

**CITY OF ANNAPOLIS
REGULAR MEETING OF THE CITY COUNCIL**

September 10, 2012 7:00 p.m.

Call to Order
Invocation
Pledge of Allegiance
Roll Call
Approval of Agenda

Mayor Cohen
Alderman Kirby
Mayor Cohen
City Clerk Watkins-Eldridge

HONORARY MAYORAL CITATIONS

Martha Wood Leadership Award to Public Works Employees
Recognition of Norman Masterson’s Service to the City of Annapolis

Mayor Cohen
Mayor Cohen

QUARTERLY UPDATE TO THE CITY COUNCIL

Housing Authority of the City of Annapolis (HACA)

HACA Commissioners

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

Regular Meeting July 9, 2012
Special Meeting July 23, 2012

Reports by Committees
Comments by the General Public

A person appearing before the City Council with a petition, report or communication shall be limited to a presentation of not more than three minutes.

PUBLIC HEARING

O-22-12 Multi-Family Dwellings in the BR Zoning District – For the purpose of permitting multi-family dwellings in the BR zoning district.

| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| 5/29/12 | 9/10/12 | 7/18/12 | 8/27/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Rules and City Gov't | 5/29/12 | | |
| Planning Commission | 5/29/12 | 7/5/12 | Favorable |

LEGISLATIVE ACTION

ORDINANCES and RESOLUTION – 1st READER

O-33-12 Modifications to City Code on Refuse and Recycling Services – For the purpose of modifying the City Code related to the City of Annapolis’ provision of refuse and recycling services.

| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| 9/10/12 | | | 12/7/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Housing and Human Welfare | 9/10/12 | | |
| Economic Matters | 9/10/12 | | |

R-38-12 Establishment of Council Compensation Commission – For the purpose of establishing a Council Compensation Commission to make recommendations to the City Council on the pay and compensation for the Mayor and City Council to be effective for the four year period beginning December 2, 2013; and matters generally relating to said pay and compensation.

| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| 9/10/12 | | | 12/7/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Rules and City Gov't | 9/10/12 | | |

R-40-12 "Pathways to Opportunities" Family Enhancement and Resident Leaders' Conference: October 20, 2012 – For the purpose of endorsing and supporting the "Pathways To Opportunities" Family Enhancement and Resident Leaders' Conference on October 20, 2012 developed by the Housing Authority of the City of Annapolis (HACA).

| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| 9/10/12 | | | 12/7/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Housing and Human Welfare | 9/10/12 | | |

R-41-12 Phelps Lane – For the purpose of declaring that Middle Way shall be renamed "Phelps Lane" to honor the contributions of the Phelps Family to the City of Annapolis. *Available Monday, September 10, 2012.*

| LEGISLATIVE HISTORY | | | |
|---|--|--|--|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |

| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
|---------------|----------------|--------------------|--------------|
| 9/10/12 | | | 12/7/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Public Safety | 9/10/12 | | |

UPCOMING CITY COUNCIL EVENTS

Work Session; Thursday, September 20, 2012 1:30-4:30 p.m. City Council Chambers
Special Meeting; Monday, September 24, 2012 7:00 p.m. City Council Chambers

Jessica Cowles
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City of Annapolis Office of Law

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July 26, 2012

TO: The Capital Legal Notices: legalad@capgaz.com
FROM: Jessica Cowles, Legislative and Policy Analyst
RE: Notice of Public Hearing
PUBLISH: Please publish on: **Monday, August 27, 2012 and Monday, September 3, 2012**

Please send bill and certificate of publication to the City of Annapolis Office of Law, 93 Main Street, 3rd Floor, Annapolis, MD 21401.

NOTICE OF ANNAPOLIS CITY COUNCIL PUBLIC HEARING

Notice is hereby given that the Annapolis City Council will hold a public hearing on Monday, September 10, 2012 at 7:00 p.m., in City Council Chambers, 160 Duke of Gloucester Street, Annapolis, to consider:

O-22-12 Multi-Family Dwellings in the BR Zoning District – For the purpose of permitting multi-family dwellings in the BR zoning district.

The above legislation on the City Council agenda for public hearing can be viewed on the City=s website at: <http://www.annapolis.gov/Government/Departments/LawOffice/PendingLegis.aspx>

DRAFT
REGULAR MEETING
July 9, 2012

The Regular Meeting of the Annapolis City Council was held on July 9, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 7:38 p.m.

Present on Roll Call: Mayor Cohen, Aldermen Israel, Paone, Alderwomen Hoyle, Finlayson, Silverman, Kirby, Pfeiffer

Absent on Roll Call: Alderman Arnett

Staff Present: City Attorney Hardwick, City Manager Mallinoff, Human Resources Director Rensted, Police Chief Pristoop, Finance Director Miller, Planning and Zoning Director Arason, PIO Wardlaw, Harbormaster Walters, Recreation and Parks Director Woodward, Chief Historic Preservation Craig

Approval of Agenda

- Alderwoman Finlayson moved to approve the Regular Meeting Agenda as amended to include the addition of business and miscellaneous item # 2 Annual Renewal of Pump-out Boat Grant, and to move business and miscellaneous item # 1 Approval of Police Department Employment Agreement for the Police Chief after petitions, reports and communications. Seconded. CARRIED on voice vote.

HONORARY MAYORAL CITATIONS

Martha Wood Leadership Award

Mayor Cohen invited Alderman Kirby to present to Eastport Girls Club the Mayoral Citation in recognition of being honored by the Housing Authority of the City of Annapolis as the twenty-sixth recipient of the prestigious Martha Wood Leadership Award.

Thank you to Richard Callahan

Mayor Cohen presented Mr. Callahan a card personally signed by the City Council Members and the City Manager presented him with a gift to thank him for a job well done.

PETITIONS, REPORTS AND COMMUNICATIONS

Approval of Journal of Proceedings

- Alderman Israel moved to approve the Journal of Proceedings for the Regular Meeting June 11, 2012, A Special Meeting June 4, 2012 and the Special Meeting of June 18, 2012. Seconded. CARRIED on voice vote.

Comments by the General Public

Kevin Sullivan, 7 Cumberland Court, Annapolis, Maryland 21401 spoke on a zoning issue and a lack of enforcement, of preservation by the city regarding a new stairwell and air conditioning unit.

Planning and Zoning Director Arason was present and answered questions from Council.

Ray Sullivan, 119 Meade Drive, Annapolis, Maryland 21401 spoke on the Forest Conservation Act Criteria.
Fred Delavan, 2019 Vineyard Road, Annapolis, Maryland 21401 representing the owners of the Fawcett's Property Terry Terhorst and Greg Kaufman spoke on O-

51-11 and O-52-11.

Ellen Valentino, 30 Pinkney Street, Annapolis, Maryland 21401 representing Maryland Delaware DC Press Association spoke on O-16-12 and requested the vote on second reader be postponed.

- Mayor Cohen declared petitions, reports and communication closed.

The order of the agenda was amended to allow for.....

BUSINESS and MISCELLANEOUS

1. Approval of Police Department Employment Agreement (Police Chief)

City Manager Mallinoff gave a presentation on the employment agreement for the Police Chief.

The Public Safety Committee report favorably on the Employment Agreement for the Police Chief.

- Alderman Finlayson moved to approve the contract for the Police Department Employment Agreement for the Police Chief. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

PUBLIC HEARING

O-25-12 The Time for Beginning Regular Meetings of the City Council – For the purpose of changing the beginning time for regular meetings of the City Council from 7:30 p.m. to 7:00 p.m.

No one from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen declared the public hearing closed.

LEGISLATIVE ACTION

ORDINANCES and RESOLUTIONS – 2nd READER

O-51-11 Use and Redevelopment of Property in C2 Zoning Districts – For the purpose of adding certain provisions governing use and redevelopment of property located in a C2 Zoning District. For the purposes of considering amendments only.

Plannin and Zoning Director Arason was present and answered questions from Council.

- Alderwoman Hoyle moved to adopt O-51-11 on second reading. Seconded.

The Environmental Matters Committee and the Planning Commission reported favorably on O-51-11.

- Alderman Kirby moved to amend O-51-11 as follows:

Proposed Amendments to O-51-11 Use and Redevelopment of Property in C2 Zoning Districts

Page 1, Line 13: After word “adding” insert “AN ADDITIONAL PERMITTED USE AND ADDING”

Page 1, Line 18: Insert "SECTION 21.48.020"

Page 2, Line 12: Add: **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that the Code of Annapolis shall be amended to read as follows:

Amend the Use Table found at Section 21.48.020:

21.48 – USE TABLES

21.48.020 – Table of Uses – Commercial and Industrial Zoning Districts

P = Permitted Use; S = Special Exception Use; -Std = Use Subject to Standards (Chapter 21.64); A = Accessory Use; Blank = Not Permitted

A use, including a special exception use, that is not normally permissible as a permitted use or use subject to standards in a zoning district may be permitted in that district as a planned development use pursuant to Section 21.24.020.

Important. The notes at the end of the table are as much a part of the law as the table itself.

| USES | District B1 | District B2 | District B3 | District B3-CD | District BCE | District BR | District C2 | District C2A | District PM2 | District I1 |
|--|-------------|-------------|-------------|----------------|--------------|-------------|----------------|--------------|--------------|-------------|
| Boat Showrooms | | | P | P | P | | | | | |
| <u>BOAT SHOWS AND RELATED ACTIVITIES INCLUDING VENDOR BOOTHS AND DISPLAY AREAS</u> | | | | | | | P ⁵ | | | |
| <u>DOCKS, SLIPS, PIERS AND OTHER FACILITIES FOR IN-WATER STORAGE OF BOATS AND WATERCRAFT</u> | | | | | | | P | | | |

Notes:

A. Uses in the PM2 district are subject to the following provisions as indicated in the table:

1. This use is permitted as a principal use only in districts that do not adjoin (along non-street frontage) property zoned R1, R1A, R1B or R2.
2. This use is permitted as an incidental use in a structure that contains business, professional or governmental offices provided that gross floor area of all incidental uses does not exceed the amount of space devoted to the first floor of a multistory structure; except, that in no case shall it exceed 33 percent of the total gross floor area. This use is considered a neighborhood convenience use and is subject to standards given in 21.64.420
3. If the principal use with which the drive-thru facility is associated is a special exception use, then the drive-thru facility requires special exception approval
4. ATMs are permitted as walkups subject to all other applicable regulations. In the C2 and C2A districts, drive-through facilities are not permitted.

B. USES IN THE C2 DISTRICT ARE SUBJECT TO THE FOLLOWING PROVISIONS AS INDICATED IN THE TABLE:

5. THIS USE IS PERMITTED ONLY ON LOTS WITH WATERFRONT FRONTAGE.

Page 2, Line 13: Strike "SECTION II" and insert "SECTION III" Seconded.
CARRIED on voice vote.

**The main motion as amended CARRIED on voice vote. **

- Alderman Israel moved to postpone O-51-11 amended on second reading until the September 10, 2012, and to hold a public hearing. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderman Paone, Pfeiffer, Israel
NAYS: Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby
DEFEATED: 4/4

- Mayor Cohen invited Fred Delavan, 2019 Vineyard Road, Annapolis, Maryland 24101 representing the owners of the Fawcett's Property Terry Terhorst and Greg Kaufman to answer questions from Council.

O-52-11 Rezoning Parcels 1244 and 1255, Grid 20, Tax Map 52A – For the purpose of rezoning parcels 1244 and 1255, Grid 20, Tax Map 52A to C2, "Conservation Business" Zoning District. For the purposes of considering amendments only.

Planning and Zoning Director Arason was present and answered questions from Council.

- Alderwoman Hoyle moved to adopt O-52-11 on second reading. Seconded.

The Economic Matters Committee and the Planning Commission reported favorable and the Maritime Advisory Board and Rules and City Government Committees reported unfavorable on O-52-11.

- Alderwoman Hoyle moved to amend O-52-11 as follows:

**Proposed Amendments to O-52-11
Rezoning Parcels 1244 and 1255, Grid 20, Tax Map 52A**

Page 1, Line 10: Strike "1244" and insert "1247"

Page 1, Line 12: Strike "1244" and insert "1247"

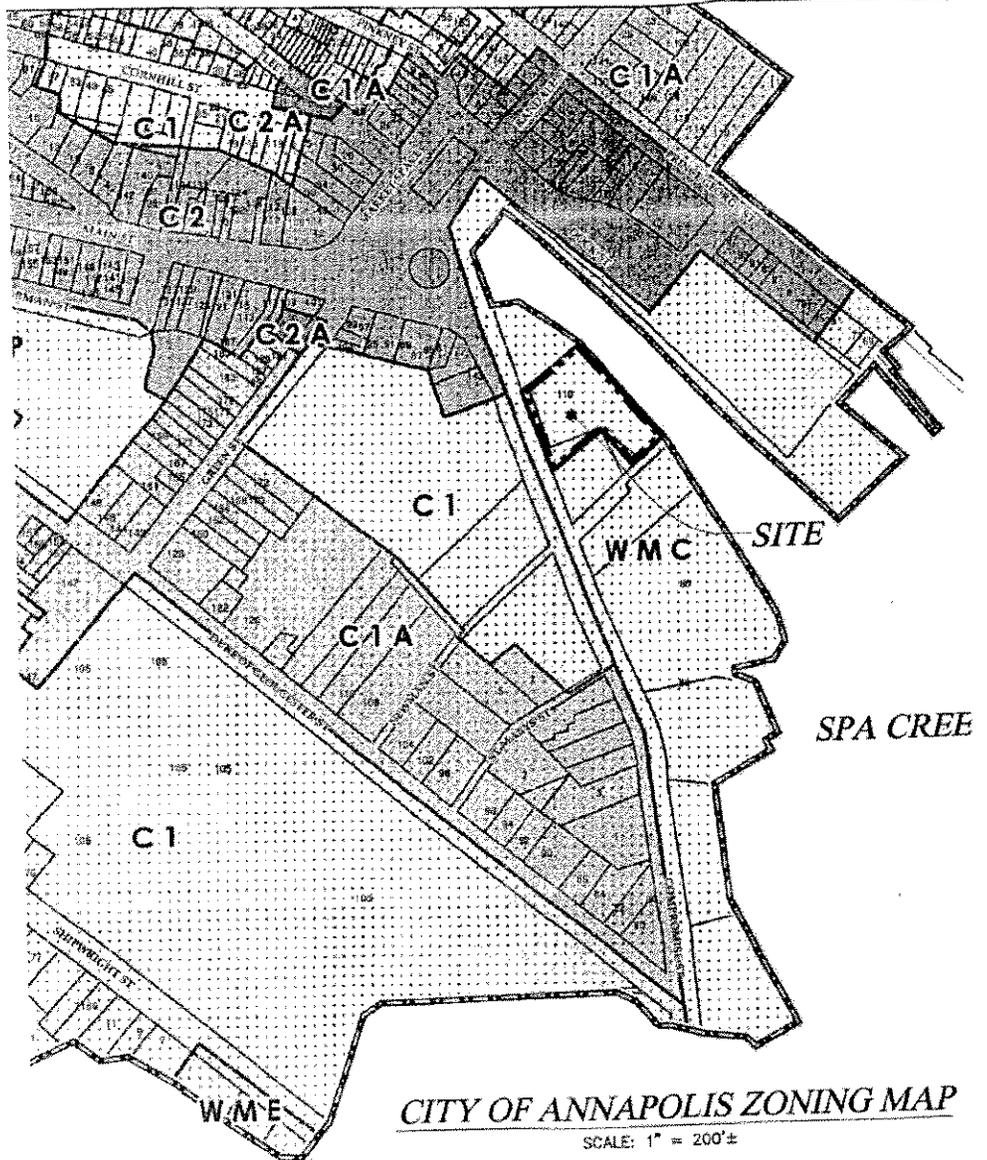
Page 1, Line 16: Strike "1244" and insert "1247"

Page 1, Line 30: Strike "1244" and insert "1247"

Page 5: Strike existing "Exhibit A" and insert new "Exhibit A" on Page 5

EXHIBIT A (Revised)

O-52-11
Page 5



Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- O-7-12** **Variances for Subdivisions – For the purpose of moving the authority for granting subdivision variances from the Planning Commission to the Board of Appeals to comply with the Annotated Code of Maryland and a recent court decision; and all matters relating to variances for subdivisions.**

Planning and Zoning Director Arason was present and answered questions from Council.

- Alderwoman Finlayson moved to adopt O-7-12 on second reading. Seconded.

The Rules and City Government Committee and the Planning Commission reported favorably with amendments on O-7-12.

- Alderwoman Finlayson moved to amend O-7-12 as follows:

Page 3, in line 24, after 20.32.030 delete "Commission" and insert "Board"
Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Pfeiffer moved to adopt O-7-12 amended on third reading.
Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderman Paone, Alderwomen Hoyle, Finlayson,
Aldermen Silverman, Kirby, Pfeiffer, Israel

NAYS:

CARRIED: 8/0

O-16-12 Distribution of Unsolicited Materials – For the purpose of establishing Section 11.36.025 of the Code of the City of Annapolis regarding the distribution of unsolicited materials.

- Alderwoman Finlayson moved to postpone O-16-12 on second reading until the Special Meeting on July 23, 2012. Seconded. CARRIED on voice vote.

R-19-12 Restoration of the Maynard-Burgess House – For the purpose of designating the signatory for any State of Maryland grants or easements for the restoration of the Maynard-Burgess House; and all matters relating to said restoration of the Maynard-Burgess House.

Chief Historic Preservation Craig and Planning and Zoning Director Arason were present and answered questions from Council.

- Alderman Hoyle moved to adopt R-19-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderman Paone, Alderwomen Hoyle, Finlayson,
Aldermen Silverman, Kirby, Pfeiffer, Israel

NAYS:

CARRIED: 8/0

- Alderwoman Hoyle requested her name be added as a co-sponsor of R-19-12.

R-29-12 Reducing the Annual Fee for Trash Collection From Dwelling Units – For the purpose of reducing the annual fee for trash collection from dwelling units.

Finance Director Miller was present and answered questions from Council.

PIO Wardlaw was present and answered questions from Council.

City Manager Mallinoff was present and answered questions from Council.

The Finance Committee reported favorably on R-29-12.

- Alderman Israel moved to adopt R-29-12 on second reading. Seconded.

- Alderman Paone moved to amend R-29-12 as follows:

To reduce the refuse fee from \$380 to \$350 per year. Seconded.

A ROLL CALL vote was taken:

YEAS: Aldermen Paone, Silverman

NAYS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Kirby, Pfeiffer,
Israel

CARRIED: 2/6

The main motion A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderman Paone, Alderwomen Hoyle, Finlayson,
Aldermen Silverman, Kirby, Pfeiffer, Israel

NAYS:

CARRIED: 8/0

RESOLUTIONS – 1st READER

R-30-12 **Formation of a Task Force on the Police and Fire Pension Plan and Other Post Employment Benefits (OPEB) – For the purpose of implementing the Finance Committee’s FY 2013 budget recommendation by forming a task force to study cost containment and recommend solutions to fund the Police and Fire Pension Plan and Other Post Employment Benefits (OPEB) for City of Annapolis employees.**

- Alderman Israel moved to adopt R-30-12 on first reader. Seconded.
CARRIED on voice vote.

Referred to the Finance Committee.

R-31-12 **The Approval of a Community Legacy Application – For the purpose of approving the application and receipt of financing for Community Legacy Projects(s) at the City of Annapolis’ Bates Heritage Youth Development Park to be financed either directly by the Department of Housing and Community Development (the Department) of the State of Maryland or through other departments or agencies of the State of Maryland.**

- Alderman Hoyle moved to adopt R-31-12 on first reader. Seconded.
CARRIED on voice vote.

Referred to the Housing and Human Welfare Committee.

R-32-12 **Establishing the Hillman Garage Advisory Committee – For the purpose of establishing the Hillman Garage Advisory Committee and specifying the process for appointing members of the Committee.**

- Alderman Israel moved to adopt R-32-12 on first reader. Seconded.
CARRIED on voice vote.

Referred to the Transportation Committee.

R-34-12 **Establishing a Fine for Violations of Distributing Unsolicited Materials – For the purpose of establishing a fine for violations of distributing unsolicited materials.**

- Alderman Finlayson moved to adopt R-34-12 on first reader. Seconded.
CARRIED on voice vote.

Referred to the Finance and Public Safety Committees.

R-35-12 **Correcting the FY 2013 Fee for Reserved Dockage – For the purpose of correcting the FY 2013 fee for reserved dockage per the City of Annapolis Harbormaster.**

Harbormaster Walters was present and gave a brief presentation and answered questions from Council.

Recreation and Parks Director Woodward was also present.

- Alderman Paone moved to adopt R-35-12 on first reader. Seconded. CARRIED on voice vote.

There being no voiced objection, the rules were suspended to allow passage of the resolution at the meeting of its introduction.

- Alderwoman Finlayson moved to adopt R-35-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderman Paone, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Israel

NAYS:

CARRIED: 8/0

R-37-12 Authorizing the Annual Kunta Kinte Festival as an Official City of Annapolis Co-Sponsored Event – For the purpose of authorizing the annual Kunta Kinte festival as an official co-sponsored City of Annapolis event due to its importance and significance as a central element in our City’s history and the unique connection that Annapolis shares with Kunta Kinte.

- Alderwoman Finlayson moved to adopt R-37-12 on first reader. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

- Alderwoman Hoyle, Aldermen Kirby, Paone requested their names be added as co-sponsors of R-37-12.
- Mayor Cohen requested R-37-12 on second reader be added to the Special Meeting Agenda for July 23, 2012.

BUSINESS and MISCELLANEOUS

1. Grant Action Request

Department: Recreation and Parks / Harbormaster, Grant Title: Annual Renewal of Pump-out Boat Grant, Grantor: Maryland Department of Natural Resources, Amount: \$60,000 annually – No matching funds required.

Harbormaster Walters gave a brief presentation and answered questions from Council.

Finance Director Miller was also present and answered questions from Council.

Recreation and Parks Director Woodward was also present.

- Alderman Kirby moved to approve the Annual Renewal of Pump-Out Boat Grant. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:01p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk

DRAFT
SPECIAL MEETING
July 23, 2012

The Special Meeting of the Annapolis City Council was held on July 23, 2012 in the Council Chamber. Mayor Cohen called the meeting to order at 7:13 p.m.

Present on Roll Call: Mayor Cohen, Aldermen Israel, Paone, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett

Staff Present: City Manager Mallinoff, City Attorney Hardwick, Human Resources Director Rensted, GIS Coordinator Wampler, DNEP Director Broadbent, Chief of Code Enforcement Shanks, Fitness Coordinator Jennings, Development and Special Projects Coordinator LeFurge

Pledge of Allegiance

The Lucas Family

PETITIONS, REPORTS AND COMMUNICATIONS

CITY COUNCIL CITATION

Mayor Cohen presented to Thomas Binebrink a City Council Citation in recognition of twenty six years of dedicated service as a member of the City of Annapolis Ethics Commission.

Update from the Recreation & Parks Department

Fitness Coordinator Jennings gave a brief presentation on the FY2012 Truxtun Youth Triathlon.

Comments by the General Public

Matt Grubbs, 31 Decatur Avenue, Annapolis, Maryland 21403 representing Discover Annapolis Tours and Mr. Paca spoke in opposition to O-16-12.
Debbie Wood, 1332 Swan Drive, Annapolis, Maryland 21409 representing the Kunta Kinte Foundation spoke in favor of R-37-12
Ellen Valentino, 30 Pinkney Avenue, Annapolis, Maryland 21401 representing MDDC Press Association spoke on O-16-12 and R-34-12

- Mayor Cohen declared petitions, reports and communications closed.
- Alderman Arnett moved to amend the agenda to add O-28-12 on first reader and business and miscellaneous item #1 appointments and re-appointments before legislative actions. Seconded. CARRIED on voice vote.

PUBLIC HEARING

O-18-12 The Process for Approving City Employee Job Descriptions – For the purpose of shifting the authority to approve City of Annapolis civil service employee job descriptions from the City Council to the Civil Service Board and creating a job description approval process for exempt service positions.

Human Resources Director Rensted gave a brief presentation on the ordinance.

No one from the general public spoke in favor of or in opposition to the ordinance.

- Mayor Cohen declared the public hearing closed.

The order of the agenda was amended to allow for business and miscellaneous item #1 appointments and re-appointments.

BUSINESS and MISCELLANEOUS

1. Appointments and Re-Appointments

- Alderman Arnett moved to approve the Mayor’s appointments and re-appointments of the following individuals:

The Economic Matters Commission reviewed and reported favorably on the appointment / re-appointments.

- 7/23/12 Alcoholic Beverage Control Board.....Leonard Berman
- 7/23/12 Annapolis Economic Development Corporation Board.....A. Reza Jafari
- 7/23/12 Planning Commission.....David Diquinzio
- 7/23/12 Recreation Advisory Board.....Abigail Fowlkes

The Rules and City Government Committee reviewed and reported favorably on the appointments / re-appointments.

- 7/23/12 Art in Public Places Commission.....Tom Fridrich
 - 7/23/12 Art in Public Places Commission.....Anne Palumbo
 - 7/23/12 Civil Service Board.....Anthony Christhilf
 - 7/23/12 Ethics Commission.....David Bliden
 - 7/23/12 Ethics Commission.....Jonathan P. Kagan
 - 7/23/12 Ethics Commission.....James Dolezal
 - 7/23/12 Ethics Commission.....Rex Caldwell
 - 7/23/12 Ethics Commission.....Jerome T. May
 - 7/23/12 Human Relations Commission.....Patience Schenck
 - 7/23/12 Human Relations Commission.....Helen F. Leitch
 - 7/23/12 Human Relations Commission.....Wanda Mitchell
 - 7/23/12 Human Relations Commission.....Julian Kaj Spencer
 - 7/23/12 Human Relations Commission.....Minna Doskow
 - 7/23/12 Human Relations Commission.....Rosemary Katchmar
- Seconded. CARRIED on voice vote.

- Alderman Arnett moved to approve the Mayor’s appointments and re-appointments of the following individuals:

The Housing and Human Welfare Committee reviewed and reported favorably on the re-appointments.

- 7/23/12 HACA Board of Commissioners..... Elizamae Robinson
 - 7/23/12 HACA Board of Commissioners.....Deborah Johnson
 - 7/23/12 HACA Board of Commissioners.....Phyliss Gibbs
 - 7/23/12 Housing & Community Development Committee...Theresa Von Adelung
- Bond. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

LEGISLATIVE ACTIONS

ORDINANCES and RESOLUTIONS – 2ND READING

O-1-12 Election Ward Boundaries – For the purpose of altering the eight election wards of the City of Annapolis; and all matters generally relating to said wards.

GIS Coordinator Wampler was present and answered questions from Council.

- Alderman Pfeiffer moved to adopt O-1-12 on second reading. Seconded.

The Rules and City Government Committee reported favorably with amendments on O-1-12.

- Alderman Israel moved to amend O-1-12 as follows:

Page 3, Lines 12-13: strike "at the conclusion of the current term of office for the" and insert "for the 2013 Regular City Primary and General Elections and for all subsequent Special and Regular Elections for" Seconded. CARRIED on voice vote.

- Alderman Israel moved to amend O-1-12 as follows:

Amendment #1

Page 2, Lines 28-29 of Mayor Cohen's Amendments to O-1-12:

Strike: "contained therein which is the property of the United States Government" and replace with "owned by the United States Government and used by the United States Department of the Navy." Seconded. CARRIED on voice vote.

- Alderwoman Hoyle moved to postpone the vote on O-1-12 until the end of the agenda. Seconded. CARRIED on voice vote.
- Alderman Pfeiffer move to reconsider the vote to postpone on O-1-12. Seconded. CARRIED on voice vote.
- Alderman Arnett moved to amend O-1-12 to include the descriptions of the ward boundaries and the ward map modified July 23, 2012 @ 2:27 p.m., Titled - Final with USNA Property Excluded as follows:

Amendment #1

1.16.020 - First ward.

The Ffirst Wward is as follows:

~~Beginning at the junction of the centerline of Taylor Avenue and the abandoned WB&A Railroad bed, with the point so fixed; thence running with the centerline of the abandoned railroad bed and its extension running in an easterly direction to the centerline of Calvert Street; thence northerly along the centerline of Calvert Street northeasterly to its intersection with the centerline of the northwest bound lane of Rowe Boulevard (also known as Bladen Boulevard and a Bladen Street); thence northwesterly along the northwest bound lane of Rowe Boulevard to its intersection with JUNCTION OF THE CENTERLINE OF THE NORTHBOUND LANE OF BLADEN STREET (AKA, ROWE BOULEVARD, BLADEN BOULEVARD) AND the centerline of College Creek; thence following the centerline of College Creek generally northeasterly to its intersection with the Annapolis and Anne Arundel County boundary line in the Severn River; thence following the Annapolis and Anne Arundel County line southeasterly to its point of intersection with the extended centerline of Spa Creek; thence following the centerline of Spa Creek generally westerly to intersect the extended centerline of the south fork of Spa Creek between "Truxtun Heights" and "Truxtun Park" AND WEST FORK OF SPA CREEK BETWEEN "TRUXTUN HEIGHTS" AND "SPA VIEW HEIGHTS"; THENCE, FOLLOWING THE CENTER LINE OF THE WEST FORK OF SPA CREEK TO ITS INTERSECTION WITH TAX MAP 51F, PARCEL 858, THENCE WITH THE HIGH WATER LINE OF THE SOUTHERN SIDE OF THE WEST FORK OF SPA CREEK; THENCE WITH THE HIGH WATER LINE OF THE WESTERN SIDE OF THE SOUTH FORK OF SPA CREEK TO INTERSECT thence southerly with the centerline of said south fork to the extended centerline of Pumphouse Road; thence following the boundary of "Truxtun Heights" PLAT (AS RECORDED AT 10:6) in a clockwise or southerly then westerly direction to INTERSECT WITH THE SOUTHEASTERN BOUNDARY LINE OF~~

THE CHATHAM LANE PLAT (AS NOW RECORDED AT 69:38), THENCE IN A COUNTERCLOCKWISE DIRECTION WITH THE BOUNDARY LINE OF THE CHATHAM LANE PLAT, NORTHEASTLY, NORTHWESTLY, SOUTHWESTLY, NORTHWESTLY AND WESTERLY TO INTERSECT THE SOUTHEASTERN BOUNDARY OF TAX MAP 51F, PARCEL 1318, THENCE WITH SAID BOUNDARY IN A COUNTER CLOCKWISE DIRECTION, NORTHEASTERLY AND NORTHWESTERLY TO INTERSECT THE SOUTHEASTERN BOUNDARY OF SPINDRIFT 52 (AS NOW RECORDED AT 69:14); THENCE WITH THE BOUNDARY LINE IN A COUNTERCLOCKWISE DIRECTION, NORTHEASTLY AND NORTHWESTLY, WITH THE EXTENTION OF THE LAST LINE INTERSECTING THE the centerline of Spa Road; thence with the centerline of Spa Road in a northeasterly ~~direction to the extension of the westerly boundary of "Capitol Hill Manor"; thence with the boundary of "Capitol Hill Manor" in a counterclockwise or southerly then easterly direction to intersect the centerline of Greenfield Street; thence continuing in a northeasterly direction following the rear property lines of addresses #817 through #51 Spa Road; thence with the eastern boundary of #51 Spa Road in a northerly direction to the centerline of Spa Road; thence in a~~ THENCE IN A northerly direction to the center of Westgate Circle; thence following the centerline of Taylor Avenue in a GENERALLY northerly DIRECTION TO INTERSECT THE ABANDONED WB&A (SOUTH SHORE LINE) RAILROAD BED; THENCE FOLLOWING CENTER LINE OF THE ABANDONED WB&A (SOUTH SHORE LINE) RAILROAD BED IN A EASTERLY DIRECTION TO THE POINT OF INTERSECTION WITH THE WESTERN AND SOUTHERN BOUNDARY LINE OF TAX MAP 51C, PARCEL 437; THENCE WITH THE SOUTHERN BOUNDARY LINE OF TAX MAP 51C, PARCEL 437, EASTERLY TO INTERSECT THE CENTERLINE OF W. WASHINGTON STREET; THENCE IN A NORTHERLY DIRECTION WITH THE CENTERLINE OF W. WASHINGTON STREET TO INTERSECT THE WESTERN EXTENTION OF THE NORTHERN BOUNDARY OF PARCEL 379; THENCE WITH THE WESTERN EXTENTION, THE NORTHERN BOUNDARY LINE OF TAX MAP 51C, PARCEL 379 AND THE EASTERN EXTENTION OF THE NORTHERN BOUNDARY LINE TO INTERSECT THE CENTERLINE OF CALVERT STREET; THENCE, IN A NORTHLY DIRECTION WITH THE CENTERLINE OF CALVERT STREET TO ITS POINT OF INTERSECTION WITH THE CENTERLINE OF THE NORTHBOUND BLADEN STREET (AKA, ROWE BOULEVARD, BLADEN BOULEVARD); THENCE IN A NORTHWESTLY DIRECTION WITH THE CENTERLINE OF BLADEN STREET (AKA, ROWE BOULEVARD, BLADEN BOULEVARD) TO THE POINT OF BEGINNING. ~~and then westerly direction to the point of beginning.~~

This ward will be known as the Ffirst Wward, but the ward does not include any of the land contained therein which is the property of the U.S. Naval Academy UNITED STATES GOVERNMENT.

1.16.030 - Second ward.

The Ssecond Wward is as follows:

Beginning at the junction of the centerline of Admiral Drive and the Annapolis and Anne Arundel County boundary line with the point so fixed; thence following the Annapolis and Anne Arundel County boundary line generally easterly along the centerline of Weems Creek to its intersection with the centerline of the Severn River; then southerly with the centerline of the Severn River to its intersection with the extended centerline of College Creek; thence following the centerline of College Creek generally southwesterly to its intersection with the northwest bound lane of BLADEN STREET (AKA, ROWE BOULEVARD BLADEN BOULEVARD); thence running southeasterly along the centerline of the northwest bound lane BLADEN STREET (AKA, ROWE BOULEVARD BLADEN BOULEVARD) ~~of Rowe Boulevard~~ to its intersection with the centerline of Calvert Street; thence southwesterly along the centerline of Calvert Street to its intersection with the EASTERLY EXTENTION OF THE

NORTHERN BOUNDARY LINE OF TAX MAP 51C, PARCEL 379; THENCE WITH THE EASTERN EXTENTION OF THE NORTHERN BOUNDARY LINE, THE NORTHERN BOUNDARY LINE AND THE WESTERN EXTENTION OF THE NORTHERN BOUNDARY LINE TO ITS INTERSECTION WITH THE CENTERLINE OF W. WASHINGTON STREET; THENCE, WITH THE CENTERLINE OF W. WASHINGTON STREET IN A SOUTHERNLY DIRECTION TO ITS INTERSECTION WITH THE EASTERLY EXTENTION OF THE SOUTHERN BOUNDARY LINE OF TAX MAP 51C, PARCEL 437; THENCE WITH THE EASTERN EXTENTION OF THE SOUTHERN BOUNDARY LINE AND THE SOUTHERN BOUNDARY LINE IN A WESTERLY DIRECTION TO ITS INTERSECTION WITH THE WESTERN BOUNDARY LINE OF TAX MAP 51C, PARCEL 437; THENCE, FROM SAID POINT OF INTERSECTION AND RUNNING IN A WESTERLY DIRECTION WITH THE CENTERLINE OF THE ABANDONED WB&A RAILROAD BED (SOUTH SHORE LINE) TO ITS POINT OF INTERSECTION WITH THE CENTERLINE OF TAYLOR AVENUE; ~~extended centerline of the abandoned WB&A Railroad bed; thence running in a westerly direction with the extended line of the WB&A Railroad bed and with the centerline of the WB&A Railroad bed to its intersection with the centerline of Taylor Avenue;~~ thence running with the centerline of Taylor Avenue in an ~~easterly and then~~ southerly direction to the center of Westgate Circle; thence running with the centerline of SPA ROAD IN A SOUTHWESTERLY DIRECTION TO ITS INTERSECTION WITH THE CENTERLINE OF SMITHVILLE STREET; THENCE WITH THE CENTERLINE OF SMITHVILLE STREET IN A WESTERLY DIRECTION TO ITS INTERSECTION WITH THE CENTERLINE OF JOHNSON PLACE; THENCE WITH CENTERLINE OF JOHNSON PLACE TO INTERSECT THE SOUTHERN BOUNDARY LINE OF TAX MAP 51C, PARCEL 2019; THENCE IN A NORTHERLY DIRECTION TO INTERSECT THE DIVISION LINE BETWEEN TAX MAP 51C, PARCELS 2018 AND 2059; THENCE RUNNING WITH SAID DIVISION LINE, AND ITS PROJECTION TO INTERSECT WITH THE CENTERLINE OF WEST STREET (MD RT. 450); THENCE, IN A WESTERLY DIRECTION WITH THE CENTERLINE OF WEST STREET (MD RT 450) TO ITS INTERSECTECTION WITH THE CENTERLINE OF RUSSELL STREET; THENCE, IN A SOUTHERLY DIRECTION AND WITH THE CENTERLINE OF RUSSELL STREET TO ITS INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTHERN PROPERTY LINE OF TAX MAP 51C, PARCEL 1949; THENCE IN A WESTERLY DIRECTION WITH SAID PROJECTION OF SAID BOUNDARY LINE TO ITS INTERSECTION WITH EASTERN BOUNDARY OF LINE "DAVIS ADDITION TO GERMANTOWN" (AS NOW RECORDED AT 13:38); THENCE WITH SAID EASTERN BOUNDARY LINE IN A SOUTHERNLY DIRECTION TO INTERSECT THE CENTERLINE OF THE WEST FORK OF SPA CREEK; THENCE WITH THE CENTERLINE OF THE WEST FORK OF SPA CREEK TO ITS INTERSECTION WITH A SOUTHERLY PROJECTION OF THE CENTERLINE OF MCKENDREE STREET; THENCE RUNNING IN A NORTHERLY DIRECTION WITH THE PROJECTION OF THE CENTERLINE OF MCKENDREE STREET AND THEN THE CENTERLINE OF MCKENDREE STREET TO ITS FIRST INTERSECTION WITH THE CENTERLINE OF KENTWOOD STREET; THENCE WITH THE CENTERLINE OF KENTWOOD STREET IN A WESTERLY DIRECTION TO ITS INTERSECTION WITH THE CENTERLINE OF SOUTH CHERRY GROVE AVENUE; THENCE WITH THE CENTERLINE OF SOUTH CHERRY GROVE AVENUE TO ITS INTERSECTION WITH THE THE CENTERLINE OF West Street (MD RT 450); THENCE WITH THE CENTERLINE OF WEST STREET (MD RT 450) AND in a westerly direction to its ~~junction~~ INTERSECTION with the centerline of Legion Avenue; thence running with an extension of the centerline of Legion Avenue in a northerly direction to the junction of the centerlines of Poplar Avenue and Windell Avenue; thence with the centerline of Windell Avenue in a northerly direction to its intersection with the south property line of "Admiral Heights, 6th plat", recorded among the land records of Anne Arundel County in

book 49 30, page 19; thence southwesterly with the south property line of Admiral Heights, TO ITS POINT OF INTERSECTION WITH THE SOUTHERN BOUNDARY LINE OF TAX MAP 51B, PARCEL 449; THENCE WITH THE SOUTHERN BOUNDARY LINE OF TAX MAP 51B, PARCEL 449 AND THE WESTERNLY EXTENTION OF SAID SOUTHERN BOUNDARY LINE TO ITS INTERSECTION WITH THE CENTERLINE OF ADMIRAL DRIVE; THENCE, WITH THE CENTERLINE OF ADMIRAL DRIVE IN A NORTHWESTERNLY AND NORTHERNLY DIRECTION TO ~~one thousand four hundred and five feet, more or less; thence leaving the property line of Admiral Heights and running northwesterly to the intersection of the centerline of Admiral Drive with the extended centerline of Moreland Parkway; thence northerly along the centerline of Admiral Drive in a northwesterly direction to the point of beginning.~~

This ward will be known as the Ssecond Wward, but the ward does not include any of the land contained therein which is the property of the U.S. Naval Academy. UNITED STATES GOVERNMENT.

1.16.040 - Third ward.

The Tthird Wward is as follows:

Beginning at the junction of the centerline of Admiral Drive and the Annapolis and Anne Arundel County boundary line, with the point so fixed; thence running ~~southerly~~ SOUTHERNLY AND SOUTHEASTERNLY WITH ~~along~~ the centerline of Admiral Drive ~~to its intersection with the extended centerline of Moreland Parkway; thence in a southeasterly direction~~ to its intersection WITH THE WESTERNLY PROJECTION OF THE SOUTHERN BOUNDARY LINE OF TAX MAP 51B, PARCEL 449; THENCE NORTHEASTERNLY WITH THE WESTERN PROJECTION OF THE SOUTHERN BOUNDARY LINE OF TAX MAP 51B, PARCEL 449 AND THE SOUTHERN BOUNDARY LINE OF TAX MAP 51B, PARCEL 449 TO ITS POINT OF INTERSECTION WITH with the ~~southeast~~ SOUTHERN property line of "Admiral Heights, 6th plat" as recorded among the land records of Anne Arundel County in plat book 30, page 19; thence running NORTHEASTERLY ~~easterly~~ with the ~~south~~ SOUTHERN BOUNDARY line of Admiral Heights to its intersection with the centerline of Windell Avenue; thence southerly with the centerline of Windell Avenue to its junction with the centerline of Poplar Avenue; thence southerly to the junction of the centerlines of West Street and Legion Avenue; thence running IN A SOUTHEASTERLY DIRECTION with the centerline of West Street TO ITS INTERSECTION WITH THE NORTHERLY PROJECTION OF THE CENTERLINE OF SOUTH CHERRY GROVE AVENUE; THENCE IN A SOUTHERLY DIRECTION WITH SAID PROJECTION AND THE CENTERLINE OF SOUTH CHERRY GROVE AVENUE TO INTERSECT WITH THE WESTERLY PROJECTION OF THE CENTERLINE OF KENTWOOD STREET; THENCE IN AN EASTERLY DIRECTION WITH SAID PROJECTION, THE CENTERLINE OF KENTWOOD STREET AND THE EASTERLY PROJECTION OF SAID CENTERLINE TO ITS INTERSECTION WITH THE CENTERLINE OF MCKENDREE AVENUE; THENCE IN A SOUTHERLY DIRECTION WITH THE CENTERLINE OF MCKENDREE AVENUE AND THE SOUTHERLY PROJECTION THEREOF TO ITS INTERSECTION WITH THE CENTERLINE OF THE WEST BRANCH OF SPA CREEK; THENCE IN AN EASTERLY DIRECTION WITH THE CENTERLINE OF THE WEST BRANCH OF SPA CREEK TO ITS INTERSECTION WITH THE EASTERNLY BOUNDARY OF "HERITAGE SECTION 2" (AS NOW RECORDED AT 32:56); THENCE WITH SAID BOUNDARY IN SOUTHERLY DIRECTION TO THE END OF THE SOUTH 40 DEGREE 00 MINUTE 00 SECOND 141.13 FOOT LINE, SAID POINT ALSO BEING THE BEGINNING OF THE SOUTH 8 DEGREE 32 MINUTE 55 SECOND 150 FOOT LINE OF THE SOUTHERN BOUNDARY OF HERITAGE SECTION 1 (AS NOW RECORDED AT 32:55), THENCE REVERSELY WITH SAID BOUNDARY LINE TO THE POINT OF INTERSECTION OF THE NORTHWESTERLY PROJECTION OF THE NORTH 32 DEGREE 00 MINUTE 00 SECOND 144.90 FOOT LINE WITH

THE CENTERLINE OF SOUTH CHERRY GROVE AVENUE; THENCE IN A SOUTHERLY DIRECTION WITH THE CENTERLINE OF SOUTH CHERRY GROVE AVENUE TO ITS INTERSECTION WITH THE CENTERLINE OF FOREST DRIVE; THENCE IN A NORTHWESTERLY DIRECTION WITH THE CENTERLINE OF FOREST DRIVE TO ITS INTERSECTION WITH THE CENTERLINE OF GREENBRIAR LANE; ~~with the centerline of Russell Street; thence with the centerline of Russell Street in a southerly direction to the northeast corner of the boundary of #100 South Villa Avenue; thence running along the northern boundary of #100 South Villa Avenue in a westerly direction to its junction with the boundary of the McGuekian subdivision; thence running with the boundary of the McGuekian subdivision and with the rear boundary of the properties fronting on South Villa Avenue in a southerly direction extending to a junction with the northern boundary of "Heritage"; thence running along the boundary of "Heritage" in a counterclockwise or westerly then southerly direction to its southwestern corner being also the northeastern corner of the lot now occupied by the Annapolis Fire Department headquarters; thence following the eastern boundary of said Fire Department lot in a southwesterly direction to the centerline of Forest Drive; thence following the centerline of Forest Drive in a southeasterly direction to its junction with the centerline of Greenbriar Lane; thence running with the centerline of Greenbriar Lane in a southwesterly direction to its junction with the centerline of Belle Drive; thence running with the centerline of Belle Drive in a northwesterly direction to its junction INTERSECTION with the centerline of Bywater Road; thence running with the centerline of Bywater Road in a northeasterly direction to its junction INTERSECTION with the centerline of Yawl Road; thence running with the centerline of Yawl Road in a generally westerly AND NORTHWESTERLY direction TO ITS INTERSECTION WITH THE NORTHWESTERLY BOUNDARY OF OXFORD LANDING, SECTION 3 (NOW RECORDED AT 177:23); THENCE IN A NORTHEASTERLY DIRECTION WITH SAID BOUNDARY TO ITS INTERSECTION WITH THE SOUTHERN RIGHT OF WAY LINE OF MD RT. 665 (ARIS T. ALLEN BOULAVARD); THENCE, LEAVING SAID RIGHT OF WAY LINE AND RUNNING REVERSELY AT A RIGHT ANGLE TO THE CENTERLINE OF MD RT. 665 (ARIS T. ALLEN BOULEVARD) TO INTERSECT SAID CENTERLINE; ~~extending to its junction~~ THENCE WESTERLY AND THEN SOUTHWESTERLY DIRECTION WITH THE CENTERLINE OF MD RT 665 (ARIS T. ALLEN BOULEVARD) TO ITS INTERSECTION WITH THE NORTHERLY PROJECTION OF THE DIVISION LINE BETWEEN TAX MAP 51E, PARCELS 363 AND 245 (1 OF 3); THENCE WITH SAID DIVISION LINE IN A SOUTHERLY DIRECTION AND CONTINUING WITH SAID DIVISION LINE IN SEVERAL COURSES IN A SOUTHERN AND SOUTHWESTERLY DIRECTION TO ITS INTERSECTION WITH with the Annapolis and Anne Arundel County boundary; thence running clockwise with the Annapolis and Anne Arundel County boundary to its intersection with the centerline of Admiral Drive and the point of beginning. This ward will be known as the Tthird Wward BUT THE WARD DOES NOT INCLUDE ANY OF THE LAND CONTAINED THEREIN WHICH IS THE PROPERTY OF THE UNITED STATES GOVERNMENT.~~

1.16.050 - Fourth ward.

The fFourth wWard is as follows:

Beginning in the INTERSECTION OF SPA ROAD AND THE NORTH FORK OF SPA CREEK ~~center of Westgate Circle~~, with the point so fixed; thence running in a southerly direction ~~to the northeast corner of #51 Spa Road~~; WITH THE CENTERLINE OF SPA ROAD TO ITS INTERSECTION WITH A WESTERLY PROJECTION OF "OLD FOREST DRIVE"; THENCE IN A WESTERLY DIRECTION AND WITH THE WESTERLY PROJECTION OF "OLD FOREST DRIVE" TO ITS INTERSECTION WITH THE ANNAPOLIS AND ANNE ARUNDEL COUNTY BOUNDARY; THENCE, WITH THE ANNAPOLIS AND ANNE ARUNDEL COUNTY BOUNDARY IN A CLOCKWISE DIRECTION TO THE BEGINNING OF THE NORTH 89 DEGREE 44 MINUTE 10 SECOND WEST 568.38 FOOT LINE; THENCE

LEAVING SAID ANNAPOLIS AND ANNE ARUNDEL COUNTY AND RUNNING IN A NORTHERLY AND NORTHEASTERLY DIRECTION WITH THE DIVISION LINE BETWEEN TAX MAP 51E, PARCEL 245 (1 OF 3) AND PARCEL 363 TO ITS INTERSECTION WITH THE SOUTHERN RIGHT OF WAY LINE OF MD. RT. 665 (ARIS T. ALLEN BOULEVARD); THENCE, WITH THE NORTHERLY PROJECTION OF THE DIVISION LINE BETWEEN TAX MAP 51E PARCEL 245 (1 OF 3) AND 363 TO ITS INTERSECTION WITH THE CENTER LINE OF MD RT 665 (ARIS T. ALLEN BOULEVARD); THENCE, IN A NORTHEASTERLY THEN EASTERLY DIRECTION WITH THE CENTERLINE OF MD RT 665 (ARIS T. ALLEN BOULEVARD) TO A POINT ON THE CENTERLINE OF MD RT 665 (ARIS T. ALLEN BOULEVARD) WHERE A LINE PROJECTED PERPENDICULAR TO SAID CENTERLINE IN A SOUTHERLY DIRECTION WILL INTERSECT POINT NUMBER 5 (SAID POINT ALSO BEING THE POINT OF INTERSECTION BETWEEN THE SOUTHERN RIGHT OF WAY LINE MD RT 665 (ARIS T. ALLEN BOULEVARD AND THE NORTHWESTERN BOUNDARY OF OXFORD LANDING, SECTION 3 (NOW RECORDED AT 177:23) AS SHOWN ON THE PLAT OF OXFORD LANDING, SECTION 3 (NOW RECORDED AT 177:23); THENCE, WITH SAID PERPENDICULAR LINE AND SOUTHERLY DIRECTION TO POINT NUMBER 5 SHOWN ON THE PLAT OF OXFORD LANDING, SECTION 3 (NOW RECORDED AT 177:23); THENCE, LEAVE SAID POINT AND RUNNING IN A SOUTHWESTERLY DIRECTION AND WITH THE NORTHWESTERN BOUNDARY LINE OF OXFORD LANDING, SECTION 3 (NOW RECORDED AT 177:23) TO ITS INTERSECTION WITH YAWL ROAD; ~~thence with the eastern boundary line of said property in a southerly direction to the rear property corner; thence in a westerly direction with the rear or southerly boundaries of #51 through #817 Spa Road to the southeastern corner of "Capitol Hill Manor"; thence running clockwise or westerly and then northerly with the boundary of "Capitol Hill Manor" to the centerline of Spa Road; thence with said centerline in a southerly direction to an extension of the southwestern boundary of "Fruxtun Heights"; thence following said boundary in a counterclockwise or southeasterly direction to its intersection with the western boundary of "Admiral Farragut Apartments"; thence with said western boundary in a southerly direction to the centerline of Hilltop Lane; thence with said centerline in a northwesterly direction to its junction with the centerline of Spa Road; thence running with the centerline of Spa Road in a southwesterly direction to its intersection with the Annapolis and Anne Arundel County boundary; thence running northwesterly with said Annapolis and Anne Arundel County boundary in a clockwise direction to its junction with an extension of the centerline of Yawl Road; thence running with the centerline of Yawl Road in a generally easterly direction to its junction INTERSECTION with the centerline of Bywater Road; thence running with the centerline of Bywater Road in a southwesterly direction to its INTERSECTION junction with the centerline of Belle Drive; thence with the centerline of Belle Drive in a southeasterly direction to its junction INTERSECTION with the centerline of Greenbriar Lane; thence running with the centerline of Greenbriar Lane in a northeasterly direction to its junction INTERSECTION with the centerline of Forest Drive; thence running with the centerline of Forest Drive in a northwesterly SOUTHEASTERLY direction to its intersection with CENTERLINE OF SOUTH CHERRY GROVE AVENUE; THENCE IN A NORTHERLY DIRECTION WITH SAID CENTERLINE TO ITS INTERSECTION WITH THE NORTHWESTERLY PROJECTION OF THE NORTH 32 DEGREE 00 MINUTE 00 SECOND 144.90 FOOT LINE OF THE SOUTHERN BOUNDARY OF THE "HERITAGE, SECTION 1" PLAT (AS NOW RECORDED AT 32:55); THENCE REVERSELY WITH SAID LINE AND THEN CONTINUING WITH SAID BOUNDARY OF "HERITAGE SECTION 1" TO THE BEGINNING OF THE SOUTH 08 DEGREE 32 MINUTE 55 SECOND 150 FOOT LINE, SAID POINT ALSO BEING THE END OF THE SOUTH 40 DEGREE 00 MINUTE 00 SECOND 141.13 FOOT LINE OF THE BOUNDARY OF "HERITAGE, SECTION 2" (AS NOW RECORDED AT 32:56); THENCE REVERSELY WITH SAID LINE AND THEN CONTINUING WITH SAID BOUNDARY OF "HERITAGE, SECTION~~

2" TO ITS INTERSECTION WITH THE WEST BRANCH OF SPA CREEK; THENCE WITH SAID WEST BRANCH OF SPA CREEK IN A WESTERLY DIRECTION TO ITS INTERSECTION WITH THE SOUTHERLY PROJECTION OF THE EASTERLY BOUNDARY LINE OF "DAVIS ADDITION TO GERMANTOWN" (AS NOW RECORDED AT 13:38); THENCE IN A NORTHERLY DIRECTION WITH SAID BOUNDARY LINE TO ITS INTERSECTION WITH THE NORTHERN PROPERTY LINE OF TAX MAP 51C, PARCEL 1949; THENCE IN A EASTERLY DIRECTION WITH SAID PROPERTY LINE AND SAID PROPERTY PROJECTION TO ITS INTERSECTION WITH THE CENTERLINE OF RUSSELL STREET; THENCE IN A NORTHERLY DIRECTION WITH THE CENTERLINE OF RUSSELL STREET TO ITS INTERSECTION WITH THE CENTERLINE OF WEST STREET (MD RT 450); THENCE IN A EASTERLY DIRECTION WITH THE CENTERLINE OF WEST STREET (MD 450) TO ITS INTERSECTION WITH THE NORTHERN PROJECTION OF THE DIVISION LINE BETWEEN TAX MAP 51C, PARCELS 2018 AND 2059; THENCE SOUTHERLY WITH SAID PROJECTION AND DIVISION LINE TO THE END OF SAID DIVISION LINE; THENCE IN A SOUTHERLY DIRECTION TO THE POINT OF INTERSECTION BETWEEN THE CENTERLINE OF JOHNSON PLACE AND THE BOUNDARY LINE OF TAX MAP 51C, PARCEL 2019; THENCE WITH THE CENTERLINE OF JOHNSON PLACE TO ITS INTERSECTION WITH THE CENTERLINE OF SMITHVILLE STREET; THENCE IN AN EASTERLY DIRECTION WITH THE CENTERLINE OF SMITHVILLE STREET TO INTERSECT THE CENTERLINE OF SPA ROAD; THENCE IN A SOUTHWESTERLY DIRECTION WITH THE CENTERLINE OF SPA ROAD TO THE NORTHFORK OF SPA CREEK AND POINT OF BEGINNING. ~~the extension of the southeasterly property line of the lot now occupied by the Annapolis Fire Department headquarters; thence following said property line in a northeasterly direction to the southwestern corner of "Heritage"; thence following the boundary of "Heritage" clockwise or in a northerly then northeasterly direction to its junction with a southerly extension of the eastern boundary of the McGuckian subdivision; thence running with the eastern boundary of the McGuckian subdivision and with the rear boundary of the properties fronting on South Villa Avenue to the northwestern corner of #100 South Villa Avenue; thence running along the northern boundary of #100 South Villa Avenue in an easterly direction to its junction with the centerline of Russell Street; thence running with the centerline of Russell Street in a northerly direction to its junction with the centerline of West Street; thence following the centerline of West Street in an easterly direction to the center of Westgate Circle and the place of beginning. This ward will be known as the fFourth wWard.~~

1.16.060 - Fifth ward.

The fFifth wWard is as follows:

Beginning at the junction of the centerline of Hilltop Lane and Primrose Road, with the point so fixed; thence running with the centerline of Primrose Road in a southerly direction to the extension of the rear or northwest property line of #1150 Tyler Avenue; thence with the boundary of said property counterclockwise or in a southwesterly then southeasterly direction to the northern property corner of #1152 Tyler Avenue; thence following the northwestern boundary line of the following properties, respectively: #1152 Tyler Avenue, #2 Woods Drive, #1 Woods Drive, #1170 Tyler Avenue, #1172 Tyler Avenue, #1174 Tyler Avenue, and #1176 Tyler Avenue to intersect the northeastern boundary line of #1178 Tyler Avenue; thence with said boundary line in a northwesterly direction to the boundary of "Primrose Acres"; thence following said boundary in a southwesterly direction to the centerline of Forest Drive; thence following the centerline of Forest Drive in a southeasterly direction to its intersection WITH A NORTHERLY PROJECTION OF THE NORTHEASTERN BOUNDARY LINE OF THE "ANNAPOLIS OVERLOOK PLAT" (NOW RECORDED AT 124:1); THENCE WITH SAID PROJECTION AND BOUNDARY LINE IN A SOUTHERN AND THEN WESTERN DIRECTION TO INTERSECT WITH THE "HUNT MEADOWS

PLAT" (NOW RECORDED AT 111:2); THENCE WITH SAID BOUNDARY LINE IN A SOUTHERLY DIRECTION TO INTERSECT WITH THE NORTHERN BOUNDARY LINE OF "HUNT MEADOWS" AS NOW RECORDED AT 147:24 AND 163:40), THENCE SAID BOUNDARY LINE IN AN EASTERLY AND THEN SOUTHERLY DIRECTION TO ITS INTERSECTION with the Annapolis and Anne Arundel County boundary; thence following said boundary in a clockwise direction to its intersection with the centerline of Spa Road NEAR THE INTERSECTION OF A WESTERLY PROJECTION OF THE CENTERLINE OF "OLD FOREST DRIVE; thence following the centerline of Spa Road in a northerly direction to its INTERSECTION WITH THE NORTHWESTLY PROJECTION OF THE NORTHEASTERLY BOUNDARY LINE OF THE "SPINDRIFT 52" PLAT (NOW RECORDED AT 69:14); THENCE IN A CLOCKWISE, OR SOUTHEASTERLY DIRECTION WITH SAID PROJECTION AND BOUNDARY LINE; THENCE, CONTINUING WITH SAID BOUNDARY LINE IN A SOUTHWESTERLY DIRECTION TO ITS INTERSECTION WITH THE NORTHEASTERN BOUNDARY LINE OF TAX MAP 51F, PARCEL NO 1318; THENCE WITH SAID BOUNDARY LINE IN A SOUTHEASTERLY AND THEN SOUTHWESTERLY DIRECTION TO ITS INTERSECTION WITH THE BOUNDARY OF THE "CHATHAM LANE" PLAT (NOW RECORDED AT 69:38); THENCE WITH SAID BOUNDARY IN A CLOCKWISE DIRECTION TO ITS INTERSECTION WITH ~~junction with the centerline of Hilltop Lane; thence with the centerline of Hilltop Lane in a southeasterly direction to its intersection with the extension of the western boundary of "Admiral Farragut Apartments"; thence following said boundary in a northerly direction to its intersection with the southern boundary of "Truxtun Heights" (AS RECORDED AT 10:6);~~ thence with said boundary counterclockwise or in a southeasterly then northerly direction to its intersection with the extended centerline of Pumphouse Road; thence with the centerline of Pumphouse Road in an easterly direction to its junction with the centerline of Primrose Road; thence with the centerline of Primrose Road in a southerly direction to its junction with the centerline of Hilltop Lane and the place of beginning. SAVING AND EXCEPTING FROM THIS DESCRIPTION ARE ANY LANDS CONTAINED WITHIN THE ANNAPOLIS CITY HOUSING AUTHORITY PROPERTY SOUTH OF FOREST DRIVE AND SURROUNDING TYLER AVENUE; SAID PROPERTY KNOW AS "ROBINWOOD."

This ward will be known as the ~~f~~Fifth ~~w~~Ward, but the ward does not include any of the land contained within the "Robinwood" ~~subdivision~~.

1.16.070 - Sixth ward.

The ~~s~~Sixth ~~w~~Ward is as follows:

Beginning at the INTERSECTION OF THE CENTERLINES ~~junction of the centerlines of Bay Ridge Ave and Forest Hills Avenue AND BRICIN STREET,~~ with the point so fixed; ~~thence running along the centerline of Forest Hills Avenue in a westerly direction to its junction with the centerline of Bricin Street;~~ thence running with the centerline of Bricin Street in a ~~northeasterly~~ NORTHWESTERLY direction to its junction with the centerline of Janwall Street; thence ~~southeasterly and then~~ northeasterly with the centerline of Janwall Street extending to intersect the centerline of the right of way of the abandoned Washington, Baltimore and Annapolis Railroad (ALSO KNOWN AS THE BAY RIDGE RAILROAD); thence following said right of way centerline in a northerly direction to its common junction with the centerlines of Tyler Avenue and Hilltop Lane; thence following the centerline of Tyler Avenue in an easterly direction to its junction with the centerline of President Street; thence running northerly with the centerline of President Street to its junction with the centerline of Boucher Avenue; thence following the centerline of Boucher Avenue in a westerly direction to its junction with the centerline of Madison Street; thence with the centerline of Madison Street in a southerly direction to its junction with the centerline of Windsor Avenue; thence following the centerline of Windsor Avenue in a westerly direction extending to its junction with the centerline of Hawkins Cove; thence along the centerline of Hawkins Cove in a northerly direction to the centerline of Spa Creek; thence with

the centerline of Spa Creek in a southwesterly direction to its junction with the centerline of THE SOUTH FORK OF SPA CREEK ~~an unnamed fork to the south~~ separating "Truxtun Heights" and Truxtun Park AND WEST FORK OF SPA CREEK BETWEEN "TRUXTUN HEIGHTS" AND "SPA VIEW HEIGHTS"; THENCE, FOLLOWING THE CENTER LINE OF THE WEST FORK OF SPA CREEK TO ITS INTERSECTION WITH TAX MAP 51F, PARCEL 858, THENCE WITH THE HIGH WATER LINE OF THE SOUTHERN SIDE OF THE NORTH FORK OF SPA CREEK; THENCE WITH THE HIGH WATER LINE OF THE WESTERN SIDE OF THE SOUTH FORK OF SPA CREEK TO INTERSECT; ~~thence following said south fork in a southeasterly direction extending to its junction~~ with the extended centerline of Pumphouse Road; thence along the centerline of Pumphouse Road in an easterly direction to its junction with the centerline of Primrose Road; thence following the centerline of Primrose Road in a southerly direction to the extension of the rear or northwest property line of #1150 Tyler Avenue; thence with the boundary of said property counterclockwise or in a southwesterly then southeasterly direction to the northern property corner of #1152 Tyler Avenue; thence following the northwestern boundary line of the following properties, respectively: #1152 Tyler Avenue, #2 Woods Drive, #1 Woods Drive, #1170 Tyler Avenue, #1172 Tyler Avenue, #1174 Tyler Avenue, and #1176 Tyler Avenue to intersect the northeastern boundary line of #1178 Tyler Avenue; thence with said boundary line in a northwesterly direction to the boundary of "Primrose Acres"; thence following said boundary in a southwesterly direction to the centerline of Forest Drive; thence following the centerline of Forest Drive in a southeasterly direction to its junction with an extension of the northern boundary line of THE HOUSING AUTHORITY OF THE CITY OF ANNAPOLIS PROPERTY KNOWS AS "Robinwood" (TAX MAP 51I, PARCEL 2000); thence following the boundary of SAID "Robinwood" counterclockwise around its limits or in a southwesterly then southeasterly then northeasterly direction extending to its junction with the centerline of Forest Drive; thence with the centerline of Forest Drive in a southeasterly direction ~~to its intersection with the Annapolis and Anne Arundel County boundary; thence following said boundary in a counterclockwise direction to its junction with the centerline of Forest Drive; thence following the centerline of Forest Drive further in a southeasterly~~ past its common junction with the centerlines of Hillsmere Drive, Bay Ridge Road and ~~southbound Bay Ridge Avenue to its junction with the centerline of the northbound exit from Bay Ridge Road onto Bay Ridge Avenue;~~ TO THE INTERSECTION OF THE CENTERLINE OF BAY RIDGE ROAD AND THE SOUTHWESTERLY PROJECTION OF THE SOUTHEASTERLY BOUNDARY LINE OF THE "ANNAPOLIS WOODS APARTMENTS" PLAT (NOW RECORDED AT 40:17); thence running in a northeasterly direction WITH SAID PROJECTION AND SAID BOUNDARY LINE to the southeastern corner of THE "ANNAPOLIS WOODS APARTMENTS" PLAT "~~Bay Ridge Gardens~~"; thence following the boundary of "ANNAPOLIS WOODS APARTMENTS" PLAT "~~Bay Ridge Gardens~~" in a counterclockwise or northeasterly then northwesterly direction extending to its junction with the centerline of Bay Ridge Avenue; thence with the centerline of Bay Ridge Avenue in a southwesterly direction to its junction with the centerline of Forest Hills Avenue; THENCE WITH THE CENTERLINE OF FOREST HILLS AVENUE TO ITS INTERSECTION WITH THE CENTERLINE OF BRICIN STREET and the place of beginning. This ward will be known as the sSixth wWard.

1.16.080 - Seventh ward.

The sSeventh wWard is as follows:

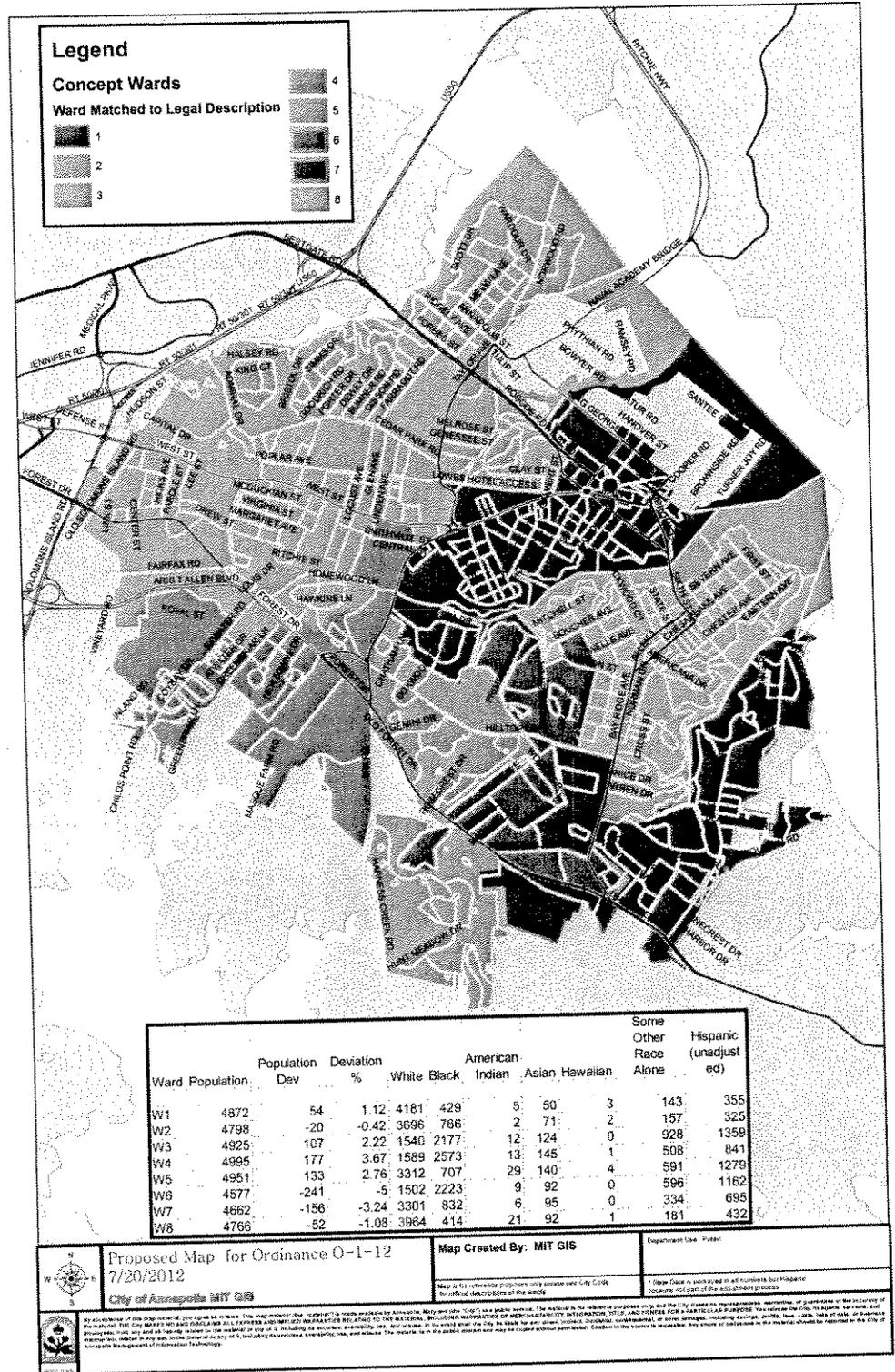
Beginning at the junction of the centerlines of ~~Bay Ridge Avenue and Forest Hills Avenue AND BRICIN STREET~~, with the point so fixed; ~~thence running generally westerly with the centerline of Forest Hills Avenue to its junction with the centerline of Bricin Street;~~ thence in a ~~northeasterly~~ NORTHWESTERLY direction with the centerline of Bricin Street to its junction with the centerline of Janwall Street; thence with the centerline of Janwall Street in a northeasterly direction extending to intersect the centerline of the right of way of the abandoned Washington, Baltimore and Annapolis Railroad (ALSO KNOWN AS THE BAY RIDGE RAILROAD); thence following said right of way centerline in a northerly direction to its common

junction with the centerlines of Hilltop Lane and Tyler Avenue; thence following the centerline of Tyler Avenue in a southeasterly direction to its junction with the centerline of BAY RIDGE AVENUE; ~~President Street; thence with the centerline of President Street in a northeasterly direction to its junction with the centerline of Jackson Street; thence following the centerline of Jackson Street in a southeasterly direction to its junction with the centerline of Bay Ridge Avenue;~~ thence running with the centerline of Bay Ridge Avenue in a southerly direction to THE INTERSECTION OF SAID CENTERLINE WITH A PROJECTION TO THE SOUTHERN BOUNDARY LINE OF TAX MAP 52G, PARCEL NO. 1358; THENCE WITH SAID PROJECTION AND BOUNDARY LINE IN A SOUTHEASTERLY DIRECTION TO INTERSECT THE BOUNDARY LINE OF THE "GEORGETOWN GROVE PLAT 3" PLAT (NOW RECORDED AT 94:50); THENCE, WITH SAID BOUNDARY LINE OF THE GEORGETOWN GROVE PLAT TO THE BEGINNING OF THE NORTH 83 DEGREE, 14 MINUTE, 38 SECOND EAST, 181.25 FOOT LINE, SAID LINE BEING LOCATED AT THE HIGH WATER LINE OF BACK CREEK; THENCE, WITH A LINE PERPENDICULAR TO SAID LINE TO ITS INTERSECTION WITH THE CENTERLINE OF BACK CREEK; ~~intersect an extension of the centerline of a stream the common boundary line between "Greenacres" and "Parkwood"; thence following said common boundary in an easterly direction to the shoreline of an unnamed cove; thence running with the centerline of the unnamed cove in a southeasterly direction then easterly to the centerline of Back Creek;~~ thence running along WITH the centerline of Back Creek to a point where it intersects the Annapolis and Anne Arundel County boundary; thence running clockwise along WITH the Annapolis and Anne Arundel County boundary to a point where it intersects the centerline of Forest Drive approximately 1150 feet northwesterly from the centerline of Hillsmere Drive; thence following the centerline of Forest Drive in a southeasterly direction past its common junction with TO ITS INTERSECTION WITH THE BOUNDARY OF THE "HUNT MEADOWS PLAT (NOW RECORDED AT 147:24 AND 163:40); THENCE WITH SAID BOUNDARY LINE IN A NORTHERLY, WESTERLY DIRECTION TO INTERSECTION WITH THE BOUNDARY LINE OF THE "HUNT MEADOWS" PLAT (NOW RECORDED AT 111:2); THENCE WITH SAID BOUNDARY AND IN A NORTHERLY DIRECTION TO ITS INTERSECTION WITH THE SOUTHERN BOUNDARY LINE OF "ANNAPOLIS OVERLOOK" PLAT (NOW RECORDED AT 124:1); THENCE WITH SAID BOUNDARY LINE IN AN EASTERLY AND NORTHERLY DIRECTION TO INTERSECT THE SOUTHERN RIGHT OF WAY LINE OF FOREST DRIVE; THENCE, WITH A PROJECTION OF THE LAST BOUNDARY LINE IN A NORTHERLY DIRECTION, TO INTERSECT THE CENTERLINE OF FOREST DRIVE; THENCE FOLLOWING THE CENTERLINE OF FOREST DRIVE IN A SOUTHEASTERLY DIRECTION THROUGH THE COMMON JUNCTION OF BAY RIDGE ROAD, BAY RIDGE AVENUE AND HILLSMERE DRIVE INTERSECTION TO THE INTERSECTION OF THE CENTERLINE OF BAY RIDGE ROAD AND THE SOUTHWESTERLY PROJECTION OF THE SOUTHEASTERLY BOUNDARY LINE OF THE "ANNAPOLIS WOODS APARTMENTS" PLAT (NOW RECORDED AT 40:17); ~~the centerlines of Hillsmere Drive, Bay Ridge Road and southbound Bay Ridge Avenue to its junction with the centerline of the northbound exit from Bay Ridge Road onto Bay Ridge Avenue;~~ thence running in a northeasterly direction WITH SAID PROJECTION AND BOUNDARY LINE to the southeastern corner of THE "ANNAPOLIS WOODS APARTMENTS" PLAT (NOW RECORDED AT 40:17); ~~"Bay Ridge Gardens";~~ thence following the boundary of THE "ANNAPOLIS WOODS APARTMENTS" PLAT ~~"Bay Ridge Gardens"~~ in a counterclockwise or northeasterly then northwesterly direction extending to its junction with the centerline of Bay Ridge Avenue; thence with the centerline of Bay Ridge Avenue in a southwesterly direction to its INTERSECTION WITH THE CENTERLINE OF FOREST HILLS AVENUE, THENCE WITH THE CENTERLINE OF FOREST HILLS AVENUE IN A WESTERLY DIRECTION TO ITS INTERSECTION WITH THE CENTERLINE OF BRICIN STREET AND ~~junction with the centerline of Forest Hills Avenue and the place of beginning.~~ This ward will be known as the sSeventh wWard.

1.16.090 - Eighth ward.

The eEighth wWard is as follows:

Beginning at the junction of the centerlines of Jackson Street and President Street, with the beginning point so fixed; thence running along the centerline of President Street NORTHERNLY AND THEN NORTHWESTERLY ~~northeasterly~~ to its intersection with the centerline of Boucher Avenue; thence following the centerline of Boucher Avenue in a SOUTHWESTERLY ~~westerly~~ direction to its junction with the centerline of Madison Street; thence running with the centerline of Madison Street in a southerly direction to its junction with the centerline of Windsor Avenue; thence following the centerline of Windsor Avenue in a SOUTHWESTERLY ~~westerly~~ direction to its ~~junction~~ INTERSECTION with the centerline of Hawkins Cove; thence running along the centerline of Spa Creek; thence with the centerline of Spa Creek generally easterly to its ~~junction with the~~ INTERSECTION WITH THE ANNAPOLIS AND ANNE ARUNDEL COUNTY BOUNDARY ~~junction centerline of the Severn River;~~ thence following the centerline of the ~~Severn River;~~ THENCE FOLLOWING SAID BOUNDARY in a southeasterly direction to INTERSECT the extended centerline of Back Creek; thence following the centerline of Back Creek generally westerly TO INTERSECT A LINE PROJECTED PERPENDICULAR TO THE BEGINNING OF THE NORTH 83 DEGREE, 14 MINUTE, 38 SECOND EAST, 181.25 FOOT LINE OF THE "GEORGETOWN GROVE" PLAT (NOW RECORDED AT 94:50) BOUNDARY; THENCE WITH SAID PEPENDICULAR LINE TO INTERSECT THE BEGINNING OF THE NORTH 83 DEGREE, FOURTEEN MINUTE, 38 SECOND, 181.25 FOOT LINE, SAID BEGINNING OF LINE LOCATED AT THE HIGH WATER LINE OF BACK CREEK, THENCE, REVERSELY WITH THE BOUNDARY LINE OF SAID PLAT TO INTERSECT THE SOUTHERN BOUNDARY LINE OF TAX MAP 511, PARCEL 1358; THENCE WITH SAID BOUNDARY LINE AND PROJECTION OF SAID BOUNDARY LINE IN A NORTHWESTERLY DIRECTION TO INTERSECT THE ~~to its junction with the centerline of a cove to the north between "Parkwood" and "Greenacres";~~ thence running westerly with the common boundary line between "Parkwood" and "Greenacres" and along a stream to the centerline of Bay Ridge Avenue; thence following the centerline of Bay Ridge Avenue in a northerly direction to its junction with the centerline of Jackson Street; INTERSECTION WITH TYLER AVENUE; THENCE IN A NORTHWESTERLY DIRECTION WITH THE CENTERLINE OF TYLER AVENUE TO ITS INTERSECTION WITH THE CENTERLINE OF PRESIDENT STREET; THENCE WITH THE CENTERLINE OF PRESIDENT STREET TO ITS INTERSECTION WITH CENTERLINE OF JACKSON STREET, BEING THE POINT OF BEGINNING. ~~thence running in a westerly direction with the centerline of Jackson Street to its junction with the centerline of President Street, being the point of beginning.~~ This ward will be known as the eEighth wWard, BUT THE WARD DOES NOT INCLUDE ANY LAND WHICH IS THE PROPERTY OF THE UNITED STATES GOVERNMENT.



Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-1-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

O-11-12 Eliminating the Sick Leave Bank for Employees – For the purpose of eliminating the sick leave bank authorized in Section 3.20.140 of the City Code for City of Annapolis Employees.

Human Resources Director Rensted was present and answered question from Council.

- Alderman Arnett moved to adopt O-11-12 on second reading. Seconded.

The Rules and City Government Committee reported favorably with amendments on O-11-12.

- Alderman Israel to amend O-11-12 as follows:

Amendment #1

Page 1, Line 20: insert 3.20.140 – SICK LEAVE BANK.

BY REGULATION, THE DEPARTMENT OF HUMAN RESOURCES SHALL ESTABLISH A SICK LEAVE BANK TO WHICH EMPLOYEES MAY DONATE UNUSED ANNUAL LEAVE AND FROM WHICH EMPLOYEES WHO ARE ENTITLED TO SICK LEAVE BUT HAVE EXHAUSTED ALL LEAVE MAY DRAW SICK LEAVE. Seconded. CARRIED on voice vote.

- Alderman Arnett moved to amend O-11-12 as follows:

In line 10, In the Title, delete “Eliminating” and add “Modifying” and in line 11, delete “eliminating” and add “modifying”. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Arnett moved to adopt O-11-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

O-16-12 Distribution of Unsolicited Materials – For the purpose of establishing Section 11.36.025 of the Code of the City of Annapolis regarding the distribution of unsolicited materials. Alderman Arnett requested to be added as a co-sponsor on 2nd Reader.

- Alderwoman Finlayson moved to postpone O-16-12 on second reading until September 24, 2012.

R-34-12 Establishing a Fine for Violations of Distributing Unsolicited Materials – For the purpose of establishing a fine for violations of distributing unsolicited materials.

- Alderman Paone moved to postpone O-16-12 on second reading until September 24, 2012.

O-17-12 Central Services – For the purpose of amending the City Code to conform to the City organization chart adopted as part of the FY 2012 operating budget in regards to the Central Services functions.

- Alderman Arnett moved to adopt O-17 -12 on second reading. Seconded.

The Rules and City Government reported favorably with amendments and the Public Safety and the Transportation Commissions reported favorably on O-17-12.

- Alderman Israel moved to amend O-17-12 as follows:

Amendment #1

Delete the references to “of the policies and procedures” and replace with “Regulations” Seconded. CARRIED on voice vote.

- Alderman Israel moved to amend O-17-12 as follows:

Amendment # 2

On page 2, in lines 36 - 40, delete “POLICIES AND PROCEDURES. IN ADDITION TO THE FOREGOING, THE CITY COUNCIL MAY ADOPT BY RESOLUTION ANY POLICY OR PROCEDURE RECOMMENDED BY THE DIRECTOR OF FINANCE FOR EXPEDITED IMPLEMENTATION. IF SO ADOPTED, EACH SUCH POLICY OR PROCEDURE SHALL BECOME EFFECTIVE UPON THE APPROVAL OF THE RESOLUTION. Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Israel moved to adopt O-17-12 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman, Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

O-23-12 Revisions to Title 17, Buildings and Construction – For the purpose of amending Title 17, Buildings and Construction to adopt the most recent codes published by the International Code Council and to comply with the provisions of the Maryland Performance Building Standards.

DNEP Director Broadbent and Chief of Code Enforcement Shanks were present and answered questions from Council.

- Alderman Arnett moved to adopt O-23-12 on second reading. Seconded.

The Economic Matters Committee and the Historic Preservation Commission reported favorably on O-23-12.

The main motion CARRIED on voice vote.

- Alderman Pfeiffer moved to adopt O-23-12 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman,
Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

O-24-12 Adoption of the Maryland Model Floodplain Management Ordinance as Chapter 17.11, Floodplain Management, of the City of Annapolis Code – For the purpose of adopting the Maryland Model Floodplain Management Ordinance as Chapter 17.11, Floodplain Management, of the City of Annapolis Code.

DNEP Director Broadbent and Chief of Code Enforcement Shanks were present and answered questions from Council.

- Alderwoman Finlayson moved to adopt O-24-12 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-24 -12.

The main motion CARRIED on voice vote.

- Alderman Pfeiffer moved to adopt O-24-12 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman,
Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

- Alderwoman Hoyle moved to amend the agenda to allow R-37-12 on second reader before O-25-12 on second reader. Seconded. CARRIED on voice vote.

The order of the agenda was amended to allow for R-37-12.

R-37-12 Authorizing the Annual Kunta Kinte Festival as an Official City of Annapolis Co-Sponsored Event – For the purpose of authorizing the annual Kunta Kinte festival as an official co-sponsored City of Annapolis event due to its importance and significance as a central element in our City’s history and the unique connection that Annapolis shares with Kunta Kinte.

- Alderwoman Finlayson moved to adopt R-37-12 on second reading. Seconded.

- Alderman Finlayson moved to amend R-37-12 as follows:

Amendment # 1

On page 2, in line 21, after event add “.” and delete “at its discretion.” Seconded. CARRIED on voice vote.

Amendment # 2

On page 2, in line 20, after City delete "may" and add "shall" Seconded.
CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman,
Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

- Alderwoman Hoyle requested her name be added as a sponsor to R-37-12.

The order of the agenda was resumed.

O-25-12 The Time for Beginning Regular Meetings of the City Council – For the purpose of changing the beginning time for regular meetings of the City Council from 7:30 p.m. to 7:00 p.m.

- Alderman Arnett moved to adopt O-25-12 on second reading. Seconded.

The Rules and City Government Committee reported no action on O-25-12.

The main motion CARRIED on voice vote.

- Alderman Arnett moved to adopt O-25-12 on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwoman Finlayson, Aldermen Silverman, Pfeiffer,
Arnett, Israel, Paone

NAYS: Alderwoman Hoyle, Aldermen Kirby

CARRIED: 7/2

R-23-12 Supporting City of Annapolis Participation in the Sustainable Maryland Certified Municipal Certification Program – For the purpose of expressing the sense of the Annapolis City Council to register and pursue the Sustainable Maryland state certification program for local municipalities.

DNEP Director Broadbent was present and answered questions from Council.

The Environmental Matters Committee reported favorably on R-23-12.

- Alderman Arnett moved to adopt R-23-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman,
Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 8/0

- Alderman Kirby was out of the room during the vote.

R-30-12 Formation of a Task Force on the Police and Fire Pension Plan and Other Post Employment Benefits (OPEB) – For the purpose of implementing the Finance Committee's FY 2013 budget recommendation by forming a task force to study cost containment and recommend solutions to fund the Police and Fire Pension Plan and Other Post Employment Benefits (OPEB) for City of Annapolis employees.

Human Resources Director Rensted was present and answered questions from Council.

The Rules and City Government Committee reported favorably with amendments on R-30-12.

- Alderman Arnett moved to adopt R-30-12 on second reading. Seconded.
- Alderman Arnett moved to amend R-30-12 as follows:

Amendment #1

Page 1, Lines 22-29, strike:

WHEREAS, the City's Financial Advisory Commission stated in a May 11, 2012 letter to the Mayor and City Council, "Short of converting to defined contribution plans, which would be optimal, the only changes that are likely to fix the structural problems with the existing pensions are to increase retirement ages and to push out eligibility for beginning payments to retirees. Adjusting funding levels for employees and the City within realistic ranges, changing assumptions on forward looking rates of return and making small changes in the plan structure will only slightly defer the problem; and

And replace with:

WHEREAS, the Memoranda of Understanding negotiated with the City's public safety unions for FY 2013 included a commitment to create a Task Force to evaluate changes to the Police and Fire pension, including funding levels, plan design, and possibility of creating a Deferred Retirement Option Program (DROP); and

Amendment #2

Page 2, Line 13: insert "one" before "Representative"
Page 2, Line 14: insert "one" before "Representative"

Amendment #3

Page 2, Line 15: insert

"For the OPEB Task Force
One representative from AFSCME
One representative from the Employee Feedback Committee" Seconded.
CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 8/0

- Alderman Silverman was out of the room during the vote.

R-31-12 The Approval of a Community Legacy Application – For the purpose of approving the application and receipt of financing for Community Legacy Projects(s) at the City of Annapolis' Bates Heritage Youth Development Park to be financed either directly by the Department of Housing and Community Development (the Department) of the State of Maryland or through other departments or agencies of the State of Maryland.

- Alderman Arnett moved to adopt R-31-12 on second reading. Seconded.

The Housing and Human Welfare Committee reported favorably on R-31-12.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman,
Kirby, Pfeiffer, Arnett, Israel, Paone

NAYS:

CARRIED: 9/0

R-32-12 Establishing the Hillman Garage Advisory Committee – For the purpose of establishing the Hillman Garage Advisory Committee and specifying the process for appointing members of the Committee.

- Alderman Arnett moved to adopt R-32-12 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Cohen, Alderwomen Hoyle, Finlayson, Aldermen Silverman,
Kirby, Pfeiffer, Arnett, Israel

NAYS: Alderman Paone

CARRIED: 8/1

CHARTER AMENDMENT, ORDINANCES, and RESOLUTION – 1st READING

CA-4-12 Designating Emergency Preparedness and Risk Management Responsibility to the City of Annapolis Fire Department – For the purpose of making the City Charter consistent with the City Code by designating emergency preparedness and risk management responsibility to the City of Annapolis Fire Department.

- Alderman Arnett moved to adopt CA-4-12 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee

O-26-12 Revisions to the Zoning Map Amendment Process – For the purpose of amending Chapter 21.34 (Zoning Map Amendments) of the Annapolis City Code by establishing new procedures for local zoning map amendments, sectional zoning map amendments, and comprehensive zoning map amendments.

- Alderman Arnett moved to adopt O-26-12 on first reader. Seconded. CARRIED on voice vote

Referred to the Rules and City Government Committee and the Planning Commission.

O-27-12 Removing the Requirement that a Certified Public Accountant Attest to Ratio Reports for Restaurants Renewing their Alcoholic Beverage Licenses – For the purpose of removing the requirement that a certified public accountant attest to the ratio reports that restaurant class alcoholic beverage licensees must provide when renewing their licenses and instead allowing the owner to provide a sworn statement regarding the ratio of food and liquor sales.

- Alderman Kirby moved to adopt O-27-12 on first reader. Seconded. CARRIED on voice vote

Referred to the Economic Matters Committee.

R-36-12 A Request to the Maryland General Assembly Regarding the Residency Requirement for Alcoholic Beverage License Holders – For the purpose of respectfully requesting that the Maryland General amend Article 2B of the Annotated Code of Maryland (Alcoholic Beverages) to allow the alcoholic beverage residency requirement for a City of Annapolis alcoholic beverage license to be fulfilled by a resident of Anne Arundel County.

- Alderman Paone moved to adopt R-36-12 on first reader. Seconded. CARRIED on voice vote.

Referred to the Economic Matters.

O-28-12 For the purpose of amending the procedures for the sale and rental of moderately priced dwelling units.

- Alderwoman Hoyle moved to adopt O-28-12 on first reader. Seconded. CARRIED on voice vote.

The Rules and City Government and the Housing and Human Welfare Committees, and the Planning Commission.

- Alderwoman Hoyle requested her name be added as a sponsor to O-28.12.

BUSINESS and MISCELLANEOUS

2. Appointments and Re-Appointments

- Alderman Arnett moved to approve the Mayor’s appointments and re-appointments of the following individuals:

The Environmental Matters Committee reviewed and reported favorably on the appointment / re-appointments.

| | |
|---|----------------|
| 7/23/12 Annapolis Environmental Commission..... | Kurt Riegel |
| 7/23/12 Annapolis Conservancy Board..... | Karen Jennings |
| 7/23/12 Annapolis Environmental Commission..... | Ted Webber |
| 7/23/12 Annapolis Environmental Commission..... | Diane Butler |

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:16 p.m.

Regina C. Watkins-Eldridge, MMC
City Clerk

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**CITY COUNCIL OF THE
City of Annapolis**

Ordinance No. O-22-12

Introduced by: Alderman Paone

| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| 5/29/12 | | | 8/27/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Rules and City Gov't | 5/29/12 | | |
| Planning Commission | 5/29/12 | | |

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AN ORDINANCE concerning

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Multi-Family Dwellings in the BR Zoning District

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FOR the purpose of permitting multi-family dwellings in the BR zoning district.

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BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2011 Edition
Section 21.48.020

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SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

19

Chapter 21.48 – Use Tables.

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Section 21.48.020 – Table of Uses – Commercial and Industrial Zoning Districts

21

| USES | District B1 | District B2 | District B3 | District B3-CD | District BCE | District BR | District C2 | District C2A | District PM2 | District I1 |
|-------------------------|-------------|-------------|-------------|----------------|--------------|-------------|-------------|--------------|--------------|-------------|
| Dwellings, multi-family | | | | | P-Std | P | S | | S | |

| USES | District B1 | District B2 | District B3 | District B3-CD | District BCE | District BR | District C2 | District C2A | District PM2 | District I1 |
|---|-------------|-------------|-------------|----------------|--------------|-------------|-------------|--------------|--------------|-------------|
| Dwellings above the ground floor of nonresidential uses | P | P | | | P | [P] | P | P | | |

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SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this Ordinance shall take effect from the date of its passage.

ADOPTED this _____ day of _____, _____.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

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EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.
[brackets] indicate matter stricken from existing law.
Underlining indicates amendments.

Policy Report

O-22-12

Multi-Family Dwellings in the BR Zoning District

The proposed ordinance would permit multi-family dwellings in the BR zoning district and no longer permit dwellings above the ground floor of nonresidential uses in the BR zoning district.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at JCCowles@annapolis.gov or 410.263.1184.

FISCAL IMPACT NOTE

Legislation No: O-22-12

First Reader Date: 5-29-12

Note Date: 7-18-12

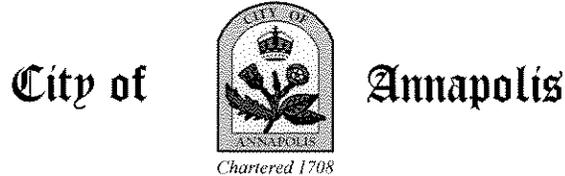
Legislation Title: Multi-Family Dwellings in the BR Zoning District

Description:

For the purpose of permitting multi-family dwellings in the BR zoning district.

Analysis of Fiscal Impact:

This legislation will have no fiscal impact as it will generate permits fees offset by operating expenses.



PLANNING COMMISSION

(410)263-7961

145 GORMAN STREET, 3RD FLOOR
ANNAPOLIS, MARYLAND 21401

July 5, 2012

To: Annapolis City Council

From: Planning Commission

Re: Findings—O-22-12 amending the BR, Business Revitalization District to allow first floor residential uses

SUMMARY

Ordinance O-22-12 proposes an amendment to the BR zoning district which would allow residential uses on the ground floor. The BR zone was developed and adopted in 1996 as a result of the *Clay Street Revitalization Plan*, and applied to properties on the corner of Clay and W Washington Streets, the Stanton Center and Elks Club on Northwest Street.

At the time of adoption, the properties on the west side of W Washington Street were zoned R4, as were the Stanton Center and Elks Club, and the properties on the east side of W Washington street were zoned B1. The plan noted that the zoning at the time did not reflect the existing pattern of development and that the commercial uses on the west side of W Washington St. were 'grandfathered' rather than permitted uses even though they were historically commercial uses. The BR zoning district was adopted to address this discrepancy and adopt employ bulk and other considerations more appropriate to traditional development patterns in the area.

Subsequent to the *Clay Street Revitalization Plan*, an economic revitalization for the Clay Street area was conducted (2008). A number of sites were analyzed including the sites zoned BR. In consideration of the building at the corner of Clay And W Washington St. the study noted that:

However, Clay Street in general has no visibility to regional traffic patterns and the building is held captive to extremely localized traffic. Therefore, on an individual basis, the building would be difficult to market for commercial uses outside of neighborhood convenience.

This study further notes that commercial uses in the BR area will not be completely viable until other commercial uses 'wrap' up Clay St. from Calvert St. to create a commercial corridor from Calvert to W Washington Streets.

STAFF RECOMMENDATION

At a regularly scheduled meeting on July 5, 2012, the Planning and Zoning staff presented their analysis and recommendations for revision of the legislation. The intent of the legislation is to provide for the rehabilitation and reuse of a currently vacant building recognizing that market conditions are not conducive to first floor commercial uses at this time.

PUBLIC HEARING AND DELIBERATION

In accordance with the Annapolis City Code, a public hearing was held and the public was invited to comment on the proposed text amendment. After the close of the public hearing, the Planning Commission entered into deliberations.

RECOMMENDATION

Under section 21.32.010 Purpose and authority of the City Code, it states the following:

For the purpose of promoting the public health, safety, morals and general welfare, and conserving the value of property throughout the city, the city council, from time to time, in the manner set forth in this chapter, may amend the regulations imposed in the districts created by this title; provided, that in all amendatory ordinances adopted under the authority of this chapter, due allowance shall be made for existing conditions, the conservation of property values, the direction of building development to the best advantages of the entire city and the uses to which property is devoted at the time of the adoption of the amendatory ordinance.

The code further requires under section 21.32.020 that "Within thirty days after the commission has completed its review of the proposed amendment, but in no case longer than ninety days after the matter has been placed on the agenda of the commission, the commission shall submit its written recommendations to the city council".

Following a review of the staff report and consideration of staff and public comments, the Commission by an affirmative vote of 6-0 (with one recusal) finds that adoption of this zoning code amendment is consistent with the findings under Section 21.32.010, and recommends that Ordinance O-22-12 be adopted.

Adopted July 5, 2012



Jane C. Holzschuh
for

Dr. Eleanor Harris, Chair

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**CITY COUNCIL OF THE
City of Annapolis**

Ordinance No. O-33-12

Introduced by: Mayor Cohen

| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| 9/10/12 | | | 12/7/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Housing and Human Welfare | 9/10/12 | | |
| Economic Matters | 9/10/12 | | |

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AN ORDINANCE concerning

Modifications to City Code on Refuse and Recycling Services

FOR the purpose of modifying the City Code related to the City of Annapolis' provision of refuse and recycling services.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2011 Edition
Chapter 10.16
Section 17.40.265
Section 17.40.740

BY repealing the following portions of the Code of the City of Annapolis, 2011 Edition
Chapter 10.18

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

CHAPTER 10.16 – [GARBAGE AND REFUSE] SOLID WASTE

Article I - General Provisions

10.16.005 - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- A. ["Ashes" means the residue from the burning of wood, coal, coke or other combustible materials.] "APPROVED REFUSE CONTAINER" MEANS A CONTAINER MEETING THE REQUIREMENTS OF SECTION 10.16.030 AND USED FOR HOLDING

1 SOLID WASTE.

2 B. "BULK ITEMS" MEANS HOUSEHOLD ITEMS SUCH AS SOFAS, CHAIRS, TABLES,
3 TOILETS, KITCHEN CABINETS, CARPETING, MATTRESSES, BOX SPRINGS,
4 DRESSERS, LARGE TELEVISIONS, AND PICNIC TABLES. APPLIANCES AND METAL
5 ITEMS SUCH AS BED FRAMES, REFRIGERATORS, STOVES, AND DISHWASHERS
6 AND METAL OBJECTS OVER THREE FEET IN LENGTH OR WEIGHING MORE THAN
7 20 POUNDS EACH ARE ALSO BULK ITEMS. BULK ITEMS SHALL NOT INCLUDE
8 MATERIALS THAT ARE COLLECTED IN THE RECYCLING PROGRAM OR
9 CONSTRUCTION MATERIAL/ REMODELING DEMOLITION DEBRIS.

10 C. "COMMERCIAL" MEANS OCCUPIED WITH OR ENGAGED IN COMMERCE OR
11 WORK INTENDED FOR COMMERCE, INCLUDING NON-PROFIT AND RELIGIOUS
12 ORGANIZATIONS.

13 D. "COMMINGLED" MEANS THAT PAPER, GLASS, PLASTIC, AND CANS MAY BE
14 PLACED IN THE SAME CONTAINER.

15 [B] E. "Dead animals" means small dead animals, not exceeding [seventy] FIFTY pounds
16 each in weight, which die in the normal course of community activity, and excluding
17 condemned animals, animals from slaughterhouses and other animals normally
18 considered as industrial refuse.

19 F. "DISPOSITION" MEANS THE TRANSPORTATION, PLACEMENT, OR
20 ARRANGEMENT OF RECYCLABLE MATERIALS FOR ALL POSSIBLE END USES
21 EXCEPT DISPOSAL AS REFUSE.

22 [C. "Garbage" means putrescible animal and vegetable wastes resulting from the
23 handling, preparation, cooking or consumption of foods.]

24 G. "GENERATOR" MEANS THE LANDLORD OR MANAGEMENT COMPANY
25 RESPONSIBLE FOR REMOVAL OF SOLID WASTE.

26 H. "GLASS" MEANS CLEAR AND COLORED GLASS BOTTLES AND CONTAINERS.
27 GLASS SHALL NOT INCLUDE CRYSTAL, CERAMICS, LIGHT BULBS, PLATE
28 WINDOWS, OR LAMINATED, WIRED, OR MIRRORING GLASS.

29 I. "MULTI-UNIT COMMUNITY" MEANS TEN OR MORE APARTMENTS,
30 TOWNHOUSES OR CONDOMINIUMS LOCATED ON A SINGLE PROPERTY OR
31 CONTIGUOUS PROPERTIES UNDER COMMON OWNERSHIP OR MANAGEMENT,
32 INCLUDING PUBLIC-ASSISTED HOUSING. FOR THIS PURPOSE, "UNIT" MEANS AN
33 ENCLOSED SPACE THAT CONSISTS OF ONE OR MORE ROOMS OCCUPYING ALL
34 OR PART OF A FLOOR OR FLOORS IN A BUILDING OF ONE OR MORE FLOORS OR
35 STORIES, BUT NOT THE ENTIRE BUILDING, AND THAT IS DESIGNED FOR USE AS A
36 SINGLE RESIDENCE.

37 J. "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP, CORPORATION,
38 ASSOCIATION, COOPERATIVE ENTERPRISE, TRUST, MUNICIPAL AUTHORITY,
39 FEDERAL INSTITUTION OR AGENCY, STATE INSTITUTION OR AGENCY,
40 MUNICIPALITY, OTHER GOVERNMENTAL AGENCY OR ANY OTHER ENTITY OR ANY
41 GROUP OF SUCH PERSONS WHICH IS RECOGNIZED BY LAW AS THE SUBJECT OF
42 RIGHTS AND DUTIES. IN ANY PROVISIONS OF THIS CHAPTER PRESCRIBING A
43 FINE, PENALTY, OR IMPRISONMENT, THE TERM "PERSON" INCLUDES THE

1 OFFICERS AND DIRECTORS OF A CORPORATION OR OTHER LEGAL ENTITY
2 HAVING OFFICERS AND DIRECTORS.

3 K. "PLASTIC" MEANS ITEMS MADE FROM MOLDABLE SYNTHETIC, NATURAL, OR
4 ORGANIC MATERIALS AND FORMED INTO SHAPES, FURNITURE, TOYS, ETC.

5 L. "RECYCLABLE MATERIALS" MEANS THE FOLLOWING MATERIALS AND ANY
6 FUTURE MATERIALS THAT HAVE A USEFUL PHYSICAL OR CHEMICAL PROPERTY
7 INCLUDING, BUT NOT LIMITED, TO: NEWSPAPERS, MAGAZINES AND CATALOGS;
8 BOOKS; CARDBOARD AND PAPER BOXES; FILE FOLDERS; PACKING PAPER;
9 COLORED PAPER; WRAPPING PAPER; PIZZA BOXES; CORRUGATED BOXES;
10 COMPUTER PRINTOUTS; OFFICE PAPERS; ENVELOPES; PAPER BAGS;
11 TELEPHONE BOOKS; JUNK MAIL; ALUMINUM; GLASS BOTTLES; JARS; STEEL AND
12 FERROUS CANS; AND CONTAINERS INCLUDING AEROSOL CANS, HDPE- NATURAL
13 AND HDPE- COLORED, PET- HIGH GRADE. THE CITY WILL ENCOURAGE THE
14 RECYCLING OF OTHER MATERIALS AS MARKETS DEVELOP AS DETERMINED BY
15 THE DIRECTOR OF PUBLIC WORKS.

16 M. "RECYCLING" MEANS ANY PROCESS BY WHICH MATERIALS ARE COLLECTED,
17 SEPARATED OR PROCESSED, AND RETURNED TO THE ECONOMIC MAINSTREAM
18 IN THE FORM OF RAW MATERIALS OR PRODUCTS.

19 [D] N."Refuse" means all solid waste materials including garbage, [rubbish and ashes,]
20 dead animals, street cleanings and solid market and industrial wastes, but not human
21 excreta or building construction wastes.

22 O. "RESIDENTIAL" MEANS USED OR DESIGNED FOR RESIDENCE OR LIMITED TO
23 RESIDENCES.

24 [E. "Rubbish" means nonputrescible solid wastes, excluding ashes, consisting of paper,
25 cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, metals and similar
26 materials. It also includes tree trimmings, yard and street sweepings and weeds.]

27 P. "SOLID WASTE" MEANS REFUSE, RECYCLABLES, YARD WASTE, AND OTHER
28 WASTE MATTER, NOT TO INCLUDE EXPLOSIVES, POISONS, CORROSIVES,
29 FLAMMABLE LIQUIDS, HOT ASHES AND COALS, MEDICAL WASTE, OR OTHER
30 SIMILAR HAZARDOUS MATERIALS AND WASTES.

31 [F] Q."Wastes" means all unwanted materials, including liquid and solid materials.

32 R. "WASTE MINIMIZATION" MEANS THE VOLUNTARY REDUCTION BY THE
33 CONSUMER OF THE VOLUME OF REFUSE ENTERING THE SOLID WASTE STREAM.

34 S. "YARD TRIMMINGS" MEANS GRASS CLIPPINGS, WEEDS, DISCARDED PLANTS,
35 LEAVES, BRANCHES, BRUSH, AND TREE WOOD WASTE UP TO FOUR INCHES IN
36 DIAMETER AND NO LONGER THAN FOUR FEET IN LENGTH.

37

38 **10.16.010 – CURBSIDE PLACING AND REMOVAL OF APPROVED REFUSE CONTAINERS**

39 APPROVED REFUSE CONTAINERS SHALL BE PLACED CURBSIDE BY 6:00 A.M. ON THE
40 SCHEDULED COLLECTION DAY. RESIDENTS SHALL PLACE MATERIALS TO BE

1 COLLECTED IN AN APPROVED REFUSE CONTAINER OR PACKAGED AS OTHERWISE
2 PERMITTED IN THIS SECTION AT THE CURB NO EARLIER THAN 6:00 P.M. PRECEDING
3 THE SCHEDULED COLLECTION DAY. APPROVED REFUSE CONTAINERS SHALL BE BE
4 REMOVED FROM THE SIDEWALK NO LATER THAN 12:00 A..M. FOLLOWING THE
5 SCHEDULED COLLECTION DAY. IN THE HISTORIC DISTRICT, AS DEFINED IN SECTION
6 21.56.030, APPROVED REFUSE CONTAINERS MUST BE REMOVED FROM PUBLIC VIEW.

7
8 **10.16.015 – SOLID WASTE CONTRACT**

9 A. NOTHING CONTAINED IN THIS CHAPTER SHALL BE CONSTRUED TO INTERFERE
10 WITH OR IN ANY WAY MODIFY THE PROVISIONS OF ANY EXISTING CONTRACT WHICH
11 IS IN FORCE IN THE CITY ON THE EFFECTIVE DATE OF THE ORDINANCE CODIFIED IN
12 THIS CHAPTER.

13 B. NO RENEWAL OF ANY EXISTING SOLID WASTE COLLECTION CONTRACT UPON
14 THE EXPIRATION OF THE ORIGINAL TERM AND NO NEW CONTRACT FOR THE
15 COLLECTION, TRANSPORTATION, PROCESSING OR PURCHASE OF SOLID WASTE OR
16 RECYCLABLES SHALL BE ENTERED INTO AFTER THE EFFECTIVE DATE OF THE
17 ORDINANCE CODIFIED IN THIS CHAPTER, UNLESS SUCH RENEWAL OR SUCH
18 CONTRACT CONFORMS TO THE REQUIREMENTS OF THIS CHAPTER.

19 C. FAILURE OF A SOLID WASTE CONTRACTOR TO CONFORM TO THE
20 REQUIREMENTS OF THIS CHAPTER SHALL RESULT IN THE IMPOSITION OF A FINE
21 AUTHORIZED BY RESOLUTION OF THE CITY COUNCIL.

22
23 **10.16.017 [10.16.150] - Compliance with placement requirements.**

24 SOLID WASTE [Refuse, rubbish, ashes and other material] placed for collection in a manner
25 which does not meet the requirements outlined in [Article II of] this chapter [shall] MAY not be
26 collected AT THE DISCRETION OF THE DIRECTOR OF PUBLIC WORKS.

27
28 **Article II – [Accumulation and Storage] RESIDENTIAL REFUSE**

29 **10.16.020 - Containers—Providing for collection.**

30 For [an] areaS in which the City provides refuse collection, the owner [or occupant of every
31 premises] OF UNITS [who wishes to have refuse from that premises collected] shall provide
32 APPROVED refuse containers FOR STORAGE OF SOLID WASTE BETWEEN COLLECTIONS
33 [at a place convenient and satisfactory to the Director of Public Works]. ON THE DAY OF
34 COLLECTION, REFUSE SHALL BE PLACED AT THE CURB OR A LOCATION APPROVED
35 BY THE DIRECTOR OF PUBLIC WORKS. The provisions of this article govern refuse
36 containers, their use and placement. [Refuse shall be collected solely from premises which have
37 complied with these provisions.]

1 **10.16.030 - Containers—Specifications[—Placement].**
2

3 A. THE OWNERS OF RESIDENTIAL UNITS SHALL BE RESPONSIBLE FOR ENSURING
4 APPROVED REFUSE CONTAINERS ARE PROVIDED WITH SUFFICIENT VOLUME TO
5 STORE ALL SOLID WASTE BETWEEN COLLECTIONS.
6

7 B. REFUSE SHALL BE:
8

- 9 1. PLACED IN PLASTIC BAGS WITH ALL OPENINGS SECURELY CLOSED, AND
10 2. SHALL BE STORED IN APPROVED REFUSE CONTAINERS AT ALL TIMES.

11 C. APPROVED Refuse containers shall:

12 [A] 1. Be durable;

13 [B] 2. Be rust-resisting;

14 [C] 3. Be easily washable and nonabsorbent;

15 [D] 4. Be watertight;

16 [E] 5. Have TIGHT[close]-fitting covers OR LIDS [in place];

17 [F] 6. Have adequate handles;

18 [G] 7. Have a maximum capacity PER CONTAINER of thirty-two gallons;

19 8. BE CLEARLY MARKED WITH MINIMUM 3" HIGH NUMBERS AND LETTERS
20 INDICATING THE ADDRESS OF THE UNIT FOR WHICH REFUSE IS BEING
21 COLLECTED;

22 [J] 11. Not be sold or furnished by the City or by its employees.

23 [H. Be placed on the sidewalk no sooner than twelve hours preceding the scheduled time
24 for collection; provided, that a commercial establishment shall not place its container on
25 the sidewalk until it has closed for business preceding the collection;]

26 [I. Be removed from the sidewalk no later than twelve hours following the scheduled
27 time for collection; and in the historic district as defined in Section 21.56.030, be removed
28 from view from a public way; however, a commercial establishment which is open for
29 business shall remove its containers immediately following collection;]

30
31 **10.16.035 [10.16.040] - Containers—Use of another's.**

32 The owner or occupant of any premises which is entitled to refuse collection shall not place
33 refuse from the premises in the containers of another premises or in public containers.

34 **[10.16.060 - Rubbish.]**

35 [Rubbish may be stored in containers with garbage. Bulky rubbish, not contaminated with
36 putrescible organic matter, such as tree trimmings, weeds and large cardboard boxes shall be
37 cut and tied securely in bundles not to exceed four feet in length nor fifty pounds in weight.

1 Leaves, weeds, grass, shrubbery trimmings and other garden cuttings may be stored in open
2 containers or synthetic bags made for that purpose.]

3

4 **[10.16.070 - Ashes.]**

5 [All ashes shall be placed in metal containers with close-fitting covers supplied for this purpose
6 by the householder. Ashes will not be removed when the receptacle is filled so full that it cannot
7 be carried without spilling nor when the combined weight of container and contents exceeds
8 seventy-five pounds. Ashes containing hot embers shall not be placed out for collection.]

9

10 **10.16.040 [10.16.080] - Dead animals.**

11 All small dead animals, such as rodents, birds and kittens, shall be wrapped securely and
12 placed in containers as specified for REFUSE [garbage and rubbish]. Larger dead animals,
13 such as dogs and cats, shall not be disposed of with REFUSE [garbage and rubbish] but shall
14 be removed AND DISPOSED OF BY [the County Animal Control Agency, Society for
15 Prevention of Cruelty to Animals or by] the ANIMAL owner.

16

17 **10.16.050 - Out-of-Area Collection**

18

- 19 A. THE DIRECTOR OF PUBLIC WORKS MAY HAVE SOLID WASTE COLLECTED BY CITY
20 EMPLOYEES OR BY INDEPENDENT CONTRACTORS.
21 B. RESIDENTS RESIDING AT THE END OF CITY STREETS THAT MAY BE IN ANNE
22 ARUNDEL COUNTY, BUT NOT WITHIN THE CITY'S SERVICE AREA, MAY REQUEST IN
23 WRITING TO BE SERVICED BY THE CITY OF ANNAPOLIS AND TO PAY THE SAME
24 RATE AS A CITY RESIDENT, IF APPROVED, AT THE DISCRETION OF THE DIRECTOR
25 OF PUBLIC WORKS.
26 C. THE ANNE ARUNDEL COUNTY RESIDENTS REFERENCED IN SECTION 10.16.050B
27 ARE REQUIRED TO MEET ALL RESIDENTIAL REQUIREMENTS CONTAINED IN THIS
28 CODE, AND A MUNICIPAL CITATION MAY BE ISSUED FOR NON-COMPLIANCE. NON-
29 COMPLIANCE MAY RESULT IN TERMINATION OF CITY OF ANNAPOLIS SOLID WASTE
30 COLLECTION SERVICES.

31

32 **10.16.060 [10.16.160] - Dwelling units.**

33 A. For [garbage and] refuse collection from dwelling units within the City, an annual charge as
34 established by resolution of the City Council per dwelling unit shall be collected by the Director
35 of Finance. This charge shall be shown upon the quarterly water bill of the property owner and
36 shall be a lien upon the property.

37 B. For the purposes of this section, every apartment and condominium unit shall be
38 considered a separate dwelling unit, even though one building may contain more than one unit.

39 C. Owners or operators of apartment and condominium developments consisting of ten or
40 more dwelling units under one ownership or management may elect to furnish their own
41 [garbage and] refuse collection service, provided satisfactory evidence of service by a private
42 commercial refuse collection firm is provided to the City as set forth in Section 10.16.225.

1 D. For buildings with both residential and commercial uses, the property owner may elect to
2 consolidate residential and commercial refuse collection by a private commercial refuse hauler
3 licensed to operate in the City of Annapolis[;], provided[,] satisfactory evidence of service by the
4 private commercial refuse collection firm is provided to the City as set forth in Section
5 10.16.225.

6 E. Buildings with residential uses THAT elect to furnish their own [garbage and] refuse
7 collection service as described in this section shall also provide for their own residential
8 recycling collection service as defined in Section 10.16.020, and shall provide the Department of
9 Public Works with satisfactory evidence of such recycling service.

10

11 **10.16.070 [10.16.240] - Special home pickups.**

12 The Director of Public Works may designate certain days during the year as a free pickup period
13 and no charges for refuse pickup shall be made during those designated days.

14

15 **10.16.080 [10.16.130] - Garbage/refuse violation.**

16 A person who violates Sections 10.16.020, 10.16.030, 10.16.0[40]35, [10.16.050] and 10.16.100
17 of this article is guilty of a municipal infraction and is subject to a fine as established by
18 resolution of the City Council [for each repeat or continuing violation].

19

20 **[10.16.090 - Removal of unsatisfactory containers.]**

21 [The Director of Public Works, upon notification to the owner or occupant of the premises, shall
22 remove unsatisfactory storage containers from the premises of residences and establishments,
23 public and private, when the containers do not meet the requirements outlined in this article.]

24

25 **Article III – REFUSE – GENERAL [Collection]**

26 **10.16.090 [10.16.040] - Containers—Use of another's.**

27 The owner or occupant of any premises which is entitled to refuse collection shall not place
28 refuse from the premises in the containers of another premises or in public containers.

29

30 **10.16.095 – REFUSE [10.16.050 – Garbage]**

31 [Garbage] REFUSE shall be drained and wrapped before storage in a refuse container. The
32 liquid portion of garbage shall be drained into the sanitary sewer.

33 **10.16.100 - Notice to remove refuse accumulations.**

34 The Director of Neighborhood and Environmental Programs from time to time shall visit and
35 inspect all premises, yards and alleys, and where the director observes accumulations of
36 [rubbish or] refuse, shall serve notice on the [tenants or] owners of the premises to remove the

1 accumulations. Any [tenant or] owner who fails to comply with the notice within [ten] SEVEN
2 days from the time the notice is given is guilty of a municipal infraction and subject to a fine as
3 established by resolution of the City Council.

4

5 **10.16.110 - Inspections—Right of entry.**

6 The Director of Neighborhood and Environmental Programs may enter all premises, other than
7 the interior of dwellings, at all reasonable hours for the purpose of inspecti[on]NG [of] refuse
8 storage facilities and adjoining resting places and harborages of insects and rodents, and to
9 apply or require chemical treatment for the temporary control of insects and rodents.

10

11 **10.16.120 - Uncontained accumulations.**

12 [A. No person shall permit refuse, except bulky rubbish, to accumulate on any premises or
13 vacant lot except in containers as specified in this article. All persons shall provide a sufficient
14 number of proper containers to hold all refuse accumulating between collections.]

15 [B. Neither from building construction and repair nor any other wastes shall be allowed to
16 accumulate on any premises or vacant lot to create potential mosquito breeding places.]

17 A. NO PERSON SHALL PERMIT SOLID WASTE TO ACCUMULATE ON ANY PROPERTY
18 THEY OWN, OCCUPY, OR CONTROL OR VACANT LOT EXCEPT IN CONTAINERS AS
19 SPECIFIED IN THIS CHAPTER.

20

21 **10.16.130 [10.16.140] - Required—City direction.**

22 SOLID WASTE [Garbage, rubbish and other refuse, as defined in this chapter,] shall be
23 removed from dwelling units, business places and other buildings within the City under the
24 direction of the Director of Public Works, in accordance with the rules and regulations
25 established pursuant to this chapter.

26

27 **10.16.140 [10.16.190] - Rules and regulations.**

28 A. The Director of Public Works shall promulgate rules and regulations, which shall be
29 effective upon approval by the City Council, governing the placing and removing of SOLID
30 WASTE [refuse, garbage, rubbish and ashes], the amounts to be collected, and providing for
31 the assessment of charges for hauling or disposing of SOLID WASTE [refuse, garbage, rubbish,
32 ashes or waste matter,] over and above a fixed amount.

33 B. The Director of Public Works shall publish the rules and regulations in a newspaper
34 published in the City in at least two issues of general circulation within a period of five days
35 before the effective date of the rules and regulations.

36 C. The [d]Director OF PUBLIC WORKS shall not direct or authorize the collection of SOLID
37 WASTE [refuse, garbage, ashes or rubbish] over and above the FIXED amounts set by the
38 [d]Director until [such] THE REQUIRED fees or assessments are paid IN ACCORDANCE WITH

1 THE APPLICABLE [according to the] rules and regulations.

2

3 **10.16.150 – Reserved**

4

5 **10.16.160 [10.16.210] - Unauthorized tampering or collecting.**

6 No person shall tamper with, collect, transport through the streets or interfere with the contents
7 of any receptacle containing REFUSE [garbage, rubbish or ashes] except employees of the
8 City, CITY SOLID WASTE CONTRACTORS, or other designated City officials, or those persons
9 to whom special permits have been granted as provided for in Section 10.16.225.

10

11 **Article IV – RESIDENTIAL RECYCLING**

12 **10.16.170 – RECYCLING PROGRAM.**

13 THE CITY OF ANNAPOLIS RECYCLING PROGRAM AS DESCRIBED HEREIN SHALL,
14 INSOFAR AS POSSIBLE, MEET OR EXCEED THE SOLID WASTE REDUCTION GOALS AS
15 STATED IN THE ANNE ARUNDEL COUNTY SOLID WASTE MANAGEMENT PLAN
16 THROUGH CONCERTED APPLICATION OF THE PRINCIPALS OF RECYCLING AND
17 WASTE MINIMIZATION.

18

19 **10.16.180 - ESTABLISHMENT OF RESIDENTIAL CURBSIDE RECYCLING PROGRAM.**

20 A. THERE IS ESTABLISHED WITHIN THE CITY OF ANNAPOLIS A RESIDENTIAL
21 CURBSIDE RECYCLING PROGRAM FOR THE COLLECTION OF RECYCLABLE
22 MATERIALS FROM ALL RESIDENTS OF THE CITY WHOSE SOLID WASTE IS COLLECTED
23 BY OR ON BEHALF OF THE CITY.

24 B. COLLECTIONS OF RECYCLABLE MATERIALS PURSUANT TO THIS CHAPTER SHALL
25 BE MADE EVERY WEEK EXCEPT IN CASES WHERE THE COLLECTION DAY FALLS UPON
26 HOLIDAYS RECOGNIZED BY THE CITY. ALL COLLECTIONS SHALL OCCUR IN
27 ACCORDANCE WITH THE SOLID WASTE/ RECYCLING SCHEDULE PUBLICLY
28 ADVERTISED BY THE CITY.

29 C. ALL RESIDENTS OF THE CITY WITHIN THE AREA SERVICED BY THE CURBSIDE
30 PROGRAM SHOULD PLACE ALL RECYCLABLES MATERIALS INTO A CITY RECYCLING
31 CONTAINER AND PLACE THEM AT THE CURB FRONTING THEIR RESIDENCE IN THE
32 MANNER DESIGNATED BY THIS CHAPTER AND ON THE DATE SPECIFIED FOR
33 COLLECTION ON THE SCHEDULE PUBLISHED BY THE CITY.

34 D. RECYCLABLES MAY BE COMMINGLED INTO APPROVED CITY RECYCLING
35 CONTAINERS. PAPER AND CARDBOARD SHALL BE PLACED IN THE RECYCLING BIN, IN
36 PAPER BAGS, OR TIED INTO BUNDLES NOT TO EXCEED THIRTY-FIVE POUNDS IN
37 WEIGHT NOR EXCEED ONE FOOT IN THICKNESS.

1 E. CONTAINERS PLACED IN THE RECYCLING CONTAINER SHALL CONTAIN FIVE
2 PERCENT OR LESS FOOD CONTAMINATION.

3

4 **10.16.190 - UNLAWFUL ACTIVITIES—NUISANCE.**

5 A. IT SHALL BE UNLAWFUL FOR:

6 1. ANY PERSON, OTHER THAN THOSE PERSONS AUTHORIZED BY THE CITY, TO
7 COLLECT ANY DESIGNATED RECYCLABLE WHICH HAS BEEN PLACED AT THE
8 CURB FOR COLLECTION OR WITHIN A RECYCLING DROPOFF PURSUANT TO THIS
9 CHAPTER;

10 2. ANY PERSON TO VIOLATE OR TO CAUSE OR TO ASSIST IN THE VIOLATION
11 OF ANY PROVISION OF THIS CHAPTER OR ANY PROVISION OF THE CITY PLAN
12 CONCERNING RECYCLING;

13 3. ANY PERSON TO HINDER, TO OBSTRUCT, TO PREVENT OR TO INTERFERE
14 WITH THE CITY OR ANY OTHER AUTHORIZED PERSONS IN THE PERFORMANCE
15 OF ANY DUTY UNDER THIS CHAPTER OR IN THE ENFORCEMENT OF THIS
16 CHAPTER.

17

18 **10.16.200 - OTHER MEANS OF DISPOSAL.**

19 NOTWITHSTANDING ANYTHING TO THE CONTRARY, ANY RESIDENT OF THE CITY MAY
20 DONATE OR SELL ANY RECYCLABLE TO ANY OTHER PERSON, WHETHER OPERATING
21 FOR A PROFIT OR NOT FOR PROFIT; PROVIDED, HOWEVER, THAT THE PERSON
22 RECEIVING THE RECYCLABLES SHALL NOT, UNDER ANY CIRCUMSTANCES, COLLECT
23 THE DONATED OR SOLD MATERIAL FROM AN ESTABLISHED RECYCLING COLLECTION
24 ROUTE OR FROM A RECYCLING DROPOFF WITHOUT PRIOR WRITTEN PERMISSION
25 FROM THE CITY FOR SUCH COLLECTION.

26 ALL SOLID WASTE OR RECYCLING ITEMS ARE THE PROPERTY OF THE CITY OF
27 ANNAPOLIS ONCE PLACED AT THE CURB FOR COLLECTION. UNAUTHORIZED
28 REMOVAL OF SOLID WASTE OR RECYCLING ITEMS CONSTITUTES A MUNICIPAL
29 INFRACTION SUBJECT TO A FINE AUTHORIZED BY RESOLUTION OF THE CITY
30 COUNCIL.

31

ARTICLE V – RESIDENTIAL YARD TRIMMINGS

32 **10.16.210 - ESTABLISHMENT OF A RESIDENTIAL CURBSIDE YARD TRIMMING**
33 **RECYCLING PROGRAM.**

34 A. THERE IS ESTABLISHED WITHIN THE CITY OF ANNAPOLIS A RESIDENTIAL
35 CURBSIDE YARD TRIMMING RECYCLING PROGRAM FOR THE COLLECTION OF YARD
36 TRIMMINGS FROM ALL RESIDENTS OF THE CITY WHOSE SOLID WASTE IS COLLECTED
37 BY OR ON BEHALF OF THE CITY.

38 B. COLLECTIONS OF YARD TRIMMINGS PURSUANT TO THIS CHAPTER SHALL BE
39 MADE EVERY WEEK IN ACCORDANCE WITH THE SOLID WASTE/RECYCLING SCHEDULE

1 PUBLICLY ADVERTISED BY THE DIRECTOR OF PUBLIC WORKS.

2 C. ALL RESIDENTS OF THE CITY WITHIN THE AREA SERVICED BY THE CURBSIDE
3 PROGRAM SHOULD PLACE ALL YARD TRIMMINGS INTO A CONTAINER AND PLACE
4 THEM AT THE CURB FRONTING THEIR RESIDENCE IN THE MANNER DESIGNATED BY
5 THIS CHAPTER AND ON THE DATE SPECIFIED FOR COLLECTION BY THE SCHEDULE
6 PUBLISHED BY THE DIRECTOR OF PUBLIC WORKS.

7 D. YARD TRIMMINGS SHALL BE PLACED IN OPEN CONTAINERS, PLASTIC OR PAPER
8 LAWN BAGS CLEARLY MARKED WITH AN "X". EACH CONTAINER SHALL NOT EXCEED
9 FIFTY POUNDS IN WEIGHT.

10 E. BRANCHES AND BRUSH SHALL BE TIED WITH A NATURAL FIBER ROPE OR TWINE,
11 AND THE FINISHED BUNDLE SHALL BE NO MORE THAN TWO FEET BY FOUR FEET IN
12 SIZE, NOT EXCEED FIFTY POUNDS IN WEIGHT.

13 F. YARD TRIMMINGS SHALL NOT BE COLLECTED AS SOLID WASTE FOR DISPOSAL IN
14 A LANDFILL.

15 **ARTICLE VI – COMMERCIAL REFUSE**

16 **10.16.220 [10.16.170] - Commercial establishments—Private collection.**

17 A. Municipal collection of refuse shall not be provided to commercial establishments or
18 businesses within the City.

19 B. All commercial establishments or businesses within the City shall receive refuse collection
20 from a [licensed] CITY-PERMITTED private commercial refuse collection firm.

21 C. The owner of each commercial establishment or business within the City shall notify the
22 Department of Public Works not later than December 1st of each year, WITH the name and
23 address of the firm, a complete description of services, the terms of the services and a copy of
24 the contract for private refuse collection for the following year.

25 D. THE OWNER OF EACH COMMERCIAL ESTABLISHMENT OR BUSINESS WITHIN THE
26 CITY SHALL PROVIDE SUFFICIENT SOLID WASTE CONTAINER STORAGE CAPACITY
27 SUCH THAT THE COVERS OF SAID CONTAINERS SHALL BE COMPLETELY AND FIRMLY
28 CLOSED AT ALL TIMES.

29 E. COMMERCIAL SOLID WASTE SHALL NOT BE SET OUT FOR COLLECTION EARLIER
30 THAN 11:00 P.M. THE NIGHT PRECEDING A SCHEDULED COLLECTION DAY. APPROVED
31 REFUSE CONTAINERS FROM COMMERCIAL ESTABLISHMENTS SHALL BE REMOVED
32 FROM PUBLIC VIEW IMMEDIATELY FOLLOWING COLLECTION.

33
34 F. THE CITY HAS THE RIGHT TO ESTABLISH A SYSTEM OF FRANCHISING FOR
35 COMMERCIAL ESTABLISHMENTS WITHIN THE CITY OF ANNAPOLIS. THE CITY, BY
36 ADOPTING AN ORDINANCE, MAY ESTABLISH DESIGNATED FRANCHISE AREAS WITHIN
37 THE CITY THROUGH A COMPETITIVE PROCUREMENT TO AWARD AN EXCLUSIVE
38 FRANCHISE UNDER A FRANCHISE AGREEMENT TO ONE QUALIFIED ORGANIZATION
39 FOR THE COLLECTION OF NON-HAZARDOUS WASTE FROM COMMERCIAL
40 ESTABLISHMENTS IN THOSE AREAS. THE FRANCHISE COULD BE FOR ONLY REFUSE,

1 REFUSE AND RECYCLING, OR ONLY RECYCLING. THE CITY WOULD RESERVE THE
2 RIGHT TO TERMINATE OR MODIFY THE PRIVATE HAULERS SOLID WASTE COLLECTION
3 PERMIT, WITH A 30-DAY WRITTEN NOTICE, SHOULD THE CITY DECIDE TO FRANCHISE
4 PRIVATE HAULERS.

5

6

7 **[10.16.180 - Commercial establishments—Private collection.]**

8

9 **10.16.225 [10.16.200] - Permits for private collectors.**

10 A. No person shall engage in the collection of SOLID WASTE [refuse and garbage] from
11 homes or businesses without first having received a permit from the Director of Public Works.

12 B. Granting of the permit shall be contingent upon the approval of collection equipment and
13 disposal methods by the Director of Public Works, who may revoke any permit for cause.

14 C. An annual fee as established by resolution of the City Council shall be paid to the Finance
15 Director for each permit.

16

17 **10.16.230 [10.16.220] - Littering during removal.**

18 A. No person engaged in the removal of any SOLID WASTE [garbage and refuse] of the City
19 SHALL negligently [shall] permit any paper or other article to drop or be blown from [refuse
20 removal] COLLECTION VEHICLES [trucks]. Every load of SOLID WASTE [garbage or refuse
21 dumped from any refuse removal truck, whether dumped without or within the City, shall be
22 dumped, and light articles in the load covered,] SHALL BE COVERED so that paper or OTHER
23 light articles cannot be blown into the streets, lanes or alleys or away from any landfill.

24 B. Any person who violates this section is guilty of a municipal infraction and is subject to a
25 fine as established by resolution of the City Council.

26

27 **[10.16.230 - City landfill charges.]**

28 [A. Charges for refuse delivered to the City landfill shall be established by resolution of the
29 City Council.]

30

31 **ARTICLE VII – COMMERCIAL RECYCLING**

32 **10.16.240 - COMMERCIAL RECYCLING.**

33 A. THE DIRECTOR OF PUBLIC WORKS SHALL ESTABLISH A VOLUNTARY CURBSIDE
34 COLLECTION SERVICE FOR RECYCLABLES FROM PERSONS WHOSE PROPERTY IS
35 NOT OTHERWISE SUPPLIED WITH CURBSIDE COLLECTION SERVICE. THE DIRECTOR

1 MAY SET REASONABLE CRITERIA FOR DETERMINING ELIGIBILITY FOR PARTICIPATION
2 IN THE SERVICE FOR THOSE WHO OWN, OPERATE, OR CONTROL COMMERCIAL
3 ESTABLISHMENTS.

4 B. THERE IS A SERVICE CHARGE, TO BE DETERMINED BY THE DIRECTOR OF PUBLIC
5 WORKS, ON A PROPERTY-BY-PROPERTY BASIS BASED ON THE COST OF COLLECTION
6 FROM THAT PROPERTY, TO BE CHARGED TO EACH PERSON THAT PARTICIPATES IN
7 THE VOLUNTARY CURBSIDE COLLECTION PROGRAM.

8 C. AN AGREEMENT SHALL BE SIGNED WITH COMMERCIAL ESTABLISHMENTS
9 SEEKING VOLUNTARY COLLECTION SERVICE AND THE DIRECTOR OF PUBLIC WORKS
10 SHALL BE RESPONSIBLE FOR ENFORCING SUCH AGREEMENTS.

11

12 **ARTICLE VIII – MULTI-UNIT COMPLEX RECYCLING**

13 **10.16.250 - MULTI-UNIT COMMUNITY RECYCLING PROGRAM.**

14 A. ALL PROPERTY OWNERS OF MULTI-UNIT COMPLEXES WITHIN THE CITY OF
15 ANNAPOLIS THAT ARE NOT SERVED BY THE RESIDENTIAL CURBSIDE PROGRAM
16 ESTABLISHED PURSUANT TO THIS CHAPTER SHALL ARRANGE FOR RECYCLING
17 COLLECTION FOR THEIR RESIDENTS IN ACCORDANCE WITH THE CITY RESIDENTIAL
18 CURBSIDE RECYCLING PROGRAM FOR RECYCLABLE MATERIALS AND YARD
19 RECYCLABLE MATERIALS.

20 B. THE ARRANGEMENT FOR COLLECTION OF RECYCLABLE MATERIALS FOR
21 DISPOSITION SHALL BE THE RESPONSIBILITY OF THE PERSON WHO GENERATED THE
22 RECYCLABLES ("GENERATOR"). THE ARRANGEMENTS MAY INCLUDE, WITHOUT
23 LIMITATION, DIRECT MARKETING OF RECYCLABLES, DELIVERY TO A MATERIALS
24 RECOVERY FACILITY, CONTRACTS WITH SOLID WASTE COLLECTOR/HAULERS FOR
25 SEPARATE COLLECTION OF ANY OR ALL DESIGNATED RECYCLABLES OR CONTRACTS
26 WITH OTHER PERSONS FOR SEPARATE COLLECTION OF ANY OR ALL DESIGNATED
27 RECYCLABLES.

28 C. EACH MULTI-UNIT COMPLEX SHALL REPORT TO THE CITY, ON A SEMI-ANNUAL
29 BASIS, THE TOTAL WEIGHT OF RECYCLABLE MATERIALS THAT HAVE BEEN DIVERTED
30 FROM THE SOLID WASTE STREAM, AND THE TOTAL ESTIMATED WEIGHT OF SOLID
31 WASTE COLLECTED FROM EACH MULTI-UNIT COMMUNITY. REPORTING SCHEDULES
32 AND FORMS SHALL BE PROVIDED BY THE CITY.

33 D. EACH MULTI-UNIT COMPLEX SHALL HAVE ESTABLISHED PROCEDURES FOR THE
34 COLLECTION OF RECYCLABLES AS DESCRIBED HEREIN AND SHALL FILE THESE
35 PROCEDURES WITH THE DEPARTMENT OF PUBLIC WORKS WITHIN 180 DAYS OF THE
36 EFFECTIVE DATE OF THE ORDINANCE FOR EXISTING COMPLEXES OR AT THE TIME A
37 USE AND OCCUPANCY PERMIT IS ISSUED FOR NEW COMPLEXES.

38 E. EACH MULTI-UNIT COMPLEX RECYCLING PROGRAM MUST BE APPROVED BY THE
39 DEPARTMENT OF PUBLIC WORKS PRIOR TO IMPLEMENTATION. EACH RECYCLING
40 PROGRAM SUBMITTED TO THE DEPARTMENT OF PUBLIC WORKS SHALL INCLUDE
41 COPIES OF EXECUTED RECYCLING AND SOLID WASTE CONTRACTS (EXCLUDING

1 CONTRACT COSTS).

2 F. VIOLATIONS OF THIS SECTION SHALL CONSTITUTE A MUNICIPAL INFRACTION
3 SUBJECT TO A FINE AS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL.

4 **Article IX [IV] - Enforcement**

5 **10.16.260 [10.16.250] - Responsibilities.**

6 The enforcement of [all] sections 10.16.030, 10.16.035, 10.16.080, 10.16.100, 10.16.110,
7 10.16.120, 10.16.170, 10.16.180, 10.16.220D. and 10.16.220 E. of this chapter are [is] the
8 responsibility of the Director of Neighborhood and Environmental Programs [with the advice and
9 consultation of the Health Officer]. VIOLATIONS OF THIS SECTION SHALL CONSTITUTE A
10 MUNICIPAL INFRACTION SUBJECT TO A FINE AUTHORIZED BY RESOLUTION OF THE
11 CITY COUNCIL.

12

13 **10.16.270 [10.16.260] - Violation—Notice.**

14 Whenever the City determines that COMPLIANCE CANNOT OCCUR IMMEDIATELY AND
15 TIME IS NEEDED TO COMPLY WITH THIS CHAPTER (I.E., INSUFFICIENT CONTAINERS
16 FOR SOLID WASTE VOLUME GENERATED AND REMOVAL OF ACCUMULATED
17 MATERIAL) [there are reasonable grounds to believe that there has been a violation of any of
18 the provisions of this chapter,] the City shall give notice of the alleged violation to the person
19 responsible for the violation, as provided in this section. The notice shall:

20 A. Be in writing;

21 B. Include a statement of the reason why it is being issued;

22 C. Allow a reasonable time for the performance of any act it requires;

23 D. Be served upon the owner or the agent of the owner [or the occupant] of the premises
24 on which the alleged violation occurred. The notice has been properly served when a copy
25 of it has been served personally, or in accordance with any other method authorized or
26 required under the laws of the state;

27 E. Contain an outline of remedial action which, if taken, will effect compliance with the
28 provisions of this chapter;

29 F. State that, unless conditions or practices described in the notice are corrected within
30 the reasonable time specified in the notice, the person involved will be subject to the
31 penalty provided for violations of this chapter.

32

33 **10.16.280 - PENALTIES**

34 A. ANY PERSON ENGAGING IN UNLAWFUL CONDUCT AS DEFINED IN THIS CHAPTER
35 SHALL CONSTITUTE A MUNICIPAL INFRACTION AND IN PROCEEDING BEFORE A
36 COURT OF COMPETENT JURISDICTION SHALL BE SUBJECT TO A FINE OF NOT MORE
37 THAN ONE THOUSAND DOLLARS AND NOT LESS THAN TWENTY-FIVE DOLLARS.

1 B. EACH CONTINUING DAY OF VIOLATION OF THIS CHAPTER SHALL CONSTITUTE A
2 SEPARATE OFFENSE.

3

4 **10.16.290 - INJUNCTIONS—CONCURRENT REMEDIES.**

5 A. IN ADDITION TO ANY OTHER REMEDY PROVIDED IN THIS CHAPTER, THE CITY
6 MAY INSTITUTE A SUIT IN EQUITY WHERE UNLAWFUL CONDUCT OR PUBLIC
7 NUISANCE EXISTS AS DEFINED IN THIS CHAPTER FOR AN INJUNCTION TO RESTRAIN A
8 VIOLATION OF THIS CHAPTER. IN ADDITION TO AN INJUNCTION, THE COURT MAY
9 IMPOSE PENALTIES AS AUTHORIZED BY SECTION 10.16.290.

10 B. THE PENALTIES AND REMEDIES PRESCRIBED BY THIS CHAPTER SHALL BE
11 DEEMED CONCURRENT. THE EXISTENCE OR EXERCISE OF ANY REMEDY SHALL NOT
12 PREVENT THE CITY FROM EXERCISING ANY OTHER REMEDY PROVIDED BY THIS
13 CHAPTER OR OTHERWISE PROVIDED AT LAW OR EQUITY.

14

15 **[Chapter 10.18 - RECYCLING PROGRAM]**

16 **[10.18.010 - Definitions.]**

17 [As used in this chapter, the following definitions shall apply:]

18 [A. "Act" means the Maryland Recycling Act, as amended.]

19 [B. "Commingled" means that paper, glass, plastic, and cans may be placed in the same
20 container.]

21 [C. "Disposition" means the transportation, placement, or arrangement of recyclable
22 materials for all possible end uses except disposal as solid waste.]

23 [D. "Generator" means the landlord or management company responsible for removal of
24 solid waste.]

25 [E. "Glass" means clear and colored glass bottles and containers. Caps and lids should
26 be removed. Glass shall not include crystal, ceramics, light bulbs, and plate window,
27 laminated, wired, or mirrored glass.]

28 [F. "Multi-unit community" means ten or more apartments, townhouses or condominiums
29 located on a single property or contiguous properties under common ownership or
30 management, including public-assisted housing. For this purpose, "unit" means an
31 enclosed space that consists of one or more rooms occupying all or part of a floor or floors
32 in a building of one or more floors or stories but not the entire building, and that is designed
33 for use as a single residence.]

34 [G. "Person" means any individual, firm, partnership, corporation, association,
35 cooperative enterprise, trust, municipal authority, Federal institution or agency, State
36 institution or agency, municipality, other governmental agency or any other entity or any
37 group of such persons which is recognized by law as the subject of rights and duties. In
38 any provisions of this chapter prescribing a fine, penalty, or imprisonment, the term

1 "person" includes the officers and directors of a corporation or other legal entity having
2 officers and directors.]

3 [H. "Plastic" means plastic containers with symbols #1 and #2 with narrow necks, #3, #4,
4 #5, #6, #7 with narrow necks and screw tops. Recycling symbols are generally found on
5 the bottom of containers in the triangle. Caps and lids should be removed.]

6 [I. "Recyclable materials" means the following materials and any future materials that
7 have a useful physical or chemical properties included but not limited to: paper products
8 which include newspaper, magazines and catalogs; books; cardboard and paper boxes;
9 file folders, packing paper, colored paper, wrapping paper, pizza boxes, corrugated boxes;
10 computer printouts; office papers and envelopes; paper bags; telephone books; junk mail;
11 aluminum, glass bottles, and jars, steel and ferrous cans and containers including aerosol
12 cans, HDPE- natural and HDPE- colored, PET- high grade. The City will encourage the
13 recycling of other materials as markets develop as determined by the Department of Public
14 Works Director.]

15 [J. "Recycling" means any process by which materials are collected, separated or
16 processed, and returned to the economic mainstream in the form of raw materials or
17 products.]

18 [K. "Waste minimization" means the voluntary reduction by the consumer of the volume
19 of refuse entering the solid waste stream.]

20 [L. "Yard recyclable materials" means grass clippings, weeds and discarded plants,
21 leaves, branches and brush, tree wood waste up to four inches in diameter and no longer
22 than two feet in length.]

23

24 **[10.18.020 - Recycling program.]**

25 [The City of Annapolis recycling program as described herein shall, insofar as possible, meet or
26 exceed the solid waste reduction goals as stated in the Anne Arundel County Solid Waste
27 Management Plan through concerted application of the principals of recycling and waste
28 minimization.]

29 **[10.18.030 - Establishment of residential curbside recycling program.]**

30 [A. There is established, within the City of Annapolis, a residential curbside recycling program
31 for the collection of recyclable materials as stated above in Section 10.18.010(I) from all
32 residents of the City whose solid waste is collected by or on behalf of the City.]

33 [B. Collections of recyclable materials pursuant to this chapter shall be made every week
34 except in cases where the collection day falls upon holidays recognized by the City. All
35 collections shall occur in accordance with the Solid Waste/ Recycling schedule publicly
36 advertised by the City.]

37 [C. All residents of the City within the area serviced by the curbside program, established
38 pursuant to this chapter, participating in the recycling program shall place all recyclables
39 materials into a City recycling container and place them at the side of the road fronting their
40 residence in the manner designated by this chapter and on the date specified for collection by
41 the schedule published by the City.]

1 [D. No material shall be placed at the roadside earlier than the evening of the day preceding a
2 scheduled collection day. Material must be placed at the roadside by six a.m. on the scheduled
3 collection day.]

4 [E. Paper and cardboard shall be placed in the recycling bin, in paper bags, or tied into
5 bundles not to exceed thirty-five pounds in weight nor exceed one foot in thickness.]

6 [F. Containers placed in the recycling container shall contain five percent or less food
7 contamination.]

8

9 **[10.18.040 - Establishment of a residential curbside yard recycling program.]**

10 [A. There is established, within the City of Annapolis, a residential curbside yard recycling
11 program for the collection of recyclable materials as stated above in Section 10.18.010(L) from
12 all residents of the City whose solid waste is collected by or on behalf of the City.]

13 [B. Collections of recyclable materials pursuant to this chapter shall be made every other week
14 in accordance with the Solid Waste/Recycling schedule publicly advertised by the City.]

15 [C. All residents of the City within the area serviced by the curbside program, established
16 pursuant to this chapter, participating in the program shall place all yard recyclable materials
17 into a container and place them at the side of the road fronting their residence in the manner
18 designated by this chapter and on the date specified for collection by the schedule published by
19 the City.]

20 [D. No material shall be placed at the roadside earlier than the evening of the day preceding a
21 scheduled collection day. Material must be placed at the roadside by six a.m. on the scheduled
22 collection day.]

23 [E. The container used for yard recyclable materials shall be placed in open containers, large
24 paper lawn bags, or cardboard boxes clearly marked with an "X". Each container shall not to
25 exceed fifty pounds in weight.]

26 [F. Branches and brush shall be tied with a natural fiber rope or twine, and the finished bundle
27 shall be no more than two feet by four feet in size, not exceed fifty pounds in weight.]

28 [G. Yard recyclable materials shall not be collected as solid waste for disposal in a landfill.]

29

30 **[10.18.050 - Multi-unit community recycling program.]**

31 [A. All persons within the City who are residents of multi-unit communities and who are not
32 served by the residential curbside program established pursuant to this chapter shall provide
33 recycling collection in accordance with the City residential curbside recycling program:

34 1. Recyclable materials as stated in Section 10.18.030

35 2. Yard recyclable materials as stated in Section 10.18.040]

36 [B. The arrangement for collection of recyclable materials for disposition shall be the
37 responsibility of the person who generated the recyclables ("generator"). The arrangements

1 may include, without limitation, direct marketing of recyclables, delivery to a materials recovery
2 facility, contracts with solid waste collector/haulers for separate collection of any or all
3 designated recyclables or contracts with other persons for separate collection of any or all
4 designated recyclables.]

5 [C. Each multi-unit community shall report to the City, on a semi-annual basis, the total weight
6 of each recyclable material that has been diverted from the solid waste stream, and the total
7 estimated weight of solid waste collected from each multi-unit community. Reporting schedules
8 and forms shall be provided by the City. Failure to report same shall result in revocation of the
9 rental permit or fines as stated in Section 10.18.080]

10 [D. Each multi-unit community shall have established procedures for the collection of
11 recyclables as described herein and shall file these procedures with the Department of Public
12 Works within ninety days from August 8, 1994. Further, each multi-unit community shall
13 implement the procedures for the collection of recyclables as described above within one
14 hundred eighty days from August 8, 1994.]

15 [E. Each multi-unit community recycling program must be approved by the Department of
16 Public Works prior to implementation. Each recycling program submitted to the Department of
17 Public Works shall include copies of executed recycling and solid waste contracts (excluding
18 contract costs).]

19

20 **[10.18.055 - Commercial recycling.]**

21 [A. The Director of Public Works shall establish a voluntary curbside collection service for
22 recyclables from persons whose property is not supplied with curbside collection service, and
23 may set reasonable criteria for determining eligibility for participation in the service.]

24 [B. There is a service charge, to be determined by the Director of Public Works on a property-
25 by-property basis based on the cost of collection from that property, to be charged to each
26 person that participates in the voluntary curbside collection program.]

27

28 **[10.18.060 - Unlawful activities—Nuisance.]**

29 [A. It shall be unlawful for:

30 1. Any person, other than those persons authorized, to collect any designated recyclable
31 which has been placed at the roadside for collection or within a recycling dropoff pursuant
32 to this chapter;

33 2. Any person to violate or to cause or to assist in the violation of any provision of this
34 chapter or any provision of the City plan concerning recycling;

35 3. Any person to hinder, to obstruct, to prevent or to interfere with the City or any other
36 authorized persons in the performance of any duty under this chapter or in the
37 enforcement of this chapter;

38 4. Any multi-unit community subject to the terms of this chapter to not enact a plan for
39 recycling.]

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[10.18.070 - Other means of disposal.]

[Notwithstanding anything to the contrary, any resident of the City may donate or sell any recyclable to any other person, whether operating for a profit or not for profit; provided, however, that the person receiving the recyclables shall not, under any circumstances, collect the donated or sold material from an established recycling collection route or from a recycling dropoff without prior written permission from the City for such collection.]

[10.18.080 - Noninterference with existing contracts.]

[A. Nothing contained in this chapter shall be construed to interfere with or in any way modify the provisions of any existing contract which is in force in the City on the effective date of the ordinance codified in this chapter.]

[B. No renewal of any existing solid waste/ recycling collection contract upon the expiration of the original term and no new contract for the collection, transportation, processing or purchase of solid waste or recyclables shall be entered into after the effective date of the ordinance codified in this chapter, unless such renewal or such contract shall conform to the requirements of this chapter. Failure of a contract to conform to the requirements of this chapter shall result in the cancellation or withdrawal of a property owner's residential rental license or the imposition of a fine pursuant to Section 10.18.080 of this chapter.]

[10.18.090 - Penalties.]

[A. Any person who engages in unlawful conduct as defined in this chapter shall, upon conviction, in a proceeding before a court of competent jurisdiction be sentenced to pay a fine of not more than one thousand dollars and not less than twenty-five dollars.]

[B. Each continuing day of violation of this chapter shall constitute a separate offense.]

[10.18.100 - Injunctions—Concurrent remedies.]

[A. In addition to any other remedy provided in this chapter, the City may institute a suit in equity where unlawful conduct or public nuisance exists as defined in this chapter for an injunction to restrain a violation of this chapter. In addition to an injunction, the court may impose penalties as authorized by Section 10.18.080]

[B. The penalties and remedies prescribed by this chapter shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the City from exercising any other remedy provided by this chapter or otherwise provided at law or equity.]

[10.18.110 - Enforcement.]

[Enforcement and administration of this chapter shall be the responsibility of the Director of

1 Public Works.]

2

3 **[10.18.120 - Appeals.]**

4 [Any person aggrieved by the requirements of this chapter as enforced by the Director of Public
5 Works may direct an appeal to the building Board of Appeals.]

6

7 **Chapter 17.40 – Residential Property Maintenance Code**

8 17.40.265 – Property Maintenance Code.

9

10 A. The International Property Maintenance Code, 2012 Edition, as published by the
11 International Code Council, Inc., a copy of which is on file in the Department of Neighborhood
12 and Environmental Programs, is adopted as the Property Maintenance Code of the City of
13 Annapolis in the State of Maryland for the control of buildings and structures with the following
14 amendments:

15

16 1. In Section 101.1 for "[NAME OF JURISDICTION]" insert "City of Annapolis"

17

18 2. In Section 103.5 for "[APPROPRIATE SCHEDULE]" insert "Fees established by
19 resolution of the City Council"

20

21 3. In Section 304.14 for "[DATES IN TWO LOCATIONS]" insert "April 15th -
22 October 31st"

23

24 4. In Section 602.3 for "[DATES IN TWO LOCATIONS]" insert "April 15th - October
25 31st"

26

27 5. In Section 602.4 for "[DATES IN TWO LOCATIONS]" insert "April 15th - October
28 31st"

29

30 6. Strike the entire Section 404.5 Overcrowding and substitute Section 17.40.460 of
31 the Code of the City of Annapolis.

32

33 7. IN SECTION 308, ADD THE FOLLOWING SUBSECTION TO READ AS
34 FOLLOWS:

35

36 **308.4 CITY REQUIREMENTS.** COMPLIANCE WITH CHAPTER 10.16 OF THE CODE
37 OF THE CITY OF ANNAPOLIS SHALL ALSO BE REQUIRED. WHERE THERE IS A
38 CONFLICT BETWEEN THE PROVISIONS OF THIS SECTION AND THE CODE OF
39 THE CITY OF ANNAPOLIS, THE CODE OF THE CITY OF ANNAPOLIS SHALL TAKE
40 PRECEDENCE.

41

42

43 17.40.740 - Rubbish and garbage disposal—Generally.

44

45 A. Every occupant of a dwelling or dwelling unit shall dispose of all rubbish, ashes,
46 garbage, and other organic waste in a clean and sanitary manner by placing it in approved
47 storage or disposal facilities which are safe and sanitary.

1
2 B. THE OWNER OF A DWELLING OR DWELLING UNIT [Every occupant] shall provide
3 [these] THE STORAGE OR DISPOSAL facilities for and within the dwelling unit and shall
4 maintain them in a clean and sanitary manner.

5
6 C. The owner [or operator] of a multifamily dwelling shall be responsible for the clean and
7 sanitary maintenance of common storage or disposal facilities.

8
9 D. The owner [or operator] shall be responsible further for placing out for collection all
10 common garbage and rubbish containers, except where the facilities are for the sole use of an
11 occupant, under which circumstances it is the responsibility of the occupant to place those
12 containers out for collection.

13
14 E. COMPLIANCE WITH CHAPTER 10.16 OF THE CODE OF THE CITY OF ANNAPOLIS
15 SHALL ALSO BE REQUIRED.
16

17
18 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
19 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its passage.

20
21 **ADOPTED** this _____ day of _____, _____.

22
23 ATTEST: THE ANNAPOLIS CITY COUNCIL

24
25 _____ BY _____
26 Regina C. Watkins-Eldridge, MMC, City Clerk Joshua J. Cohen, Mayor

27
28 **EXPLANATION**
29 CAPITAL LETTERS indicate matter added to existing law.
30 [brackets] indicate matter stricken from existing law.
Underlining indicates amendments.

O-33-12

Modifications to City Code on Refuse and Recycling Services

Policy Report

The proposed ordinance would modify the City Code related to the City of Annapolis' provision of refuse and recycling services. The proposed ordinance would 1) combine refuse and recycling under one solid waste chapter of the City Code, Chapter 10.16; 2) provide consistency with the forthcoming solid waste contract; 3) implement best practices; and 4) begin to clarify programmatic and enforcement responsibilities between the Departments of Public Works and Neighborhood and Environmental Programs.

Prepared by: Cindy Tait, Department of Public Works, CLT@annapolis.gov or (410) 263-7949 and Jessica Cowles, City of Annapolis Office of Law, JCCowles@annapolis.gov or (410) 263-1184.

1 CITY COUNCIL OF THE
2 City of Annapolis

3 Resolution No. R-38-12

4 Introduced by: Mayor Cohen
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| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| 9/10/12 | | | 12/7/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Rules and City Gov't | 9/10/12 | | |

8
9 **A RESOLUTION** concerning

10 **Establishment of Council Compensation Commission**

11
12 **FOR** the purpose of establishing a Council Compensation Commission to make
13 recommendations to the City Council on the pay and compensation for the Mayor, City
14 Council, and City Manager to be effective for the four year period beginning December
15 2, 2013; and matters generally relating to said pay and compensation.

16
17
18 **WHEREAS**, Article II, Section 4(b)(1), of the City Charter requires that "Not later than one (1)
19 year prior to the date of any general municipal election for the election of mayor
20 and aldermen, the city council shall appoint a commission consisting of not less
21 than three (3) nor more than seven (7) residents of the city to review the
22 compensation and allowances to be paid to the mayor and aldermen during the
23 ensuing terms of office"; and

24
25 **WHEREAS**, Article IV, Section 2B(d), of the City Charter states that "The compensation of the
26 city manager shall be fixed by the mayor according to the provisions of an
27 executive pay plan formulated by the Council Compensation Commission and
28 adopted by ordinance.

29
30 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the 2013
31 Council Compensation Commission is hereby established and its membership shall consist of
32 Scott Bowling (Commission Chair), Nick Berry, Amy Burdick, Faye Currie, and Dale Kelberman.

33
34 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the 2013
35 Council Compensation Commission is to submit by February 11, 2013, a resolution adopted by
36 its membership which makes specific recommendations on the salaries, fringe benefits,
37 allowable expenses, and staff support for the Mayor, eight City Council members, and City
38 Manager that would be effective on December 2, 2013.
39

1 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the term of all
2 members of the Commission shall end with the publication of its report, the members shall serve
3 without compensation, the members shall elect from among their membership a vice chair and
4 secretary, the Commission meetings shall be held publicly in accordance with the Maryland
5 Open Meetings Act and Robert's Rules of Order, and testimony shall be taken from the public
6 on at least one occasion.

7
8
9 **ADOPTED** this _____ day of _____, _____.

10
11 ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

12
13
14 **EXPLANATION**

15 CAPITAL LETTERS indicate matter added to existing law.

16 [brackets] indicate matter stricken from existing law.

17 Underlining indicates amendments.

Policy Report

R-38-12

Establishment of Council Compensation Commission

Per Article II, Section 4 of the City's Charter, the proposed resolution would establish a Council Compensation Commission to make recommendations to the City Council on the pay and compensation for the Mayor, City Council, and City Manager to be effective for the four year period beginning December 2, 2013.

As part of the proposed resolution, the 2013 Council Compensation Commission is to submit by February 11, 2013, a resolution adopted by its membership which makes specific recommendations on the salaries, fringe benefits, allowable expenses, and staff support for the Mayor, eight City Council members, and City Manager that would be effective on December 2, 2013.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at JCCowles@annapolis.gov or 410.263.1184.

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**CITY COUNCIL OF THE
City of Annapolis**

Resolution No. R-40-12

Introduced by: Mayor Cohen

| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| Referred to | Referral Date | Meeting Date | Action Taken |
| 9/10/12 | | | 12/7/12 |
| Housing and Human Welfare | 9/10/12 | | |

8
9 **A RESOLUTION** concerning

10 style="text-align: center;">**“Pathways to Opportunities”**

11 style="text-align: center;">**Family Enhancement and Resident Leaders' Conference: October 20, 2012**

12 **FOR** the purpose of endorsing and supporting the “Pathways To Opportunities” Family
13 Enhancement and Resident Leaders' Conference on October 20, 2012 developed by the
14 Housing Authority of the City of Annapolis (HACA); and waiving any fees associated with
15 the HACA conference.

16
17 **WHEREAS,** the HACA Board of Commissioners directed the HACA Executive Director, Mr.
18 Vincent O. Leggett, to create a plan of action to support public housing residents
19 with the resources to become self-sufficient and empowered; and

20 **WHEREAS,** the Executive Director has developed “Pathways to Opportunities” as the Family
21 Support Initiative to serve as the Human Services arm of HACA, designed to
22 support families in their efforts to improve their quality of life; and

23 **WHEREAS,** the Family Enhancement and Resident Leaders' Conference will serve as an
24 Annual conference; and

25 **WHEREAS,** HACA, through the “Pathways To Opportunities” Family Support Initiative will
26 assist residents in developing self-sufficiency plans that are family-specific using
27 the Housing and Urban Development (HUD) Family Sufficiency Model; and

28 **WHEREAS,** HACA has secured, in partnership with HUD, a three-year Resident
29 Opportunities Self-Sufficiency grant and has partnered through grants with the
30 Local Management Board and the United Way to provide case management and
31 referral services for public housing residents; and

32 **WHEREAS,** HACA will seek cultural resources and educational partnerships in the form of
33 tutoring, mentoring and scholarships; and

1 **WHEREAS,** HACA will seek to identify resources and alternative funding opportunities to
2 promote self-sufficiency programming; and

3 **WHEREAS,** HACA will promote job training and workforce skills development; will seek job
4 creation, placement opportunities and partnerships; and will identify business
5 development training and home ownership opportunities on behalf of public
6 housing residents; and

7 **WHEREAS,** HACA will seek strategic partnerships in the delivery and coordination of health
8 and wellness services for all public housing residents, with special emphasis
9 placed upon the specific needs of elderly aging in place and those with
10 disabilities; and

11 **WHEREAS,** the Family Enhancement and Resident Leaders' Conference will promote the
12 goals and objectives of the "Pathways To Opportunities" Family Support Initiative
13 to public housing residents and community stakeholders using dynamic speakers
14 and community leaders to present and deliver life-changing models, strategies,
15 partnerships, resources and opportunities that are designed to change the face
16 of public housing in the City of Annapolis.

17
18 **NOW THEREFORE, BE IT RESOLVED THAT THE ANNAPOLIS CITY COUNCIL** encourages
19 HACA to proceed with the Family Enhancement and Resident Leaders' Conference because it
20 will promote maximum outreach to public housing residents and community stakeholders and it
21 will empower families to improve the quality of life they enjoy.
22

23 **AND BE IT FURTHER RESOLVED THAT THE ANNAPOLIS CITY COUNCIL** waives any fees
24 associated with the HACA conference.
25

26 **ADOPTED** this _____ day of _____, _____.
27
28

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

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EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.
[brackets] indicate matter stricken from existing law.
Underlining indicates amendments.

Policy Report

R-40-12

“Pathways to Opportunities” Family Enhancement and Residential Leaders’ Conference

The proposed resolution endorses and supports the “Pathways to Opportunities” Family Enhancement and Residential Leaders’ Conference developed by the Housing Authority of the City of Annapolis and waives any fees associated with the conference.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at JCCowles@annapolis.gov or 410.263.1184.

Technical Amendments to R-40-12
“Pathways to Opportunities” Conference: October 20, 2012

Amendment #1

Page 1, Line 11: strike “Enhancement and Resident Leaders” and replace with “Self-Sufficiency”

Page 1, Line 13: strike “Enhancement and Resident Leaders” and replace with “Self-Sufficiency”

Page 1, Line 23: strike “Enhancement and Resident Leaders” and replace with “Self-Sufficiency”

Page 2, Line 11: strike “Enhancement and Resident Leaders” and replace with “Self-Sufficiency”

Page 2, Line 12: strike “Support” and replace with “Self-Sufficiency”

Page 2, Line 19: strike “Enhancement and Resident Leaders” and replace with “Self-Sufficiency”

1 CITY COUNCIL OF THE
2 City of Annapolis

3
4 Resolution No. R-41-12

5 Introduced by: Mayor Cohen, Alderman Pfeiffer, Alderwoman Finlayson, Alderman
6 Paone, Alderman Kirby, Alderwoman Hoyle, and Alderman Israel
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| LEGISLATIVE HISTORY | | | |
|---|----------------|--------------------|--------------|
| <i>Legislative referrals are subject to City Council action at the time of introduction and are reflected in the City Council's adopted minutes</i> | | | |
| First Reading | Public Hearing | Fiscal Impact Note | 90 Day Rule |
| 9/10/12 | | | 12/7/12 |
| Referred to | Referral Date | Meeting Date | Action Taken |
| Public Safety | 9/10/12 | | |

9
10 **A RESOLUTION** concerning

11 **Phelps Lane**

12 **FOR** the purpose of declaring that Middle Way shall be renamed “Phelps Lane” to honor the
13 contributions of the Phelps Family to the City of Annapolis.

14 **WHEREAS,** George Phelps, Jr. was part of what has become known as “the Greatest
15 Generation” who won the peace during World War II; and

16
17 **WHEREAS,** George Phelps, Jr. returned to his native Annapolis after the War and became
18 the first sworn African American law enforcement officer in Anne Arundel
19 County, appointed by then Anne Arundel County Sheriff Joseph Alton; and

20
21 **WHEREAS,** Mr. Phelps mustered and trained a force of about 200 special deputy sheriffs –
22 all of them African American – starting in 1952 that maintained order for years
23 during concerts at Carr's Beach Club, the segregated beach in Eastport where
24 African Americans by the thousands from Baltimore and Washington would
25 converge in summers for performances by such stars as James Brown and
26 Jackie Wilson; and

27
28 **WHEREAS,** George Phelps, Jr., because of his renowned expertise in crowd control and
29 surveillance was asked to and did provide technical assistance and material
30 support for the security contingent at the historic 1963 March on Washington
31 led by the late Reverend Dr. Martin Luther King, Jr.; and

32
33 **WHEREAS,** George and his wife Marian gave the money to establish the Opportunities
34 Industrialization Center (OIC) in Annapolis, the longest running established job
35 training and instruction in life skills program that helps place Annapolitans with
36 few skills and prospects into jobs; and

37
38 **WHEREAS,** George Phelps, Jr. has been a mentor and friend to countless politicians from
39 all stripes who welcome and actively seek his help and advice on how to make

1 Annapolis and Anne Arundel County a better place to live, work and raise a
2 family; and
3

4 **WHEREAS,** George Phelps, by his words and actions has demonstrated that he is a true
5 living legend and someone that Annapolitans have come to admire as part of
6 "living history";
7

8 **WHEREAS,** the renaming of Middle Way to "Phelps Lane" is a fitting honor for these
9 accomplishments;
10

11 **WHEREAS,** the renaming of this street does not conflict with any other City street names
12 nor Anne Arundel County street names in the Annapolis area.
13

14
15 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that Middle
16 Way shall be renamed "Phelps Lane" in honor of the Phelps family.
17

18 **AND BT IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that all
19 "Phelps Lane" street signage shall bear the former designation of Middle Way, as is the custom
20 on other street signs in the City of Annapolis.
21

22 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that a copy of this
23 resolution shall be provided to the Phelps family.
24

25 **ADOPTED** this _____ day of _____, _____.
26
27

ATTEST:

THE ANNAPOLIS CITY COUNCIL

BY

Regina C. Watkins-Eldridge, MMC, City Clerk

Joshua J. Cohen, Mayor

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EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

[brackets] indicate matter stricken from existing law.

Underlining indicates amendments.

Policy Report

R-41-12

Phelps Lane

The proposed resolution would rename Middle Way to Phelps Lane to honor the Phelps family's contributions to the City of Annapolis.

Prepared by Jessica Cowles, Legislative and Policy Analyst in the City of Annapolis Office of Law at JCCowles@annapolis.gov or 410.263.1184.