



CENTREVILLE PLANNING COMMISSION

August 16, 2023

Liberty Building - 2nd Floor

107 North Liberty Street

7:00 p.m.

A G E N D A

- I. **CALL TO ORDER** – Kara Willis – Chair
- II. **Chair's Announcements**
- III. **Review of Minutes from Previous Meetings**
 - a. July 19, 2023 meeting minutes
 - b. August 2, 2023 special meeting minutes
- IV. **Opening Statement**
- V. **Citizen Comment** (*Citizens are requested to keep their comments to three minutes*)
- VI. **Appearances**
- VII. **New Business**
 - Ordinance 03-2023 – Penalty Reference Correction – for review and recommendation to Council; Sharon VanEmburch, Town Attorney
 - Ordinance 04-2023 – Chapter 170 - Electronic Signs – for review and recommendation to Council; Sharon VanEmburch, Town Attorney
 - Ordinance 05-2023 – Chapter 170 - Indoor Agriculture – for review and recommendation to Council; Sharon VanEmburch, Town Attorney
- VIII. **Old Business**
- IX. **Zoning Issues – Discussion**
- X. **Miscellaneous Business / Correspondence**
 - a. Approved Building Permit lists issued July 2023
- XI. **Citizen Comment** (*Citizens are requested to keep their comments to three minutes*)
- XII. **Council Member Report**
- XIII. **Adjournment**

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NO. 03-2023**

**AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE TO AMEND THE CODE OF
THE TOWN OF CENTREVILLE TO UPDATE THE PENALTY SECTIONS THROUGHOUT
THE CODE**

WHEREAS, Section 6-102 of the Local Government Article of the Annotated Code of Maryland and Section 304 of the Charter of the Town of Centreville authorize the Town Council to provide that violations of Town Ordinances are a municipal infraction subject to a fine not to exceed \$1,000;

WHEREAS, Section 6-101 of the Local Government Article of the Annotated Code of Maryland authorizes the Town Council to provide that violations of Town Ordinances are punishable as a misdemeanor subject to a fine not to exceed \$1,000 or imprisonment not to exceed six (6) months or both; and

WHEREAS, the Town Council wishes to clarify the penalties throughout the Town Code.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Centreville:

1. That the Town Code is hereby amended to include the text of which is attached hereto as Exhibit "A" with new material shown in **bold underlined** and deleted language shown with **~~bold strikeout~~**.
2. This Ordinance shall become effective on the twenty-first day after its enactment.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

Carolyn M. Brinkley
Town Clerk

Steven K. Kline, President

First Reading: _____
Second Reading: _____
Enacted: _____
Effective: _____
(21st calendar day after enactment)

Ashley H. Kaiser, Esq., Vice President

Eric B. Johnson, Jr., Member

Daniel B. Worth, Member

Jim A. Beauchamp, Member

Amend § 1-14.B(5) Penalties (General Provisions)

5. Penalties

- a. The following penalty sections wherein the penalty is a municipal infraction are revised to provide that violation of the provisions of the chapter (or article) shall constitute a municipal infraction, and said person or persons violating the chapter (or article) or any section thereof shall be subject to a fine of ~~not to exceed \$1,000~~ **for a Class A Municipal Infraction as adopted by the Town Council by Resolution**, provided that a citation is served upon said person or persons in the manner prescribed by ~~§ 3 of Article 23A~~ **6-103 of the Local Government Article** of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. ~~Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense: §§ 7-4; 24-2; 28-2B (Subsection 116.4 of the BOCA Building Code, 1993 Edition); 31-9; 42-11; 59-5; 88-7; 118-3; 123-2; 129-35; 134-9; 148-2; 151-13; 154-14.~~

Chapter 7 Alcoholic Beverages

Chapter 11 Amusements Arcades and Pool Halls

Chapter 31 Buildings, Dangerous

Chapter 42 Cemetery

Chapter 59 Firearms

Chapter 88 Noise

Chapter 95 Peddling And Soliciting

Chapter 102 Plastic Carryout Bags

Chapter 123 Smoking

Chapter 134 Streets and Sidewalks (Snow and Ice Removal)

Chapter 145 Trees

Chapter 148 Urination in Public Places

Chapter 151 Vehicles, Abandoned

Chapter 154 Vehicles And Traffic

- b. The following penalty sections are revised to provide that violation of the chapter (or article) shall be a misdemeanor punishable by a fine not to exceed \$1,000, or imprisonment for a term not to exceed six months, or both: ~~§§ 50-14; 62-10; 99-7; 115-42; 118-13; 138-9; 170-66A.~~

Chapter 50 Elections

Chapter 62 Firesafety

Chapter 66 Floodplain

Chapter 99 Petitions, Fraudulent

Chapter 115 Sewer Use

Chapter 170 Zoning (in part)

- c. The following penalty sections wherein the penalty is a municipal infraction are revised to provide that violation of the provisions of the chapter (or article) shall constitute a municipal infraction, and said person or persons violating the chapter (or article) or any

section thereof shall be subject to a fine for a Class B Municipal as adopted by the Town Council by Resolution, provided that a citation is served upon said person or persons in the manner prescribed by § 6-103 of the Local Government Article of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Each day such violation, as defined above, continues shall be considered a separate offense:

Chapter 28 Building Construction

Chapter 69 Forest Conservation

Chapter 118 Sewers And Water

Chapter 134 Streets And Sidewalks (Permits for Placement of Facilities And Utilities

Chapter 138 Subdivision Regulations

Chapter 170 Zoning (in part)

- d. The following penalty sections wherein the penalty is a municipal infraction are revised to provide that violation of the provisions of the chapter (or article) shall constitute a municipal infraction, and said person or persons violating the chapter (or article) or any section thereof shall be subject to a fine for a Class C Municipal Infraction as adopted by the Town Council by Resolution, provided that a citation is served upon said person or persons in the manner prescribed by § 6-103 of the Local Government Article of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Each day such violation, as defined above, continues shall be considered a separate offense:

Chapter 24 Brush, Grass and Weeds

Chapter 129 Solid Waste

Chapter 158 Vehicles, Non-Self-Propelled

Amend § 7-4 Violations and Penalties (Alcoholic Beverages)

A violation of the provisions of this article shall constitute a municipal infraction, subject to the penalties provided in § 1-14.B.5.a of the Town Code. ~~and said person or persons violating this article or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.~~

Amend § 11-6 Violations and Penalties (Amusements Arcades and Pool Halls)

The violation of the provisions of this chapter shall constitute a municipal infraction, subject to the penalties provided in § 1-14.B.5.a of the Town Code. ~~and said person or persons violating this chapter or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to~~

exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 24-2 Violations and Penalties (Brush, Grass and Weeds)

Violation of the provisions of this chapter shall constitute a municipal infraction, subject to the penalties provided in § 1-14.B.5.d of the Town Code. and said person or persons violating this chapter or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense. In addition to the penalties provided in § 1-14.B.5.d of the Town Code, the Town may take such other lawful action as is necessary to prevent or remedy the violation, including cutting or removing the brush, grass, or weeds, and assessing the costs for the removal as a lien against the property collectible in the same manner as real estate taxes.

Add a new § 28-6 (Building Construction)

Violation of any of the Adopted Codes referenced in § 28-1 by any property owner, tenant, architect, builder, contractor, agent, or other person shall be a municipal infraction, subject to the penalties provided in § 1-14.B.5.c of the Town Code.

Amend § 31-9 Violations and Penalties (Buildings, Dangerous)

Any owner, occupant, mortgagee, trustee, lessee or any other persons having an interest in any dangerous building as shown by the Land Records of Queen Anne's County who shall fail to comply with any notice or order to repair, vacate, or demolish said building issued by any person authorized by this chapter to give such notice shall be in violation of this chapter and said violation shall constitute a municipal infraction, subject to the penalties provided in § 1-14.B.5.a of the Town Code. and said person or persons violating this chapter or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 42-11 Violations and Penalties (Cemetery)

The violation of the provisions of this article shall constitute a municipal infraction, subject to the penalties provided in § 1-14.B.5.a of the Town Code. and said person or persons violating this chapter or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 50-14 (Elections)

Any person that violates any of the sections of this chapter shall be guilty of a misdemeanor **subject to the penalties provided in § 1-14.B.5.b of the Town Code** and, upon conviction thereof, shall be subject to a fine of not more than \$1,000 or imprisonment not exceeding six months, or both.

Amend § 59-5 (Firearms)

Violation of the provisions of this chapter shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code**, and said person or persons violating this chapter or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 62-10 Violations and Penalties (Firesafety)

The owner or owners, occupier or occupiers who shall obstruct or refuse to permit the free entrance to and the inspection of any premises, buildings, or structure or neglect or refuse to comply with the terms and conditions of the order herein authorized to be issued by the Commissioners **Town Council** of Centreville, unless the same shall be revoked, or who shall violate any other provision of this article shall be guilty of a misdemeanor, **subject to the penalties provided in § 1-14.B.5.b of the Town Code** and, upon conviction thereof, shall be subject to a fine of not more than \$1,000 or imprisonment not exceeding six months, or both. Each day that a violation continues shall constitute a separate offense.

Amend § 66-50 Violations and Penalties (Floodplain)

Violations of these regulations or failure to comply with the requirements of these regulations or any conditions attached to a permit or variance shall constitute a misdemeanor, **subject to the penalties provided in § 1-14.B.5.b of the Town Code**. Any person responsible for a violation shall comply with the notice or stop work order. Failure to comply shall be in accordance with this section as well as Chapter 170 of the Town of Centreville Zoning Ordinance. Each day a violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Centreville from taking such other lawful action as is necessary to prevent or remedy any violation.

Amend § 69-16.B (Forest Conservation)

B. Violation

1. In addition to the provisions under Subsection A of this article, a person who violates a provision of this chapter or regulation or order adopted or issued under this chapter is liable for a **municipal infraction, subject to the penalties provided in § 1-14.B.5.c of the Town Code** penalty not to exceed \$1,000, which may be recovered in a civil action brought by the Town of Centreville.
2. Each day a violation continues is a separate violation.

Amend § 88-7 Violations and Penalties (Noise)

Any violation of this article shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code**, and said person or persons violating this chapter or any section thereof shall be subject to a fine

of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 95-11 Violations and Penalties (Peddling And Soliciting)

Violation of the provisions of this chapter shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code.** and said person or persons violating this chapter or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 99-7 Violations And Penalties (Fraudulent Petitions)

Any violation of provisions of §§ 99-1 through 99-6 of this chapter shall be deemed a misdemeanor, **subject to the penalties provided in § 1-14.B.5.b of the Town Code.** and any person upon conviction thereof shall be punished by imprisonment in jail for not more than six months, or by a fine of not more than \$1,000, or by both such fine and imprisonment, in the discretion of the Court.

Amend § 115-42 Violations And Penalties (Sewer Use)

- A. Any person who shall continue any violation beyond the time limit provided for in Article VIII, § 115-41, shall be guilty of a misdemeanor, and on conviction thereof shall be **subject to the penalties provided in § 1-14.B.5.b of the Town Code.** fined in the amount not exceeding \$1,000 or imprisoned for a period not to exceed six months, or both, for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- B. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document required to be maintained pursuant to this chapter or industrial waste permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, **shall be guilty of a misdemeanor subject to the penalties provided in § 1-14.B.5.b of the Town Code.** be punished by a fine of not more than \$1,000 or by imprisonment for not more than six months, or by both.
- C. Violation of this chapter shall be a matter of public record and open to public review and reproduction upon request. In addition, the Town may, in its discretion, publish information pertaining to any violations of this chapter in any newspaper of general circulation within the Town and/or on the Town's website.

Amend § 118-3 Violations And Penalties (Sewers and Water – Rental Units And Apartments)

Any person, firm or corporation violating the provisions of this article by not returning the complete questionnaire, or aiding, abetting or assisting in the violation of said provisions **is liable for a municipal infraction, subject to the penalties provided in § 1-14.B.5.c of the Town Code.** shall upon conviction before the proper official be guilty of a

municipal infraction and be sentenced to pay a fine of not more than \$1,000 and costs of prosecution for each offense.

Amend § 118-13 Violations And Penalties (Sewers and Water – Water Meters and Safety Devices)

Any person, firm or corporation violating the foregoing sections of this article, or aiding, abetting or assisting in the violation of the foregoing sections of this article **is liable for a municipal infraction, subject to the penalties provided in § 1-14.B.5.c of the Town Code.** ~~shall upon conviction be guilty of a municipal infraction and be sentenced to pay a fine of not more than \$1,000 or be imprisoned for a period not to exceed six months, or both.~~

Amend § 123-2 Violations And Penalties (Smoking)

A violation of this chapter shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code.** ~~and the violator of this chapter shall be fined \$1,000, provided that a citation for the infraction is served upon the person in a manner prescribed by Article 23A, § 3 of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense, and each day a violation continues shall constitute a separate offense.~~

Amend § 129-16 Violations And Penalties (Solid Waste - Littering)

Violation of the provisions of this article shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.d of the Town Code.** ~~and said person or persons violating this article or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.~~

Amend § 129-38 Violations And Penalties (Solid Waste - Waste Collection)

Violation of the provisions of this article shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.d of the Town Code.** ~~and said person or persons violating this article or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 6-103 of the Local Government Article of the Maryland Annotated Code. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.~~

Amend § 129-43 Enforcement (Solid Waste - Pet Waste)

Violation of the provisions of this article shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.d of the Town Code.** ~~and said person or persons violating this article or any section thereof shall be subject to a fine of not to exceed \$500, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed~~

~~§500 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.~~

Amend § 134-9 Violations And Penalties (Streets and Sidewalks – Snow and Ice Removal)

~~Violation of the provisions of this article shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code.** and said person or persons violating this article or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.~~

Amend § 134-17.A Violations And Penalties (Streets And Sidewalks – Permits for Placement of Facilities And Utilities)

A. ~~For failure to comply with any provision of this article or the design manual, the penalty shall be a municipal infraction, **subject to the penalties provided in § 1-14.B.5.c of the Town Code.** punishable by fine specified in Section 304 of the Charter of the Town of Centreville. Each day such violation continues shall be considered a separate offense.~~

Amend § 138-9 Violations And Penalties (Subdivision Regulations)

Whoever, being the owner or agent of any land located within a subdivision, transfers or sells or agrees to sell or negotiate to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the Planning and Zoning Commission and recorded or filed in the office of the appropriate county clerk, **is liable for a municipal infraction, subject to the penalties provided in § 1-14.B.5.c of the Town Code,** for each lot or parcel so transferred or sold or agreed or negotiated to be sold. The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The municipal corporation may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the penalty by civil action in any court of competent jurisdiction. Every act or omission in violation of these Regulations shall be punishable as provided in this section. Where such an act or omission is of a continuing nature, each and every day during which such act or omission continues shall be deemed a separate ~~misdemeanor~~ **municipal infraction.**

Amend § 145-25 Enforcement (Trees)

~~Violations of this chapter or failure to comply with any of its requirements shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code.** A person who violates this chapter or fails to comply with any of its requirements shall be subject to the penalties specified in Section 304 of the Charter. Each day such violation continues shall be considered a separate offense.~~

Amend § 148-2 Violations And Penalties (Urination in Public Places)

~~Violation of the provisions of this chapter shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code.** and said person or persons violating this chapter or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to~~

the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 151-13 Violations And Penalties (Vehicles, Abandoned)

Violation of the provisions of this chapter shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code.** and said person or persons violating this chapter or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 154-14 Violations And Penalties (Vehicles And Traffic – Residential Parking Permits)

Violation of the provisions of this article shall constitute a municipal infraction, **subject to the penalties provided in § 1-14.B.5.a of the Town Code.** and said person or persons violating this article or any section thereof shall be subject to a fine of not to exceed \$1,000, provided that a citation is served upon said person or persons in the manner prescribed by § 3 of Article 23A of the Annotated Code of Maryland. The fine is payable by the offender to the municipality within 20 calendar days of receipt of a citation. Repeat offenders may be assessed a fine not to exceed \$1,000 for each repeat offense. Each day such violation, as defined above, continues shall be considered a separate offense.

Amend § 158-2.A Violations And Penalties (Vehicles, Non-Self-Propelled)

- A. Any person, firm or corporation violating any of the provisions of this chapter shall receive a citation, either in person or by having same placed in a conspicuous place on the vehicle, which he, she or it was using at the time of the violation of said provisions, to appear before the District Court of Queen Anne’s County, to answer a charge of violating the provisions of this chapter; provided, however, that if the person, firm or corporation may appear at the Town Office of the Town of Centreville within the times and dates designated by Article I of Chapter 154, Vehicles and Traffic, and pay the fine or fines set forth in **Chapter 154 § 1-14.B.5.d of the Town Code;** the payment of such fine, shall have the effect of dismissing the citation.

Amend § 170-68 Violations And Penalties (Zoning)

- A. Any person, firm, or corporation who violates any of the provisions of this chapter or fails to comply with any of the requirements herein; or who constructs or alters any building not in accordance with plan approved under the regulations herein; or defaces, removes, or destroys an official warning, safety or stop work signs; or who interferes with or threatens, in any manner, any person engaged in the performance of a duty required by the terms of this chapter shall be guilty of a misdemeanor, **subject to the penalties provided in § 1-14.B.5.b of the Town Code.** and shall be liable to a fine not to exceed \$1,000 or imprisonment for not to exceed six months, or both, per day that the violations exist.
- B. All other violations of the provisions of this chapter or failure to comply with any of its requirements **including but not limited to construction or alteration of any building not in accordance with plans approved under regulations herein** shall constitute a municipal infraction **subject to the penalties provided in § 1-14.B.5.c of the Town Code.** Any person who violates this chapter or fails to comply with any of its requirements shall be subject to the penalties specified in Section 304 of the Charter. Each day such violation continues shall be considered a separate offense.

- C. The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may be **subject to the penalties provided in A and B above**. ~~found guilty of a separate offense and suffer the penalties herein provided.~~
- D. Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.

DRAFT

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NO 04-2023**

AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE AMENDING THE TOWN OF CENTREVILLE ZONING ORDINANCE, WHICH IS CHAPTER 170 OF THE CODE OF THE TOWN OF CENTREVILLE, TO ALLOW ELECTRONIC MESSAGE CENTERS AS A PERMITTED USE FOR GOVERNMENTAL AND INSTITUTIONAL USES IN SPECIFIED NON-RESIDENTIAL ZONES AND SUBJECT TO ADDITIONAL STANDARDS FOR SUCH SIGNS

WHEREAS, the Town Council of Centreville has the authority under Section 5-213 of the Local Government Article of the Annotated Code of Maryland, to adopt regulations;

WHEREAS, Section 4-102(6) of the Land Use Article of the Annotated Code of Maryland authorizes the Town Council of Centreville to regulate the location and use of buildings, signs and structures on the land;

WHEREAS, the Town desires to amend Chapter 170 of the Code of the Town of Centreville to allow Electronic Message Centers (EMCs) in non-residentially zoned areas outside of the Central Business District where the same or a more intense zoning exists across the street subject to compliance with the additional standards contained herein;

WHEREAS, by Ordinance 01-2018, the Town Council previously prohibited all new EMCs and made the four existing EMCs at the time non-conforming signs subject to operational standards for the EMCs;

WHEREAS, if the four existing EMCs do not conform to the zoning standards for EMCs, then they would continue to be non-conforming signs and regardless of their conforming or non-conforming status would be subject to the standards contained in § 170-38.E(3) and Table 4 (Attachment 10 to the Zoning Ordinance);

WHEREAS, the Town of Centreville Development Design Standards which are included as Attachment 6 to the Centreville Zoning Provisions contained in Chapter 170 of the Town of Centreville Code are also amended accordingly;

WHEREAS, the Town Council received a favorable recommendation on the zoning amendment from the Centreville Planning and Zoning Commission; and

WHEREAS, the Town Council held a public hearing on the zoning amendment on _____.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Centreville:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2. Section 170-38.F of the Centreville Town Code, **SUPPLEMENTAL ZONING REGULATIONS, Signs, Prohibited signs** is hereby amended so EMCs may be allowed in certain non-residential zones:

F. Prohibited signs. The following signs are prohibited:

1. Pennants, streamers, and spinning or similar type signs, except feather signs.
2. Any sign that flashes or rotates.
3. Any sign fastened to, and supported by, or on the roof of a building, and no projecting sign shall extend over or above the roof (including mansard roofs) of a parapet wall of a building.
4. Off-premises signs. Any sign advertising or identifying a business or organization which is not located on that premises, other than temporary signs. Existing off-premises signs for which a valid permit has been issued will be permitted to remain for a period of one year from the date of the adoption of this ordinance.
5. Signs in the public right-of-way, except easel/placard signs placed on the sidewalk in front of a business, provided that the sign doesn't impede pedestrian traffic.
6. Signs that are obscene, illegal, hazardous to traffic, imitative of official government signs (i.e., Stop, Danger, Caution, etc.) or obstructive to public visibility so as to create a hazard to the public.
7. New electronic message centers (EMCs) and digital electronic signs of any kind, are prohibited, ***except for governmental and institutional signs in non-residential zoning districts (excluding the Central Business District) and subject to the supplemental standards contained in § 170-38.E(3) and Table 4 (Attachment 10 to the Zoning Ordinance)***. ~~The four existing EMCs are grandfathered and considered noneonforming signs for the purpose of § 170-38. The following provisions shall apply to the existing EMCs:~~
 - a. ~~Duration of message change interval. Each message on an EMC can be changed no more frequently than once every five minutes, and the actual change process is accomplished in two seconds or less with no fade in or fade out.~~
 - b. ~~Transitions/flashing/animation. The EMC shall display only static messages that remain constant in illumination intensity and do not have movement or the appearance or optical illusion of movement (no revolving, flashing, moving, scrolling, or rotating). Also, the EMC shall consist only of alphabetic or numeric characters on a plain black background and may not include graphic, pictorial, or photographic images.~~
 - c. ~~Dimming. The EMC shall be equipped with a fully operational light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.~~
 - d. ~~Brightness levels. EMCs shall not exceed a maximum illumination of 0.3 footcandle above the ambient light as seen at a distance of 150 feet for the time period between sunset and sunrise. The applicant shall provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the levels specified above, and the intensity level is protected from end-user adjustment.~~
 - e. ~~Colors. EMCs shall be a single color on any given message or display (i.e., they shall be mono color signs) and shall always use only one color.~~
 - f. ~~Time restrictions. EMCs located on a lot adjacent (includes across a street) to any residentially zoned or residentially used parcel shall be turned off between the hours of 10:00 p.m. and 6:00 a.m.~~
 - g. ~~Audio speakers. Audio speakers are prohibited.~~
 - h. ~~Malfunctions. EMCs shall be designed to either freeze the display in one static position, display a full blank screen, or turn off in the event of a malfunction.~~

(Language to be deleted from the existing Ordinance is indicated in ~~strikethrough~~ format and language to added is indicated by ***bold italics*** text)

Section 3. Section 170-38.E of the Centreville Town Code, **SUPPLEMENTAL ZONING REGULATIONS, Signs, Supplemental standards for sign types** is hereby amended so EMCs may be allowed in certain non-residential zones.

E. Supplemental standards for sign types. The following supplemental standards apply to specific sign types:

1. Awning signs. All drop awnings attached to buildings shall not, when let down to the full extent, be less than seven feet above the sidewalks of the Town at all points. The lowest portion of all display signs fastened to, suspended from, or supported by a building or structure so as to project therefrom at an angle shall be not less than seven feet vertically above the surface of the sidewalks of the Town at all points.
2. Directional signs. Directional signs are permitted in all zoning districts. Directional signs shall not exceed two square feet in area, shall not exceed three feet in height, and shall not contain any advertising material.
3. ***Electronic Message Centers. New electronic message centers (EMCs) are permitted for governmental and institutional uses as a freestanding sign in non-residential zones along State roads, excluding the Central Business District (CBD), where the same or more intense zoning (excluding the Central Business District) exists across the State road as more particularly shown on Table 4 (Attachment 10 to the Zoning Ordinance). The four existing EMCs are grandfathered and considered nonconforming signs for the purpose of § 170-38. The following provisions shall apply to new and existing EMCs including nonconforming EMCs:***
 - a. ***Duration of message change interval. Each message on an EMC can be changed no more frequently than once every five minutes, and the actual change process is accomplished in two seconds or less with no fade in or fade out.***
 - b. ***Transitions/flashing/animation. The EMC shall display only static messages that remain constant in illumination intensity and do not have movement or the appearance or optical illusion of movement (no revolving, flashing, moving, scrolling, or rotating). Also, the EMC shall consist only of alphabetic or numeric characters on a plain black background and may not include graphic, pictorial, or photographic images.***
 - c. ***Dimming. The EMC shall be equipped with a fully operational light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.***
 - d. ***Brightness levels. EMCs shall not exceed a maximum illumination of 0.3 footcandle above the ambient light as seen at a distance of 150 feet for the time period between sunset and sunrise. The applicant shall provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the levels specified above, and the intensity level is protected from end-user adjustment.***
 - e. ***Colors. EMCs shall be a single color on any given message or display (i.e., they shall be mono color signs) and shall always use only one color.***

- f. Time restrictions. EMCs located on a lot adjacent (includes across a street) to any residentially zoned or residentially used parcel shall be turned off between the hours of 10:00 p.m. and 6:00 a.m.*
- g. Audio speakers. Audio speakers are prohibited.*
- h. Malfunctions. EMCs shall be designed to either freeze the display in one static position, display a full blank screen, or turn off in the event of a malfunction.*

(Language to be deleted from the existing Ordinance is indicated in ~~strikethrough~~ format and language to added is indicated by ***bold italics*** text)

Section 4. Table 3 (General Commercial C-2, Intense Commercial C-3, Planned Business District (PBD) and Light Industrial (I) Sign types and Dimensional Regulations by Zoning District – Attachment 9 to Chapter 170 Zoning) and Table 4 (Governmental and Institutional Uses in All Zoning Districts Sign Types and Dimensional Regulations – Attachment 10 to Chapter 170 Zoning) are hereby amended to read as shown on the attached Exhibits A and B.

(New language is highlighted)

Section 5. Section 5.A.6 of the Town of Centreville Development Design Standards which are Attachment 6 to the Centreville Zoning Provisions which are Chapter 170 of the Centreville Town Code are hereby amended as follows:

6. Prohibited

- Including, but not limited to: portable signs, inflatable signs, kites or other unattended flying device which are meant to advertise or identify a specific business, product, or event.
- Temporary or portable signs with changeable letters and numbers and portable trailer signs with changeable text panels, unless otherwise permitted.
- Digital electronic signs of any kind, ***except for governmental and institutional uses in non-residential zoning districts and subject to operational and other supplemental standards as contained in the Zoning Ordinance.***
- Revolving signs
- Pole mounted signs
- Roof signs

(Language to be deleted from the existing Ordinance is indicated in ~~strikethrough~~ format and language to added is indicated by ***bold italics*** text)

Section 6. Section 170-70 Definitions is hereby amended to add a definition for Institutional use.

INSTITUTIONAL USE. The use of land, buildings or other structures for some public or social purpose but not for a commercial use or for a commercial purpose, including but not limited to schools, churches, community organizations and non-profit agencies.

(Language to be deleted from the existing Ordinance is indicated in ~~striketrough~~ format and language to added is indicated by **bold italics** text)

Section 7. If any section, clause, paragraph, sentence or phrase of the Ordinance or the application thereof to any person, or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, the invalidity or unconstitutionality shall in no way effect other provisions or any other application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and for this purpose the provisions of this Ordinance are declared severable.

Section 8. This Ordinance shall become effective twenty days after its enactment.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

Carolyn M. Brinkley
Town Clerk

Steven K. Kline, President

First Reading: _____
Second Reading: _____
Enacted: _____
Effective: _____
(21st calendar day after enactment)

Ashley H. Kaiser, Esq., Vice President

Eric B. Johnson, Jr., Member

Daniel B. Worth, Member

Jim A. Beauchamp, Member

**TABLE 3 -- GENERAL COMMERCIAL C-2, INTENSE COMMERCIAL C-3, PLANNED BUSINESS DISTRICT (PBD), AND LIGHT INDUSTRIAL (I) EXHIBIT A
SIGN TYPES AND DIMENSIONAL REGULATIONS BY ZONING DISTRICT**

Zoning District	Sign Types Permitted	Number of Signs Allowed	Signage Area Determination	Maximum Signage Area for each sign type	Maximum Height	Illumination Permitted	Other Provisions Refer to Table Notes
General Commercial (C-2), Intense Commercial (C-3), Planned Business District (PBD), and Light Industrial (I)	Awning		limited by max signage area (only signage part of awning)			internal or external	Not less than 7 feet vertically
	Free Standing	1 per lot with front yard, 2 per corner lot (1 ea. Frontage)	limited by max signage area	max 24 sq ft	6 ft	internal or external	See Table 4 for EMCs for governmental and institutional uses
	Projecting		limited by max signage area	10 sq ft	min. height 7 ft max height 15 ft	internal or external	can't extend more than 30 in. from front & can only advertise business conducted in building attached (DG can't exceed 6 in. thick, corner lots may have one facing each street)
	Wall/Flat		limited by max signage area	32 sq ft per sign total less than 100 sq ft		internal or external	Can't project more than 18 in
	Window			cumulatively cannot exceed 25% on first floor and 10% above first floor		internal or external	Includes any sign viewable through window even if space between window and sign.
	Placard or easel type	1 per front footage			6 sq ft	5 ft	Must not impede foot traffic and must be removed daily

**TABLE 3 -- GENERAL COMMERCIAL C-2, INTENSE COMMERCIAL C-3, PLANNED BUSINESS DISTRICT (PBD), AND LIGHT INDUSTRIAL (I)
SIGN TYPES AND DIMENSIONAL REGULATIONS BY ZONING DISTRICT**

		1 exterior directory per building entrance	2 sq ft per tenant	10 sq ft		internal or external	
	Other						
		1 fluttering or feather sign per business					Must be removed daily
Maximum total signage per property shall be 1 sq ft/linear ft of building frontage.							
Window signs and placard/easel signs shall not count towards maximum sign limit.							
Bulletin boards can be included in free standing, projecting, or wall/flat							

**TABLE 4 -- GOVERNMENTAL AND INSTITUTIONAL USES IN ALL ZONING DISTRICTS
SIGN TYPES AND DIMENSIONAL REGULATIONS**

Zoning District	Sign Types Permitted	Number of Signs Allowed	Signage Area Determination	Maximum Signage Area	Maximum Height	Illumination Permitted	Other Provisions Refer to Table Notes
All Zoning Districts	Awning		limited by max signage area (only signage part of awning)	40 sq ft (for all tenants, all signage)		internal or external *	Not less than 7 feet vertically
	Bulletin Board		limited by max signage area	6 sq ft		internal or external *	
	Free Standing	1 freestanding or freestanding directory per lot or parcel	limited by max signage area	40 sq ft each face	8 ft	internal or external *	
	Wall/Flat		limited by max signage area	32 sq ft per sign total less than 100 sq ft		internal or external *	Can't project more than 18 in
	Window			cumulatively cannot exceed 25% on first floor and 10% above first floor			Includes any sign viewable through window even if space between window and sign.
	Projecting		limited by max signage area	10 sq ft	min. height 7 ft max height 15 ft	internal or external *	Can't extend more than 30 in. from front & can only advertise business conducted in building attached
	Placard or easel type	1 per front footage			6 sq ft	5 ft	

**TABLE 4 -- GOVERNMENTAL AND INSTITUTIONAL USES IN ALL ZONING DISTRICTS
SIGN TYPES AND DIMENSIONAL REGULATIONS**

	Other						
		1 exterior directory per building entrance	2 sq ft per tenant	10 sq ft		internal or external *	
In Non Residential Zoning Districts Only (not including CBD)	Electronic Message Center (EMC)**	1 as part of an otherwise permitted freestanding sign	limited by maximum signage for freestanding sign	the EMC part of the freestanding sign shall be less than 70% of the permitted sign area	8 ft	already illuminated	only along State roads where the same or more intense zoning exists across the State road (excluding the Central Business District)
Maximum total signage per property shall be 1 sq ft/linear ft of building frontage.							
Window signs, bulletin boards, and placard/easel signs shall not count towards maximum sign limit.							
* Only external illumination permitted in all residential districts and CBD.							
Internal or external illumination is permitted in all commercial and industrial districts							
**EMCs are subject to the supplemental standards contained in § 170-38.E.3							

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NO 05-2023**

AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE AMENDING THE TOWN OF CENTREVILLE ZONING ORDINANCE, WHICH IS CHAPTER 170 OF THE TOWN CODE, TO ONLY ALLOW INDOOR AGRICULTURE AS A PERMITTED USE IN THE PLANNED BUSINESS DISTRICT (PBD)

WHEREAS, the Town Council of Centreville has the authority under Section 5-213 of the Local Government Article of the Annotated Code of Maryland, to adopt regulations;

WHEREAS, Section 4-102(6) of the Land Use Article of the Annotated Code of Maryland authorizes the Town Council of Centreville to regulate the location and use of buildings, signs and structures on the land;

WHEREAS, the Town desires to amend Chapter 170 to only allow indoor Agricultural uses in the Planned Business Development District;

WHEREAS, the Town Council received a favorable recommendation on the zoning amendment from the Centreville Planning and Zoning Commission; and

WHEREAS, the Town Council held a public hearing on the zoning amendment on _____.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Centreville:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2. Section 170-29.F.(1) of the Centreville Town Code, **DISTRICT REGULATIONS, Base Zoning Districts, Planned Business Development District PBD, Permitted uses** is hereby amended to only allow indoor agriculture as a permitted use:

(s) ~~Indoor Agriculture~~ **agriculture** (excluding dairy, pasturing, viticulture, animal and poultry husbandry). ~~Indoor Agriculture~~ **agriculture** use includes the growing and processing of cannabis authorized by and in accordance with a license issued by the State of Maryland. ***For the purpose of this paragraph, indoor means within an enclosed building with a controlled environment. Non-conforming uses may continue subject to the provisions of § 170-12 and §170-14 but cannot be expanded, enlarged, or extended.***

(Language to be deleted from the existing Ordinance is indicated in ~~striketrough~~ format and language to added is indicated by ***bold italics*** text)

Section 3. If any section, clause, paragraph, sentence or phrase of the Ordinance or the application thereof to any person, or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, the invalidity or unconstitutionality shall in no way effect other provisions or any other

application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and for this purpose the provisions of this Ordinance are declared severable.

Section 4. This Ordinance shall become effective twenty days after its enactment.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

Carolyn M. Brinkley
Town Clerk

Steven K. Kline, President

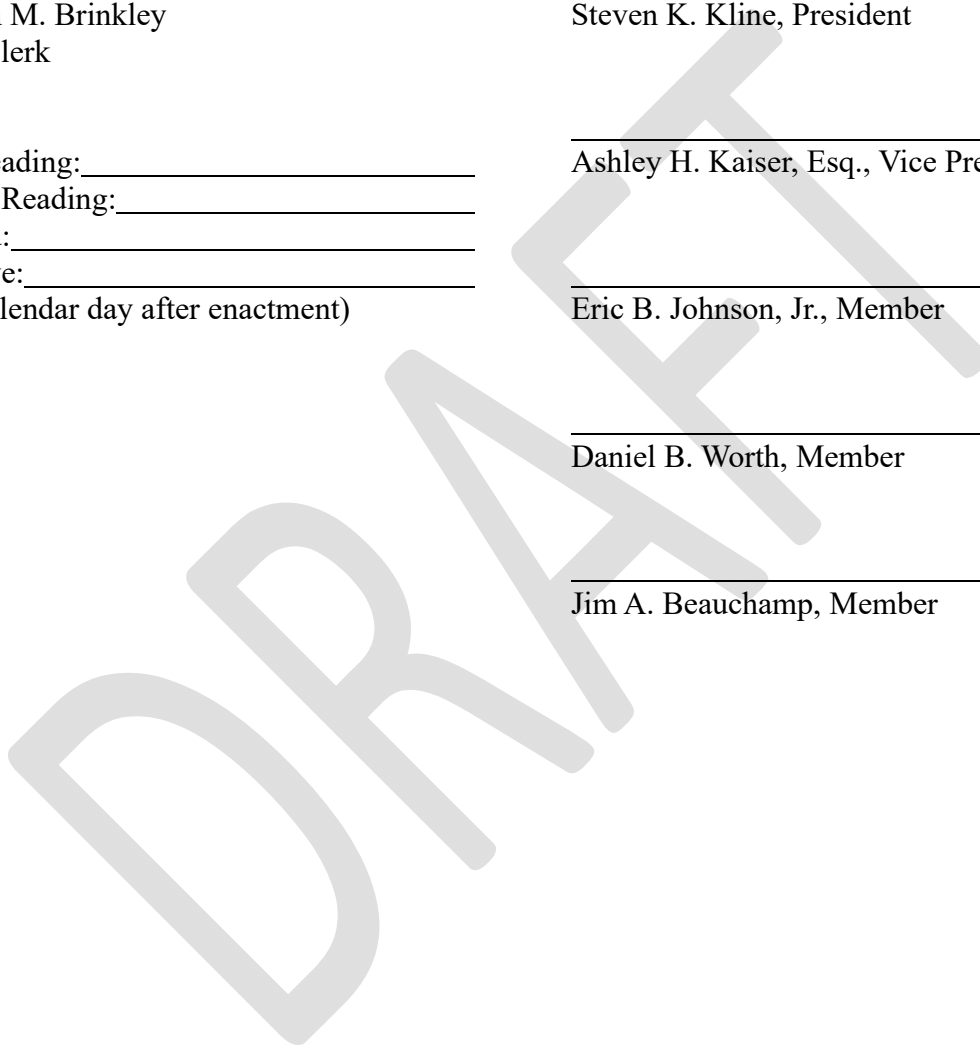
First Reading: _____
Second Reading: _____
Enacted: _____
Effective: _____
(21st calendar day after enactment)

Ashley H. Kaiser, Esq., Vice President

Eric B. Johnson, Jr., Member

Daniel B. Worth, Member

Jim A. Beauchamp, Member



ISSUED BUILDING PERMITS
July 1 - 31, 2023

Permit #	Applicant	Owner	Address	Type	Issue Date*
BP-2-23	All Exteriors, LLC.	Faith Tabernacle	225 Little Kidwell Ave.	replace roof	7/13/2023
BP-156-23	Applied & Approved Permits	James Bowman	204 Lurgan Lane	fence	7/3/2023
BP-157-23	Gary Emory	Gary Emory	106 Turpins Lane	remodel structure & garage	7/3/2023
BP-158-23	Economy Restoration LLC	John & Linda McCloskey	255 Opera Court	replace roof	7/3/2023
BP-159-23	Stacy Sansone	Stacy Sansone	125 Brook Knoll Way	replacement fence	7/3/2023
BP-160-23	Economy Restoration LLC	Deborah Warrick	120 Brook Knoll Way	replace roof	7/6/2023
BP-160-23	Drew & Gwen Sperandeo	Drew & Gwen Sperandeo	210 Lurgan Lane	fence	7/3/2023
BP-161-23	Andrew Supply Company	John Harper	109 Lawyers Row	repair roof	7/6/2023
BP-162-23	Economy Restoration LLC	Luke Whitehair	131 Fieldcroft Way	replace roof	7/6/2023
BP-163-23	Jeffrey Pinder	Jeffrey Pinder	171 Long Creek Way	fence	7/13/2023
BP-164-23	Economy Restoration LLC	Randy Officer	169 Harmony Way	replace roof	7/13/2023
BP-165-23	Bay Area Exteriors	Robert Hoffman	326 Overture Way	replace roof	7/13/2023
BP-166-23	Economy Restoration LLC	George Rogers	834 Harmony Way	replace roof	7/13/2023
BP-167-23	Economy Restoration LLC	Margaret Smith	159 Orchestra Place	replace roof	7/13/2023
BP-168-23	Economy Restoration LLC	Marcella Hillgartner	223 Harmony Way	replace roof	7/13/2023
BP-169-23	Economy Restoration LLC	Ross Camardella	146 Opera Crt.	replace roof	7/13/2023
BP-170-23	Economy Restoration LLC	Diana Briggs	169 Symphony Way	replace roof	7/13/2023
BP-172-23	Economy Restoration LLC	Sheryle Bowers	270 Northfield Way	replace roof	7/19/2023
BP-173-23	Scott Veil Construction	Terry Flannery	157 Symphony Way	add porch	7/19/2023
BP-174-23	Economy Restoration LLC	Christina Mandes	125 Northfield Way	replace roof	7/31/2023

* based on the approval date by Zoning Administrator