) in which case the 200 foot minimum shall be measured from the public road right-of-way.


In any C, R, or H District on any corner lot, no fence, structure or planting that would interfere with traffic visibility across the corner shall be erected or maintained within twenty (20) feet of the intersection of the road right-of-way lines.
Section 4.15. Planned Major Subdivision; Residential.

Nothing in this ordinance shall prohibit a minor subdivision of land as herein defined (Article 19) in any district, provided however, that a major subdivision of land, as herein defined, for residential purposes in those districts where permitted, shall, following any required technical review and prior to any approval, be subject to a final determination by the Commission to insure compliance with the following requirements:

(a) That such proposed major subdivision for residential development has been adequately demonstrated as being in accord and not in conflict with or running contrary to any element of the Town's Master Plan.

(b) That any one or combination of essential community facilities and services determined necessary by the Commission, in accordance with Section 13.7.0 are either available or adequately insured to be made available for such proposed residential development in major subdivisions which would be adequate and which could reasonably be expected and required.

(c) That the tract or area proposed for major residential subdivision development is determined by the Commission as being suitable for such proposed residential development in accordance with Section 13.7.0.

Section 4.16. Front Yard Depth, How Measured.

Each front yard (set back) shall be measured at right angles or radially from the nearest street right-of-way line (front property line) where the right-of-way of any existing street is fifty feet in width in the case of a local or minor type street or sixty feet in width in the case of any designated Town Collector or major street. Where the respective right-of-way widths of the above
streets are less or where there may be doubt as to the width of the right-of-way, then the minimum front yard depth or set back line shall be determined by adding the distances specified below, to the minimum front yard requirements, and measuring from the centerline of the type of road involved:

(a) All local or minor streets: Add 25 feet.

(b) Town collector or major streets: Add 30 feet.

In any district where a lot abuts a state highway, the minimum front yard otherwise required for any building where less than one hundred feet shall be increased by an amount specified by the Maryland State Highway Administration, as would reflect and allow for future official widening and right-of-way lines, if applicable, and which are either shown on official plans or detailed in writing by the Administration.

Section 4.17. Accessory Buildings.

No accessory building shall be located in any required court or in any yard other than a rear yard, and except as provided hereinafter. Accessory buildings shall be distant at least six (6) feet from any alley lines and from any other building on the same lot, and at least five (5) feet from lot lines of adjoining lots which are in any "R" District, unless greater requirements are imposed by the State Fire Marshall. In the case of private car garages rearing on alleys, the setback from the travelled way of the alley shall be at least 12 feet, and in no case less than the distance required to insure the driver's visibility of traffic in the alley when backing onto any alley.

Section 4.18. Temporary Offices and Storage Trailers.

A trailer may be located as a temporary office or storage use in any district as an accessory use in connection with public works or other similar non-public construction projects, including public utility projects, all of which are of a
temporary nature, provided a definite completion date is furnished and on condition that such trailer shall be removed upon completion or discontinuance of construction.


The power and authority for the following is hereby delegated and granted to the Commission in order to control the appropriateness and quality of development in the Town of Union Bridge.

(a) To amend, revise, repeal, rewrite or otherwise change the Subdivision Regulations for the Town of Union Bridge, Maryland, in a manner which is consistent with the orderly growth and planning priorities of the Town, subject to adoption by the Town Council. Before any such regulations shall be submitted to the Town Council for adoption a public hearing shall be held thereon by the Commission in accordance with the publication notices and procedures of LAND USE ARTICLE, Section 5-102, as amended or recodified from time to time. The existing Subdivision Regulations which became effective May 15, 1980 shall remain in effect subject to the powers hereby conveyed to the Commission. No zoning certificate shall be issued for any use within a subdivision unless the subdivision has been approved in accordance with the Subdivision Regulations.

(b) To promulgate and implement subdivision review procedures to which all subdivision in the Town of Union Bridge shall be subject. These procedures shall include rules for filing applications for subdivision and an outline for procedures involving the processing of such applications. The commission may impose such application fees or other review fees as may be reasonably related to these procedures subject to approval by the Town Council.

(c) To promulgate and implement site plan review procedures to which
all commercial and industrial development, including conversion of an existing use to a substantially different use, in the Town of Union Bridge shall be subject. These procedures shall include rules for filing applications for site plan approval and an outline for procedures involving the processing of such applications. The commission may impose such application fees or other review fees as may be reasonably related to these procedures subject to approval by the Town Council.

(d) Any subdivision involving commercial or industrial development shall also require site plan approval for sites within the subdivision.

(e) Promulgate and implement design and construction criteria to be applied to subdivision and commercial site plans in the Town of Union Bridge for the following:

i) Public water facilities
ii) Public sewer facilities
iii) Public roads and sidewalks
iv) Public drainage facilities
v) Public recreational facilities
vi) Other public facilities involved in a subdivision or site plan

(f) Grant variances from the procedures or design criteria established pursuant hereto in cases where strict compliance with said provisions would create practical difficulty and the variance would not result in a substantial detriment to the public health, safety and welfare.

(g) In adopting regulations, procedures and design criteria pursuant to this section, the Commission shall consider the public health, safety and welfare; the spirit and intent of this Zoning Ordinance and the then existing comprehensive plan or plans; accommodation of public roads, water and sewer lines and other public facilities; recreation; preservation of natural topographic features; integration of landscape and uses; grading and drainage concerns; integration with
neighboring properties; traffic congestion; parking; lighting; signage; unique characteristics of users; and other general principles of planning which are reasonably expected to produce sound and functional development in the Town. The Commission shall also give due consideration to bonding and/or surety requirements and procedures necessary and appropriate to ensure that approved plans are carried out. (Added by Ordinance No. 260, effective September 13, 1992).

Section 4.20. Commercial or Industrial Site Plans.

No zoning certificate may be issued for any commercial or industrial use, including conversion of an existing use to a substantially different use, unless the site plan has been approved by the Commission. The site plan review shall be conducted in a manner consistent with the site plan review procedures adopted by the Commission. The Commission may waive or relax certain aspects of the review which are determined to have little or no application to the site under review. Any use requiring approval of the Board of Zoning Appeals which involves minimal construction and/or grading may request a waiver of site plan review from the Board of Zoning Appeals, provided that the Board of Zoning Appeals may impose whatever conditions or restrictions as may be authorized elsewhere in this Ordinance. A site plan approval shall be valid for one (1) year from the date of issuance unless a building permit has been issued and substantial work has begun on the project or the Zoning Administrator grants an extension in writing for good cause shown.

Section 4.21. Front Yard Fences or Walls.

No solid fence, wall or other structure which materially obstructs the view of a front yard, excluding fences around porches or fences which do not obscure visibility (e.g. chain link fences or split rail fences), shall be located in front of any dwelling, or other residential building, between the line running the width of the lot from the forward-most front wall of the building to the front property line or lines. This section shall apply in addition to the restrictions in Section 4.14 involving corner lots.
Section 4.22. Communications Towers.

A communications tower means a structure to support radio, cellular telephone and television transmission antennas; microwave relay towers; monopoles; and similar structures for transmission or reception and retransmission of electronic signal, including accessory equipment buildings that do not have office space. A communication tower does not include Small Wireless Facilities as defined in Section 4.23 of the Code. Communications towers are permitted as conditional uses in all zoning districts subject to the following conditions: [Effective September 13, 2020, Ordinance No. 316].

(a) A minimum setback to the nearest adjoining property line of a distance equaling the height of the tower. The setback shall be measured from the nearest point on the base of the tower to the fee simple boundary line of the parcel of land on which the tower is located.

(b) An increased minimum setback of a distance equaling the height of the tower plus two hundred (200) feet from any adjoining property in an “R” district, or the nearest part of any existing dwelling, school, church or institution for human care, in any other district.

(c) A minimum setback from all overhead transmission lines of a distance equaling the height of the tower plus fifty (50) feet.

(d) The height of the tower may not exceed two hundred fifty (250) feet and shall be measured from the base on which the tower is located to the top of the tower, antenna or other extension, whichever is greater.

(e) A copy of all reports including the environmental assessment, NEPA review and SHPO review, as required by or provided to the Federal Communications Commission, shall be included as part of the application for a communications tower.

(f) The applicant shall have the burden of proving that:
1. No existing towers or structures are located within the geographic area which would enable applicant to meet its coverage requirements.

2. Existing towers or structures are not of sufficient height to meet applicant's coverage requirements.

3. Existing towers or structures are not structurally able to support applicant's proposed antenna and related equipment.

4. There are other limiting factors that render the use of existing towers or structures impracticable or economically infeasible.

5. The Applicant's proposed construction, color, appearance and style of the communications tower is the most appropriate at this location giving due consideration to the options for types of towers reasonably available at the site.

6. The proposed tower meets all other standards for conditional use approval set forth elsewhere herein.

(g) The filing and approval of a site plan by the Planning Commission.

(h) The application for zoning certificate for a communications tower must be accompanied by an affidavit from the applicant stating that the space on the proposed tower will be made available to future users at commercially reasonable rates where structurally feasible. Towers shall be designed and constructed to accommodate antennas for a reasonable number of additional carriers to collocate thereon.

(i) No tower may use artificial lighting or strobe lighting except as required by the Federal Aviation Administration or other federal or state agencies.

(j) An applicant for a zoning certificate for a communications tower must execute an agreement with the Town requiring the removal of the tower within
six (6) months after the tower ceases to function as a communications tower. The applicant shall further be required to post bond in a form satisfactory to the Town to secure its obligation to so remove the tower in an amount determined by the Town to be equal to the estimated removal costs plus a fifteen percent (15%) administrative and contingency fee. [Effective October 1, 2000 - Ordinance No. 280].

Section 4.23.0. Small Wireless Facility.

Small Wireless Facility means a wireless facility that meets the following criteria:

(a) The structure on which the antenna facilities are mounted is 50 feet or less in height, including existing antennas;

(b) Each antenna associated with the deployment, excluding the associated equipment, is not more than three (3) cubic feet in volume;

(c) All other wireless equipment associated with the antenna, including the provider’s preexisting equipment, is cumulatively no more than 28 cubic feet in volume;

(d) The facility does not require antenna structure registration under Federal law; and

(e) The facility does not result in human exposure to radio-frequency radiation in excess of applicable safety standards under Federal Law.

Section 4.23.1. Principal permitted use. A Small Wireless Facility shall be a principal permitted use in all zoning districts as authorized and regulated herein and otherwise by law.

Section 4.23.2. Application Procedures.

Prior to any construction and placement of a Small Wireless Facility, an application must be submitted for the Town’s review in order to ensure the
public’s health, safety, public welfare, environmental features, character of the community and other aspects of the quality of life of the Town are not jeopardized.

(a) All applications for Small Wireless Facilities shall include a right-of-way access agreement with the Town and all required fees shall be paid, if applicable.

(b) All applications for co-locating at an existing facility shall be required to document the intent of the existing owner to permit its use by the applicant;

(c) Any and all representations made by the applicant, whether verbally or in writing, shall be on the record and relied upon in good faith by the Town;

(d) No construction shall be started on or at the Small Wireless Facility until the application is reviewed and approved and all right-of-way use permits or administrative approvals, as applicable, have been approved;

(e) All applications shall be signed on behalf of the applicant by a person vested with authority to bind and commit the applicant;

(f) Within thirty (30) days of the date of submission of the application, the applicant shall be notified in writing, by the Zoning Administrator, of any deficiencies of the application. All deficiencies shall be corrected within ninety (90) days of the notice of deficiency or the application will be deemed abandoned. Within ten (10) days of an application being resubmitted due to a deficiency, the Zoning Administrator shall notify the applicant, in writing, of any additional deficiencies;

(g) If the application consists of co-locating with an existing structure, the Town shall have sixty (60) days from the date the application is submitted to make a determination and submit the determination in writing to the applicant;

(h) If the application consists of new construction, the Town shall have ninety
(90) days from the date the application is submitted to make a determination and submit the determination in writing to the applicant.

Section 4.23.3. Application Fees and Recurring Costs.

(a) The applicant shall pay a single up-front application fee of Five Hundred Dollars ($500.00) that includes up to Five (5) Small Wireless Facilities. There shall be an additional One Hundred Dollars ($100.00) for each Small Wireless Facility over Five (5);

(b) That there shall be an annual recurring fee of Two Hundred Seventy Dollars ($270.00) per Small Wireless Facility. This fee is to include any possible right-of-way access fees or fees for attachments to municipally-owned structures in the right-of-way;

(c) Each Small Wireless Facility requiring a new structure shall pay a non-recurring fee of One Thousand Dollars ($1,000.00);

(d) The Town may increase all costs and fees associated with Small Wireless Facilities on a case-by-case basis if it can be demonstrated by the municipality that the increase is due to an approximation of costs and the costs are reasonable;

(e) All costs and fees associated with the preparation and submission of an application, permit fees and/or right-of-way access fees shall be borne by the applicant.

(f) An applicant for a zoning certificate for a Small Wireless Facility must execute an agreement with the Town requiring the proper maintenance thereof and removal of the facility within six (6) months after the facility ceases to function as a Small Wireless Facility. The Town may require the applicant to post and maintain a satisfactory bond from time to time for each Small Wireless Facility to secure its obligations under the agreement in an amount to be determined by the Town to be equal to the estimated maintenance and removal costs plus a fifteen percent (15%) administrative and contingency fee.
Section 4.23.4. Requirements

(a) Structures shall not be located or maintained so as to unreasonably interfere with the use of the public right-of-way;

(b) Structures shall at all times be maintained in a safe manner, and in compliance with all conditions of all permits, local codes, ordinances, regulations and local, state and federal laws;

(c) Unless the provider can prove that it is technologically impracticable, the municipality shall require all Small Wireless Facilities to use existing structures to co-locate to decrease the environmental footprint;

(d) All equipment and accessories or associated structure shall maximize the use of building materials, colors, textures and design to blend with structure to harmonize with the natural surroundings;

(e) Structures shall have the least visual impact on its surroundings and nearby properties as reasonably possible;

(f) Structures shall have a minimum setback of fifty (50) feet from any residential property;

(g) Structures shall not impede, obstruct or hinder pedestrian or vehicular travel;

(h) Structures shall not create new obstructions to property sight lines;

(i) Structures shall be in alignment with existing trees, utility poles and street lights. [Effective September 13, 2020, Ordinance No. 316].

ARTICLE 5. "C" Conservation District.
The purpose of this District is to prescribe a zoning category for those areas where, because of natural geographic factors and existing land uses it is considered feasible and desirable to conserve open spaces, water supply sources, woodland areas, wildlife and other natural resources. This District may include extensive or steep sloped areas, stream valleys, water supply sources, and wooded areas adjacent thereto.)

Section 5.0. Generally.

The following regulations and the applicable regulations contained in other Articles shall apply in the "C" Conservation District:

Section 5.1. Principal Permitted Uses.

(a) Agriculture, as defined in Section 19.02; except, that woodland intended to be cleared for cultivation or pasturing shall be subject to review by the Commission; and provided, that any greenhouse heating plant or any building or feeding pens in which farm animals are kept shall comply with the distance requirements specified in Section 4.12.

(b) Forests, forestation and wildlife preserves.

(c) Publicly-owned or private parks of a nonprofit nature, including camp grounds, golf courses, riding trails, summer or winter resort areas, hunting, fishing or country clubs, game preserves and similar uses for the purpose of preserving and enjoying the natural resources of the property.

(d) Water supply works, flood control or water shed protection works, and fish and game hatcheries.

(e) Dwellings (detached), single family; provided that the minimum lot size shall be maintained at three (3) acres, and subject to Section 4.15 and Section 13.7.0.
Section 5.2. Conditional Uses (requiring Board authorization).

(a) Public utility structures other than essential utility equipment as enumerated in Section 19.12.

(b) Trap, skeet, rifle or archery range, including gun clubs; provided, such use shall be five (5) times the distance requirement specified in Section 4.12.

(c) Veterinary clinics, animal hospitals or kennels with or without runways, provided that the minimum area is 10 acres for any of the aforesaid uses, and provided that any structure or area used for such purposes shall be subject to twice the distance requirement as specified in Section 4.12; and in any event such structure or use shall not be located closer than 400 feet from any property line of the subject property.

Section 5.3. Accessory Uses.

(a) Accessory buildings and uses customarily incidental to any principal permitted use or authorized conditional use.

(b) One private stable as defined in Section 19.35 in a rear yard on a lot or tract of three acres or more and as hereinafter regulated:

(1) No less than 1/2 the distance requirements of Section 4.12 provided 200' from a dwelling on an adjoining lot or tract of land, and/or 200' from any dwelling on a lot or tract of land across the road from the lot or tract in question.

(2) No less than 1/2 the distance requirements of Section 4.12 provided adjoining or across the road from unimproved but buildable lots or tracts of land.
(3) No less than 1/4 the distance requirements of Section 4.12 provided 300' from a dwelling on an adjoining lot and/or 300' from a dwelling on a lot across the road from the lot in question.

(4) An "in fee" strip or portion of a "panhandle" or "flag" lot abutting, or next adjacent to the lot or tract in question shall not be considered the adjoining lot or tract of land in determining space requirements.

(c) A private parking area, not including commercial parking lots, on the same premises of any permitted, conditional or nonconforming use; provided said permitted conditional or nonconforming use as the case may be, and the private parking area accessory thereto on the premises, are both completely located within the district, and private parking areas off-premises subject to Section 13.1.1(j).

(d) incidental home and farm occupations; provided that antique shops, whether in the home or within a detached building on the same premises, shall be subject to Board approval after public hearing.

Section 5.4. Height Regulations.

Except on farms and except as provided in Section 14.4, no building or structure shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet.

Section 5.5. Lot area, lot width and yard requirements.

The following minimum requirements shall apply except as hereinafter modified in Article 13 and Article 14.

| Lot Area | Lot Width | Front Yard | Side Yard | Rear Yard | 155 |

(The purpose of this District is to clearly identify, protect and preserve to the greatest extent possible, the public interest in the community's heritage for its cultural, educational, economic value and general welfare.)

Section 6.0. Generally.

The following regulations and the applicable regulations contained in other Articles shall apply in the "H" Historic District.

Section 6.1. Principal Permitted Uses.

(a) Agriculture, as defined in Section 19.02; provided, any building or feeding pens in which farm animals are kept shall comply with distance requirements specified in Section 4.12.

(b) Churches.

(c) Dwellings, single family.

(d) Buildings and properties of a cultural, civic, educational or social nature.

(e) Conversion and alteration of a building existing at the time of the enactment of this ordinance to accommodate two families; provided, that the requirements of Section 13.1.1, as well as the requirements of the Health Department are complied with.

Section 6.2. Conditional Uses (requiring Board authorization)
(a) Antique and gift shops.

(b) Re-establishment of BL District uses which locations have been vacant for more than one year.

(c) New agricultural uses where the concentration of animals, such as hogs, cattle, poultry, animals for experimental or other purposes, such as rats, rabbits, mice and the like is considered by the Zoning Administrator to be objectionable to adjacent properties because of feeding pens, loafing areas, and other requirements causing extensive concentrations.

(d) Conversion of existing buildings to accommodate more than two families.

Section 6.3. Actions Requiring approval of Historic District Commission.

(a) Prior to the issuance of a zoning certificate for the construction, alteration, repair, moving or demolition of any structure within this district, and where such changes would solely affect the exterior appearance of a structure visible or intended to be visible from an adjacent public way, approval shall be granted by the Historic District Commission in accordance with the requirements of the Land Use Article and such other requirements as the said historic commission may legally require in granting such approval.

Section 6.4. Accessory Uses.

(a) Those accessory uses as enumerated in Section 7.3.

Section 6.5. Height Regulations.

(a) Height regulations shall be as enumerated in Section 7.4.
Section 6.6. Lot area, lot width and yard requirements.

The following minimum requirements shall apply except as hereinafter modified in Article 13 and Article 14.

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>Lot Width</th>
<th>Lot Area Per Family</th>
<th>Front Yard Depth</th>
<th>Side Yard Width</th>
<th>Rear Yard Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwellings</td>
<td>20,000 sq. ft.</td>
<td>100 ft.</td>
<td>20,000 sq. ft.</td>
<td>40 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Churches</td>
<td>2 acres</td>
<td>200 ft.</td>
<td>-</td>
<td>100 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Other Principal or Conditional Uses</td>
<td>20,000 sq. ft.</td>
<td>100 ft.</td>
<td>20,000 sq. ft.</td>
<td>40 ft.</td>
<td>25 ft.</td>
</tr>
</tbody>
</table>

ARTICLE 7. "R-20,000" Residence District.

(The purpose of this District is to provide a location for single family residential development, the individual lots of which contain a minimum of 20,000 square feet or approximately two families per acre. The larger lot size in relation to other residential districts of the Town affords a lower overall density and as a result, individual open space is obtained and more noticeable in this Residence District than others or to allow Projects subject to review under Section 13.5.0, Subdivision and Development Controls and Priorities.)(Amended by Ordinance No. 264, effective February 13, 1994).

Section 7.0. Generally.

The following regulations and the applicable regulations contained in other articles shall apply in the "R-20,000" Residence District.
Section 7.1. Principal permitted uses.

(a) Agriculture, as defined in Section 19.02, provided, any building, enclosure, fenced-in area, pen or feeding pen in which farm animals are kept shall comply with the distance requirements specified in Section 4.12. (Amended by Ordinance No. 304, effective June 8, 2008)

(b) Churches, schools, and colleges.

(c) Dwellings, single-family, subject to Sections 4.15 and 4.10.

(d) Buildings and properties of a cultural, civic, educational, social or community service-type such as libraries, ponds and playgrounds, community centers, fire, ambulance, and rescue centers, but not storage yards, warehouses, or service garages.

(e) Conversion and alteration of a building existing at the time of the enactment of this ordinance to accommodate two (2) families; provided that the requirements of Section 13.1.1, as well as the requirements of the Health Department are complied with.

(f) Uses specifically authorized for projects subject to review under Section 13.5.0, Subdivision and Development Controls and Priorities. (Amended by Ordinance No. 264, effective February 13, 1994).

Section 7.2. Conditional Uses (requiring Board authorization).

(a) Antique Shops, beauty parlors and barbershops within a building on the same premises of a principal permitted use, or detached building on the same premises.
(b) Nursing and/or Retirement Homes, Hospitals (Class A), medical and dental clinics subject to prior approval of the site development plan and exterior design of the structure by the Commission.

(c) Funeral establishments.

(d) Golf courses, country clubs, private clubs of a nonprofit nature and similar recreational uses privately owned and/or operated.

(e) Nursery schools or child care centers.

(f) Public utility buildings, structures or uses not considered Essential Utility Equipment as enumerated in Section 19.12.

(g) The professional office of a resident physician, insurance agent, real estate sales office or other similar professional offices, subject to site plan approval by the Planning Commission and provision for any landscaping, screening, off-street parking or other facilities or improvements as may be deemed necessary by the Commission.

Section 7.3. Accessory Uses.

(a) Accessory buildings and uses customarily incidental to any principal permitted use or authorized conditional use.

(b) Accessory dwellings for domestic employee or relative, on the same lot with the principal dwelling.

(c) Incidental home or farm occupations.

(d) Existing cemeteries, when accessory to a church.

(e) Guest house in an accessory building.
(f) Swimming pools, tennis and other similar courts when accessory to a residence.

(g) The keeping of not more than four (4) roomers or boarders by a resident family.

(h) One private stable as regulated in Section 5.3(b).

(i) A private parking area, not including commercial parking lots on the same premises of any permitted, conditional or nonconforming use; provided said permitted, conditional or nonconforming use, as the case may be, and the private parking area accessory thereto on the premises, are both completely located within the district, and private parking areas off-premises subject to Section 13.1.1.(j).

Section 7.4. Height Regulations.

No principal structure shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height, and no accessory structure shall exceed two (2) stories or twenty (20) feet in height, except as provided in Section 14.4.

Section 7.5. Lot area, lot width and yard requirements.

The following minimum requirements shall be observed, subject to the modified requirements in Articles 13 and 14:
<table>
<thead>
<tr>
<th>Type</th>
<th>Lot Area</th>
<th>Lot Width</th>
<th>Lot Area Per Family</th>
<th>Front Yard Depth</th>
<th>Side Yard (Width Each Side Yard)</th>
<th>Rear Yard Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwellings</td>
<td>20,000 sq. ft.</td>
<td>100 ft.</td>
<td>20,000 sq. ft.</td>
<td>40 ft.</td>
<td>20 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Churches</td>
<td>2 acres</td>
<td>200 ft.</td>
<td>-</td>
<td>100 ft.</td>
<td>50 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Schools, Elem.</td>
<td>5 acres</td>
<td>400 ft.</td>
<td>-</td>
<td>150 ft.</td>
<td>100 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Schools, Middle</td>
<td>10 acres</td>
<td>500 ft.</td>
<td>-</td>
<td>150 ft.</td>
<td>100 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Schools, High &amp; Colleges</td>
<td>15 acres</td>
<td>500 ft.</td>
<td>-</td>
<td>150 ft.</td>
<td>100 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Hospitals (Class A)</td>
<td>5 acres</td>
<td>400 ft.</td>
<td>-</td>
<td>150 ft.</td>
<td>100 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Funeral Estab.</td>
<td>2 acres</td>
<td>150 ft.</td>
<td>-</td>
<td>100 ft.</td>
<td>30 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Public Utilities</td>
<td>20,000 sq. ft.</td>
<td>100 ft.</td>
<td>-</td>
<td>40 ft.</td>
<td>25 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Nursing Homes</td>
<td>45,000 sq. ft.</td>
<td>150 ft.</td>
<td>1 bed/1,000 sq. ft</td>
<td>50 ft.</td>
<td>40 ft.</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Retirement Homes</td>
<td>45,000 sq. ft.</td>
<td>150 ft.</td>
<td>1 D.U./3,000 sq. ft</td>
<td>50 ft.</td>
<td>40 ft.</td>
<td>50 ft.</td>
</tr>
</tbody>
</table>

2A corner lot shall have a minimum width at the building line of 125 ft.

3For those areas in excess of 180,000 square feet, the determination of the density factor will be made by the Commission and the Health Department upon the review and approval of the site development plan.

4As lot area increases above minimum of 45,000 square feet, increased provision for front, side and rear yards shall be determined by the Commission and the Health Department, based on the site development plan.

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ARTICLE 8. "R-10,000" Suburban Residence District.

(The purpose of this District is to provide for relatively smaller lot sizes [10,000 square foot minimum] for residential dwellings, based on availability of public water and sewerage facilities. This would essentially permit more dwellings per acre and less open area than the "R-20,000" Residence District. The District likewise provides for, where determined suitable, projects subject to review under Section 13.5.0, Subdivision and Development Controls and Priorities wherein multi-family units may be provided as part of a housing mix.)(Amended by Ordinance No. 264, effective February 13, 1994).

Section 8.0. Generally.

The following regulations and applicable regulations contained in other Articles shall apply in the "R-10,000" Residence District:

Section 8.1. Principal permitted uses.

(a) Any use or structure permitted and as regulated as a principal permitted use in the "R-20,000" District, except as hereinafter modified.

(b) Conversion or alteration of a building existing at the time of the enactment of this ordinance to accommodate no more than
three families; provided the requirements of Section 13.1.1. and the requirements of the Health Department are complied with.

(c) Uses specifically authorized for projects subject to review under Section 13.5.0, Subdivision and Development Controls and Priorities. (Amended by Ordinance No. 264, effective February 13, 1994).

Section 8.2. Conditional uses (requiring Board authorization).

(a) Any conditional use permitted and as regulated in the "R-20,000" District, except as hereinafter modified.

(b) Boarding or rooming houses or tourist homes.

(c) Clubs, fraternities, lodges, or similar organizations not conducted as a gainful business; provided any buildings or structures are located subject to the distance requirements specified in Section 4.12.

(d) Community centers and swimming pools associated therewith.

(e) Dwellings, two-family except where otherwise approved as part of a project under Section 13.5.0, Subdivision and Development Controls and Priorities. (Amended by Ordinance No. 264, effective February 13, 1994).

Section 8.3. Accessory uses.

(a) Accessory buildings or uses customarily incidental to any principal permitted use or authorized conditional use.

(b) Keeping of roomers or tourists by a resident family.
Section 8.4. Height Regulations.

Same as specified in the "R-20,000" District.

Section 8.5. Lot area, lot width, and yard requirements.

The following minimum requirements shall be observed, subject to the modified requirements in Article 13 and Article 14:

<table>
<thead>
<tr>
<th>Lot Area Width</th>
<th>Lot Area Per Family</th>
<th>Front Yard Depth</th>
<th>Side Yard (Width Each Side Yard)</th>
<th>Rear Yard Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Single-Family Dwellings</strong></td>
<td>10,000 sq. ft.</td>
<td>10,000'</td>
<td>35'</td>
<td>12'</td>
</tr>
<tr>
<td><strong>Two-Family Dwellings</strong></td>
<td>10,000 sq. ft.</td>
<td>5,000'</td>
<td>25'</td>
<td>10'</td>
</tr>
<tr>
<td><strong>Semi-Detached Dwellings</strong></td>
<td>7,500 sq. ft.</td>
<td>7,500'</td>
<td>35'</td>
<td>12'</td>
</tr>
<tr>
<td><strong>Clubs, fraternities, etc.</strong></td>
<td>20,000 sq. ft.</td>
<td>100'</td>
<td>-</td>
<td>35'</td>
</tr>
<tr>
<td><strong>Approved</strong></td>
<td>10 acres</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Approved projects under Section 13.5.0 Projects shall be controlled by the area requirements.*

\(^5\)A corner lot shall have a minimum building width at the building line of 125 feet.
established therein)

<table>
<thead>
<tr>
<th>Planning District</th>
<th>Minimum Lot Size (sq. ft.)</th>
<th>Front Yard Setbacks (ft.)</th>
<th>Townhouses</th>
<th>.mp.</th>
<th>Detached Single-Family Homes</th>
<th>Attached Single-Family Homes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tourist Homes</td>
<td>20,000</td>
<td>100' - 35'</td>
<td>20'</td>
<td></td>
<td>40'</td>
<td></td>
</tr>
</tbody>
</table>

Nursing Homes     (Same as specified in the "R-20,000")

Retirement Homes  (Same as specified in the "R-20,000")

Other Principal   (Same as specified in the "R-20,000")

Permitted or      (Amended by Ordinance No. 264, effective February 13, 1994).

Conditional Uses

ARTICLE 9. "R-6,000" Urban Residence District.

(The purpose of this District is to enable in the urban areas of the Town, where both public water and sewerage facilities are available, a greater number of dwellings per acre. The minimum lot size for single-family dwelling is 6,000 square feet. This District also enables the use of multi-family structures where determined suitable through projects subject to review under Section 13.5.0, Subdivision and Development Controls and Priorities provisions of the ordinance.) (Amended by Ordinance No. 264, effective February 13, 1994).

Section 9.0. Generally.

The following regulations and the applicable regulations contained in other Articles shall apply in the "R-6,000" Residence District.

Section 9.1. Principal permitted uses.

(a) Dwellings, single and two-family.

(b) Dwellings, multi-family, subject to the provisions of Section
13.5.0, Subdivision and Development Controls and Priorities. (Amended by Ordinance No. 264, effective February 13, 1994).

(c) Boarding or lodging houses.

(d) Any use or structure permitted and as regulated as a principal permitted use in the "R-10,000" District, except as hereinafter modified. (Amended by Ordinance No. 264, effective February 13, 1994).

Section 9.2. Conditional Uses (requiring Board authorization).

(a) Any Conditional Use permitted and as regulated in the "R-10,000" District.

Section 9.3. Accessory Uses.

Accessory buildings and uses customarily incidental to any principal use or authorized conditional use.

Section 9.4. Height regulations.

No principal structure shall exceed three (3) stories or forty (40) feet in height and no accessory structure shall exceed one and one-half (1/2) stories or twenty-five (25) feet, except as provided in Sections 13.6.0. and 14.4.

Section 9.5. Lot area, lot width and yard requirements.

The following minimum requirements shall be observed, subject to the modified requirements in Articles 13 and 14:
Ch. 220

<table>
<thead>
<tr>
<th>Lot Area Width</th>
<th>Per Family</th>
<th>Front Yard Depths</th>
<th>Side Yard Depths</th>
<th>Rear Yard Depths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family</td>
<td>6,000</td>
<td>60(^6)</td>
<td>6,000</td>
<td>25'</td>
</tr>
<tr>
<td>1 &amp; 1½ Stories</td>
<td>sq.ft.</td>
<td></td>
<td></td>
<td>8'</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>35'</td>
</tr>
<tr>
<td>Single-Family</td>
<td>6,000</td>
<td>60(^6)</td>
<td>6,000</td>
<td>25'</td>
</tr>
<tr>
<td>2 &amp; 2½ Stories</td>
<td>sq.ft.</td>
<td></td>
<td></td>
<td>10'</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40'</td>
</tr>
<tr>
<td>Two-Family</td>
<td>10,000</td>
<td>75(^6)</td>
<td>5,000</td>
<td>25'</td>
</tr>
<tr>
<td></td>
<td>sq.ft.</td>
<td></td>
<td></td>
<td>10'</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40'</td>
</tr>
<tr>
<td>Semi-Detached</td>
<td>5,000</td>
<td>37.5'</td>
<td>5,000</td>
<td>25'</td>
</tr>
<tr>
<td>Dwelling</td>
<td>sq.ft.</td>
<td></td>
<td></td>
<td>12'</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40'</td>
</tr>
<tr>
<td>Clubs, Frater-</td>
<td>1 acre</td>
<td>150'</td>
<td>-</td>
<td>25'</td>
</tr>
<tr>
<td>nities, etc.</td>
<td></td>
<td></td>
<td></td>
<td>25'</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40'</td>
</tr>
</tbody>
</table>

Approved Projects (Approved projects under Section 13.5.0 shall be controlled by the area requirements established therein.)

Nursing Homes (Same as specified in the "R-10,000" and "R-20,000")

Retirement Homes (Same as specified in the "R-10,000" and "R-20,000")

\(^6\) A corner lot shall have a minimum of 100 feet, and the street side of any said corner lot shall have a minimum of 25 feet.

(The purpose of this District is to provide for logical locations where the retail services needed by the Town population can be made available. The areas are centrally located near the locations of existing and expected population concentrations and would include portions of the "downtown business area" as well as other neighborhood business locations.)

Section 10.0. Generally.

The following regulations and applicable regulations contained in other Articles shall apply in the "B-L" Local Business District:

Section 10.1. Principal Permitted Uses.

(a) Local retail business or service shops, including:

- Alcoholic beverage package stores
- Antique Shops
- Appliance Stores
- Automobile accessory
- Bakery Shops
- Banks, savings and loan institutions
- Beauty and Barber Shops
Candy stores
Clothing stores
Dairy products stores
Dress or millinery shops
Drug stores
Dry goods or variety stores
Florist or garden shops
Food and grocery stores
Fruit or vegetable stores
Furniture and upholstering stores
Gift or jewelry shops
Hardware stores
Hotels
Laundromats
Laundry and dry cleaning establishments and pick-up stations
Lunchrooms
Meat markets
Motels
Movie theaters
Newspaper publishing establishments
Pet Shops
Photographic studios
Produce stands
Radio and television studios or repair shops
Restaurants (without liquor licenses or with liquor licenses providing 50% of gross sales receipts for food)
Service stations
Shoe repair shops
Specialty shops
Sporting goods or hobby shops
Stationery stores
Tailor establishments
Taxi stands
Telephone central office or service center
(b) Commercial parking lot.

(c) Funeral establishments.

(d) Offices and clinics, professional and business, including veterinary clinics or animal hospitals, but not including any outdoor exercise runway.

(e) Planned Business Centers, subject to the provisions of Section 13.4.

(f) Retirement, nursing or boarding homes.

(g) Schools, art, trade, business or nursery.

(h) Social clubs, fraternal organizations, community meeting halls.

(i) Any other retail business or service establishment which is determined by the Board to be the same general character as the above permitted retail business or service use, but not including any use which is first permitted in "B-G" District and which, in the judgment of the Board would likely be objectionable in the "B-L" District. (Note: This determination is a ministerial act and is made by the Board meeting in public session, but does not require a public hearing or notice therefor).

(j) Any use or structure permitted and as regulated as a principal permitted use in an "R-6,000" District or except as may hereinafter be modified.

Section 10.2. Conditional uses (requiring Board authorization).
(a) Food processing and packing plants; provided, such use shall be located three (3) times the distance requirements specified in Section 4.12.

(b) Kennels or animal hospitals with runways; provided such use shall be subject to the distance requirements as determined reasonable and necessary by the Board.

(c) Public utility buildings, structures or uses, including radio, television, and other communication facilities not considered essential utility equipment as enumerated in Section 19.12.

(d) Commercial swimming pools, parks, and recreational areas, provided, such use shall be subject to any distance requirements determined reasonable and necessary by the Board.

(e) Taverns.

(f) Microbreweries, pub-breweries, microwineries (limited wineries), microdistilleries and coffee roasting operations, subject to limitations on outdoor seating as determined by the Board. (Amended by Ordinance No. 315, effective June 9, 2019)

Section 10.3. Accessory uses.

(a) Uses and structures customarily accessory and incidental to any permitted principal use or authorized conditional use.

Section 10.4. Required conditions. (Local Business District uses)

(a) All business, services or processing shall be conducted wholly within a completely enclosed building, except for sale of automotive fuel, lubricants and fluids at service stations, off-
street automobile parking and loading areas, public utility uses, taxi stands, garden shops, and produce stands; and except for approved outdoor seating as otherwise authorized in this Section. (Amended by Ordinance No. 315, effective June 9, 2019)

(b) Goods shall consist primarily of new or reconditioned merchandise, or antiques.

(c) Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas fumes, noise, vibration, refuse matter or water-carried waste.

Section 10.5. Height regulations.

No structures shall exceed two and one-half (2½) stories or thirty-five (35) feet, except as provided in Section 14.4.

Section 10.6. Lot area, lot width and yard requirements.

The following minimum requirements shall be observed, subject to the modified requirements in Articles 13 and 14:

<table>
<thead>
<tr>
<th>Lot Type</th>
<th>Lot Area</th>
<th>Lot Width</th>
<th>Front Yard (Widths Ea. Per Family)</th>
<th>Side Yard Depth</th>
<th>Rear Yard Depth</th>
<th>No. of Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwellings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planned Business Center</td>
<td>20,000 sq. ft.</td>
<td>100'</td>
<td>35'</td>
<td>15'</td>
<td>15'</td>
<td>1-1½</td>
</tr>
<tr>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

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(The purpose of this District is to provide logical locations for businesses of a more general nature than hereinbefore provided in the B-L Local Business District. Businesses proposed include retail, wholesale, and some light processing operations.)

Section 11.0. Generally.

The following regulations and applicable regulations contained in other Articles shall apply in the "B-G" General Business District:

Section 11.1. Principal permitted uses.

7Where adjoining any "R" District
8Where adjoining any "R" District not less than 25 feet.

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(a) Retail trades, businesses and services of a general commercial nature, including the following:

Amusement parks.
Automobile, trailer, or implement sales, service and repair establishments, including motorcycle shops.
Bottling of soft drink or milk or distribution stations therefor.
Bowling alley.
Carpentry or woodworking shops.
Department stores.
Drive-in eating and drinking establishments of a nonalcoholic nature.
Golf driving ranges.
Printing shops.
Schools of a business, dancing, music, trade or other commercial nature.
Sheet metal shop.
Sign painting shop.
Signs, outdoor advertising, subject to the provisions of Section 13.2.
Skating rink.
Swimming pools.
Tourist homes.
Wholesale business, warehousing or service establishments, except as first allowed in an "I-R" District.

(b) Any use or structure permitted and as regulated as a principal permitted use in a "B-L" District except for those uses or structures described in Section 10.1(j).

(c) Breweries, microbreweries, pub-breweries, wineries, microwineries (limited wineries), microdistilleries and coffee roasting operations. (Amended by Ordinance No. 315, effective June 9, 2019)
Section 11.2. Conditional uses (requiring Board authorization)

(a) Building material sales and storage yards.

(b) Feed and grain sales, milling and/or storage.

(c) Any conditional use permitted and as regulated in the "B-L" District, except as modified in Section 11.1.

Section 11.3. Accessory uses.

(a) Uses and structures customarily accessory and incidental to any principal permitted use or authorized conditional use, including business signs pertaining to "use on the premises"; provided, that such signs are located as regulated in Section 13.2.3.

(b) Outdoor seating associated with uses offering food or beverages for consumption on-premises shall be accessory to the primary use and shall be sized to serve only the anticipated volume of guests incidental to such consumption on-premises. (Amended by Ordinance No. 315, effective June 9, 2019)

Section 11.4. Height regulations.

No structure shall exceed fifty (50) feet in height except as provided in Section 14.4.

Section 11.5. Lot area, lot width and yard requirements.

The following minimum requirements shall be observed, subject to the modified requirements in Article 14:
ARTICLE 12. "I-R" RESTRICTED INDUSTRIAL DISTRICT.

The purpose of this district is to provide locations for the lighter manufacturing processes, however, the district is not exclusive to most of the "B-G" District uses. For the most part, the manufacturing is composed of processing or assembly of previously processed materials.

Section 12.0. Generally.

The following regulations and applicable regulations contained in other Articles shall be permitted in the "I-R" Restricted Industrial District:

Where adjoining an "R" District.

Except adjoining any "R" District, in which case not less than 25 feet.

Subject to requirements of Section 11.4.
Section 12.1. Principal Permitted Uses.

(a) Truck or motor freight terminals or warehouses.

(b) Uses of a light industrial nature, including, but not limited to the following, provided such uses shall be subject to the distance requirements specified in Section 4.12.

Manufacture and assembly of electrical appliances, electronics and communication equipment, professional, scientific and controlling instruments and photographic or optical products.

Manufacturing, compounding, assembling, or treatment of articles or merchandise from previously prepared materials, such as bone, cloth, fur, cork, fibre, canvas, leather, cellophane, paper, glass, plastics, horn, stone, shells, tobacco, wax, textiles, yarns, wood and metals, including light steel or other light metal, light metal mesh, pipe, rods, shapes, stripes, wire or similar component parts. Manufacturing of cement, lime, gypsum or plaster of Paris.

Manufacturing, compounding, processing, packaging or treatment of cosmetics, pharmaceuticals, and food products, except fish and meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils.

Manufacture of musical instruments, novelties, and molder rubber products, including tire manufacture, recapping and treading.

Manufacture of pottery or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas.

Laboratories, chemical, physical or biological.
Clothing and shoe manufacture.

Carpet and rug cleaning plants.

Petroleum products storage underground.

Blacksmith, welding, machine or similar shops.

Heliports.

(c) Agriculture for interim use.

(d) Any use permitted and as regulated as a principal permitted use and a conditional use in the "B-L" and "B-G" Districts, except dwellings, and except as may be modified in this Section or as may be hereinafter modified.

(e) Any other use that is determined by the Board to be of the same general character as the above permitted uses, and which would not be detrimental to the public health, safety, or general welfare of the community, but not including any use which is prohibited in the "I-R" District.

(f) Industrial parks, subject to Section 13.5.

Section 12.2. Conditional Uses (requiring Board authorization).

(a) The following uses when the location of such use shall have been authorized by the Board, provided such use shall be subject to two (2) times the distance requirements specified in Section 4.12:

Bituminous concrete mixing plants.

Concrete and ceramic products manufacture, including ready-
mixed concrete plants.

Contractors' equipment and storage yards.

Petroleum products storage tanks above ground, any one of which has the capacity in excess of 1,000 gallons, provided all state and federal laws, as well as National Fire Underwriters Codes, are complied with.

Sawmills, commercial.
Manufacture and assembly of aircraft, automobiles, or other vehicles.

Manufacture and bottling of alcoholic beverages.

Machine shops, structural steel fabricating.
Coalyards

Copperage works.

Manufacture or processing of meat or food products.

Manufacture of rayon or similar products.

Manufacture of rubber or rubber products.

Manufacture of starch, glucose, dextrin, or spice.

Manufacture of wire or wire products.

Fertilizer, potash, insecticide manufacture.

Breweries and other manufacture and bottling of alcoholic beverages (Amended by Ordinance No. 315, effective June 9, 2019)
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(b) Microbreweries, pub-breweries, wineries, microwineries (limited wineries), distilleries, microdistilleries and coffee roasting operations. (Amended by Ordinance No. 315, effective June 9, 2019)

Section 12.3. Accessory uses.

(a) Uses customarily accessory and incidental to any principal permitted use or authorized conditional use, including a temporary office or dwelling associated with an industrial use.

(b) Outdoor seating associated with uses offering food or beverages for consumption on-premises shall be accessory to the primary use and shall be sized to serve only the anticipated volume of guests incidental to such consumption on-premises. (Amended by Ordinance No. 315, effective June 9, 2019)

Section 12.4. Height regulations.

No structure shall exceed fifty (50) feet in height, except as provided in Section 14.4.

Section 12.5. Yard requirements.

The following requirements shall be observed, subject to the provisions of Article 14:

(a) Front yard. For industrial buildings or structures, thirty (30) feet.

(b) Side Yard. Ten (10) feet, except adjoining an "R" District in which case not less than thirty (30) feet.

(c) Rear Yard. Thirty (30) feet.

Section 13.1.0. PARKING SPACE REQUIREMENTS.

Section 13.1.1. Off-Street parking spaces.

For the following uses of buildings hereafter erected, or increased in size by as much as twenty percent of the size existing at the time of the adoption of these regulations, or uses hereafter established, off-street parking facilities which are outside the public right-of-way shall be required as follows:

(a) All dwellings and apartment houses shall provide facilities for off-street parking for not less than two (2) motor vehicles per dwelling unit or apartment.

(b) All "B" and/or "I-R" District uses shall provide off-street parking facilities which are not more than three hundred (300) feet distant from an entrance to said establishment, and which shall accommodate normal parking requirements as determined by the Zoning Administrator at the time of application for a Zoning Certificate, but in any case, not less than the following:

- Automobile sales and service garages - 50% of floor area.
- Banks, business offices, and professional offices (other than a doctor’s office) - 50% of floor area.
- Bowling alleys - 5 spaces for each alley.
- Churches and schools - 1 space for each 4 seats in a principal auditorium or 1 space for each 10 classroom seats, whichever is greater.
- Dance halls, assembly halls - 200% of floor area used for dancing or assembly.
- Doctor's office - 8 parking spaces per doctor.
Funeral homes, mortuaries - 4 spaces for each parlor or 1 space for each 50 square feet of floor area, whichever is greater.
Furniture and appliance stores, household equipment or furniture repair shops, over 1,000 square feet of floor area - 100% of floor area.
Hospitals - 1 space for each 2 beds.
Hotels, motels, lodging houses - 1½ spaces for each bedroom.
Manufacturing plants - 1 space for each 2 employees on the maximum working shift or 25% of floor area, whichever is the greater.
Nursing Home - 1 space for each 4 beds.
Restaurants, and nightclubs - 200% of the floor area.
Retail stores, supermarkets, etc., over 2,000 square feet floor area - 200% of floor area.
Sports arenas, auditoriums, other than in schools - 1 space for each 3 seats.
Theaters, assembly halls with fixed seats – 1 space for each 3 seats.
Commercial or Club swimming pools - 1 space for each 3 members or each 3 persons of estimated maximum capacity.

Wholesale establishments or warehouses - 1 space for each 2 employees or 10% of floor area, whichever is greater.

(c) In the case of any building, structure or premise, the use of which is not specifically mentioned herein, the provisions for a use which is so mentioned and to which said use is most nearly similar, shall apply.

(d) Notwithstanding Section 13.1.1(b) above, the Commission may upon application in the "B-L" Districts only, authorize such modification, reduction or waiver should it find that adequate parking is existing or planned in a "B-L" District.
(e) The Board of Appeals may authorize, subject to provisions of Section 14.5, a modification, reduction or waiver of the foregoing requirements, if it should find that in a particular case appealed, the peculiar nature of the residential, business, trade, industrial or other use, or the exceptional shape or size of the property or other exceptional situation or condition would justify such modification, reduction or waiver.

(f) Every off-street parking area for more than five (5) vehicles shall be located at least ten (10) feet from every street line, and five (5) feet from every residential lot line. The edges of the parking area shall be curbed or buffered, and the space between parking area and street or lot line shall be landscaped and maintained in sightly condition. Where adjoining a street, such landscaping shall consist of grass and low shrubs or ornamental trees; where adjoining a residential lot, it shall include a hedge of sufficient type and height (not less than 30 inches) to protect and screen the adjoining property. If an ornamental wall or fence is installed in lieu of such hedge, and accomplishing the same purpose, then the five foot strip may be omitted.

(g) Any off-street parking area, including any commercial parking lot, for more than five (5) vehicles, shall be surfaced or kept treated in such manner as may be necessary to prevent any dust nuisance to the neighboring property or the general public, shall be so graded and drained as to dispose of all surface water accumulation within the area and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self propelled vehicles.

(h) Any lighting used to illuminate any off-street parking area, including any commercial parking lot, shall be so arranged as
to direct the light away from adjoining residential premises and from public streets.

(i) In providing required parking facilities, the minimum standards shall be:

1. Access lane width: 25 feet for 90 degree (perpendicular) parking: 20 feet for angular parking.

2. Parking stall depth: 20 feet, except for parallel parking stalls which shall be 25 feet, provided that the end stalls may be reduced to 20 feet.

3. Parking stall width: A minimum of 9 feet measured perpendicular to stall depth, except for parallel parking stalls which may be reduced to 7 feet in width when the door on each side of the vehicle can be opened without being obstructed.

4. Maneuverability and set-back: In all cases, with the exception of single and two-family residences, parking facilities shall be designed, constructed and delineated so as to facilitate one-maneuver parking exclusive of road or street right-of-way, and a minimum set-back requirement of 10 feet from any public street right-of-way shall be provided.

5. Continued Maintenance: Parking stalls shall be periodically repainted in order to maintain continuous and clear identification.

(j) Off premises restricted parking.

Except as may be otherwise provided by this Ordinance, the Board of Appeals may authorize following public hearing, an off-street restricted
parking area which is accessory to, but not on the same premises of any permitted, conditional or nonconforming use, subject to the following conditions and limitations:

1. No charge shall be made for the parking of vehicles and the accessory use shall be clearly for the benefit of employees or patrons.

2. The application shall be accompanied by the names and addresses of all confronting and adjoining property owners within 200 feet of the premises in question, who shall be given the opportunity to be heard at public hearing.

3. The Board shall find the premises in question to be within reasonable proximity to the principal, conditional or nonconforming use to which it is accessory.

4. Compliance with Sections 13.1.1(g) and 13.1.1(i) and any other requirements the Board may prescribe or deem necessary or desirable with respect to lighting, enclosures, marking, surfacing, or planting for the protection of adjacent property.

5. That a zoning certificate issued for an accessory parking area shall be revocable subject to continued compliance with any requirements or conditions.

Section 13.1.2. Off-street loading facilities.

All "B" District and "I-R" District uses shall provide adequate off-street loading facilities for vehicles delivering to, unloading or removing goods, materials, supplies or waste in connection with said business or use. In connection with every building and part thereof erected, having a gross floor area of 10,000 square feet or more, and which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel,
hospital or other similar use, there shall be provided and maintained on the same lot with such building, at least one off-street loading space, plus one additional such loading space for each 20,000 square feet or major fraction thereof of gross floor area so used in excess of the first 20,000 square feet. Each loading space shall not be less than 10 feet in width, 45 feet in length and 14 feet in clear height. Such space may occupy all or any part of any required yard or court space, except a front yard or the required side yard on the side street of the corner lot. No such space shall be located closer than 30 feet to any lot located in any "R" District, unless the loading space is wholly within a completely enclosed building.

Section 13.2.0. SIGNS, Generally.

In order to properly integrate all regulating provisions affecting signs, as defined in Section 19.34, and to regulate such devices in an orderly and comprehensive manner, it is hereby provided that signs are subject to regulations as set forth herein.

Section 13.2.1. Signs permitted without zoning certificate.

The following signs are permitted without zoning certificate in any District, provided the following conditions are adhered to:

(a) Signs indicating the name and/or premises or accessory use of a home for a home occupation or professional purposes, not exceeding one square foot in area.

(b) Signs not exceeding thirty square feet on a farm advertising farm products primarily grown on the premises; provided, they are located off the highway right-of-way, and do not interfere with traffic visibility.

(c) Directional or informational signs of a public or quasi-public nature, such as those containing the meeting date of a
community or civic club, or the advertising of an event of a public interest.

(d) Temporary real estate signs, not exceeding twenty square feet, and being located on and advertising subject property for sale or lease.

(e) Temporary signs, not exceeding one hundred square feet, located on and advertising a new subdivision.

(f) Building contractors and professional persons temporary signs on buildings under construction, limited to a total area for all such signs of one hundred fifty square feet.

Section 13.2.2. Signs requiring zoning certificate.

The following signs are permitted in accordance with zoning district regulations and require a zoning certificate:

(a) Signs, business.

(b) Signs, outdoor advertising.

Section 13.2.3. "Use on the premises" signs.

Business signs pertaining to "use on the premises", as enumerated in Section 13.2.2(a) are permitted as an accessory use in all Districts.

(a) No such sign shall project over or into any street right-of-way or more than twelve (12) inches above the parapet wall or roof line.

(b) Any sign which is attached to the ground shall be located in such a manner that traffic visibility is not impaired.
(c) The total area for all signs shall not exceed four (4) times each linear foot of the building wall most nearly parallel to or confronting the adjacent street. Only one building frontage shall be used in computing the sign area allowance; except on a corner lot, in which case an additional 25% of the sign area allowed may be authorized. In no case shall the area of any one sign exceed 200 square feet on any one side. Computations of signs shall include all sides (where applicable) including the entire face of the sign and any wall work incidental to its decoration and shall include the space between letter figures and designs or the space within letter figures and designs.

(d) No exterior sign shall exceed thirty (30) feet in total height, if freestanding.

Section 13.2.4. "Use off the premises" signs.

Outdoor advertising signs pertaining to "use off the premises", as enumerated in Section 13.2.2(b), shall be a principal permitted use in all Districts, except the "C", "H", "R" and "B-L" Districts.

Section 13.2.5. Approval of location and maintenance of signs requiring Zoning Certificates.

The following general regulations shall, without exception, be observed with respect to the approval of location and maintenance of signs enumerated in Section 13.2.2:

(a) No sign shall be permitted which is an imitation of or which resembles an official traffic control device, railroad sign or signal, or which hides from view or interferes with the effectiveness of an official traffic control device or any railroad sign, signal or traffic
sight lines. Illuminated signs shall be so constructed as to avoid glare or reflection on any portion of an adjacent highway or residential buildings. However, no flashing or rotating flashing illumination shall be permitted.

(b) No sign which uses the word "stop" or "danger" or presents or implies the need or requirement of stopping or the existence of danger shall be permanently displayed.

(c) No outdoor advertising sign shall be placed closer than three hundred (300) feet to an intersection on a dual or proposed dual highway or within one hundred (100) feet of any other intersection; provided, however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. No business sign shall be so located to obstruct the vision of traffic using entrance ways, driveways, or any public road intersection.

(d) No sign shall be closer to any public highway where permitted than the required front yard requirement of the District in which it is authorized, if the distance between such sign and the nearest lot line on which a building is located is one hundred (100) feet or less.

(e) No sign shall be permitted which contains statements, words, or pictures of an obscene, indecent or immoral character, or such as will offend public morals or decency.

(f) No signs shall be placed on rocks, trees or on poles maintained by public utilities.

(g) No sign shall be permitted which becomes unsafe or endangers the safety of a building, premises or person and unless maintained in a good general condition and in a reasonable state of repair, the Zoning Administrator shall order such sign to be made safe or repaired and
such order shall be complied with within five (5) days of the receipt of such order.

(h) All outdoor advertising signs shall be spaced in such a manner that in the "B-G" and "I" Districts, there shall be a minimum of three hundred (300) feet between signs. In the case of existing dual lane highways, each side of the dual highway shall be considered separately in determining such spacing requirements. In the case of non dual lane highways, spacing shall be determined and measured between signs regardless of the side of the highway in which they are located or proposed.

(i) Where a sign structure does not include advertising information for a period of one hundred twenty (120) days, such sign structure shall be deemed a violation thereafter and shall be removed.

(j) No sign shall be permitted in any district which does not have a fixed location, but not necessarily permanent location, on the ground or on a building, including mobile-type signs so constructed as to be mounted on a pre-assembled vehicle or other device and designed to be movable by means of attached wheels or similar devices.

(k) No pennant, pinwheels or similar circus or carnival-type attractors shall be permitted in any district.

Section 13.3.0. PLANNED BUSINESS CENTERS (SHOPPING CENTERS); Types and Maximum Size Permitted.

In any "B-L", "B-G" or "I-R" District, the Commission may approve a Planned Business Center (neighborhood type shopping center), as defined in Section 19.29.
Section 13.3.1. Approval by Planning Commission.

The Developer of any such Planned Business Center, prior to any construction, shall present to the Commission for its review, a development plan of such proposed center. The development plan shall show such items as the size of the project, the location and approximate shapes of buildings, road ingress and egress patterns, parking areas, storm drainage and water and sewerage facilities, and such other information as is necessary for the Commission to give the necessary consideration.

It shall be the duty of the Commission to ascertain whether the location, size and other characteristics of the site, and the proposed plan, comply with the following conditions:

(a) A need is evident for such shopping facilities at the proposed location, such need being demonstrated by the developer by means of market studies or such other information as the Commission may require.

(b) That the proposed planned business center is adequate to serve the needs of the people which reasonably may be expected to be served by such shopping facilities.

(c) That the proposed planned business center will not cause points of traffic congestion on existing or planned future roads in the areas of such proposed location.

(d) That the plans provide for a planned business center consisting of one or more groups of establishments in buildings of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, so as to result in an attractive and efficient shopping center.

The Commission shall, within a reasonable time after consideration of a development plan for a planned business center, issue to the Office of the Zoning
Administrator a written report of its findings.

The Commission shall approve such planned business center project, provided the requirements of this ordinance are complied with.

Upon receipt of written approval from the Commission, the Zoning Administrator shall issue the necessary Zoning Certificate.

Section 13.3.2. Permitted uses.

The uses permitted in a planned business center shall be those retail business, commercial and service uses and accessory uses permitted in the "B" District in which the planned business center is located. No residential use, heavy commercial or industrial uses, shall be permitted or any use other than such as is necessary or desirable to supply goods and services to the surrounding area.

Section 13.3.3. Prohibited Uses.

Amusement parks, commercial.
Automobile, trailer or implement repair establishments.
Bottling of soft drink or milk or bulk distribution stations.
Building material, sales or storage yards.
Carpenter or woodworking shop.
Circus.
Drive-in theaters.
Feed and grain, sales, storage, including milling.
Funeral establishments.
Golf driving ranges.
Hotels and apartment hotels.
Kennels.
Livery stables.
Newspaper publishing establishments and printing shops.
Riding academies.
Sheet metal shops.
Sign painting shops.
Swimming pools.
Target ranges.
Truck or motor freight terminals or warehouses.
Wholesale business, warehousing and service establishments.

Section 13.3.4. General Regulations.

The following regulations shall apply to a Planned Business Center:

(a) Building height. No building shall exceed the permitted height of the "B" District in which the planned business center is located, except as may be modified by Article 14 of this Ordinance.

(b) Yards. No building shall be erected within fifty (50) feet of a public street right-of-way line, and no parking lot or other facilities or accessory use; except, permitted signs and planting shall be located within ten (10) feet of any public street right-of-way line.

No building shall be located within fifty (50) feet of any other boundary line, and any such line which adjoins an "R" District, if deemed necessary by the Commission, shall be screened by a solid wall or compact evergreen hedge at least six (6) feet in height, or by such other screening device as may be deemed appropriate and adequate.

(c) Tract coverage. Buildings shall not be permitted to cover more than twenty-five (25) percent of the total project area.

(d) Customer parking space. Off-street parking shall be provided as required in Section 13.1.1 of this Ordinance. Any lighting used to illuminate any off-street parking area shall be so arranged as to direct the light away from adjoining premises in any "R" District and
from any public roads.

(e) Loading space. Off-street loading space and facilities shall be provided as required in Section 13.1.2 of this Ordinance. Such facilities shall be in the rear of any building, unless the Commission for good reason approves a location at the sides of any such building, and shall not be included as part of any customer parking space required herein.

(f) Signs. In addition to signs permitted and as regulated in either "B" District in which the shopping center project is located, one (1) additional sign not exceeding two hundred (200) square feet in area containing the names of the shopping center and/or the establishments located therein, may be placed at any location within the boundaries of the project, but it shall not exceed thirty (30) feet in height. Any shopping center fronting on more than one street may be permitted such a sign within the required yard area along each street.

(Ordinance No. 264 repealed former Section 13.3 in its entirety, effective February 13, 1994, causing the balance of Article 13 to be renumbered).

Section 13.4.0. INDUSTRIAL PARKS, Where permitted.

In any "I-R" District, an industrial park may be established and a zoning certificate issued therefor, following receipt of approval by the Commission in accordance with the procedures and provisions set forth herein.

Section 13.4.1. Principal permitted uses.

The following principal permitted uses shall be allowed in an industrial park:
(a) Principal permitted uses allowed in an "I-R" District, except those prohibited under Section 13.5.2.

(b) Office buildings for services oriented to the needs of industries located in the park, such as offices for doctors, medical clinics or laboratories, engineers, banks, data processing centers, post offices, provided that such office buildings shall not be the first use erected in the industrial park or occupy more than five (5) percent of the total land area.

(c) Wholesale, warehousing establishments where no retail sales are permitted.

(d) Truck or motor freight terminals or warehouses.

(e) Heliport, subject to standards recommended by the Federal and/or State Aviation Agency, and Commission approval.

Section 13.4.2. Prohibited Uses.

The following uses are prohibited in an industrial park:

(a) Any use in conflict with any Ordinance in Union Bridge, Carroll County or the State of Maryland.

(b) Any new dwelling, mobile homes, mobile home parks, or institutions for human care, and uses first allowed in a "B" District.

(c) Brick yards, manufacture of pottery, tile, terra cotta, clay products.

(d) Electric or steam generating plants.

(e) Extractive uses.
(f) Flour mill, grain or feed drying or processing.

(g) Sawmills.

(h) Signs and billboards, except as authorized herein.

(i) Conditional uses in an "I-R" District.

Section 13.4.3. Accessory Uses.

Uses shall be allowed which are customarily incidental to or are demonstrably related to permitted uses in an industrial park including indoor and outdoor recreational facilities, cafeterias, clinics, libraries, schools, meeting rooms, display rooms related to or primarily restricted to the industries located in the industrial park.

Section 13.4.4. Required Conditions.

All manufacturing uses shall be conducted in an enclosed building except for parking, loading, or storage. All buildings shall be of fireproof construction to meet the requirements of Maryland and/or National Fire Codes and building, plumbing, or other codes for Carroll County and the Town of Union Bridge, in effect or which may hereafter by enacted or amended. Processes and equipment employed, and material and goods used shall be limited to those not objectionable by reason of odor, dust, smoke, cinders, fumes, noise, vibration, refuse matter, or water carried waste.

Section 13.4.5. Development and site plans.

(a) No building permit shall be issued on any lot unless the Commission shall have approved a development plan for the entire industrial park.
and a site plan for each lot therein as it is proposed for development.
The Commission shall consider the effect of the design and
operations of the park on the environs, as well as on future
component industrial occupants.

(b) In considering the overall development plan, the Commission shall
pass upon, among other things:

1. The layout of the park with respect to internal roads and the
   access of such to public highways.

2. Preservation of natural topographic features, such as trees and
   watercourses.

3. Grading plans, drainage structures, water and sewerage
   facilities, and other utilities.

4. Orientation with relation to other adjacent properties.

5. Landscaping proposals.

(c) In considering the site plan for a lot, the Commission shall pass
upon, among other things:

1. Layout of the site with respect to the arrangement and width of
   its driveways and parking areas and their relationship to off-
   site roadways within the industrial park and to external public
   highways.

2. Preservation of natural topographic features, such as trees and
   watercourses.

3. Grading plan and plans for all utilities, including water and
   sewerage facilities, storm drainage, parking lots, loading
   docks, lighting and screening.
4. Lot layout, including front, side and rear yard lines.

5. Location, height and orientation of proposed buildings.

6. Identity of occupant and nature of operations.

7. Employee information as to number and shifts.

8. Location, size and lighting of signs.

9. Outdoor storage areas, including location, screening, and safety features.

(d) Approval by other agencies of jurisdiction, including Health Department, State Highway Administration, Sanitary Commission, and other County, State or municipal officials deemed necessary to assure the adequacy of those aspects of the plan deemed pertinent to the respective department, commission or office.

Section 13.4.6. Standards for vehicular access, parking, loading and outdoor storage.

(a) Vehicular access.

1. Vehicular access to industrial parks shall be permitted only from a town, county or state maintained highway, or a private way connecting with such highways, and not directly with any residential street.

2. Road access to an industrial park may be at points prescribed by the appropriate agency or jurisdiction, but in no case less than the following:
(1) for state roads not less than seven hundred fifty (750) feet between points of access.

(2) for town and/or county roads not less than two hundred (200) feet between points of access.

3. All streets within an industrial park must be built to town standards and shall thereafter be accepted for maintenance by the town.

(b) Parking and loading facilities.

1. Space for off-street parking and storage of vehicles shall be as follows:

   One (1) space for each two (2) employees on the maximum shift, plus

   One (1) space for visitors' use for each twenty-five (25) employees on the maximum shift, plus

   One (1) space for each company-owned or leased vehicle based at the premises.

2. All parking areas shall be constructed to Town specifications, be properly signed for traffic control, and/or adequate lighting provided, if used at night, and individual spaces shall be clearly marked.

3. Loading areas shall be as provided under Section 13.1.2.

(c) Outdoor storage:

1. No outdoor storage shall be permitted in the front yard.
2. Where there is outdoor storage, such areas shall not occupy more than twenty (20) percent of the area of the lot.

3. Where there is outdoor storage of equipment products, and process materials, or empty industrial containers, they shall be stored and maintained in a neat pattern, subject to National Fire Codes.

4. Outdoor storage areas on any lot adjacent to an "R" District must be screened therefrom by a planting of evergreens or by an ornamental wall not less than six (6) feet in height.

Section 13.4.7. Building location, landscaping and utilities.

(a) Building location:

1. All lots adjacent to a road as shown on the Major Road Plan shall be oriented thereto.

2. Architectural treatment of all building walls visible from public roads shall be harmonious with the front elevation, in design, quality and materials.

(b) Landscaping.

1. A landscaping plan shall be submitted to the Commission as part of the preliminary development plan.

2. Any part of a lot not used for buildings, parking, loading, driveways, outside storage, or walkways, shall be planted with grass, or other ground cover, trees, shrubs, and/or flowers, and shall be properly maintained at all times.

(c) Utilities:
1. A utilities plan shall be submitted to the Commission as part of the preliminary development plan.

2. Any overhead wires determined necessary shall be run along the rear property lines where practical, and any control instrument station or substations shall be screened.

Section 13.4.8. Signs and lighting.

(a) The design, lettering, lighting and location of all signs shall be included insofar as possible, as part of the site plan submitted for approval of the Commission.

(b) Signs; outdoor advertising shall be limited to one such device for each highway frontage and one such device as a directory for occupants for each entrance to the industrial park.

(c) Signs, business, for identifying the use or the occupant shall be a part of the architectural design and be attached to the building. Any signs detached from buildings shall be landscaped.

(d) Signs prohibited shall include outdoor advertising signs (of a billboard nature), except as indicated in Section 13.5.8(b) flashing, rotating lights, or changing light intensity or changing color signs; hanging or projecting signs; signs above the roof or parapet; or signs painted or pasted directly upon any wall shall likewise be prohibited.

(e) All major buildings and parking areas may be lighted with exterior flood or spotlights, provided lights are not directed toward adjacent "R" Districts or roads or streets.

Section 13.4.9. Height, area, and yard requirements.

(a) Height regulations.
1. No building shall exceed fifty (50) feet in height, except as provided in Article 14 of this ordinance.

(b) Area requirements.

1. No industrial park considered herein shall comprise less than five (5) acres if it is a completely separate tract, provided, no area limitation shall be placed on an industrial park if it, (1) is an addition to another industrial park or (2) has a common boundary with an existing "I-R" District.

2. The minimum ground area for any lot for a principal building shall be one (1) acre and the minimum lot frontage, two hundred (200) feet.

3. The maximum ground area coverage of any lot by a principal building or buildings shall not exceed twenty-five (25) percent of the total lot area.

(c) Yard requirements.

1. Front, side, and rear yards, shall be determined in an industrial park as follows:

   (a) A front yard adjacent to an expressway or primary highway as shown on the Major Road Plan of the Town shall be seventy-five (75) feet.

   (b) Front yard on other county or municipal streets shall be seventy-five (75) feet.

   (c) Front yard on interior roads within an industrial park shall be fifty (50) feet.
(d) Side or rear yards shall be as follows:

(1) Adjoining an "R" District one hundred (100) feet.

(2) Adjoining a "B" or "I-R" District, fifty (50) feet.

2. A landscaped strip not less than ten (10) feet wide shall be provided along each side yard for the length of any principal building, except for that portion of the yard needed for loading or parking areas.

3. Any portion of a lot in an industrial park not used for driveways, walkways, parking, loading, or storage areas shall be planted in grass or other suitable ground cover.

Sec. 13.5.0. **SUBDIVISION AND DEVELOPMENT CONTROLS AND PRIORITIES**

All new development in the R-6,000, R-10,000 and R-20,000 Districts shall be subject to the controls and priorities set forth herein:

(a) **PURPOSE AND OBJECTIVES.** It is the purpose of these controls and priorities to provide efficient and productive land use for new residential development in R-20,000, R-10,000 and R-6,000 Zoning Districts while permitting the optimum amount of freedom and variety in the design and management of such varying types of residential structures, including single family, two family, multi-family structures, town houses, and condominiums, subject to certain controls and limitations. This development is to be presented, processed and constructed in such a way as to provide continuity and consistency with existing development in Town while establishing an architectural scheme consistent with the surrounding area and suitable for the property to be developed. These subdivision and development controls and priorities are not intended to limit or apply to non-residential principal permitted uses or conditional uses otherwise allowed in the R-6,000, R-10,000 or R-20,000
Districts. Furthermore, these subdivision and development controls are intended to apply to new subdivision only. Lots currently improved by residential dwellings, or existing unimproved buildable lots, shall remain subject to the setbacks and other lot requirements of the District in which it exists.

The following objectives are sought in providing these controls and priorities:

1. To provide a more attractive and varied living environment than would be possible through the strict application of "R" District requirements.

2. To encourage developers to use a more creative approach in the development of land.

3. To encourage a more intimate, efficient, and aesthetic use of open space.

4. To encourage variety in the physical development patterns of residential areas.

5. To facilitate architectural character and subdivision design that is typical of the locality, sensitive to the environment, and unique to the Town of Union Bridge.

6. To allow this flexibility for new development without eliminating existing standards in parts of Town which have developed in reliance on such standards.

(b) **AREA.** Any parcel existing on the date hereof, or contiguous parcels with a unity of ownership on the date hereof shall be considered a single project. The total area of said parcel or contiguous parcels shall be referred to as the project property. Projects for which a potential lot yield of 50 lots or more exists shall be required where feasible to divide the project into neighborhoods of approximately 25 lots each to provide diversity within the project; and said
neighborhoods shall be visually separated by devices such as landscaping, berming, open space, street layout architectural style or the like, but linked to each other by walkways or other methods which encourage interaction among neighborhoods and other parts of the Town. The Planning Commission may vary the number of lots per neighborhood based upon site conditions and other unique aspects of the concept proposed by the Developer.

(c) CONCEPT SUBMISSION.

1. Prior to submitting any plan to the Town, Developer shall arrange for a meeting on site with the Planning Commission for the purpose of showing the property, suggesting concepts for the development and obtaining any preliminary observations from the Planning Commission members. The Town may make available to the Developer written materials explaining preferred approaches to development in Union Bridge. Thereafter, Developer shall submit a general concept plan to the Planning Commission for discussion and comment at its regular meetings. The Developer must give written notice to adjoining and confronting property owners by United States first class mail, postage prepaid, of the time and place for the Planning Commission meeting at which this general concept plan will be discussed and a brief description of the location of the project and the type of development proposed. The purpose of this notice is solely to require a good faith attempt to advise such owners of the proceeding and does not bestow any rights upon any such owner beyond what is otherwise applicable. The notice must be mailed or delivered at least fifteen (15) days prior to the meeting and the Developer shall provide the Planning Commission with a certification of mailing or delivery within ten (10) days prior to the hearing. Notice shall be conclusively deemed adequate if a timely certification is filed in good faith regardless of actual receipt by the owners. The Developer must file the general concept plan with the Town no later than ten (10) days prior to the meeting and the general concept plan shall be kept at the Town office for public review prior to the meeting.
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2. The general concept plan shall include the following:

(i) Areas where clusters of housing units may be located (place in groups of 25).

(ii) Proposed road network.

(iii) Areas of twenty-five percent (25%) slope or greater.

(iv) Open space and recreational areas.

(v) Streams.

(vi) Wetlands, floodplains and/or habitat protection easements, etc.

(vii) Ground or surface water protection zones, if applicable.

(viii) Historic sites, if applicable.

(ix) All adjoining property by use (i.e. dwelling, forested areas, etc.).

(x) Point source of all utilities which will be tapped into including, but not limited to: gas, water, sewer, electric, storm drains, natural or open drainage areas, etc.

(xi) Any items specifically raised at the preconcept plan meeting.

(xii) Any other items which may be peculiar to the property and material to the overall concept.

(d) PRELIMINARY SUBDIVISION PLAN. Applications for approval of all subdivision must be accompanied by a preliminary subdivision plan prepared by a licensed architect and/or registered civil engineer as more particularly
defined in the subdivision regulations. The preliminary subdivision plan shall be to scale and contain sufficient information to establish the identity of proposed uses, grades, and approximate dimensions and locations of proposed structures, streets, signs, parking areas, lighting, walkways, easements and property lines.

The preliminary subdivision plan shall also include the housing types and architectural plans described above. The housing types and architectural conditions shall be duly noted on the record plat. The application for building permit shall include a description of the proposed improvements sufficient to check compliance with the approved plan for each lot. Any building permit shall be conditioned upon construction in compliance with said application. The issuance of a use and occupancy permit shall be conditioned upon compliance with the approved plan and building permit application. The issuance of a use and occupancy permit by the Town, whether proper or in error, shall be conclusive evidence that the structure so approved for use complies with said record plat conditions. The preliminary subdivision plan shall also include an explanation of improvements to be done by Developer to make the open space usable and accessible.

After approval of the preliminary plan by the Commission, any major change therein shall require a resubmission of such plan to the Planning Commission for approval. Minor changes in the plan may be approved by the Chairman of the Planning Commission alone. The Chairman shall have sole discretion to decide whether a proposed change is major or minor and the Chairman's determination on this point shall be conclusive.

(e) DENSITY. The maximum gross residential density shall be equal to the maximum number of residential dwelling units as allowed in the zoning District in which the property is located. This calculation shall be performed by using the standards specifically set forth in the text for the R-6,000, R-10,000 and R-20,000 Districts. For properties which are located in more than one zoning District density will be calculated separately for each District but then can be transferred within the Project Property for actual lot configuration.

Such density shall be calculated as follows, as applicable to multi-family
structures:

Each efficiency apartment dwelling unit is equivalent to.......................................................... 50 unit
Each 1-bedroom multi-family or apartment unit is equivalent to.............................................. 75 unit
Each 2-bedroom multi-family or apartment dwelling unit is equivalent to................................. 1.00 unit
Each 3-bedroom multi-family or apartment dwelling unit is equivalent to................................. 1.00 unit

Calculation of gross acreage shall include all land within the legal description of record of the project property less any wetlands or 100-year (or more frequent) flood plains as defined by state and federal regulations, as same may change from time to time, and any areas with slopes of greater than 25%. The specific standards for lot size would then be applied to the gross acreage.

(f) LOT SIZES. Single family and two-family structures shall be clustered where feasible to provide for an efficient use of the land without sacrificing the ability of individual lots to function for the purposes intended. Any lot to be improved by a single family or two-family structure shall have a lot size where the open yard to livable floor space (including garage space but excluding basements, finished or unfinished) ratio shall be 2:1 or greater, (i.e. calculate the minimum size by multiplying the livable floor space by 2 and adding the footprint of the house) but this ratio may be increased by the Planning Commission based upon conditions. Multi-family structures, including town houses, may have a lower ratio provided that open space and parking is situated to accommodate these uses. The number of town houses allowed in a single structure shall be subject to approval by the Planning Commission.

(g) HOUSING TYPES AND MIX. Dwelling units in new developments may include single-family, two-family, multi-family structures, including condominiums and town houses, based on density requirements, standards described, nature of adjacent development, and compensating features of the development plan. The Planning Commission may require a mix of housing types
within a project but in no event shall the total project allow for a combination of two-family and multi-family structures to exceed twenty percent (20%) of the total units for the project. If only part of the project is presented for approval the Planning Commission may impose conditions on the remainder to preserve the intent of the approval as to future development. The Planning Commission may also approve places of public assembly, recreational buildings, and accessory buildings, if primarily for use by persons residing within the project community, and if located and planned in a manner not detrimental to adjacent properties.

(h) **APPROVAL OF HOUSING TYPES AND MIX.** The housing types shall be submitted by the Developer to the Planning Commission for approval as part of the Preliminary Subdivision Plan. The housing types shall be submitted with a justification statement explaining why the proposal is appropriate. The Planning Commission shall consider market conditions, construction costs, land characteristics, visual appearance, continuity of development of the Town, the need for affordable and elderly housing, neighboring uses, proximity of project to areas of historical significance, and such other factors it deems relevant to approve the housing types, or mix of housing types, project wide. If less than the entire project property is being developed, the justification statement shall include a conceptual explanation as to how the proposal affects the potential future development of the remainder of the project property.

(i) **ARCHITECTURAL REVIEW.** Architectural elevations and renderings, and proposed construction materials for all exterior finishes, for each proposed lot shall be submitted by the Developer to the Planning Commission as part of the Preliminary Subdivision Plan. The architectural elevations and renderings and proposed construction materials for exteriors for each proposed lot shall be submitted with a justification statement explaining why the proposal is appropriate. The Planning Commission shall consider market conditions, construction costs, land characteristics, visual appearance, continuity of development of the Town, projected impact on quality of future development in the immediate neighborhood so as to perpetuate a standard of high quality development in the Town and its environs (as compared to the competing market areas in the region), and such other factors it deems relevant to approve or
disapprove the architecture, or architectural mix, of the buildings project wide.

(j) **STANDARDS FOR LOCATION OF DWELLING TYPES.** The specific minimum setbacks and yard widths for the underlying zoning district shall not apply for projects reviewed hereunder. However, the Planning Commission may establish and impose such reasonable setbacks and yard widths as it deems appropriate. The Planning Commission shall consider the following:

1. Around the perimeter of the project the Planning Commission may establish such building setbacks and prohibit certain housing types as may be necessary and appropriate to protect the integrity and privacy of neighboring property. The Planning Commission may consider different forms of buffering to achieve the same result. The Planning Commission shall give due consideration to the physical characteristics of the land and its surroundings in making this determination.

2. Within the project, dwelling types shall be arranged to promote clustering and provide a logical integration of the uses proposed. The Planning Commission may establish such minimum building setbacks as may be necessary and appropriate owing to housing types and existing or proposed conditions. The Planning Commission shall give due consideration to the functionability of public facilities, the accessibility of open space to individual lots, the ability of the lot to function in concert with others for the purposes intended.

3. The Planning Commission shall require over and above other standards herein, that these uses be so arranged and distributed, and appropriately related to public open space, that higher densities are not unreasonably or disproportionately concentrated in any given location; or so located as to concentrate traffic on minor residential streets.

(k) **OPEN SPACE.** The land derived from reduction of lot sizes as a result of clustering from the minimum lot size in the District to size allowed hereunder shall be provided as open space. In any event, common open space shall comprise not less than twenty-five (25) percent of the gross area of the property.
subdivided. Such space shall include land area to be developed as recreational
areas or which is designated for the common use of all occupants of the
development or the general public, but shall not include streets, off-street parking
areas, or utility easements. Location of common open space shall take into
consideration the existing common open space in Town, proximity and access to
nearby public buildings or gathering places (schools, churches, historic
downtown, shopping areas...), and opportunities for connections to walkways,
linear trails or greenways. It is the intent that open space shall be usable,
therefore, wetlands, water courses and/or land with slopes of greater than twenty-
five (25) percent shall account for no more than one-third (1/3) of the open space.
The developer shall furnish satisfactory evidence as a condition for approval, that
such open space area will be continued and that perpetual maintenance is
provided for. The Planning Commission may upon approval by the Town
Council permit the open space to be dedicated to the Town. When considering
open space priority shall be given to protecting streams, wetlands and other
environmentally sensitive areas. For projects of fifteen (15) acres or less,
restrictive covenants on private lots protecting adequate areas from activity or
providing cross-easements for others may be used in lieu of actual dedication of
open space.

(l) SANITARY FACILITIES. Prior to accepting the project for
approval the Commission must be furnished satisfactory evidence that public
water and sewerage systems will be provided and approved by the Health
Department, as well as by any other agency having jurisdiction over such matters.

(m) HEIGHT REGULATIONS. Maximum heights of buildings shall not
exceed three (3) stories or forty (40) feet in height, and no accessory structure
shall exceed two (2) stories or twenty-five (25) feet in height.

(n) PARKING. At least two usable off-street parking spaces shall be provided
for each dwelling unit either on the lot it occupies or within one hundred-fifty
(150) feet of such lot or an apartment dwelling unit. The Planning Commission
may require parking spaces to be designated and restricted for use only by a
specific unit or units if the off street spaces for such unit are not on the same Lot
as the unit. For each apartment unit, space shall be provided at the rate of two (2)
spaces per dwelling unit. All lots for single family dwellings must have adequate public road frontage for the independent provision of a private driveway for that lot.

(o) **OFF-SITE IMPROVEMENTS.** When the Planning Commission determines that the development will cause impact offsite attributable to the development, the Planning Commission may require developer to perform and/or pay for such off-site improvements as may be necessary in connection with the development.

(p) **FINANCIAL RESPONSIBILITY.** Prior to approving a preliminary subdivision plan, the Planning Commission must be satisfied that the owners of and/or applicants for the development are financially able to complete the proposed development, that they intend to start construction within one year following the Commission's approval, and that they intend to complete it within a reasonable time as determined by the Commission.

(q) **SUBSEQUENT DEVELOPMENT.** Once initial construction of a structure is approved for use and occupancy as described, any subsequent proposed development on a lot such as additions, garages, outbuildings, etc. shall require compliance with the standards set forth in the underlying zoning district in which the lot is located to the extent such requirements are not otherwise established on the record plat.

(r) **VARIANCES.** In instances under these subdivision and development controls and priorities where the Planning Commission does not have absolute discretion to approve or disapprove a proposal for development, an Owner may request a variance from the Board of Zoning Appeals which shall apply the standards relating to variances as set forth elsewhere in this ordinance. However, where the Planning Commission exercises its discretion the decision of the Planning Commission to approve, disapprove or impose conditions on a subdivision shall be final and subject only to appeal in a court of competent jurisdiction. (Added by Ordinance No. 264 effective February 13, 1994 and renumbered upon codification from 13.6.0 to 13.5.0; Ordinance No. 264 also repealed former 13.6.0).
Section 13.6.0. PLANNED MAJOR SUBDIVISION; RESIDENTIAL, Regulations.

A major subdivision of land for residential purposes in those districts where permitted, may be approved by the Commission, as authorized in Section 5.1(e), 6.1(c), and 7.1(c), subject to Section 4.15 of the general provisions of this ordinance, and the following provisions:

(a) Purpose and Intent. The Commission finds that a portion of the police power of the State of Maryland has been delegated to each municipality to be exercised reasonably in determining the manner and nature of development within each municipality. The Maryland General Assembly has given much discretion to the several municipalities in making such determinations relying on the local jurisdiction's knowledge of local conditions and the needs of its people and communities. The Maryland General Assembly has further created numerous state departments and agencies to provide consultation, advice, data and other similar forms of assistance in the furtherance of establishing comprehensive policies on which to base local planning decisions for the general good and welfare. Development pressures (i.e., population shifts, sewer moratoriums, accelerating inflation of land values, and other phenomena), caused by a myriad of complex social and economic factors which transcend local jurisdictional boundary lines, are bringing increasing numbers of families into Union Bridge and its environs necessitating the provisions of additional public schools; solid waste disposal sites; water, sewerage and storm drainage facilities; roads and associated facilities; police, fire and related emergency service-type facilities; primary health care facilities; open space, flood plain management and sediment control measures; and, the increasing need for maintaining a stable tax base. In recognition of the fundamental difference between the diverse and unlimited "wants" of a growing community of people, and those "needs" which are inherently basic
or limited (i.e., land, air and water resources), it is imperative that plans, policies and decisions, insofar as it is humanly possible, be weighed and ordered; first, in consideration of the fundamental "needs", and secondly, in consideration of the priority of "wants" which ultimately involve the direct or indirect expenditure of limited public funds.

The following provisions, therefore, are set forth in planning for the continued orderly development of Union Bridge and its environs in the pursuit of these objectives:

1. In designating a tract(s) or area(s) suitable for a major subdivision of land for residential purposes in any district where permitted, the Commission shall, pursuant to authority granted by the Land Use Article of the Annotated Code of Maryland, the Union Bridge Zoning Ordinance, and the Subdivision Regulations of Union Bridge, in addition to any other applicable ordinances or regulations, require that adequate provision(s) be incorporated in and made a part of any conditions of any approval to insure the integrity and orderly use of the Town's natural resources as would promote the public necessity, health, safety, convenience, general welfare, environment, and the Town's financial ability to provide and/or receive essential community improvements, facilities and/or services. Such conditions of approval may include, and insure adequate provisions for such specific on and off-site facilities and improvements as: school sites; solid waste disposal sites; open spaces; flood plain management and sediment control measures; water, sewerage and storm drainage facilities; roads and associated facilities; police, fire and related emergency-type facilities including consideration of primary health care facilities. Whenever any one or combination of the aforesaid facilities and/or improvements are deemed necessary to carry out the intent and purpose of the duly adopted official Master Plan for Union Bridge and the
authority conveyed by the Land use Article of the Annotated Code of Maryland, the Union Bridge Zoning Ordinance, the Subdivision Regulations of Union Bridge or any other applicable ordinances or regulations; and where any one or combination of the aforesaid facilities and/or improvements deemed necessary cannot be provided or assured, then the Commission shall either disapprove or defer designating those areas in question, in whole or in part, as suitable for a major subdivision of land for residential purposes until such time as those specific improvements and/or facilities deemed necessary can be adequately provided or assured.

Section 13.7.0. Mailboxes and Other Containers.

No mailbox, newspaper box or any other device or container similar in use or appearance shall be located between Main Street and any building located on a property which has road frontage on Main Street for that section of Main Street from the southern corporate limit of Town to the intersection of Main Street and Green Valley Road which is perpendicular to Main Street at the place where Maryland Route 75 runs east/west north of Little Pipe Creek. Nothing contained herein shall prohibit maildrops or mail holders which are affixed to, or part of, a building. [Effective August 26, 1998 - Ordinance No. 277].

ARTICLE 14. EXCEPTIONS AND MODIFICATIONS.

Section 14.0. Generally.

The regulations specified in this ordinance shall be subject to the following exceptions, modifications, and interpretations:

Section 14.1. Lot area modification.

(a) Minimum lot area and lot width regulations in any zone shall not apply to repeater, booster, transformer, or switching stations, or dial
offices.

(b) In any district wherein a single-family dwelling is permitted, such dwelling may be permitted on any lot or parcel which is of official record by deed or a subdivision duly recorded in the plat records of Carroll County as of the effective date of this ordinance, provided:

1. The owner does not own sufficient land adjoining to enable conformance with yard or area requirements.

2. No side yard shall be less than ten (10) percent of the width of the said lot.

3. All other regulations are complied with.

(c) In any district except the "C" Conservation District, where dwellings are permitted, if neither a public water supply or sewerage system is accessible or if an acceptable community water supply or sewerage system is not to be provided, the minimum lot size shall be twenty thousand (20,000) square feet and one hundred (100) feet in width, subject, however, to the requirements of the Maryland State Department of Health.

(d) Except in a "C" Conservation or "R-20,000" Residence District if a public water supply is accessible and individual lot sewerage facilities are approved, the minimum lot size for a dwelling shall be fifteen thousand (15,000) square feet, with one hundred (100) feet width at the building lines, subject, however, to the requirements of the Maryland State Department of Health.

Section 14.2. Setback modifications.

Where the average setback line of at least two (2) existing buildings on lots
which are on the same side of the street or road and within two hundred (200) feet of the lot in question, is less than the minimum set-back prescribed by this ordinance, the minimum setback line shall be the average setback line of all buildings within two hundred (200) feet of the proposed building. However, in no case shall the setback line be less than thirty-five (35) feet from the centerline of any abutting road or street.

Section 14.3. Projection into yards.

(a) If attached to the main building, a carport or a one-story open porch with or without a roof, may extend into any required yard not more than twenty-five (25) percent of the minimum required depth of a front or rear yard or of the minimum required width of a side yard.

(b) Projections such as bay windows, chimneys, entrances, vestibules, balconies, eaves and leaders may extend into any required yard not more than four (4) feet; provided, that such projections (excepting eaves) are not over ten (10) feet in length.

(c) Fences and walls shall be exempt from building lines and yard requirements unless obstructions to vision.

Section 14.4. Height.

(a) Building height limitations shall not apply to watertanks, barns, windmills, silos, or other accessory farm structures; or to belfries, steeples, spires, electric or communication poles or towers, electric generating plants, electric transforming or switching equipment, radio, television or radar towers, chimneys or smoke stacks, flagpoles, fire or observation towers, cupolas, domes, monuments, penthouses, or roof structures for housing stairways; or to tanks, ventilating fans, air conditioning equipment or similar equipment required to operate and maintain the building. No penthouse or roof structure shall have a total area greater than twenty-five (25) percent
of a roof area, nor shall such structure be used for any purpose than a use incidental to the main use of the building.

(b) In any "R" or "B" District, the height of a building may be extended to three stories, but not over forty (40) feet, if each side yard is increased in width one-half foot for each additional one foot of height above the normal maximum limit.

(c) On any lot where the average finished slope adjoining the building exceeds seven (7) percent grade, one story in addition to the number permitted in the zone in which such lot is situated shall be permitted on the downhill side of any building erected, but the building height limit shall not otherwise be increased above that specified for the zone.

(d) In any zone where public or quasi-public buildings are permitted such buildings may be erected to a height of one hundred twenty (120) feet, but the minimum front, rear, and side yards shall be increased one foot for each foot of height above the limit established for the zone in which the building is erected.

Sec. 14.5. Variance.

The Board may authorize, upon appeal, in accordance with Section 16.2 variances from height, lot area, lot width, yard regulations, parking space requirements, sign regulations, and distance requirements specified in Section 4.12. The Board may grant such variance only in cases where the strict compliance with the terms of this ordinance would result in practical difficulty and unreasonable hardship, and only if in strict harmony with the spirit and intent of such regulations and only in a manner so as to grant relief without substantial injury to public health, safety, and general welfare.
ARTICLE 15. Administration.

Section 15.1. Zoning Administrator.

(a) There is hereby established the office of Zoning Administrator. The office shall be filled by a person appointed by the Mayor and Council of Union Bridge after receipt of a recommendation by the Commission and due consideration of the person’s qualifications. The Zoning Administrator shall maintain no interest in any matter which may be in conflict with the duties, decisions or other exercise of authority of the Office of Zoning Administrator. In the case of any such conflict of interest, the Town Council upon the recommendation of an appropriate person by the Mayor shall be authorized to appoint an Assistant Zoning Administrator for the purpose of avoiding such conflict or appearance of such conflict which appointment may be limited in time or scope as determined by the Council.

(b) The provisions of this ordinance shall be enforced by the Zoning Administrator. Appeal from a decision of the Zoning Administrator shall be made to the Board of Appeals as provided in Section 16.4 of this Chapter.

(c) All departments, officials and public employees of the Town of Union Bridge which are vested with the duty or authority to issue permits or licenses shall issue no permit or license for any use, building or purpose, if the same would be in conflict with the provisions of this Chapter. Any permit or license issued in conflict with the provisions of this Chapter shall be null and void. [Effective September 13, 2020, Ordinance No. 316].

Section 15.2. Zoning certificates.

(a) It shall be unlawful for an owner to use or permit the use of any building, structure or land or part thereof, hereafter created, erected,
changed, converted, or enlarged, wholly or partly, until a zoning certificate shall have been issued by the Zoning Administrator. A zoning certificate shall be revocable, subject to continued compliance with all requirements and conditions.

(b) All applications for zoning certificates shall be accompanied by plans drawn approximately to scale, showing the dimensions and shape of the lot to be built upon; the size and location of existing buildings, if any; and the location and dimensions of the proposed building or alteration. Where no buildings are involved, the location of the present use and/or proposed use to be made of the lot shall be shown. The application and/or plans shall include such other information as reasonably may be required by the Zoning Administrator, to determine conformance with and provide for the enforcement of this Chapter. The plans shall be retained in the office of the Zoning Administrator.

(c) The Zoning Administrator shall approve the issuance of a zoning certificate only if the application complies with the requirements of this Chapter, and provided that such zoning certificate shall be conditioned where necessary on the approval of the County Health Officer, State and/or Town Roads Agency, Town Planning and Zoning Commission, or any other agency concerned, and provided the application is accompanied by the required fee. The Zoning Administrator shall maintain a record of all zoning certificates and copies shall be furnished upon request to any person upon payment of the cost thereof. If a zoning certificate is issued, such approval and issuance thereof does not sanction variance from the terms of this Chapter.

(d) If the Zoning Administrator shall find any of the provisions of this Chapter being violated, the Zoning Administrator shall notify in writing, by certified mail, the owner or the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. The Zoning Administrator shall order
discontinuance of illegal use of land, buildings, or structures, removal of illegal buildings or structures, or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; and shall, unless compliance is met within a reasonable time, take any other action authorized by this Chapter to insure compliance with or prevent violation of its provisions.

(e) A zoning certificate shall become void one (1) year after the date of issuance, if the construction or use for which the certificate was issued has not been started. [Effective September 13, 2020, Ordinance No. 316]

ARTICLE 16. BOARD OF APPEALS.

Section 16.1. Created; name; number, term of office, removal, etc., of members.

The Board of Appeals of Union Bridge is hereby created and designated the "Board of Zoning Appeals". The number of members of said Board, their term of office, succession, removal, filling of vacancies, alternate membership, and their powers and duties shall be as provided in the Land Use Article of the Annotated Code of Maryland.

Section 16.2. General powers.

The Board shall have the following powers:

(a) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in regard to the enforcement of this ordinance or of any ordinance adopted pursuant thereto.

(b) To hear and decide conditional uses to the ordinance upon which such Board is required to pass.
(c) To authorize, upon appeal in special cases, such variance from the terms of the ordinance as will not be contrary to the public interest, where owing to special conditions, the enforcement of the provisions of this ordinance will result in unwarranted hardship and injustice and which will most nearly accomplish the purpose and intent of the regulations of the Zoning Ordinance.

In exercising the above mentioned powers, the Board may, in conformity with the provisions of law and this ordinance, and amendments thereto, reverse or affirm, wholly or partly, or may modify the order, requirement decision, or determination appealed from, and may make such order, requirement, decision or determination as ought to be made.

The Board is also empowered to adopt and promulgate such rules and regulations as it shall deem necessary in the conduct of its hearings and the issuance of its decisions or testimony pertaining to its hearings.

Section 16.3. Organization; meetings; authority to administer oaths and compel attendance of witnesses; technical assistance; minutes of proceedings; records.

The Board shall be organized and its rules shall be amended, if necessary, in accordance with the provisions of this ordinance. Meetings of the Board shall be held at the call of the Chairman, and at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. For assistance in reaching decisions relative to appeals, conditional uses, or variances, the Board may request testimony at its hearings for purposes of securing technical aid or factual evidence from the Commission or any county agency. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, and shall keep records of all its official actions, all of which shall be filed in the office of the Board and shall be a public record.

Section 16.4. Appeals to Board.
An appeal to the Board may be taken by any person aggrieved or by any officer, department, board, commission or bureau of the county affected by any decision of the Zoning Administrator. Such appeal shall be taken within thirty (30) days after the decision by filing with the Zoning Administrator and with the Board, Notice of Appeal, specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed was taken.

Section 16.5.1. Hearings - Action required after filing of application.

Upon the filing of an application before the Board, the following action shall be taken preparatory to holding a hearing thereon:

(a) The Board shall fix a reasonable time for a hearing of the application or appeal.

(b) Notice of the hearing shall be advertised in two consecutive issues of a newspaper having general circulation within Union Bridge. The first insertion shall appear in such newspaper at least fifteen days prior to such hearing.

(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.

(d) Notification by certified mail shall be made to the appellant or petitioner, and to the owners of those properties and the addresses certified on the Notice of Appeals by the appellant or petitioner as being contiguous to the property with which the hearing is concerned.

(e) The Board, upon application in writing by any interested party filed with the Zoning Administrator no less than ten (10) days prior to the date of scheduled hearing, shall visit the specific property involved
prior to the hearing. The Board, in its discretion, may otherwise visit
the specific property prior to or after the hearing.

Section 16.5.2. Same - Holding of hearing; appearance at hearing.

The Board, following such action above, shall hold such hearing. At the
hearing, any party may appear and be heard in person or by agent or attorney.

Section 16.5.3. Same - Postponement.

(a) Requests for postponement of a scheduled hearing shall be filed in
writing with the Zoning Administrator not less than ten days prior to
the date of hearing, and shall be accompanied by a sum of money
sufficient to pay the cost of advertising the postponement and the
rescheduled hearing. The granting of such requests shall be at the
discretion of the Chairman of the Board.

(b) Requests for postponement filed later than ten days prior to the date
of a scheduled hearing, shall, in addition to the other requirements
set forth in subsection (a) above, be supported by an affidavit of the
party making the request or some other creditable person. The
granting of such request shall be at the discretion of the Board in
cases of extreme hardship or upon good cause shown.

(c) The Board may, upon its own initiative, postpone a scheduled
hearing at any time.

Section 16.5.4. Same - Continuance.

The Board may continue a hearing at another time and/or date once such
hearing has been started; however, the Board shall announce the date and hour of
continuance of such hearing while in session.
Section 16.5.5. Same - Decision by Board; appeal from decision by Board.

The Board shall render a decision within a reasonable time. Any party aggrieved by a decision of the Board of Appeals, may appeal to the Circuit Court for Carroll County in a manner set forth in the applicable sections of the Land Use Article of the Annotated Code of Maryland, as amended. The Court may affirm, reverse, vacate, or modify the decision complained of in the appeal.

Section 16.6. Limitations, guides and standards.

Where in these regulations certain powers are conferred upon the Board or the approval of the Board is required before a permit may be issued, or the Board is called upon to decide certain issues, such Board shall study the specific property involved, as well as the neighborhood, and consider all testimony and data submitted, and shall hear any person desiring to speak for or against the issuance of the permit. However, the application for a permit shall not be approved where the Board finds the proposed building, addition, extension of building or use, sign, use or change of use would adversely affect the public health, safety, security, morals, or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters, the Board shall give consideration, among other things, to the following:

(a) The number of people residing or working in the immediate area concerned.

(b) The orderly growth of Union Bridge.

(c) Traffic conditions and facilities.

(d) The effect of such use upon the peaceful enjoyment of people in their homes.
(e) The conservation of property values.

(f) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values.

(g) The most appropriate use of land and structure.

(h) Decisions of the courts.

(i) The purpose of these regulations as set forth herein.

(j) Type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches, and the like.

Section 16.7. Disapproval of application.

If the application is disapproved by the Board, thereafter the Board shall take no further action on another application for substantially the same proposal, on the same premises, until after two years from the date of such disapproval. If an appeal to the Board is perfected and the public hearing date is set and duly advertised and properly posted and thereafter the applicant withdraws the appeal, he shall be precluded from filing another application for substantially the same proposal on the same premises for one (1) year.

Section 16.8. Fees.

A filing fee in the amount of Five Hundred Dollars ($500.00) shall accompany each application for appeal to the Board. This amount shall be applied towards advertising, administrative costs and legal fees incurred by the Town as a result of the application. Upon completion of the case the Applicant shall be responsible for the difference between these actual costs and the filing fee. The amount of the filing fee may be revised by the Board subject to the approval of the Town Council.
ARTICLE 17. ENFORCEMENT

Section 17.1. Violations; penalties; continuing offenses.

As provided in applicable sections of the Land Use Article of the Annotated Code of Maryland, any person, firm or corporation violating any provisions of this ordinance shall be fined not more than one hundred dollars ($100). Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues, may be deemed a separate offense.

Section 17.2. Injunctive, etc., relief.

In addition to other remedies, the Mayor and Council, the Zoning Administrator, or any adjacent or neighboring property owner may institute injunction, mandamus, abatement, or other appropriate action or proceedings to compel compliance with the provisions of this ordinance.

ARTICLE 18. AMENDMENTS

Section 18.1. Petition for amendment of ordinance or maps; public hearing required; publication of notice of hearing; posting of property to be rezoned.

These regulations, restrictions and provisions and the boundaries of the Districts may from time-to-time, be amended, supplemented, changed, modified or repealed by the Mayor and Council. Any person or officer, department, Board, Commission or Bureau of the Town, may petition for such change or amendment; however, no such change or amendment shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days notice of the time and place of such hearing shall be published in a newspaper of general circulation in
the Town\textsuperscript{12}, and if the proposed amendment involves a change in a zoning district boundary line, the property involved shall be posted for a period of fifteen days immediately preceding the hearing. Where an official annexation by the Town is involved, the requirements of the Annotated Code of Maryland shall govern and be applicable, as shall applicable provisions of the Carroll County Zoning Ordinance relating to official annexations by any municipality of Carroll County.

Section 18.2. Proposed changes to be referred to Planning Commission.

The Mayor and Council shall refer all proposed changes and amendments to these regulations or proposed changes in a zoning district to the Commission for report and recommendations.

Section 18.3. Factors to be considered by Mayor and Council.

Before acting upon proposed changes and amendments to these regulations or changes in the zoning district boundary lines, the Mayor and Council shall consider the following:

(a) The purpose of these regulations, as outlined in Article 1.

(b) The report and recommendation of the Commission.

(c) Whether there have been any substantial changes in or near the area covered by a proposed change in the district boundary lines.

(d) Any new phases of the Master Plan for Union Bridge developed since the adoption of these regulations.

(e) Whether it is clearly evident that there was an error or mistake in the zoning of the subject property.

\textsuperscript{12} MD CODE ANN., Article 66B, has advertising requirements.
Whether there has been a convincing demonstration that the proposed rezoning would have been fully as appropriate and logical for the subject property as was the zone in which it was placed.

Section 18.4. Duties generally of Planning Commission.

The Commission shall study zoning, its development, application and relation to public and private development and its relation to other phases of the Master Plan for the development and may, from time-to-time, submit amendments to these regulations or changes in the district boundaries to the Mayor and Council. However, no such amendment or change shall become effective until approved by the Mayor and Council as required by this article.

Section 18.5. Vote required to effect amendment.

Unless otherwise provided by the Land Use Article of the Annotated Code of Maryland, as amended, no proposed amendment, supplement or change to the Ordinance shall be approved without the favorable votes of members of the Council as required by the Town Charter.

Section 18.6. Reconsideration of defeated proposals.

If a petition for a change in a zoning district boundary is disapproved by the Mayor and Council, thereafter the Mayor and Council shall take no further action on another petition for the same or substantially the same proposal on the same premises until after twelve months from the date of the last disapproval.

Section 18.7. Scale drawing to accompany applications for map changes.

Every application for a change in zoning of district boundaries shall be
accompanied by a scale drawing, showing the existing and proposed boundaries and such other information as may be needed to properly locate and plat the amendment on the official zoning maps.

Section 18.8. Filing fee for map change applications.

A filing fee shall be charged for processing an application for a change in zoning, as may be determined by the Mayor and Council.

ARTICLE 19. DEFINITIONS.

Section 19.00. Generally.

For the purpose of this ordinance, certain terms used are herein defined as follows:

Section 19.01. Accessory Use.

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

Section 19.02. Agriculture or agricultural purposes.

Agriculture or agricultural purposes shall mean the raising of farm products for use or sale, including animal or poultry husbandry, and the growing of crops such as grain, vegetables, fruit, grass for pasture or sod, trees, shrubs, flowers, and similar products of the soil.

Section 19.03. Apartment.

An area within a structure arranged or designed for occupancy by one family.
Section 19.04. Apartment house.

Any building arranged, designed or used for rent or occupancy, or is cooperatively owned by its occupants having three or more family units, and with a yard, compound, service, or utilities in common.

Section 19.05. Board.

The Board refers to the Board of Appeals.

Section 19.06. Buildings.

Any structure enclosed within exterior walls for the enclosure, shelter, or protection of persons, animals or chattels.

Section 19.07. Building line.

The line established by law beyond which a building shall not extend as determined by front, side, and rear yards herein.

Section 19.08. Commission.

Refers to the Town of Union Bridge Planning and Zoning Commission.

Section 19.09. Conditional uses.

Uses which are specified for Board of Appeals approval prior to authorization and which uses, after public hearing, may be approved conditionally, or disapproved in accordance with Section 16.2. The term "conditional use" shall
constitute the same meaning as "special exception" specified as one of the general powers of the Board of Appeals in accordance with the Land Use Article of the Annotated Code of Maryland.

Section 19.10. Construction started.

For the purposes of this ordinance, construction will be deemed to have begun when all of the necessary excavation and piers and/or footings of one or more buildings or structures covered by the permit have been completed.

Section 19.11. Dwelling.

Any building arranged, designed, or used in whole or in part, for residential purposes, but not including a tent, cabin, trailer or mobile home, or a room in a hotel or motel.

(a) Dwelling, single-family: A detached building designed for or used exclusively for residential purposes by one family or one housekeeping unit.

(b) Dwelling, two-family: A detached building with one dwelling unit above the other (duplex) or two semi-detached dwelling units located on abutting lots separated by a party wall without openings, in either case for or used exclusively for residential purposes, but not more than a total of two families or two housekeeping units.

(c) Dwelling, multi-family: A detached building or a group of attached and semi-detached buildings, designed for or used exclusively for residential purpose by more than two families or more than two housekeeping units.

Section 19.12. Essential services or essential utility equipment.
Facilities owned or maintained by public utility companies or public agencies, located in public ways or in easements provided for the purpose, or on a customers premise and not requiring a private right-of-way, and reasonably necessary for the furnishing of adequate water, sewer, gas, electric, communication or similar services to adjacent customers; including pumping stations and waste water treatment plants, but not including any building, yard, station or facility requiring a site in excess of four hundred (400) square feet, except as hereinbefore provided, and not including any cross country pipeline or transmission line or towers or any line requiring a private right-of-way.

Section 19.13. Family.

One or more persons occupying a single housekeeping unit.


An area of land used for agricultural purposes, as defined in Section 19.02 and which provides a primary source of income for the occupant or owner.

Section 19.15. Garage.

(a) Garage, residential: An accessory building, portion of a main building, or building attached thereto, used for the storage of private motor vehicles, fifty (50%) percent of which may be used for the storage of a commercial vehicle.

(b) Garage, service: A garage, other than a residential garage, where motor vehicles, trailers, or other type of equipment are stored, equipped for operation, repaired, or kept for remuneration, hire or sale.
Section 19.16. Health Department.

The Maryland State Department of Health.

Section 19.17. The Historic District Commission.

Refers to the Historic District Commission authorized in accordance with the Land Use Article of the Annotated Code of Maryland.


Any use of a dwelling, conducted solely by a member or members of the family residing therein, which is incidental or subordinate to the main use of the building for dwelling purposes; which utilizes not more than twenty-five (25%) percent of the floor area of the dwelling; which does not generate vehicular parking or nonresidential traffic to a greater extent than would normally result from residential occupancy; in connection with which no inventory or stock in trade is kept for regular sale to persons coming to the premises; and with no other evidence being visible, other than a sign not exceeding one square foot, audible or abnormally odoriferous from the outside of the dwelling to indicate it is being used for other than residential purposes.

Section 19.19. Hospital, Class A.

A hospital which does not primarily treat communicable diseases, insane or feebleminded patients, epileptics, drug addicts, or alcoholic patients, and is not a penal or correctional institution.

Section 19.20. Hospital, Class B.
A hospital which does primarily treat the types of cases noted in Class A above, and which may be a penal or correctional institution.

Section 19.21. Industrial park.

The division of a tract of land which is eminently suitable for industrial use into small tracts or parcels according to a comprehensive plan for occupancy by a group of industries and has streets and utilities and conforms to the requirements of Section 13.5.

Section 19.22. Kennel.

Any building or structure and/or land used, designed, or arranged for housing, boarding, breeding or care of more than three adult dogs kept or bred for hunting, sale, exhibition, or other use for profit.

Section 19.23. Lot.

A piece or parcel of land occupied or intended to be occupied by a principal building and its accessory buildings and uses, including all open spaces required by this ordinance, and having frontage on a street as defined herein.

(a) Lot, corner: A lot abutting on two or more streets at their intersection, where the interior angle of the intersection does not exceed one hundred thirty-five (135) degrees.

(b) Lot frontage: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as required herein, except that not more than one rear yard shall be required.
(c) Lot measurements:

(1) Depth is the average horizontal distance between the front lot line and the rear lot line.

(2) Width shall mean the horizontal distance between side lot lines measured at the mid-points of the side lot lines.

(d) Lot of record: A lot which is part of a subdivision recorded in the office of the Clerk of the Circuit Court of Carroll County or a lot or parcel described by metes and bounds, the description of which has been so recorded.


Means policies, statements, goals, and inter-related plans for private and public land use, transportation and community facilities documented in text and maps which constitute the guide for the town's future development.

Section 19.25. Medical Center.

A medical or dental clinic building or group or combination of such buildings occupied by medical practitioners and used for examination and/or treatment of patients, which may include laboratory and/or testing equipment for the purpose of providing health services to people on an out-patient basis.


A use of a building or of land lawfully existing at the time this ordinance becomes effective and which does not conform with the use regulations of the zone in which it is located.
Section 19.27. Nursing homes.

These items include rest homes, nursing homes, convalescent homes for children, and homes providing chronic and convalescent care. Extended care, intermediate care or personal care facility as defined within Maryland State Health Department Regulations.

An institution which admits two (2) or more individuals for care, and who are not related to the owner or administrator.

Domiciliary care facility as further defined within Maryland State Health Department Regulations.

An institution which admits four (4) or more aged and/or disabled non related individuals not gainfully employed and which maintains the necessary facilities and provides a protective institutional or home-type environment.

Treatment facility for emotionally disturbed children and for Adolescents as further defined with Maryland State Health Department Regulations.

An institution for the treatment of emotionally disturbed children and/or adolescents with overnight accommodations for two (2) or more non related individuals.

Section 19.28. Open Space.

Land provided and deemed necessary and desirable for present and future residents and citizens of the area including such land in stream valleys, natural woods, areas of unusual natural scenic beauty, local play lots, recreational walkways, pathways and planting areas in residential subdivisions.
Section 19.29. Planned Business Center.

Three or more retail stores or service establishments designed as a unit and primarily served by common accessories such as signs, parking lots, arcades and walkways.

Section 19.30. Planned Major Subdivision; Residential.

A major subdivision of land as defined in Section 19.38 for residential use and requiring an approved plan therefor by the Commission.

Section 19.31. Retirement Homes.

Specifically designed multi-dwelling unit buildings to which occupancy is restricted to elderly citizens.

Section 19.32. Service Station.

Any area of land, including buildings and other structures thereon that are used to dispense motor vehicle fuels, oil and accessories at retail, where minor repair service is incidental, and no storage or parking space is offered for rent.

Section 19.33. Setback.

The required minimum horizontal distance between a building line as defined herein, and the related front, side, or rear property line.

Section 19.34. Signs.

A name, identification, description, display, logo, illustration or device
(including wigway, twirler, pinwheel, pennant, and other similar device) which is affixed, stationed, or represented directly or indirectly upon a building, structure or land and which directs attention to a product, place, activity, person, institution, or business.

(a) Sign, business: Shall mean a sign which directs attention to a business or profession or to a commodity, service, or entertainment sold or offered upon the premises where the sign is located.

(b) Sign, outdoor advertising: Shall mean a sign structure which directs attention to a business, commodity, service, or entertainment not necessarily conducted, sold, or offered upon the premises where such sign is located.

Section 19.35. Stable, Private (horse).

An accessory structure designed for the shelter, feeding and care of no more than two (2) horses or ponies maintained on the property as pets or for domestic use as distinguished from agricultural or commercial stables.

Section 19.36. Street; highway; road.

Any street existing or which may be approved by the Commission. The word "street" shall also mean "road", "highway", "boulevard", "avenue", "lane", or "court".

Section 19.37. Structure.

Anything constructed, the use of which requires fixed location on the ground or is attached to something having such location, but not including fences, power, gas, water, sewage, or communication lines or poles, towers or pole structures, sidewalks, driveways or curbs.
Section 19.38. Subdivision.

(a) "Subdivision" shall mean any division or redivision of any lot, tract, or parcel of land into two (2) or more lots, plots, parcels, sites or any other division of land.

(b) Major subdivision is a subdivision of 4 or more lots or a division of property which creates, involves, or in contiguous to or in the path of an officially planned new road, street or highway.

(c) Minor subdivision is a subdivision of no more than 3 lots.

Section 19.39. Temporary Use.

Any use which has been authorized under the provision of this ordinance which is limited as to the time in which such use shall legally continue.


A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

Section 19.41. Yard.

Any open space on the same lot with a principal building(s) which lies between such building(s) and the lot line and is open and unoccupied from the ground up.

(a) Front Yard: A yard extending across the full width of the lot and lying between the front lot line and the nearest line of the principal building.
(b) Rear Yard: A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the principal building.

(c) Side Yard: A yard between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard.

Section 19.42. Zoning Certificate.

A written statement issued by the Zoning Administrator, authorizing buildings, structures, or uses, in accordance with the provisions of this ordinance.

Section 19.43. Singular and plural; use and used; shall and may; hereafter; person.

Words used in the present tense include the future tense; words used in the singular number shall include the plural number; words in the plural number shall include the singular number; the words "use" and "used" include the words "arranged, designed or intended for use"; the word "shall" is always mandatory, the word "may" is permissive; "now" shall mean at the time of the adoption of these regulations; "hereafter" shall mean after the adoption of these regulations. The word "person" shall include a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

ARTICLE 20. VALIDITY AND REPEAL.

Section 20.1. Severability of provisions.

In case it be judicially determined that any word, phrase, clause, item, sentence, paragraph or section of this Chapter or the application thereof to any person or circumstance is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby,
the Mayor and Council of Union Bridge hereby declaring that they would have adopted the remaining regulations without the word, phrase, clause, items, sentence, paragraph or section, or the application thereof, so held invalid. [Ordinance No. 201, effective January 26, 1977 which superseded Ordinance No. 173A, effective circa. 1967].
CHAPTER 225
ZONING - SUBDIVISION AND SITE PLAN REGULATIONS

Under the authority of the Land Use Article of the Annotated Code of Maryland, the following regulations governing the subdivision of land are hereby established for all areas in the Town of Union Bridge, Maryland.

SECTION I

DEFINITIONS

1.1 (a) “Subdivision” shall mean any division or redivision of any lot, tract, or parcel of land into two (2) or more lots, plots, parcels, sites or any other division of land.

(b) Major Subdivision is a subdivision of 4 or more lots or a division of property which creates, involves, or is contiguous to or in the path of an officially planned new road, street or highway.

(b) Minor Subdivision is a subdivision of no more than 3 lots.

1.2 “Lot” shall mean a portion of a subdivision or parcel of land which may be intended for building development, immediate or future.

1.3 “Developer” or “Subdivider” shall mean an individual, partnership, firm corporation (or agent therefore), that undertakes or participates in the activities covered by these regulations (the development of a subdivision).

1.4 “Commission” shall mean the Town of Union Bridge Planning and Zoning Commission.

1.5 “Street” or “Road” shall be a way which provides or is proposed to provide primary access for vehicular traffic to abutting properties.
1.6 “Site Plan” shall mean a drawing of development plans for commercial or industrial development, or multiple residential units on a single lot, either new or representing substantial changes to existing development.

1.7 “Subdivision Plat” shall be a drawing of the subdivision showing lots, streets, and other information which may be required in these regulations. A “Preliminary Subdivision Plan” shall be a master drawing of a subdivision prepared for the overall planning of a property desired to be subdivided and which is in accordance with these regulations. A “Final Subdivision Plat” shall be a drawing of any portion of the subdivision which is desired to be made of official record in the Office of the Clerk of the Circuit Court, and which may be all or a portion of a Preliminary Subdivision Plan.

SECTION II

SUBDIVISION CONTROL

2.1 From and after the effective date of these regulations, no person shall subdivide or resubdivide land within The Town of Union Bridge without the approval of the Commission in accordance with the provisions set forth in these regulations and a final plat shall be recorded in the Office of the Clerk of the Circuit Court of Carroll County after approval of the Commission. No lot in a subdivision or any section thereof created after the effective date of these regulations shall be transferred nor shall a building permit be issued for a structure thereon until such approval and recording shall be completed as specified herein.
SECTION III

REQUIREMENTS FOR SUBDIVISION

3.1 In laying out a subdivision the Developer shall comply with all requirements of the Maryland Department of the Environment governing subdivision of land.

3.2 Proposed streets shall be shown by providing a minimum right-of-way width of fifty (50) feet. Where it is determined by the Commission that a street should be designed in a subdivision to carry traffic from other areas or adjacent subdivisions (whether existing or potential), a minimum of sixty (60) feet shall be shown. Where a subdivision is created fronting on an existing County or Town maintained road, front lot lines of a subdivision shall be established thirty (30) feet from the center of the existing County or Town maintained road, unless specifically provided less by the Commission. Nothing contained in this section shall be construed as prohibiting a developer from voluntarily establishing upon consent of the Commission, front lot lines of a subdivision more than thirty (30) feet from the center of the existing County or Town road. Cul-de-sacs, (a short dead-end street) shall terminate in a circular area with a minimum right-of-way diameter of one hundred (100) feet. When a sidewalk or street trees are to be provided in the right-of-way, a minimum of one hundred twenty (120) feet shall be required for cul-de-sacs at the turning area. If, however, such street will eventually be extended, a temporary turnaround shall be provided in accordance with the “Carroll County Design Manual Volume I Roads and Storm Drains” adopted by the County Commissioners of Carroll County, as amended, renamed or modified from time to time.

3.3 Street names shall be cleared through the Commission prior to submitting a final plat to ensure no duplications.

3.4 Easements shall be shown on the final plat where a natural water
course (stream) exists or where natural or street drainage is located or may be provided, such easement to be a minimum of fifteen (15) feet, except in the case of a natural water course which shall contain adequate easement area to provide for a twenty (20) year storm. Where the Floodplain Ordinance, Water Resource Ordinance or other law requires a greater minimum, the greater minimum shall apply.

3.5 Streets shall be constructed in accordance with those standards and regulations adopted by the County Commissioners of Carroll County as set forth in the “Carroll County Design Manual Volume I Roads and Storm Drains,” as amended, renamed or modified from time to time. A suitable guarantee shall be provided The Town of Union Bridge, Maryland, by the Developer prior to final approval of the Final Subdivision Plat by the Commission in order to insure construction by the Developer of those streets as shown. Modifications shall be as set forth in said “Carroll County Design Manual Volume I Roads and Storm Drains.”

3.6 Lots, including lot sizes shall be subject to the requirements of the Maryland State Department of the Environment, acting by and through the Carroll County Health Department. In no case, however, shall lot sizes be less than the minimum prescribed by the Union Bridge Code Chapter 220, as amended.

3.7 Non-Residential Subdivisions, including industrial and commercial tracts, shall conform to the master plan and standards established in the Union Bridge Code Chapter 220. The subdivider shall demonstrate to the satisfaction of the Commission that the street, parcel and block pattern is specifically adapted to the uses anticipated and takes into account other uses in the vicinity.

3.8 Where there is a discrepancy between minimum standards or dimensions noted herein and other official regulations, the highest standards shall apply.
RESERVATION AND ACQUISITION OF LAND: Sites for Schools and Other Public Facilities. In order to provide for the adequate and convenient placement of sites for public schools and other public uses as authorized by the Land Use Article of the Annotated Code of Maryland, all subdivisions shall conform with the designated location of sites for public schools and other public facilities as shown on the Town Master Plan. Where the Town Master Plan indicates a location for a school or other public facility, the location of such sites shall also be shown, if applicable, on any facility designation of the Town Master Plan. It shall be the duty of the Planning Commission to coordinate the development of the subdivision with the plans of the appropriate public agency for acquisition of the site in an expeditious manner.

SECTION IV

PRELIMINARY SUBDIVISION PLAN

4.1 A Developer shall, prior to preparing and submitting a Preliminary Subdivision Plan, present to the staff and the Commission a concept plan of the proposed Subdivision for any direction or assistance the staff and the Commission might give. In order to ensure that a proposed subdivision shall be eligible for Commission review, the Subdivider shall adhere to the Commission’s established written procedures for processing and referral of the proposed subdivision which shall detail the steps, filing deadlines, numbers of copies and such other administrative details involved to enable the proper processing and review of the subdivision with a minimum of delay.

4.2 Prior to submission of a Preliminary Plan, the Developer shall submit to the staff an Environmental Site Delineation for review and concurrence. The content and information to be submitted in the Environmental Site Delineation shall be as required by Carroll County from time to time under its subdivision process.
4.3 Information shown on the Preliminary Subdivision Plan shall include subdivision name, owner and developer’s name and address, surveyor or engineer, election district, county, state, adjacent property owners, vicinity sketch, scale, north point, date, contours, building lines, existing and/or proposed easements, street names and widths, lot number, soils information, zoning district classification(s), flood plain(s), bearings and dimensions, plat or technical notes, as well as those covenants, restrictions and/or statement proposed to be shown on the Final Subdivision Plat.

4.4 The Staff of the Commission shall submit its findings and recommendations together with those of other agencies or consultants concerned with subdivision of land to the Commission at such time as the Preliminary Subdivision Plan is ready to be submitted to the Planning Commission for review. In accordance with these regulations, the Commission shall approve or disapprove the Preliminary Subdivision Plan or may approve it with modifications or conditions. The Chairman of the Commission may approve minor subdivisions on behalf of the Commission. In the event disapproval or approval with modifications or conditions is the action of the Commission, a statement in writing shall be furnished by the Commission to the Developer indicating the provisions with which the developer must comply.

4.5 (a) A Preliminary Subdivision Plan shall become void twenty-four (24) months after the date it is approved by the Commission, unless prior thereto such plan has received approval of a final subdivision plan by the Commission and the plat therefor has been recorded among the Land Records of Carroll County.

(b) The Commission may within its sound discretion, but shall not be required to, extend the approval of a Preliminary Subdivision Plan for up to twelve (12) months at a time for as many times as it may deem appropriate.
(c) The foregoing shall apply to any Subdivision not yet having preliminary plan approval and to any preliminary plan of Subdivision which was approved by the Commission prior to the adoption hereof, i.e., the approval or last reapproval shall be valid for twenty-four (24) months from the date of such approval or reapproval and may be extended under the provisions hereof.

SECTION V

FINAL SUBDIVISION PLAT

5.1 The Final Subdivision Plat shall consist of a drawing intended for record incorporating those changes or additions lawfully ordered by the Commission in its approval of the Preliminary Subdivision Plan. The Final Subdivision Plat may include all or any portion of the area concerned by the Preliminary Subdivision Plan.

5.2 Title and graphic information to be shown on the Final Subdivision Plat shall be as required on the approved Preliminary Subdivision Plan except contour lines and shall clearly show all items required by Section 3-108 of the Real Property Article of the Annotated Code of Maryland, as amended, pertaining to the preparation of record plats.

5.3 Space shall be provided on the Final Plat for the following signatures and dates:

Certificate of Land Surveyor and Owner’s Certificate.

Approval of the County Health Officer (or representative of State Department of the Environment).

Approval of Union Bridge Planning and Zoning Commission.

5.4 The Final Subdivision Plat shall be legibly and accurately prepared
or printed on sheets of material to a size of 18” by 24”, including a 2” margin on the left side of the 18” width. The plat shall be to a scale acceptable to the Commission, generally, 1”=50’ or 1”=100’, dependent upon the size of the subdivision. The Developer shall file with the Commission the necessary copies for recording and distribution as required by the Commission, at least one copy of which shall be returned properly signed to the developer.

5.5 The final plat shall show the following Owner’s Certificate and Surveyor’s Certificate unless otherwise required by the Commission:

**OWNER’S CERTIFICATE**

I (we) owner(s) of the property shown hereon, and described in the surveyor’s certificate, hereby adopt this plan of subdivision, establish the building lines as shown, and certify that the requirements of Section 3-108 of the Real Property Article of the Annotated Code of Maryland as amended pertaining to the preparation of record plats, and subsequent acts, if any, amendatory thereto as far as they relate to the preparation of this plat and the setting of markers have been complied with. New streets, roads, open spaces, and the mention thereof in deeds, are for the purpose of description only and the land so shown is expressly reserved in the present owner(s) shown on this plat, the owner’s successors, personal representatives, heirs and assigns. No more than one principal building shall be permitted on any residential lot, and no such lot may ever be resubdivided so as to produce a building site of less area or width than the minimum required by applicable health, zoning or other regulations.

Owner’s signature  __________________________________________

________________________________________

Witness  __________________________________________

Date  __________________________________________
SURVEYOR’S CERTIFICATE

I, ________________________________, a registered land surveyor, of the State of Maryland, do hereby certify that the land shown hereon has been laid out and the plat prepared in compliance with Section 3-108 of the Real Property Article of the Annotated Code of Maryland, as amended, pertaining to the preparation of record plats.

_________________________________________  __________________________
(Signature)                                         (Date)

SECTION VI

SITE PLAN

6.1    A Developer shall, prior to preparing and submitting a Site Plan, present to the staff and the Commission a concept plan of the proposed Site Plan for any direction or assistance the staff and the Commission might give. In order to ensure that a proposed Site Plan shall be eligible for Commission review, the Developer shall adhere to the Commission’s established written procedures for processing and referral of the proposed site plan which shall detail the steps, filing deadlines, numbers of copies and such other administrative details involved to enable the proper processing and review of the Site Plan with a minimum of delay.

6.2    Prior to submission of a Site Plan, the Developer shall submit to the staff an Environmental Site Delineation for review and concurrence. The content and information to be submitted in the Environmental Site Delineation shall be as required by Carroll County from time to time under its site plan process.

6.3    Information shown on the Site Plan shall include identifying name of project, owner and developer’s name and address, surveyor or
engineer, election district, county, state, adjacent property owners, vicinity sketch, scale, north point, date, contours, building lines, existing and/or proposed easements, street names and widths, lot number, soils information, zoning district classification(s), flood plain(s), bearings and dimensions, plat or technical notes, as well as those covenants, restrictions and/or statement proposed to be shown on the Site Plan.

6.4 The Staff of the Commission shall submit its findings and recommendations together with those of other agencies or consultants concerned with the Site Plan to the Commission at such time as the Site Plan is ready to be submitted to the Planning Commission for review. In accordance with these regulations, the Commission shall approve or disapprove the Site Plan or may approve it with modifications or conditions. In the event disapproval or approval with modifications or conditions is the action of the Commission, a statement in writing shall be furnished by the Commission to the Developer indicating the provisions with which the developer must comply.

6.5 (a) A Site Plan approval shall become void eighteen (18) months after the date it is approved by the Commission, unless a building permit has been issued and substantial work has begun on the project.

(b) The Commission may within its sound discretion, but shall not be required to, extend the approval of a Site Plan for up to twelve (12) months at a time for as many times as it may deem appropriate.

(c) The foregoing shall apply to any Site Plan not yet approved and to any Site Plan which was approved by the Commission prior to the adoption hereof, i.e., the approval or last reapproval shall be valid for eighteen (18) months from the date of such approval or reapproval and may be extended
SECTION VII

GENERAL

7.1 Interpretation:

(a) In interpreting and applying these regulations, the requirements contained herein are declared to be the minimum requirements for the protection of health, morals, safety or welfare.

(b) These regulations shall not be deemed to interfere with or abrogate or annul or otherwise affect in any manner whatsoever any ordinances, rules, regulations or permits, or easements, covenants, or other agreements between parties, provided, however, that where these regulations impose a greater restriction upon the use of buildings or premises or upon the height of buildings or larger open spaces than are imposed or required by other ordinances, rules regulations, or permits, or by easements, covenants or agreements between parties, the provisions of these regulations shall prevail.

7.2 An appropriate easement shall be provided for any burial ground located on land which is the subject of any Subdivision or Site Plan, as required by MD CODE ANN., \textbf{LAND USE ARTICLE}, Section 5-102(d).

7.3 Effective Date.

These regulations as revised shall take effect on January 6, 2008 and
shall apply to all land within the territorial limits of The Town of Union Bridge. [Ordinance No. 303, effective January 6, 2008].