

Mayor and Town Council of Mountain Lake Park
Debris, Trash and Rubbish Ordinance Amendment No. 2005-8

Filed and recorded November 17, 2005.

TOWN OF MOUNTAIN LAKE PARK

ORDINANCE NO. 2005-8

DEBRIS, TRASH AND RUBBISH ORDINANCE AMENDMENT

AN AMENDMENT TO AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF MOUNTAIN LAKE PARK WHICH REGULATES THE ACCUMULATION OF DEBRIS, TRASH AND RUBBISH IN THE TOWN OF MOUNTAIN LAKE PARK BY ADDING AN EXEMPTION FOR PROPERTIES MEETING CERTAIN CRITERIA.

WHEREAS, the Mayor and Town Council of Mountain Lake Park is authorized by Article 23A of the Maryland Annotated Code and by the Mountain Lake Park Town Charter to enact ordinances to protect the health, safety and welfare of residents of and visitors to Mountain Lake Park, and;

WHEREAS, on July 1, 2004, the Mayor and Town Council of Mountain Lake Park adopted a debris, trash and rubbish ordinance which made violations of the ordinance a municipal infraction, and;

WHEREAS, the Mayor and Town Council finds it is in the best interests of the Town and its residents to define and treat properties meeting certain criteria as not being in violation of the ordinance;

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, the following "Section 4." be and is hereby added to Article Three of the Debris, Trash and Rubbish Ordinance, titled "Prohibitions," and the said Section 4 will read as follows:

Section 4. No lot, plot or parcel of land in one ownership (hereafter "lot") or qualifying portion thereof will be held to be in violation of the prohibition against "tall grass and weeds 12 inches high or more," as set forth under Article Two, "Definitions", Section 2. defining "Debris, trash and rubbish" when the subject property or qualifying portion of the subject property meets one of the following criteria:

(a). Wooded or Forested Lot. Whether or not contiguous with or adjacent to other property of the same owner, any property or that portion thereof which is mature forest or woodlands, substantially in its natural state, such that concentrations of tall grass and weeds are suppressed by the naturally occurring detritus and undergrowth; or,

(b). Vacant Lot. Unless contiguous with or adjacent to other property of the same owner which has been improved with a building (as defined in the Town Zoning Ordinance), any property which does not qualify as an exemption under section (a) of this Section 4, so long as the subject property or portion thereof is mowed or otherwise cleared at least once annually and the grass and weeds are not allowed to exceed 30 inches in height.

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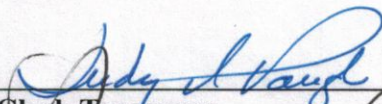
BE IT FURTHER RESOLVED, this ordinance amendment shall be duly advertised in accordance with the Policy for the Adoption of Ordinances by the Mayor and Town Council of Mountain Lake Park. A public hearing on this debris, trash and rubbish ordinance amendment shall be held on the 6th day of October, 2005, at 6:00 P. M. at the Town Hall located at 1007 Allegheny Drive, Mountain Lake Park, Maryland 21550.

INTRODUCED this 1st day of September, 2005.

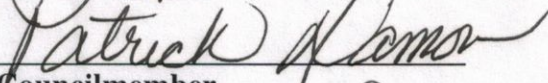
SECOND READING AND ADOPTION this 6th day of October, 2005.

THIS ORDINANCE AMENDMENT IS SUBJECT TO REFERENDUM AS OUTLINED IN ARTICLE 23A, SECTIONS 11 THROUGH 17.

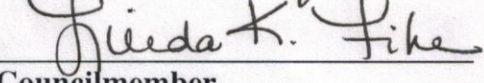
ATTEST:



Clerk Treasurer



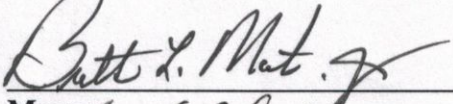
Councilmember



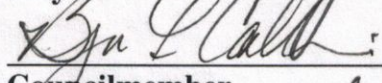
Councilmember

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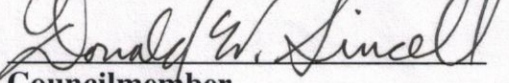
APPROVED:



Mayor



Councilmember



Councilmember

TOWN OF MOUNTAIN LAKE PARK ORDINANCE CHECKLIST

1. 9/1/05 Introduce proposed ordinance to governing body. (Constitutes first reading)
2. 9/8/05 Publish public hearing date and time and a fair summary of proposed ordinance
 And
 9/15/05 for two week intervals. (This date must be set at least 6 days but not more that 60 days after introduction for hearing.)
3. 10/6/05 Conduct public hearing, second reading and adoption of Ordinance.
4. 10/6/05 Ordinance will become effective immediately upon adoption.
5. 11/15/05 Wait 40 days to allow time for petition to ordinance referendum.
6. 11/16/05 If no petition, is received, promptly register the ordinance with the county, Clerk of Courts.

CLERK

Daniel K. Hester

TOWN OF MOUNTAIN LAKE PARK ORDINANCE CHECKLIST

1. Introduce proposed ordinance to governing body. (Constitutes first reading)

9/1/05

2. Publish public hearing date and time in O & R Record. (This date must be set at least 6 days but not more than 10 days after introduction of ordinance.)

9/8/05

Filed and recorded November 17, 2005,

9/12/05

in O & R Record, Liber D.K.M., No. 005,

folio 390, one of the records in the

10/6/05

Office of the Clerk of the Circuit Court

10/10/05

for Garrett County, Maryland, and compared

11/12/05

by:

6. If no petition is received, promptly register the ordinance with the county Clerk of Court.

11/12/05

David K. Martin, CLERK