

GREENSBORO TOWN CODE



Adopted by Ordinance No. 2018-O-06
9.6.2018

TABLE OF CONTENTS

CHAPTER 1. GENERAL PROVISIONS	8
§ 1-1. Adoption of Code.	8
§ 1-2. Definitions and rules of construction.....	8
§ 1-3. Code supersedes prior ordinances.	9
§ 1-4. Severability of Code provisions.	9
§ 1-5. Catchlines of sections.	10
§ 1-6. Repeal of ordinances.	10
§ 1-7. Ordinances saved from repeal.	10
§ 1-8. Provisions deemed continuations of existing ordinances.	11
§ 1-9. Amendment to Code; effect of new ordinance; amendatory language.	11
§ 1-10. Authority of Code.	12
§ 1-11. General Penalty for misdemeanors; municipal infractions.....	12
§ 1-12. Unpaid fees to be collectible as a lien against real estate.	13
§ 1-13. Administrative Search Warrants; Right of Entry.	13
§ 1-14. Code Enforcement Officer.....	14
CHAPTER 2. ANIMALS	16
§ 2-1. Adoption of Caroline County Standards.	16
§ 2-2. Amendments.....	16
§ 2-3. Violations; Penalties.....	16
CHAPTER 3. BUILDING CONSTRUCTION	17
ARTICLE 1. ONE- AND TWO- FAMILY DWELLINGS	18
§ 3-1. Standards adopted by reference.	18
§ 3-2. Amendments.....	18
§ 3-3. Copies on file.....	22
§ 3-4. Repealer.	22
§ 3-5. Severability.....	22
ARTICLE II. BUILDING CODE.....	23
§ 3-6. Standards adopted by reference.	23
§ 3-7. Amendments.....	23
§ 3-8. Repealer.....	31
§ 3-9. Copies on File.....	32
§ 3-10. Severability.....	32
ARTICLE III. ENERGY CODE.....	32
§ 3-11. Adoption of standards by reference.....	32
§ 3-12. Amendments.....	32
§ 3-13. Copies on File.....	35

§ 3-14. Repealer	35
§ 3-15. Severability.....	35
ARTICLE IV. EXISTING BUILDING CODE.....	35
§ 3-16. Adoption of standards by reference.....	35
§ 3-17. Amendments.....	35
§ 3-18. Copies on File.....	38
§ 3-19. Repealer.....	38
§ 3-20. Severability.....	38
ARTICLE V. MOBILE HOMES	38
§ 3-21. Definitions.....	38
§ 3-22. Location within Town restricted.....	38
§ 3-23. Standards for Exterior Alterations and Additions to Mobile Homes in Residential Zones. 39	
§ 3-24. Applicability.....	40
§ 3-25. Violations and penalties.....	40
ARTICLE VI SOLID WASTE RECEPTACLES ON CONTRACTORS' JOB SITES	40
§ 3-26. Disposal of debris and rubble.....	40
CHAPTER 4. PROPERTY MAINTENANCE	42
§ 4-1. Standards adopted by reference.....	42
§ 4-2. Amendments.....	42
§ 4-3. Copies on file.....	46
§ 4-4. Repealer.....	46
§ 4-5. Severability.....	46
CHAPTER 5. OCCUPANCY PERMITS.....	47
§ 5-1. Applicability; compliance with other provisions.....	47
§ 5-2. Permit required.....	47
§ 5-3. Rental properties.....	47
§ 5-4. Inspection prior to sale.....	47
§ 5-5. Permit application; fee.....	47
§ 5-6. Violations and penalties.....	48
§ 5-7. Issuance of occupancy permits and non-payment for municipal services.....	48
CHAPTER 6. IMPACT FEES.....	49
§ 6-1. Purpose.....	49
§ 6-2. Applicability.....	50
§ 6-3. Geographic scope.....	50
§ 6-4. Imposition of impact fees.....	50
§ 6-5. Approval of development.....	51
§ 6-6. Fee schedules and establishment of service area.....	51
§ 6-7. Calculation of impact fees.....	51
§ 6-8. Payment of fees.....	54
§ 6-9. Time of payment of impact fees.....	54
§ 6-10. Funding of projects.....	55

§ 6-11. Use and disposition of dedicated land	56
§ 6-12. Refunds.....	56
§ 6-13. Appeals.....	57
§ 6-14. Necessity of compliance.....	57
CHAPTER 7. RESIDENTIAL HOUSING	59
§ 7-1. Residential housing licenses and inspections.....	59
§ 7-2. Definitions and word usage.....	59
§ 7-3. Rental housing license required.....	59
§ 7-4. Inspections.....	60
§ 7-5. Revocation or denial of license; injunction.....	61
§ 7-6. License renewal.....	61
§ 7-7. Display of licenses.....	61
§ 7-8. Fees.....	61
§ 7-9. Violations and penalties.....	62
§ 7-10. Right to appeal.....	62
§ 7-11. Severability.....	62
CHAPTER 8. BUSINESS LICENSES.....	63
§ 8-1. License required.....	63
§ 8-2. License application; Board of Licenses.....	63
§ 8-3. Issuance of license.....	63
§ 8-4. Duration of license.....	63
§ 8-5. Revocation of license.....	64
§ 8-6. Decisions of Board.....	64
§ 8-7. Exemptions.....	64
§ 8-8. Violations and penalties.....	65
CHAPTER 9. PEDDLING AND SOLICITING	66
§ 9-1. License required.....	66
§ 9-2. Definitions.....	66
§ 9-3. Application for license; hours.....	67
§ 9-4. Investigation and issuance of license.....	67
§ 9-5. Fees.....	68
§ 9-6. Exhibition of license.....	68
§ 9-7. Duration of license.....	68
§ 9-8. Transfer.....	68
§ 9-9. Revocation of License.....	68
§ 9-10. Use of Streets and Parks.....	69
§ 9-11. Consent of Resident.....	69
§ 9-12. Restrictions on Articles to be Sold.....	69
§ 9-13. Transient Business – License Required; Fee.....	69
§ 9-14. Transient Business – Conflict with publicly beneficial organizations.....	70
§ 9-15. Inspections.....	70
§ 9-16. Exceptions.....	70

§ 9-17. Violations and penalties.....	71
CHAPTER 10. NOISE.....	73
§ 10-1. Unlawful noise.....	73
§ 10-2. Unlawful acts enumerated.	73
§ 10-3. Applications and permits.	75
§ 10-4. Exceptions.	75
§ 10-5. Enforcement.....	75
§ 10-6. Engine or exhaust braking device.....	75
§ 10-7. Violations and penalties.....	76
CHAPTER 11. LITTERING	77
§ 11-1. Dirt and trash on roadways and alleys.....	77
§ 11-2. Throwing glass or refuse upon streets or alleys.	77
§ 11-3. Violations and penalties.....	78
CHAPTER 12. FIRE PREVENTION.....	79
§ 12-1. Burning restrictions.	79
CHAPTER 13. STREETS AND SIDEWALKS.....	83
§ 13-1. Restrictions on planting trees, shrubbery or similar obstructions.	83
§ 13-2. Removal of visual obstructions.	83
§ 13-3. Restriction on placement of mailboxes.	83
§ 13-4. Plants between sidewalk and curb.	84
§ 13-5. Assigning a right of entry upon public property for the purpose of construction and repair of sidewalks.	84
§ 13-6. Permit for installation of utility service line.....	85
CHAPTER 14. VEHICLES AND TRAFFIC.....	87
ARTICLE I. TRAFFIC REGULATIONS	87
§ 14-1. Scope.	87
§ 14-2. Traffic and parking control signs.....	87
§ 14-3. Two hour parking limit.....	88
§ 14-4. Stopping, standing or parking prohibited in certain areas.	88
§ 14-5. Speed limits.	90
§ 14-6. Spikes, cleats and other traction devices.	90
§ 14-7. Parking and stopping restrictions.	90
§ 14-8. Applicability of other regulations.....	91
§ 14-9. Violations and penalties.....	91
ARTICLE II. SNOW AND ICE EMERGENCIES	91
§ 14-10. Declaration of emergency.....	91
§ 14-11. Parking prohibited on certain streets.	92
§ 14-12. Placement of signs.	92
§ 14-13. Violations and penalties.....	92
ARTICLE III. REMOVAL AND IMPOUNDMENT OF VEHICLES.....	92
§ 14-14. Removal and impoundment authorized.....	92

§ 14-15. Approved storage garages designated.	93
§ 14-16. Bonding garages.	93
§ 14-17. Towing and storage fees.	93
§ 14-18. Notification.	93
§ 14-19. Payment of charges; protests.	93
§ 14-20. Records of vehicles removed and impounded.	93
§ 14-21. Liability of owner or operator.	94
§ 14-22. Restrictions on removal of vehicles.	94
CHAPTER 15. HUNTING AND FIREARMS	95
§ 15-1. Definitions.	95
§ 15-2. Hunting of game unlawful.	95
§ 15-3. Discharge of weapons.	95
§ 15-4. Exemptions.	95
§ 15-5. Seizure of weapons.	96
§ 15-6. Intent and purpose.	96
§ 15-7. Violations and penalties.	96
CHAPTER 16. ETHICS, CODE OF	97
§ 16-1. Applicability.	97
§ 16-2. Ethics Council.	97
§ 16-3. Conflicts of interest.	98
§ 16-4. Financial Disclosure – Local Elected Officials and Candidates to be Local Elected Officials.	103
§ 16-5. Financial Disclosure – Employees and Appointed Officials.	111
§ 16-6. Exemptions and Modifications.	111
§ 16-7. Enforcement.	111
CHAPTER 17. VOTING, ABSENTEE.	114
§ 17-1. Qualified Persons.	114
§ 17-2. Applications for Absentee Ballots.	114
§ 17-3. Envelopes for absentee ballots.	116
§ 17-4. Online ballots sent by electronic transmission.	116
§ 17-5. Canvassing of ballots.	117
CHAPTER 18. OFFICERS AND EMPLOYEES	118
ARTICLE I. TOWN MANAGER	118
§ 18-1. Position Created.	118
§ 18-2. Powers and Duties.	118
§ 18-3. Compensation.	118
§ 18-4. Performance of Clerk-Treasurer Duties.	118
ARTICLE II. NEPOTISM POLICY	119
§ 18-5. Prohibition of nepotism in hiring.	119
CHAPTER 19. WATER AND SEWER	120
ARTICLE I. DEFINITIONS AND WORD USAGE	122

§ 19-1. Terms defined.....	122
ARTICLE II. CONNECTION OF WATER AND SEWER SERVICES.....	125
§ 19-2. Connection to public service required.....	125
ARTICLE III. EXTENSION OF WATER AND SEWER SERVICES.....	125
§ 19-3. Permission required to make extensions.....	125
§ 19-4. Extension of water and sewer services to properties located within the Town.....	126
ARTICLE IV. WATER AND SEWER RESTRICTIONS.....	126
§ 19-5. Water restrictions.....	126
§ 19-6. Prohibited Sewer Connections.....	127
ARTICLE V. WATER AND SEWER CHARGES AND RATES.....	127
§ 19-7. Water and sewer usage, and basic service charge(s).....	127
§ 19-8. Water and sewer connection, and allocation charge(s).....	127
§ 19-9. Retirement of capital improvement debts.....	128
§ 19-10. Rates for properties located outside of Town.....	128
§ 19-11. Operation and maintenance costs.....	128
§ 19-12. Payment of water and sewer charges.....	128
§ 19-13. Turn off of water supply to fire sprinkler system.....	129
§ 19-14. Turn on/turn off fees.....	129
§ 19-15. Multiple billings.....	129
§ 19-16. Unoccupied buildings.....	130
§ 19-17. Estimated billing.....	130
§ 19-18. Partial billing period.....	130
§ 19-19. Abatement of sewer charges after water leak repair.....	130
§ 19-20. Restoration of service after turn off for nonpayment.....	131
ARTICLE VI. SERVICE INSTALLATION, METERS AND METERING.....	132
§ 19-21. Meters and metering.....	132
§ 19-22. Meter installation.....	133
§ 19-23. Customer access.....	134
§ 19-24. Transported water.....	134
§ 19-25. Authority of the Town's representative.....	134
ARTICLE VII. MAINTENANCE OF THE WATER AND SEWER SYSTEM.....	134
§ 19-26. Maintenance of systems and connections.....	134
§ 19-27. Certain water discharges restricted.....	135
§ 19-28. Discharge to storm sewers or natural outlets restricted.....	135
§ 19-29. Restricted water or waste discharges enumerated.....	135
§ 19-30. Discharges which are harmful to sewers or facilities.....	136
§ 19-31. Action by Town upon certain discharges.....	137
§ 19-32. Amalgam Management at Dental Offices.....	138
§ 19-33. Grease, oil and sand interceptors.....	138
§ 19-34. Preliminary treatment or flow equalizing facilities.....	138
§ 19-35. Control structures and observation facilities.....	138
§ 19-36. Measurements, tests, and analyses.....	138
§ 19-37. Special agreements or arrangements.....	139

§ 19-38. Damaging, destroying or tampering with works; penalties.....	139
§ 19-39. Powers and authority of inspectors.....	139
ARTICLE IX. USE OF WATER SUPPLY SYSTEM.....	140
§ 19-40. Use of Town’s water system.	140
§ 19-41. Use of fire hydrants.	140
§ 19-42. Approved water supply; plumbing fixtures and piping.....	140
§ 19-43. Potable water supply systems; cross-connections.	140
§ 19-44. Unlawful discharge of water into the streets.	141
ARTICLE X. SUPPLEMENTAL WATER AND SEWER REGULATIONS	142
§ 19-45. Adding or removing units in multi-unit structures.....	142
§ 19-46. Abandonment and expiration of service.....	142
§ 19-47. Change of use after service is connected.....	142
ARTICLE XI. PENALTIES	143
§ 19-48. Unpaid charges to become lien upon property.	143
§ 19-49. Violation and penalties.	143
§ 19-50. Liability for damages.....	143
§ 19-51. Executive regulations.	143
§ 19-52. Public Works Agreements.	143
§ 19-53. Miscellaneous.	143
ARTICLE XII. BAY RESTORATION FUND FEE EXEMPTION PROGRAM.....	144
§ 19-54. Application Process.	144
§ 19-55. Eligibility.....	144
§ 19-56. Period of Exemption.....	144
§ 19-57. Disqualification.	145
CHAPTER 20. SOLID WASTE.....	150
ARTICLE I. REFUSE DISPOSAL CHARGES.....	150
§ 20-1. Fee Imposed.....	150
§ 20-2. Single-family properties.	150
§ 20-3. Multifamily properties.	150
§ 20-4. Manner of collection; unpaid fee to constitute lien.	151
§ 20-5. Annual fee.....	151
CHAPTER 21. PARKS AND RECREATION COMMISSION BYLAWS.....	152
§ 21-1. Purpose.	152
§ 21-2. Membership.....	153
§ 21-3. Officers; organization; records.	153
§ 21-4. Park Operation.	153
§ 21-5. Meetings.	154
§ 21-6. Duties of Commission.	154
§ 21-7. Amendments.....	154
LAND DEVELOPMENT ORDINANCE	156

CHAPTER 1. GENERAL PROVISIONS

- § 1-1. Adoption of Code.
- § 1-2. Definitions and rules of construction.
- § 1-3. Code supersedes prior ordinances.
- § 1-4. Severability of Code provisions.
- § 1-5. Catchlines of sections.
- § 1-6. Repeal of ordinances.
- § 1-7. Ordinances saved from repeal.
- § 1-8. Provisions deemed continuations of existing ordinances.
- § 1-9. Amendment to Code; effect of new ordinance; amendatory language.
- § 1-10. Authority of Code.
- § 1-11. General Penalty for misdemeanors; municipal infractions.
- § 1-12. Unpaid fees to be collectible as a lien against real estate.
- § 1-13. Administrative Search Warrants; Right of Entry.
- § 1-14. Code Enforcement Officer.

§ 1-1. Adoption of Code.

The ordinances of the Town of Greensboro of a general and permanent nature, adopted by the Town Council of the Town of Greensboro, as revised, codified and consolidated, herein, are hereby approved, adopted, ordained and enacted as the “Greensboro Town Code,” and may be so cited.

§ 1-2. Definitions and rules of construction.

In the construction of this Code and all ordinances, the following definitions and rules shall be observed, unless such definitions and rules would be inconsistent with the manifest intent of the Town of Greensboro or the context clearly requires otherwise.

CHARTER – The Charter of the Town of Greensboro.

COUNCIL – When used as “the Council” or “this Council,” the Council of the Town of Greensboro.

COUNTY – When used as “the county” or “this county,” Caroline County, Maryland.

GENDER – When used as the masculine gender shall include the feminine and neuter genders.

MAY – When used shall be construed as permissive.

MAYOR – The Mayor of the Town of Greensboro.

OWNER – When applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety of the whole or a part of such building or land.

PERSON – Shall include a corporation, company, partnership, association or society as well as a natural person.

PROPERTY – Includes real and personal property.

SHALL - Shall be construed as mandatory.

SIDEWALK – Any path or way, paved or unpaved, whether publicly or privately owned, intended for public use by pedestrians.

STATE – When used as “the state” or “this state,” the State of Maryland.

STREET – Includes any public ways, roads, highways and avenues within the Town intended for use by vehicles.

TENANT; OCCUPANT – Then applied to a building or land, includes any person who occupies the whole or a part of such building or land, whether alone or with others.

TIME - The past or present tense shall include the future, as well as the past and present.

TOWN – When used as “the town” or “this town,” the Town of Greensboro.

YEAR – A calendar year, except when referring to a fiscal year.

§ 1-3. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-4. Severability of Code provisions.

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses and words of this section of this Code are severable, and if any word, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment of decree of any court of competent jurisdiction, that unconstitutionality or invalidity shall not affect any of the remaining words, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted by the Town Council without the

incorporation in this Code of any unconstitutional or invalid word, clause, sentence, paragraph or section.

§ 1-5. Catchlines of sections.

The catchlines or titles of the several sections of this Code are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be a legal part of such sections, nor as any other part of such sections, nor unless expressly so provided, shall they be deemed when any of such sections, including the catchlines, are amended or re-enacted.

§ 1-6. Repeal of ordinances.

All ordinances or parts of ordinances in conflict with the provisions of this Code are hereby repealed to the extent of such conflict.

§ 1-7. Ordinances saved from repeal.

The adoption of this Code and repeal of ordinances provide for in § 1-6 shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted after the effective date of this Code.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provisions or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision.
- E. Any contract, franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.

G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Town's indebtedness.

H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract or obligation.

I. Any annual tax levy, rates, charges or fees or the schedule of the same adopted by resolution or ordinance that are not inconsistent with the provisions of this Code.

J. Any ordinance or resolution of the Town adopted for purposes which have been consummated.

K. Any ordinance or resolution which is temporary, although general in effect, or special although permanent in effect.

L. Any ordinance or resolution authorizing any mutual aid agreements in effect as of the effective date of this Code.

M. The dedication of property or approval of preliminary or final subdivision plats.

N. Ordinances or resolutions establishing the amount and manner of payment of salaries or compensation of officers and employees, establishing workdays and working hours of certain employees and providing for holidays and vacations for employees and keeping of employment records, or any other personnel manuals or policies that are not inconsistent with the provisions of this Code.

O. Any legislation relating to or establishing a pension plan or pension fund for municipal employees.

P. The Greensboro Land Development Ordinance.

Q. The Greensboro Comprehensive Plan.

R. The Greensboro Town Charter.

§ 1-8. Provisions deemed continuations of existing ordinances.

The provisions appearing in this Code, so far as they are the same in substance as ordinances existing at the effective date of this Code, shall be considered as continuation thereof and not as new enactments.

§ 1-9. Amendment to Code; effect of new ordinance; amendatory language.

All ordinances passed subsequent to this Code which repeal or in any way affect this Code or Ordinances, may be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsection ordinances repeal any chapter, section or subsection or any portion thereof, those repealed portions may be excluded from this Code by omission from reprinted pages. All sections, articles, chapters, titles or provisions of this Code desired to be replaced should be specifically repealed by section, chapter or title number, as the case may be.

§ 1-10. Authority of Code.

This Code is a revision and a codification of the general regulatory ordinances of the Town of Greensboro which have been enacted and published in accordance with the provisions of the laws of Maryland and which have not been repealed, and is done by virtue of authority granted in Maryland Code Annotated, Local Gov't Article, Section 5-205(c)(4).

§ 1-11. General Penalty for misdemeanors; municipal infractions.

A. Misdemeanors. Whenever in this Code any act is prohibited or is made or declared to be a misdemeanor or whenever in this Code the doing of any act is required and the failure to do such act is declared to be a misdemeanor, where no specific penalty is provided therefore, a violation of any such provision of this Code shall be punishable by a fine not to exceed the maximum allowable fine for misdemeanors set forth in Md. Code Ann. Local Government Article § 6-101 or by imprisonment for not more than six (6) months, or both such fine and imprisonment in the discretion of the court. Where this Code or ordinance sets forth a specific fine for a particular misdemeanor, that fine shall apply. If no specific fine is set by this Code or by ordinance for a misdemeanor, the fine for the first offense shall be One Hundred Dollars (\$100.00) and shall be Two Hundred Dollars (\$200.00) for each additional offense within a 12- month period.

B. Municipal infraction. Whenever in this Code or whenever in any rule, regulation or order promulgated by any officer or agency of the Town under authority vested in such officer or agency by this Code any act is prohibited or is made or declared to be unlawful or an offense, but is not expressly declared in this Code to be a misdemeanor, or whenever in this Code or whenever in any rule, regulation or order so promulgated the doing of any act is required and the failure to do such act is declared to be unlawful or an offense, but is not expressly declared in this Code to be a misdemeanor then such offense shall constitute a municipal infraction punishable as a civil offense. The fine shall never exceed the maximum allowable fine for each municipal infraction as set forth in Md. Code Ann. Local Government Article § 6-102. Unless this Code or any ordinance of the Town sets forth a different fine amount for the particular infraction, the penalty for the first infraction shall be One Hundred Dollars (\$100.00) and Two Hundred Dollars (\$200.00) for the second violation. Where this Code or any ordinance sets forth a specific fine for a particular municipal infraction, that fine shall apply.

C. Continuing violation. Whether an offense is declared to be a misdemeanor or a municipal infraction, in each such event each day that a violation shall continue of any provision

of this Code or of any rule, regulation or order promulgated by any officer or agency of the Town under authority vested in such officer or agency by this Code shall constitute a separate offense, and a conviction (in the case of a misdemeanor) or a judgment (in the case of a municipal infraction) for one (1) violation shall not be a bar to a conviction or judgment (as the case may be) for a continuation of the offense subsequent to the first or succeeding convictions or judgments.

§ 1-12. Unpaid fees to be collectible as a lien against real estate.

All fees assessed by the Town against a property owner arising any provision of the Town Code, including the Property Maintenance Code and Land Development Ordinance shall constitute a lien against all real property of such owner within the Town and shall be collectible in the same manner as is provided for the collection of municipal real estate taxes.

(History: Ordinance No. 1998-O-6, Adopted 7/8/1998)

§ 1-13. Administrative Search Warrants; Right of Entry.

The Town of Greensboro, or its designated code official or other authorized agent or employee, may apply to a judge of the District Court or Circuit Court for Caroline County, for an administrative search warrant to enter any premises to conduct any inspections required or authorized by this Code or applicable law.

A. Form. The application for an administrative search warrant shall be in writing and sworn to by the applicant and shall particularly describe the place, structure, premises, to be inspected and the nature, scope and purpose of the inspection to be performed by the applicant.

B. Findings. A judge of a court referred to in this section may issue the warrant based upon information set forth in subsection A upon a finding that:

1. The applicant has sought access to the property for the purpose of making an inspection;
2. after requesting, at a reasonable time, that the owner, tenant or other individual in charge of the property allow the applicant access, the applicant has been denied access to the property, or after making a reasonable effort the applicant has been unable to locate an of these individuals;
3. The Town or its designated code officials(s) is authorized by law to make an inspection of the property for which the warrant is sought; and
4. Probable cause for the issuance of the warrant has been demonstrated by the applicant by specific evidence of a public nuisance that affects the health, safety and welfare of the Town's citizens, or that the property to be

inspected falls within the Town's inspection process pursuant to the Property Maintenance Code.

C. An administrative search warrant issued under this section shall specify the place, structure, or premise to be inspected. The inspection conducted may not exceed the limits specified in the warrant.

D. An administrative search warrant issued under this section authorizes the applicant and other designated officials or employees of the Town to enter specified property to perform an inspection, sampling and other functions authorized by law to determine compliance with the provision of the code or other law.

E. An administrative search warrant issued under this section shall be executed and returned to the judge by whom it was issued within:

1. The time specified in the warrant, not to exceed thirty days; or
2. If no time period is specified in the warrant, fifteen days from the date of its issuance.

F. Information obtained in accordance with an administrative search warrant under this section is confidential and may not be disclosed except:

1. To the extent used in an administrative or judicial proceeding that arises out of a violation that relates to the purposes for which the warrant was issued and within the scope of the warrant; or
2. To the owner or occupant of the building or premises.

(History – Ordinance No. 2013-O-3, adopted 3/3/2013)

§ 1-14. Code Enforcement Officer.

A. Whenever a provision of this Code refers to a Building Official, Code Official, or Zoning Official, or wherever a provision of this Code requires an action to be taken on behalf of the Town to enforce a regulatory provision of this Code where enforcement authority (i) has not been delegated to the Fire Official or the Animal Control Officer and (ii) does not require the potential exercise of police arrest power and (iii) is not a public safety provision which has traditionally been enforced by the police department, then such enforcement shall be the responsibility of the Code Enforcement Officer, or other designee of the Town appointed by the Town Council.

- B. The Council may, by resolution,
1. Further define and restrict the position of Code Enforcement Officer;
 2. Appoint an individual to act as Code Enforcement Officer;
 3. Appoint one or more Assistant Code Enforcement Officers who, in the absence of the Code Enforcement Office, shall exercise all the authority delegated in the Code to the Code Enforcement Officer, or such limited portion of such authority as the Council, by resolution, may delegate.

(History – Ordinance No. 2000-O-7, adopted 9/21/2000)

CHAPTER 2. ANIMALS

§ 2-1. Adoption of Caroline County Standards.

§ 2-2. Amendments.

§ 2-3. Violations; penalties.

§ 2-1. Adoption of Caroline County Standards.

Chapter 78 of the Caroline County Code titled “Animal Welfare and Control is hereby adopted as the “Greensboro Animal Control Ordinance”. Chapter 78 of the Caroline County Code, and as further amended by this Ordinance, shall be effective and enforced within the Town of Greensboro by a Caroline County Animal Control Officer and by any duly authorized law enforcement officer or other duly authorized official of Caroline County or the Town of Greensboro.

§ 2-2. Amendments.

Any and all amendments to the Caroline County Animal Welfare and Control Ordinance (currently codified as Chapter 78 of the Caroline County Code), as adopted by the Caroline County Commissioners, shall apply to and shall be enforceable within the Town of Greensboro, regardless of whether those amendments have been adopted by the Mayor and Council of Greensboro in a separate legislative action, it being the intent of the Mayor and Council of Greensboro that the county-wide plan for animal control apply within the Town of Greensboro.

§ 2-3. Violations; Penalties.

The Mayor and Council adopt the misdemeanor provisions, civil infractions, and enforcement provisions of the Caroline County Animal Welfare and Control Ordinance. To the extent that the Caroline County Animal Welfare and Control Ordinance provides that a violation is a municipal infraction, the civil penalty for such violation shall be Fifty Dollars (\$50.00) for the first offense and a fine of One Hundred Dollars (\$100.00) for every subsequent offense.

(History – Ordinance No. 2013-0-6, adopted 3/15/2013)

CHAPTER 3. BUILDING CONSTRUCTION

ARTICLE I One- and Two- Family Dwellings

- § 3-1. Standards adopted by reference.
- § 3-2. Amendments.
- § 3-3. Copies on File.
- § 3-4. Repealer.
- § 3-5. Severability.

ARTICLE II Building Code

- § 3-6. Adoption of standards by reference.
- § 3-7. Amendments.
- § 3-8. Copies on File.
- § 3-9. Repealer.
- § 3-10. Severability.

ARTICLE III Energy Code

- § 3-11. Standards adopted by reference.
- § 3-12. Amendments.
- § 3-13. Copies on File
- § 3-14. Repealer.
- § 3-15. Severability.

ARTICLE IV Existing Building Code

- § 3-16. Standards adopted by reference.
- § 3-17. Amendments.
- § 3-18. Copies on File.
- § 3-19. Repealer.
- § 3-20. Severability.

ARTICLE V Mobile Homes

- § 3-21. Definitions.
- § 3-22. Location within Town restricted.
- § 3-23. Standards for Exterior Alterations and Additions to Mobile Homes in Residential Zones.
- § 3-24. Applicability.
- § 3-25. Violations and penalties.

ARTICLE VI Solid Waste Receptacles on Contractors' job sites

- § 3-26. Disposal of debris and rubble.
- § 3-27. Standards for Public Works and for Utility Contractors.

ARTICLE 1. ONE- AND TWO- FAMILY DWELLINGS

§ 3-1. Standards adopted by reference.

The 2015 Edition of the International Residential Code for One- and Two-Family Dwellings, as published by the International Code Council, Inc., as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), is hereby adopted as the Town of Greensboro Residential Code for One and Two-Family Dwellings (sometimes referred to as the “Residential Code”). The Residential Code shall regulate the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (town houses) no more than three stories in height with separate means of egress in the Town of Greensboro. All of the regulations, provisions, terms, and conditions, of the Residential Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in COMAR 05.02.07 and as further set forth in § 3-2 herein.

§ 3-2. Amendments.

The following sections of the 2015 Edition of the International Residential Code for One- and Two- Family Dwellings are modified, deleted, substituted, or added as follows:

CHAPTER 1-SCOPE AND ADMINISTRATION

SECTION R101 GENERAL

Section R101.1 Title. These regulations shall be known as the “Town of Greensboro Residential Building Code for One- and Two-Family Dwellings”. Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Greensboro”.

. . . .

SECTION R102 APPLICABILITY

Section R102.5 Appendices. All the provisions in the Appendices are adopted as part of the IRC except those in Appendices E, J and L.

. . . .

**SECTION R112
BOARD OF APPEALS**

Section R112.1. General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Greensboro Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section R112.2. Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established in the Town of Greensboro Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Greensboro Zoning Ordinance, and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

Section R.112.3. Qualifications. Deleted.

. . . .

**SECTION R113
VIOLATIONS**

Section 113. Delete this section in its entirety and substitute the following:

Section R113.1. Unlawful acts. It shall be a municipal infraction for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section R113.2. Notice of violation. The building official or other authorized designee of the Town of Greensboro is authorized to serve a notice of violation or other order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or a

structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Section R113.3. Prosecution of violation. If the notice is not complied with in the time prescribed by such notice, the building official or other authorized designee of the Town of Greensboro is authorized to issue a civil municipal citation and to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The Town Attorney is authorized to prosecute or file a civil action in connection with a violation of any provision of this code.

Section R113.4. Violation penalties. Violation of this code shall be a municipal infraction subject to a fine of Five Hundred Dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to said fine, the Town may request during the adjudication of the infraction that the defendant abate the violation, or in the alternative to permit the Town to abate the violation at the defendant's expense. Enforcement of this section shall be in accordance with Md. Code Annotated Local Government Article § 6-102, et. seq., as amended from time to time. This provision is not an exclusive remedy, and the Town may seek injunctive or other relief as necessary.

Section R113.5. Unpaid expenses as a lien against real estate. Whenever pursuant to this code, a building official directs a property owner to take an action to abate a violation of this code and the property owner fails to do so in the time frame set forth in the notice or pursuant to an order of the court, the building official may cause such action to be performed and the costs thereof shall be a lien against the real estate and shall be collectible in the same manner in which real estate taxes are collected, or the Town may collect it by such other action at law, in the Town's discretion.

. . . .

CHAPTER 3. BUILDING PLANNING

SECTION R-301 DESIGN CRITERIA

Section R301.2 Climatic and geographic design criteria. This subsection shall be amended as follows:

**Table R301.2(1)
Climatic and Geographic Design Criteria**

Ground Snow Load	25PSF
Roof Snow Load	20PSF
Wind Speed (c)	90/100 MPH
Seismic Design Category(d)	0
Weathering (a)	Severe
Front Line Depth (b)	24"
Termite	Moderate
Decay	Slight to Moderate
Winter Design Temp.	75 degrees F
Flood Hazards	The Greensboro Flood Hazard Areas, which have been identified by the Federal Emergency Management Agency, as amended or revised by the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM), in addition to other applicable ordinances related to flood plain regulation and stormwater management

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from this code. The grade of masonry units shall be determined from ASTM C 34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1).
- c. Wind exposure category shall be determined on a site specific basis in accordance with Section R301.2.1.4.

CHAPTER 12. MECHANICAL ADMINISTRATION

Section M.1201.1 Scope. The subject matter of Chapters 12 through 24 is not within the scope of the Maryland Building Performance Standards and is hereby

omitted from this Code. For the applicable requirements concerning the mechanical systems, refer to the mechanical code adopted pursuant to the provisions of Business Regulation Article, §9A-205, Annotated Code of Maryland.

CHAPTER 25. PLUMBING ADMINISTRATION

Section P.2501.1 Scope. The subject matter of Chapters 25 through 33 is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements concerning the plumbing systems, refer to the plumbing code adopted pursuant to the provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

CHAPTER 34. ELECTRICAL - GENERAL REQUIREMENTS

Section E3401.2 Scope. The subject matter of Chapters 34 through 43 is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable electrical requirements, refer to the National Electrical Code as adopted and enforced by the State Fire Marshal, authorized fire officials, or building officials pursuant to the provisions of Public Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland.

§ 3-3. Copies on file.

The Code Enforcement Officer shall maintain one copy of the Town Residential Code on file in the Town Office.

§ 3-4. Repealer.

All prior residential code ordinances or parts of residential code ordinances in conflict herewith are hereby repealed.

§ 3-5. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council of Greensboro hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

(History: Ordinance No. 2017-O-2, adopted 4/6/2017)

ARTICLE II. BUILDING CODE

§ 3-6. Standards adopted by reference.

The 2015 Edition of the International Building Code, as published by the International Code Council, Inc., as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), is hereby adopted as the Town of Greensboro Building Code, for the control of buildings and structures as herein provided. All of the regulations, provisions, terms, and conditions, of the Building Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in Section 3.7 herein.

§ 3-7. Amendments.

The following sections of the 2015 Edition of the International Building Code are modified, deleted substituted, or added as follows:

CHAPTER 1. SCOPE AND ADMINISTRATION

SECTION 101 GENERAL

Section 101.1 Title. These regulations shall be known as the “Town of Greensboro Building Code”. Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Greensboro”.

Section 101.2 Scope. The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception 1. Detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.

Exception 2. Existing buildings undergoing repair, alterations or additions, and change of occupancy shall comply with the Maryland Building Rehabilitation Code set forth in COMAR 05.16.

Exception 3. Maintenance of residential structures and premises shall comply with the State Minimum Livability Code (COMAR 05.02.03) and the Town's Property Maintenance Code (Chapter 121 of the Greensboro Town Code).

Section 101.2.1 Appendices. All of the Appendices are adopted as part of the Greensboro Building Code except those in Appendices A, B, D, E, and K.

. . . .

**SECTION 104
DUTIES AND POWERS OF BUILDING OFFICIAL**

. . . .

Section 104.6 Right of entry. Delete this section in its entirety and substitute the following:

Section 104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises is occupied, that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry, including obtaining an administrative search warrant.

. . . .

**SECTION 107
SUBMITTAL DOCUMENTS**

. . . .

Section 107.2.1 Information on Construction documents. Amend Section 107.2.1 to include the following paragraph:

Section 107.2.1 Information on Construction documents. For new buildings, additions and alterations to buildings other than detached one and two-family dwellings, the application for the building permit shall be accompanied by: two (2) complete sets of architectural, structural, mechanical (heating, ventilation, air conditioning-HVAC) plumbing and electrical plans, drawn to scale with sufficient clarity and detail to show the nature and character of work to be performed. The

plans shall be prepared in compliance with this Code, and shall have the seal and signature of a Maryland state professional engineer or architect affixed to each and every sheet of all sets at least one of which shall bear the original (not reproduced) seal and signature.

. . . .

**SECTION 109
FEES**

. . . .

Section 109.6 Refunds. Delete subsection 109.6 and substitute the following:

Section 109.6 Refunds. When an unissued permit has been denied by the building official or withdrawn by property owner or agent, a 50% refund is due on building codes and zoning fees paid. No refund will be given on issued permits.

Section 109.7 Inspection fees. Add a new subsection 109.7, to read as follows:

Section 109.7 Re-Inspection fees. A re-inspection fee may be charged for each re-inspection if the work has to be re-inspected because:

1. The work was not ready for inspection at the pre-arranged time for inspection;
2. The inspector did not have access to the work at the pre-arranged time for inspection; or
3. The inspector discovers a flagrant noncompliance during a requested inspection.

. . . .

**SECTION 110
INSPECTIONS**

. . . .

Section 110.3 Required Inspections. Add a new subsection 110.3.1. Replace with the following:

Section 110.3.1 Foundation Inspections. Foundation inspection shall be made when the foundation is complete with all required anchors, vents and termite shield installed.

Section 110.3.3 Lowest Floor Elevation. Delete this section.

Section 110.3.9.1 Coordination of Inspections. Add a new subsection 110.3.9.1 to read as follows:

Section 110.3.9.1 Coordination of inspections. All required inspections shall be made and coordinated with the other trades, building, electrical, plumbing, HVAC and Sprinkler.

Section 110.5 Inspection Request. Amend section to include the following at the end of the first sentence: “forty-eight (48) hours before said work is completed.”

Section 110.7 Withholding of Inspection and Permit. Add a new subsection 110.7 to read as follows:

Section 110.7 Withholding of Inspection and Permit. If the Code official finds that a contractor, developer, or owner has violated the provisions of the Code, or rules or regulations which implement this Code, in connection with the construction, maintenance, alteration, or repair of any building, structures, equipment or land within the Town of Greensboro, the Town’s designated building official, after written notice to the violator, and a hearing on the allegations, if applicable, may refuse to grant further inspections or further permits of any kind to the contractor, developer, or owner until all violations have been corrected and all fees have been paid.

. . . .

**SECTION 113
BOARD OF APPEALS**

. . . .

Section 113.1 General. Delete this section and replace with the following:

Section 113.1 General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Greensboro Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 113.2 Limitations on authority. Delete this section and replace with the following:

Section 113.2 Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established in the Town of Greensboro Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Greensboro Zoning Ordinance, and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

Section 113.3 Qualifications. Deleted.

SECTION 114 VIOLATIONS

Section 114 Violations. Delete this section in its entirety and substitute the following:

Section 114.1 Unlawful acts. It shall be a municipal infraction for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section 114.2 Notice of violation. The building official or other authorized designee of the Town of Greensboro is authorized to serve a notice of violation or other order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or a structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Section 114.3 Prosecution of violation. If the notice is not complied with in the time prescribed by such notice, the building official or other authorized designee of the Town of Greensboro is authorized to issue a civil municipal citation and to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The Town Attorney is authorized to prosecute or file a civil action in connection with a violation of any provision of this Code.

Section 114.4 Violation penalties. A violation of this code shall constitute a municipal infraction subject to a fine of Five Hundred Dollars (\$500.00). Each day

that a violation continues after due notice has been served shall be deemed a separate offense. In addition to said fine, the Town may request during the adjudication of the infraction that the defendant abate the violation, or in the alternative, to permit the Town to abate the violation at the defendant's expense. Enforcement of this section shall be in accordance with Md. Code Annotated Local Government Article § 6-102, et. seq., as amended from time to time. This provision is not an exclusive remedy, and the Town may seek injunctive or other relief as necessary.

Section 114.5 Unpaid expenses as a lien against real estate. Whenever, pursuant to this code, a building official directs a property owner to take an action to abate a violation of this code and the property owner fails to do so in the time frame set forth in the notice or pursuant to an order of the court, the building official may cause such action to be performed and the costs thereof shall be a lien against the real estate and shall be collectible in the same manner in which real estate taxes are collected, or the Town may collect it by such other action at law, in the Town's discretion.

**SECTION 115
STOP WORK ORDER**

. . . .

Section 115.2.1 Stop Work Order, Posting. Add a new subsection 115.2.1 to read as follows:

Section 115.2.1 Stop Work Order, Posting. The posting of a stop work order at the job site shall constitute adequate notification by the Town of Greensboro's designated code official.

. . . .

CHAPTER 9. FIRE PROTECTION SYSTEMS

901.1 Scope. ADDITIONAL NOTE: Fire protection system requirements of Chapter 9 may be concurrently covered in the State Fire Prevention Code, Public Safety Article §§ 6-101 – 6-102, Annotated Code of Maryland, and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official. In the event of a conflict between these provisions and the State Fire Prevention Code, the provisions of the State Fire Prevention Code shall control.

. . . .

CHAPTER 10. MEANS OF EGRESS

1001.1 General. ADDITIONAL NOTE: Means of egress requirements of Chapter 10 may be concurrently covered in the State Fire Prevention Code, Public Safety Article, §§ 6-101 – 6-102, Annotated Code of Maryland and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official. In the event of a conflict between these provisions and the State Fire Prevention Code, the provisions of the State Fire Prevention Code shall control.

. . . .

CHAPTER 11. ACCESSIBILITY

Chapter 11 of the IBC related to accessibility requirements is hereby replaced with the Maryland Accessibility Code set forth in COMAR 05.02.02.

. . . .

CHAPTER 16. STRUCTURAL DESIGN

. . . .

Section 1607.12. Minimum Roof Live Loads. Delete this section and replace with the following:

Section 1607.12. Minimum Roof Live Loads. Roofs shall be designed for a minimum live load of 20 pounds per square foot or designed for the minimum snow load, whichever is greater.

. . . .

Section 1612.3 Establishment of Flood Hazard Areas. Amend subsection 1612.3. as follows:

Section 1612.3. Establishment of Flood Hazard Areas. The Town of Greensboro has established flood hazard areas, which have been identified by the Federal Emergency Management Agency as reflected in the Flood Insurance Rate Map for Caroline County, Maryland And Incorporated Areas dated January 16, 2015, as amended or revised, with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM), and related supporting data along with any revisions thereto, which shall apply to any construction within flood hazard areas, in addition to all other applicable ordinances related to flood plain regulations and storm water management.

. . . .

CHAPTER 18. SOILS AND FOUNDATIONS

. . . .

Section 1809.5. Frost Protection. Amend subsection 1809.5 to read as follows:

Section 1809.5. Frost Protection. Except where erected upon solid rock or otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings or structures 120 square feet or larger in area or 10 feet in height shall extend below the front line of 24” below finished grade, and spread footings of adequate size shall be provided where necessary to properly distribute the load within the allowable load bearing value of soil. Alternatively, such structures shall be supported on piles where solid earth or rock is not available. Footings shall not bear on frozen soils unless frozen condition is of a permanent nature.

Exception: Sheds under 300 square feet shall be permitted to be erected upon six (6) inches of compacted gravel base, provided they are not anchored with approved anchors on all four corners.

. . . .

CHAPTER 24. GLASS AND GLAZING

The requirements for safety glazing set forth in Public Safety Article, Title 12, Subtitle 4, Annotated Code of Maryland, are in addition to Chapter 24, Section 2406 of the IBC related to safety glazing. In the event of a conflict between Chapter 24 of the IBC and the Annotated Code of Maryland, the requirements of the Annotated Code of Maryland prevail.

. . . .

CHAPTER 27. ELECTRICAL

. . . .

2701.1 Scope. The subject matter of this Chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable electrical requirements, refer to the National Electrical Code as adopted and enforced by the State Fire Marshal, authorized fire officials, or building officials pursuant to the provisions of Public Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland.

. . . .

CHAPTER 28. MECHANICAL SYSTEMS

. . . .

2801.1 Scope. The subject matter of this Chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements concerning the mechanical systems, refer to the local mechanical code and the mechanical code adopted pursuant to the provision of Business Regulation Article, §9A-205, Annotated Code of Maryland.

. . . .

CHAPTER 29. PLUMBING SYSTEMS

. . . .

2901.1 Scope. The subject matter of this Chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements concerning the plumbing systems, refer to the local plumbing code and the plumbing code adopted pursuant to the provision of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

. . . .

CHAPTER 30. ELEVATORS AND CONVEYING SYSTEMS

. . . .

The provisions of Chapter 30 of the IBC relate to elevators and conveying systems and are in addition to and not instead of the requirements set forth in Public Safety Article, Title 12, Subtitle 8, Annotated Code of Maryland. In the event of a conflict between the IBC and the Annotated Code of Maryland, the provisions of the Annotated Code of Maryland prevail.

. . . .

CHAPTER 33. SAFEGUARDS DURING CONSTRUCTION

. . . .

Section 3306.10. Accessibility During Construction Operations. Add new subsection 3306.10 to read as follows:

Section 3306.10. Accessibility During Construction Operations. During construction operations the contractor shall maintain at all times a vehicular roadway that will permit the unimpeded movement of emergency vehicles from the improved street to within 200 feet of the most remote building under construction on the site. The vehicular access roadway surface shall be either crusher run, stone base, black top or other suitable compacted surface material approved by the Town’s code official or designee.

§ 3-8. Repealer.

All prior residential code ordinances or parts of building code ordinances in conflict herewith are hereby repealed.

§ 3-9. Copies on File.

The Code Enforcement Officer shall maintain one copy of the Building Code on file in the Town Office.

§ 3-10. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council of Greensboro hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

(History: Ordinance No. 2017-O-01. Adopted 4/6/2017)

ARTICLE III. ENERGY CODE

§ 3-11. Adoption of standards by reference.

The 2015 Edition of the International Energy Conservation Code, as published by the International Code Council, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), and as further amended by this Ordinance, be and is hereby adopted as the Energy Conservation Code of the Town of Greensboro for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code, with the additions, insertions, deletions and changes, if any, prescribed herein.

§ 3-12. Amendments.

The following sections of the 2015 Edition of the International Energy Conservation Code are modified, deleted, substituted, or added as follows:

**SECTION C101
SCOPE AND GENERAL REQUIREMENTS**

Section C101.1 Title. This code shall be known as the Energy Conservation Code of Greensboro for Commercial Buildings.

Section C101.2 Scope. This Code applies to commercial buildings and the building sites and associated systems and equipment. Additional requirements concerning energy conservation for buildings and structures may be required by

Energy Conservation Building Standards, Public Utility Companies Article §§ 7-401 – 7-408 of the Annotated Code of Maryland, as amended.

. . . .

**SECTION C108
STOP WORK ORDER**

Section C108.2 Issuance. Delete section C108.2 and substitute the following:

Section C108.2 Issuance. The stop work order shall in writing and the stop work order shall in writing and the posting of a stop work order at the job site shall constitute adequate notification by the Town of Greensboro’s designated code official. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

Section C108.4 Failure to comply. Delete section C108.4 and substitute the following:

Section C108.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a municipal infraction and subject to a fine to be assessed as provided in Chapter 1, § 1-11.B of the Town Code.

**SECTION C109
BOARD OF APPEALS**

Section C109 Board of Appeals. Delete section C109 Board of Appeals and substitute the following:

Section C109 Board of Appeals. For the purposes of this code, the board of appeals shall be the Greensboro Board of Zoning Appeals established by the Greensboro Zoning Ordinance. All provisions governing the board of appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the board of appeals shall also be in accordance with the Greensboro Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

. . . .

**CHAPTER 1
SCOPE AND ADMINISTRATION – RESIDENTIAL PROVISIONS**

**SECTION R101
SCOPE AND GENERAL REQUIREMENTS**

Section R101.1 Title. Delete Section R101.1 and substitute with the following:

Section R101.1 Title. This code shall be known as the Energy Conservation Code of Greensboro for Residential Buildings.

. . . .

**SECTION R108
STOP WORK ORDER**

. . . .

Section R108.2 Issuance. Delete Section R108.2 and substitute with the following:

Section R108.2 Issuance. The stop work order shall in writing and the posting of a stop work order at the job site shall constitute adequate notification by the Town of Greensboro’s designated code official. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

. . . .

Section R108.4 Failure to Comply. Delete Section R108.4 and replace with the following:

Section R108.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a municipal infraction and subject to a fine to be assessed as provided in Chapter 1, § 1-11.B of the Town Code.

**SECTION R109
BOARD OF APPEALS**

Section R109 Board of Appeals. Delete Section R109 and replace with the following:

Section R109 Board of Appeals. For the purposes of this code, the board of appeals shall be the Greensboro Board of Zoning Appeals established by the

Greensboro Zoning Ordinance. All provisions governing the board of appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the board of appeals shall also be in accordance with the Greensboro Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

(History - Ordinance No. 2017-O-3, adopted 4/6/2017)

§ 3-13. Copies on File.

The Code Enforcement Officer shall maintain one copy of the Town Energy Conservation Code on file in the Town Office.

§ 3-14. Repealer.

All prior ordinances or parts of ordinances in conflict herewith are hereby repealed.

§ 3-15. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council of Greensboro hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

ARTICLE IV. EXISTING BUILDING CODE

§ 3-16. Adoption of standards by reference.

The 2015 Edition of the International Existing Building Code, as published by the International Code Council, as amended by the Maryland Building Rehabilitation Code, is hereby adopted as the Town of Greensboro Existing Building Code (sometimes referred to as the “Existing Building Code”). The Existing Building Code shall regulate and govern the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings; providing for the issuance of permits therefor. All of the regulations, provisions, terms, and conditions, of the 2015 Edition of the International Existing Building Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in COMAR 05.16.01, as well as the amendments, deletions and insertions set forth in Section 3.17 herein.

§ 3-17. Amendments.

The following sections of the 2015 International Existing Building Code are hereby modified, deleted, substituted, added, or revised as follows:

**SECTION 101
GENERAL**

Section 101.1 Title. These regulations shall be known as the “Town of Greensboro Existing Building Code”, (sometimes hereinafter referred to as the “Existing Building Code” or “this code.”). Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Greensboro”.

. . . .

**SECTION 103
DEPARTMENT OF BUILDING SAFETY**

. . . .

Section 103.1 Deleted.

Section 103.2 Appointment. The code official shall be the Town Code Enforcement Officer, or any person or entity designated or appointed by the Council of Greensboro to serve as code official. The code official shall have full enforcement authority of this Code.

. . . .

**SECTION 104
DUTIES OF THE CODE OFFICIAL**

. . . .

Section 104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied, the code official shall present credentials to the occupant and request entry. If such structure or premise is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry, including obtaining an administrative search warrant.

. . . .

**SECTION 112
BOARD OF APPEALS**

Section 112.1 General. Delete Section 111 in its entirety and replace with the following.

Section 112.1 General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Greensboro Board of Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Greensboro Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

112.3 Qualifications. Deleted.

. . . .

**SECTION 113
VIOLATIONS**

. . . .

Section 113.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 113.2 shall be deemed to have committed a civil municipal infraction as determined by the Town, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction over such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

. . . .

**SECTION 114
STOP WORK ORDER**

. . . .

Section 114.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed to have committed a municipal infraction. The penalty for the first violation shall be One Hundred Dollars (\$100.00), and Two Hundred Dollars (\$200.00) for the second violation. Each day that a violation continues shall be considered a separate offense.

. . . .

§ 3-18. Copies on File.

The Code Enforcement Officer shall maintain one copy of the Existing Building Code on file in the Town Office.

§ 3-19. Repealer.

All prior ordinances or parts of ordinances in conflict herewith are hereby repealed.

§ 3-20. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council of Greensboro hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

(History: Ordinance No. 2017-O-04, adopted 4/6/2017)

ARTICLE V. MOBILE HOMES

§ 3-21. Definitions.

As used in this Article, the following terms shall have the meanings indicated.

MOBILE HOME – Any structure, regardless of size, capable of being transported in one (1) or more sections, built on a chassis designed to accommodate wheels, the principal purpose of which is to provide enclosed space for residential, storage or commercial purposes.

§ 3-22. Location within Town restricted.

Except as otherwise provided elsewhere in this Article, the use of any land in the Town of Greensboro to accommodate a mobile home is prohibited.

§ 3-23. Standards for Exterior Alterations and Additions to Mobile Homes in Residential Zones.

A. These standards apply to exterior alterations and additions to primary mobile home structures in residential zones. It is the intent of these standards to ensure that a mobile home, when altered under these regulations, shall have substantially the appearance of a conventionally built, single-family dwelling.

B. Alterations and additions to a mobile home which make the home look more permanent in nature and less like a trailer are encouraged. Alterations may include new siding, door and window trim, roofs with at least a 3/12 pitch, or similar improvements. Additions may include enclosed rooms or porches, sun rooms, greenhouses, storage rooms, garages, or similar improvements where the methods of construction make the additions appear to be part of the structure.

C. All proposals for exterior alterations and additions shall be subject (1) to review by the Building Inspector to assure that the structural integrity of the mobile home is not compromised and (2) to design review by the Planning Commission including evaluation of architectural style; structure placement, dimensions, height, and bulk; lot coverage by structures; and building materials, color, off-street parking areas, and landscaping.

D. To be eligible for a building permit for exterior alterations and additions, a mobile home must be served by individual utilities; rest on a continuous, permanent masonry foundation which extends below the established frost depth, and the wheels, tongue and hitch must be removed. If the mobile home does not have a permanent foundation, a building permit for the foundation may be applied for. The foundation must be constructed in accordance with the standards of the Town's adopted Building Code under the perimeter of the mobile home and any additions. Plain concrete block or plain concrete may be used as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.

E. All proposals for exterior alterations or additions to mobile homes must address and meet the following basic performance standards in addition to the requirements of the Zoning District in which they are located:

1. Exterior siding and trim shall consist predominantly of vinyl or aluminum horizontal lap siding (shoe reflectivity does not exceed that of flat white paint), wood, hardboard, stucco, brick, or stone comparable in composition, appearance, and durability to the siding commonly used in standard residential construction. The siding material may not cover the window and door trim.

2. If the existing exterior finish materials meet the standards above for exterior finish materials, they must be retained or visually matched on the portion be altered or added. If the existing exterior finish materials do not meet the standards above for exterior finish materials, they must be replaced with materials that meet the standard.
3. The trim on the edges of elements in the remodeled or added area must be the same in type, size, and location as the trim used on the rest of the structure.
4. Structures must have a roof that is sloped, with a pitch that is no flatter than 3/12 and no steeper than 12/12.
5. The roof must be covered in a roofing material that is commonly used in standard residential construction. Eaves from the roof must extend at least one foot from the intersection of the roof and the exterior walls.
6. Stairs, porches, entrance platforms, ramps, and other means of entrance and exit to and from the home shall be installed to the standards of the Town's adopted Building Code.

All additions or alterations shall be subject to the same regulations and requirements that must be complied with to obtain a building permit for additions or alterations to a conventionally built house.

§ 3-24. Applicability.

This Article shall apply to every lot conveyed or created after January 24, 1984, and it prohibits the replacement and/or expansion of mobile homes already located on any lot within the Town after the effective date.

§ 3-25. Violations and penalties.

Violations of this section shall constitute a municipal infraction pursuant to §1-11.B. of the Town Code.

(History: Adopted 1/4/1984; amended by Ordinance No. 1996-O-6 on 8/22/1996; amended by Ordinance 2002-O-18 on 7/1/2002)

ARTICLE VI SOLID WASTE RECEPTACLES ON CONTRACTORS' JOB SITES

§ 3-26. Disposal of debris and rubble.

A. Before issuing a building permit, the Code Enforcement Officer shall determine whether the anticipated volume of contractor's debris or rubble from the project requires the availability of a solid waste receptacle.

B. In making such determination, the Code Enforcement Officer will consider the matters set forth in the application for the building permit; his own estimate of the volume of such debris or rubble based on a visual inspection of the site of the project; and the past history of the person responsible for performing the work in disposing of debris and rubble in a manner that prevents it from becoming unsightly and a nuisance to surrounding properties.

C. If the Code Enforcement officer determines that the anticipated volume of contractor's debris or rubble from the project requires the availability of a solid waste receptacle, he shall direct that a receptacle of sufficient capacity to contain all anticipated construction debris or rubble shall be provided by the property owner at the site.

D. No property owner, nor general contractor shall allow the accumulation of debris or rubble produced by work done pursuant to a building permit to become unsightly or a nuisance to surrounding properties.

E. Both general contractor and the property owner will be separately responsible for any violation of an order of the Code Enforcement Officer issued pursuant to this Section, such violation to constitute a municipal infraction.

CHAPTER 4. PROPERTY MAINTENANCE

- § 4-1. Standards adopted by reference.
- § 4-2. Amendments.
- § 4-3. Copies on File.
- § 4-4. Repealer.
- § 4-5. Severability.

§ 4-1. Standards adopted by reference.

The 2015 Edition of the International Property Maintenance Code, as published by the International Code Council, Inc. is adopted as the Greensboro Property Maintenance Code, and is incorporated into this Code by reference as if fully set forth herein, subject to the amendments set forth in Section 4-2.

§ 4-2. Amendments.

The following sections of the 2015 International Property Maintenance Code are hereby modified as follows:

**SECTION 101
GENERAL**

Section 101.1. Title. These regulations shall be known as the “Town of Greensboro Property Maintenance Code”, hereinafter referred to as “this code.”

. . . .

Section 101.2 Scope. The provisions of this Code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. Notwithstanding anything to the contrary herein, the provisions of the Property Maintenance Code that govern the interior condition of a residential structure shall not apply to an owner-occupied housing unit. Only the provisions of this Code governing the exterior condition of a structure shall apply to an owner-occupied housing unit.

. . . .

Section 102.3. Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance the applicable building codes of the Town of Greensboro, including the International Building Code, the International Building Code for One- and Two-Family Dwellings, the International Energy Code, and the International Existing Building Code, as those codes have been adopted and/or amended by the Town of Greensboro and incorporated into the Greensboro Town Code. Nothing in this Code shall be construed to cancel, modify or set aside any provision of the Greensboro Building Code.

. . . .
SECTION 103
DEPARTMENT OF MAINTENANCE AND INSPECTION

. . . .

Section 103.2. Appointment. The code official shall be the Town Clerk, or any person or entity designated or appointed by the Council of Greensboro to serve as code official.

. . . .

Section 103.5. Fees. The fees for activities and services performed under this Ordinance shall be set forth in a fee schedule adopted by the Council of Greensboro.

. . . .
SECTION 104
DUTIES OF THE CODE OFFICIAL

. . . .

Section 104.3. Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied, the code official shall present credentials to the occupant and request entry. If such structure or premise is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry, including obtaining an administrative search warrant.

. . . .

**SECTION 106
VIOLATIONS**

. . . .

Section 106.3. Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed to have committed a civil municipal infraction as determined by the Town, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction over such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

. . . .

**SECTION 111
MEANS OF APPEAL**

. . . .

Section 111. Means of Appeal. Delete Section 111 in its entirety and replace with the following.

Section 111.1. Application for appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Greensboro Board of Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 111.2. Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established by the Town of Greensboro Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Greensboro Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

. . . .

**SECTION 112
STOP WORK ORDER**

. . . .

Section 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed to have committed a municipal infraction. The penalty for the first violation shall be One Hundred Dollars (\$100.00), and Two Hundred Dollars (\$200.00) for the second violation. Each day that a violation continues shall be considered a separate offense.

. . . .

**SECTION 302
EXTERIOR PROPERTY AREAS**

. . . .

Section 302.4. Weeds. All premises and exterior property shall be maintained from weeds or plant growth in excess of six inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

. . . .

**SECTION 304
EXTERIOR PROPERTY AREAS**

. . . .

Section 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property in compliance with 911.

Section 304.14 Insect screens. During the period from May 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

§ 4-3. Copies on file.

The Code Enforcement Officer shall maintain one copy of the Property Maintenance Code on file in the Town Office.

§ 4-4. Repealer.

All prior ordinances or parts of ordinances in conflict herewith are hereby repealed.

§ 4-5. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council of Greensboro hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

(History: Ordinance No. 2017-O-05, Adopted 4/6/2017)

CHAPTER 5. OCCUPANCY PERMITS

- § 5-1. Applicability; compliance with other provisions.
- § 5-2. Permit required.
- § 5-3. Rental properties.
- § 5-4. Inspection prior to sale.
- § 5-5. Permit application; fee.
- § 5-6. Violations and penalties.

§ 5-1. Applicability; compliance with other provisions.

All locations requiring an occupancy permit, such as new construction; altered, nonconforming use; all rental properties each time a new occupant moves in; and all properties sold before new owners can occupy must comply with the Town of Greensboro Property Maintenance Code.

§ 5-2. Permit required.

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof, hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use and structure until the premises have been inspected and an occupancy permit issued stating that the proposed use of the building or land conforms to the requirements of the applicable Town building codes and Property Maintenance Code.

§ 5-3. Rental properties.

It shall be unlawful for owners of rental property to permit occupancy without a valid occupancy permit issued by the Code Enforcement Officer or the Town's designee.

§ 5-4. Inspection prior to sale.

When a property is sold, before it can be occupied by new owners, the property must be inspected to ensure that it complies with the applicable building code and/or Property Maintenance Code and an occupancy permit issued.

§ 5-5. Permit application; fee.

It is the responsibility of the owner(s) of the property, before occupancy or renting said property, to make application to the Town for an occupancy permit and pay an application fee of fifty dollars (\$50) for change of occupancy and one hundred dollars (\$100) for new constructions for each application.

§ 5-6. Violations and penalties.

Failure to obtain a zoning occupancy permit shall constitute a municipal infraction. Each day that an owner of rental property permits occupancy prior to issuance by the Zoning Inspector of an occupancy permit as required by this Chapter shall constitute, and be punishable as, a separate offense.

(Amended 9/28/1995 by Ordinance No. 1995-O-12)

§ 5-7. Issuance of occupancy permits and non-payment for municipal services.

A. No occupancy permit shall be issued by the Town for occupancy of property against which liens have arisen for non-payment for any municipal services.

B. In the case of an owner of property who leases four or more rental units in the Town, no occupancy permit shall be issued by the Town for occupancy of any unit owned by an owner of any property against which a lien for non-payment for any municipal services has arisen, whether or not the property for which the occupancy permit is sought is the property against which the lien has arisen.

(Amended 7/21/1999 by Ordinance No. 1999-O-110)

(HISTORY: Adopted by the Town Council of the Town of Greensboro 12/6/1982, amended by Ordinance No. 2012-0-16. Additional amendments noted above where applicable.)

CHAPTER 6. IMPACT FEES

- § 6-1. Purpose.
- § 6-2. Applicability.
- § 6-3. Geographic scope.
- § 6-4. Imposition of impact fees.
- § 6-5. Approval of development.
- § 6-6. Fee schedules and establishment of service area.
- § 6-7. Calculation of impact fees.
- § 6-8. Payment of fees.
- § 6-9. Time of payment of impact fees.
- § 6-10. Funding of projects.
- § 6-11. Use and disposition of dedicated land.
- § 6-12. Refunds.
- § 6-13. Appeals.
- § 6-14. Necessity of compliance.

§ 6-1. Purpose.

A. The purpose of this Chapter is to:

1. Develop a program consistent with the Town's parks, open space and recreation and public safety plan for the joint public and private financing of park improvements; additional fire protection and police protection services and facilities; and water and sewage capacity and facilities necessitate in whole or in part by development in the Town;
2. Ensure adequate levels of general services within the Town;
3. Create a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site parks reasonably related to new development; to maintain adopted levels of park service; to create additional fire protection and police protection services and facilities; and water and sewage capacity and facilities, all reasonably related to new development;
4. Ensure that the Town pays its fair share of capital cost of parks, fire and police protection facilities; and water and sewage capacity and facilities;
5. Ensure fair collection and administration of such impact fees.

B. The provisions of this Chapter shall be liberally construed to effectively carry out its purpose in the interest of the public health, safety and welfare.

§ 6-2. Applicability.

The requirements of this Chapter apply to all subdivisions as defined in the Greensboro Land Development Ordinance

§ 6-3. Geographic scope.

The boundaries within which impact fees shall be charged and collected are the same as the corporate Town limits. All unincorporated areas annexed to the Town on and after the effective date of the ordinance codified in this Chapter shall be subject to the provisions of this Chapter.

§ 6-4. Imposition of impact fees.

A. The Greensboro Town Council is hereby authorized to impose impact fees on new development which requires the approval of a subdivision map by the Town.

B. Impact fees may be required pursuant to the impact fee schedule adopted through the process described herein, or mitigation may be provided through (1) the purchase, installation and/or improvement of park, fire protection or police protection facilities, or water and sewage facilities or (2) the dedication of land.

C. Impact fees:

1. Shall only be imposed for park facilities, additional fire protection and police protection services and facilities, and water and sewage capacity and facilities that are reasonably related to the impacts of development;
2. Shall not exceed a proportionate share of the costs of park facilities, additional fire and police protection services and facilities, and water and sewage capacity and facilities that are reasonably related to new development;
3. Shall be used for park facilities, additional fire and police protection services and facilities, and water and sewage capacity and facilities that will reasonably benefit the new development;
4. Shall not be used to correct existing deficiencies;
5. Shall not be collection for any development approved prior to the date of adoption of the ordinance codified in this Chapter unless changes or modifications in the development requiring Planning Commission approval are subsequently proposed which result in greater direct impacts on park facilities, fire protection and police protection services and facilities, and

water and sewage capacity and facilities than were considered when the development was first approved;

6. Shall be collected only once for each development, unless changes or modifications to the development are proposed which result in greater direct impacts on park facilities, fire protection and police protection service and facilities, and water and sewage capacity and facilities than were considered when the development was first permit;
7. May be imposed for system improvement costs previously incurred by the Town, to the extent that new growth and development will be served by the previously constructed improvements; provided, that such fee shall not be imposed to make up for any system improvement deficiencies.

§ 6-5. Approval of development.

Prior to approving or permitting a development, the Planning Commission shall consult with the Town Manager concerning mitigation of a development's impacts.

§ 6-6. Fee schedules and establishment of service area.

Impact fee schedules setting forth the amount of the impact fees to be paid by development shall be established by resolution of the Mayor and Council following receipt and consideration of the Town Manager's calculation of impact fees.

§ 6-7. Calculation of impact fees.

- A. The Town Manager shall calculate impact fees by:
 1. Determining the standard fee for similar types of development, which shall be reasonably related to each development's proportionate share of the cost for park facilities, fire protection and police protection services and facilities; which may be established by a Resolution adopted by the Town Council from time to time.
 2. Reducing the proportionate share by applying the benefit factors described in this section.
- B. In calculating proportionate share, the Town Manager shall:
 1. Identify all park facilities, fire protection and police protection services and facilities, and water and sewage capacity and facilities that will be impacted by users from each development;

2. Identify when the capacity of park facilities, fire protection and police protection facilities, and water and sewage capacity and facilities has been fully utilized;
3. Update the data as often as practicable;
4. Estimate the cost of maintaining the Town's level of park facilities, fire protection and police protection facilities, and water and sewage capacity and facilities and then update the cost estimates when such costs are in danger of becoming unrepresentative, considering the:
 - a. Availability of other means of funding park facilities, fire protection and police protection facilities, and water and sewage capacity and facilities;
 - b. Cost of existing park facilities, fire protection and police protection facilities, and water and sewage capacity and facilities; and
 - c. Methods by which park facilities, fire protection and police protection facilities, and water and sewage capacity and facilities were financed.

C. The Town Manager shall reduce the calculated proportionate share by giving credit for the following benefit factors:

1. The purchase, installation and/or improvement of park facilities, fire protection facilities, police protection facilities, or water and sewage facilities if:
 - a. The facilities are located on land owned by the Town; and
 - b. A designated public owner is responsible for permanent, continuing maintenance and operation of the facilities; and
 - c. The Town Manager determines that the facilities correspond to the type(s) of park facilities, fire protection facilities, police protection facilities, or water and sewage facilities being impacted by the development as determined pursuant to this Chapter; and
 - d. The Town Manager determines, based on an analysis of supply and demand data, that the proposed park facility improvements, volunteer fire department facilities, police department facilities,

- and water and sewage facilities better meet the Town's need for such facilities than would payment of funds to mitigate the park, fire, police and water and sewage impacts of the development.
2. The credit against the impact fee shall be equal to the fair market value of the purchase, installation and/or improvement.
 3. Any applicable benefit factors that are demonstrated by the applicant not to have been included in the calculation of the impact fee.
 4. When the Town Manager has agreed to a developer's proposal to satisfy some or all of the impact fee through the purchase, installation and/or improvement of park, fire protection and police protection facilities, and water and sewage facilities, the developer shall prepare and submit a facility improvement plan to the Town Manager for approval prior to recordation of the final subdivision plats, and prior to issuance of a building permit for all developments not requiring approval of a subdivision plat.
 5. In the determination of credit toward the impact fee, the Town Manager shall also consider the extent to which the proposed dedication or conveyance meets the following criteria:
 - a. The land should result in an integral element of the Town park system, fire protection system, police protection system, or water and sewage system;
 - b. The land is suitable for future park facilities, fire protection facilities, police protection facilities, or water and sewage facilities;
 - c. The land is of an appropriate size and of an acceptable configuration;
 - d. The land has public access via a public street or an easement of an equivalent width and accessibility;
 - e. The land is located in or near areas designated by the Town on land use plans for park, trail or recreation purposes, for public buildings and volunteer fire or police department buildings; or water and sewage facilities;
 - f. The land has been surveyed or adequately marked with survey monuments, or otherwise readily distinguishable from adjacent privately owned property;

- g. The land has no known physical problems associated with it, such as the presence of hazardous waste, drainage, erosion, or flooding problems which the Town Manager determines would cause inordinate demands on public resources for maintenance and operation;
- h. The land has no known safety hazards;
- i. The developer is able to provide documentation, as nearly as practicable, of the land's compliance with the criteria of this subsection, and of clear title; and

The amount of credit determined pursuant to this subsection shall be credited proportionately among all the units in the development, and the impact fee for each unit for which a permit or approval is applied shall be reduced accordingly.

Applicants may not request that an impact fee credit be provided for a proposed development based upon taxes, user fees, assessments, improvements, payments or other benefit factors applicable to property that is not included within the proposed development.

§ 6-8. Payment of fees.

A. All developers shall pay an impact fee in accordance with the provisions of this Chapter, which shall be calculated by the Town at the time that the subdivision plat is ready for final approval by the Planning Commission.

B. The impact fee shall be recalculated if the application is modified or conditioned in such a way as to alter park impacts, volunteer fire department protection impacts, police protection impacts, and water and sewage impacts for the development.

C. A developer may obtain a preliminary determination of the impact fee before submitting an application for a development permit by providing the Town Manager with the information needed for processing. However, because impact fees are not subject to the vested rights doctrine, the fee actually paid by the developer will be the impact fee in effect at the time of building permit issuance, regardless of any preliminary determination.

§ 6-9. Time of payment of impact fees.

A. Payment of any required impact fees calculated as set forth in Section 6-9, above, shall be made prior to the signing of the final subdivision plat by the Planning Commission.

B. When a subdivision or development is conditioned upon the dedication of land, or the purchase, installation or improvement of facilities, a final plat shall not be recorded, and a building permit shall not be issued for development on the land to be subdivided until:

1. The Town Manager has determined in writing that any land to be dedicated is shown on the face of the final plat, and a deed conveying the land to the Town has been recorded with the Caroline County Clerk of Court; and
2. The Town Manager has determined in writing, after consultation with the designated public owner responsible for permanent, continuing maintenance and operation of the facilities, that the developer has satisfactorily undertaken, or guaranteed to undertake in a manner acceptable to the Town Manager, any required purchase, installation or improvement of the park or facility.

§ 6-10. Funding of projects.

A. An impact fee trust and agency fund is hereby created. The Town Manager and the Town Clerk/Treasurer shall be the fund managers. Impact fees shall be placed in appropriate deposit accounts within the impact fee fund.

B. The impact fees paid to the Town shall be held and disbursed as follows:

1. The fees collected for each project shall be placed in a deposit account within the impact fee fund;
2. When the council appropriates capital improvement project (CIP) funds for a project on the project list, the fees held in the impact fee fund shall be transferred to the CIP fund. The non-impact fee moneys appropriated for the project shall comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in impact fees;
3. The first money spent by the Town on a project after a council appropriation shall be deemed to be the fees from the impact fee fund;
4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the Town of the funds advanced for the private share of the project. The public moneys made available by such reimbursement shall be used to pay the public share of other projects;
5. All interest earned on impact fees paid shall be retained in the account and expended for the purpose or purposes for which the impact fees were imposed.

C. Projects shall be funded by a balance between impact fees and public funds, and shall not be funded solely by impact fees.

D. Impact fees shall be expended or encumbered for a permissible use within six years of receipt, unless there exists an extraordinary or compelling reason for fees to be held longer than six years. The Town Manager may recommend to the Council that the Town hold fees beyond six years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the Council.

E. The Town Manager shall prepare an annual report on the impact fee account showing the source and amount of all moneys collected, earned or received and projects that were financed in whole or in part by impact fees.

§ 6-11. Use and disposition of dedicated land.

All land dedicated or conveyed pursuant to this chapter shall be set aside for development of park facilities, volunteer fire protection facilities, police protection facilities, or water and sewage facilities, as the case may be. The Town shall make every effort to use, develop and maintain land dedicated or conveyed for such facilities. In the event that use of any such dedicated land is determined by the Town Council to be unfeasible for development of any such facilities, the dedicated land may be sold or traded for another parcel of land in the Town. The proceeds from such a sale shall be used to acquire land or develop such facilities in the Town.

§ 6-12. Refunds.

A. A developer may request and shall receive a refund when the developer does not proceed with the development activity for which impact fees were paid, and the developer shows that no impact has resulted.

B. In the event that impact fees must be refunded for any reason, they shall be refunded with interest earned to the owners as they appear of record with the Department of Assessment and Taxation at the time of refund.

C. When the Town seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the Town shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail at the last known address of claimants. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the Town, but must be expended on projects on the Town's adopted plans. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated.

§ 6-13. Appeals.

A. Decision by Town Manager. The Town Manager shall issue a written decision on the impact fee amount as described in this Chapter.

B. Reconsideration by Town Manager.

1. In order to appeal the Town Manager’s decision, the developer shall make a written request to the Town Manager for a meeting to review the fee amount, together with a written request for reconsideration. The request for reconsideration shall state in detail the grounds for the request.
2. The Town Manager shall consider any studies and data submitted by the developer seeking to adjust the amount of the fee. The Town Manager shall issue a decision on reconsideration within 10 working days of the Town Manager’s receipt of the request for reconsideration or the meeting with the developer whichever is later.

C. Appeal of Decision on Reconsideration to Town Council. A developer may appeal the amount of the impact fee established in the Town Manager’s decision on reconsideration to the Town Council, which shall conduct a public hearing on the appeal.

1. An appeal of the impact fee as established by the Town Manager’s decision on reconsideration may be filed without appealing the underlying permit. If the developer files an appeal of the underlying permit and the impact fee, the appeals shall be consolidated.
2. The developer shall bear the burden of proving:
 - a. That the Town Manager committed error in calculating the developer’s proportionate share, as determined by an individual fee calculation, or, if relevant, as set forth in the impact fee schedule, or in granting credit for the benefit factors; or
 - b. That the Town Manager based his determination upon incorrect data.
3. An appeal of the Town Manager’s decision on reconsideration must be filed with the Town Clerk-Treasurer within 14 calendar days of that decision.

§ 6-14. Necessity of compliance.

A development permit issued after the effective date of the ordinance codified in this Chapter shall be null and void if issued without substantial compliance with this Chapter.

(History: Ordinance No. 2004-O-31, Adopted 11/1/2004)

CHAPTER 7. RESIDENTIAL HOUSING

- § 7-1. Residential housing licenses and inspections.
- § 7-2. Definitions and word usage.
- § 7-3. Rental housing license required.
- § 7-4. Inspections.
- § 7-5. Revocation or denial of license; injunction.
- § 7-6. License renewal.
- § 7-7. Display of licenses.
- § 7-8. Fees.
- § 7-9. Violations and penalties.
- § 7-10. Right to appeal.
- § 7-11. Severability.

§ 7-1. Residential housing licenses and inspections.

The purpose of this Chapter is to protect the health, safety and welfare of the Town residents and to prevent deterioration of the housing stock in the Town. The provisions of this Chapter may be enforced by the Town's Code Enforcement Officer, Town Manager, or any other designee appointed by the Mayor and Council, including any county, state, or other governmental entity having authority over the same.

§ 7-2. Definitions and word usage.

As used in this Chapter, the following terms have the meanings indicated.

PERSON – Any individual, proprietorship, partnership, corporation, association, or other legal entity.

RESIDENTIAL RENTAL DWELLING UNIT – Any building or portion of a building in which a person resides for more than thirty (30) consecutive days, in which consideration of money or other goods or services are paid or provided to the owner of such building, or the owner's authorized representative or other tenant. This definition shall include the letting or rental of any single-family residential dwelling unit, or multi-family residential dwelling unit.

§ 7-3. Rental housing license required.

A. It shall be unlawful for any person to let any residential rental dwelling unit within the Town without first having obtained a license for said unit as hereinafter provided.

B. Within sixty (60) days after the effective date of this section, the legal owner of record shall make written application to the Town for a rental unit license upon such form or forms

as the Town shall from time to time designate. Such application shall be submitted together with a non-refundable rental license fee, as approved and authorized by the Mayor and Council.

C. The Town shall supply a rental housing license application form, which may be amended from time to time by the Mayor and Council. The licensee shall notify the Town if the licensee changes address, emergency contact information, changes resident agent (where applicable), or transfers ownership of the property. The Town may suspend any license for failure to notify the Town in the manner required by this subsection.

D. Every licensee shall provide each tenant with a landlord-tenant license notification form, which shall be provided by the Town. This notice shall contain the license number and the property owners and/or property managers contact information.

E. The rental housing license may not be issued or renewed by the Town unless the owner has completed the rental housing license application form provided by the Town, and has paid the applicable license fee as adopted by the Mayor and Council by resolution. Any unpaid municipal infraction fines issued under this Chapter must also be paid in full prior to the issuance of the license.

§ 7-4. Inspections.

A. All residential rental dwelling units shall be subject to inspections every two years or more frequently in the discretion of the Town's Code Enforcement Officer, or other designee, to determine if they are in conformance with the Town Code and applicable chapters, laws or other regulations.

B. If the Town receives a complaint or has reasonable cause to believe that a licensed residential rental dwelling unit does not comply with all applicable laws and requirements, including the requirements of this Chapter, the Town may inspect the dwelling unit.

C. If an inspection reveals a violation of an applicable provision of the Town Code, including any building code, property maintenance code or minimum livability code in effect within the Town limits, the Code Enforcement Officer shall provide written notification to the owner and to the occupant of the rental unit. The notice shall contain a time period within which the violation is to be corrected which period shall be a minimum of ten (10) days unless the violation involves an immediate threat to health or safety, whereupon a shorter time frame may be specified by the Town's Enforcement Officer. The Code Enforcement Officer shall re-inspect the premises to confirm that the violations have been corrected.

D. If upon the inspection, the Town determines that the unit is not in compliance with Town building codes and there is a one or more violations which pose a serious and immediate threat to the life, safety, property or health of the occupants of the rental housing or rental unit, the rental housing license may be suspended immediately. Notice of such immediate suspension due

to a violation(s) involving imminent danger shall be made by certified mail to the owner or agent listed on the application and/or by any means calculated to provide immediate actual notice. If a rental housing license has been suspended twice in one permit year, the Town of Greensboro reserves the right to immediately revoke the rental housing license at the time of the second suspension.

E. No tenant shall be evicted solely on the basis of retaliation for making of any complaint to the Town for any violation.

§ 7-5. Revocation or denial of license; injunction.

A. A license may be revoked or denied by the Code Enforcement Officer or the Town's designee, if an owner, after the passage of the notice period described in the previous section, fails to eliminate violations of the Town Code or if the owner, in the discretion of the Mayor and Council, has shown a blatant disregard for laws of the Town of Greensboro. Revocation or denial of a license shall be in addition to, and no in substitution for, such other penalties as may be provided for said violations elsewhere in this Code or by State law. In addition to any other remedy which may be available in the event of a violation of the provisions of this Chapter, the Town's designated Code Enforcement Officer may seek an injunction to prevent the renting, or offering to rent, of rental dwelling units in the Town which do not have a license issued under this Chapter.

B. A dwelling unit ordered to be vacated, due to license denial, suspension or revocation, shall not again be occupied until an occupancy certificate has been secured from the Town Code Enforcement Officer, the Town Manager or their designee showing that the dwelling has been made to comply with this Code or any other applicable law. Any owner who fails to obtain an occupancy certificate after a rental license has been denied, suspended or revoked shall be guilty of a municipal infraction.

§ 7-6. License renewal.

Licenses shall expire one year from the date of issuance, and are renewable annually. Applications for renewal shall be made at least sixty (60) days prior to the expiration date.

§ 7-7. Display of licenses.

Licenses issued under this Chapter shall be produced on the demand of a tenant or prospective tenant and shall be made available at reasonable times for examination by an authorized agent of the Town.

§ 7-8. Fees.

The Mayor and Council are hereby authorized to enact a resolution establishing a schedule of license, inspection, and re-inspection fees pertaining to the administration of this Chapter. Any

unpaid license fee or re-inspection fee shall be subject to interest and penalties as periodically established by the Mayor and Council for unpaid sums due to the Town.

§ 7-9. Violations and penalties.

Any violation of this Chapter shall be considered a municipal infraction, and each violation shall be punishable by a fine in the amount of One Hundred and Fifty Dollars (\$150.00) for a first time offense and Two Hundred and Fifty Dollars (\$250.00) for each subsequent offense. Each day that any violation shall continue shall constitute a separate offense.

§ 7-10. Right to appeal.

Any owner of a residential rental dwelling unit aggrieved by the action of the Code Enforcement Officer, Town Manager or other Town designee, in revoking, suspending or denying any license may, within fifteen (15) days after service of the written notice of such action, appeal such action to the Town Council. Within thirty (30) days after a notice of appeal is filed, the Town Council shall conduct a hearing, at which the owner aggrieved shall have the opportunity to be heard along with all necessary witnesses. The Town Council shall reverse, modify or affirm the action appealed. The decision of the Town Council shall be in writing. Any party aggrieved by the decision of the Town Council may, within thirty (30) days from the date of such decision, file an appeal to the Circuit Court for Caroline County. The procedures for any appeal shall be governed by Title 7, Ordinance 200 (Judicial Review of Administrative Agency Decisions) of the Maryland Rules, as amended.

§ 7-11. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Mayor and Council of Greensboro hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses and phrases be declared unconstitutional.

(History: Ordinance 2012-O-16, adopted 1/24/2013)

CHAPTER 8. BUSINESS LICENSES

- § 8-1. License required.
- § 8-2. License application; Board of Licenses.
- § 8-3. Issuance of license.
- § 8-4. Duration of license.
- § 8-5. Revocation of license.
- § 8-6. Decisions of Board.
- § 8-7. Exemptions.
- § 8-8. Violations and penalties.

§ 8-1. License required.

Prior to operating any business within the Town of Greensboro, the owner or owners thereof, or the chief executive officers in the case of a corporation, must obtain a business license.

§ 8-2. License application; Board of Licenses.

A. In applying for a license, in addition to paying the necessary fee as set by the Town Council from time to time, the business in such detail as the Clerk/Treasurer of the Town shall deem necessary in order to determine whether the business may have an unreasonable adverse effect upon the peace, health, safety or convenience of the residents of Greensboro or may conflict with other laws, ordinances or regulations of Greensboro, the county or the State of Maryland.

B. There shall be a Board of Licenses, consisting of the Chief of Police for the Town of Greensboro, the Chairperson of the Planning Commission for the Town of Greensboro and the Mayor of the Town of Greensboro or the Mayor's designated representative, whose function shall be to review applications for licenses and receive complaints regarding violations and/or conduct of licensees. Members of the Board of Licenses shall serve without compensation.

§ 8-3. Issuance of license.

The issuance of the license shall be conditioned upon obedience to all applicable laws and regulations, town, county or state and federal, and the absence of any unreasonable adverse effect upon the peace, health, safety, privacy or welfare of the citizens of Greensboro.

§ 8-4. Duration of license.

All licenses issued under this Chapter are not transferable, must be displayed in a visible manner and shall expire on April 30 of each year after the date of issuance. The renewal date is May 1 of each year thereafter.

§ 8-5. Revocation of license.

Whenever a licensee shall operate his business in violation of any law (town, county, state or federal) or in such a way to create an unreasonable adverse effect of the peace, health, safety, welfare and privacy of the citizens of Greensboro, Maryland, the Town shall deliver notice to the individuals who applied for the license, in person or by certified mail, advising such person that a hearing before the Board will be scheduled in order to determine whether the license should be revoked. The Board may at any time before, during or after the hearing appoint its own investigator to investigate a complaint or complaints and report back to the Board.

§ 8-6. Decisions of Board.

Following the conclusion of such a hearing, the Board may either:

- A. Refuse to revoke the license;
- B. Revoke the license;
- C. Revoke the license and issue a temporary license of such duration as the Board may find appropriate, provided that the licensee is held responsible for:
 - 1. Damages that occur as a result of noncompliance with any of the provisions of this Chapter; and
 - 2. Such attorney fees incurred by the Town for enforcement of this Chapter.
- D. Place additional restrictions upon the license, with or without the consent of the licensee.
- E. Require the licensee to post security in the form of a bond (secured or unsecured), money or property, with penalty in favor of the Town, with such security as the Board may deem appropriate, to insure the payment of fines or damages or otherwise compliance with the conditions and restrictions imposed by the Board.

§ 8-7. Exemptions.

The Board may waive the license fee to businesses operating prior to May 1, 1981, as well as religious organizations, school functions, municipal, state or federally sponsored programs and charitable groups. The above must still comply with all the other provisions of this Chapter.

§ 8-8. Violations and penalties.

Violations of this Chapter shall constitute a municipal infraction.

(HISTORY: Adopted by the Town Council of the Town of Greensboro 3/7/1985; amended in its entirety at time of adoption of Code (see Ordinance No. 1996-O-6 adopted 8/22/96). Subsequent amendments noted where applicable.)

CHAPTER 9. PEDDLING AND SOLICITING

- § 9-1. License required.
- § 9-2. Definitions.
- § 9-3. Application for license; hours.
- § 9-4. Investigation and issuance of license.
- § 9-5. Fees.
- § 9-6. Exhibition of license.
- § 9-7. Duration of license.
- § 9-8. Transfer.
- § 9-9. Revocation of license.
- § 9-10. Use of streets and parks.
- § 9-11. Consent of resident.
- § 9-12. Restrictions on articles to be sold.
- § 9-13. Transient Business – license required; fee.
- § 9-14. Transient Business – Conflict with publicly beneficial organizations.
- § 9-15. Inspections.
- § 9-16. Exceptions.
- § 9-17. Violations and penalties.

§ 9-1. License required.

It shall be unlawful for any peddler, hawker, vendor, canvasser or solicitor, as hereinafter defined, to engage in such activity within the Town of Greensboro without first obtaining a license therefore in accordance with the provisions of this Chapter.

§ 9-2. Definitions.

When used in this Chapter, the following terms shall have the following meanings:

ITINERANT MERCHANTS, TRANSIENT VENDORS and SALESMEN - In the category of peddler, hawker, vendor, solicitor or canvasser, as set forth herein.

PEDDLER, HAWKER and VENDOR - Includes any person, whether a resident of the Town of Greensboro or not, traveling either by foot, vehicle or any other type of conveyance, who goes from house to house, from place to place or from street to street, conveying or transporting goods, wares or merchandise and offering or exposing the same for sale or making sales and delivering articles to purchasers or who engages in any of the foregoing activities from a stationary location on the street or other public place.

SOLICITOR or CANVASSER - Includes any person, whether a resident of the Town of Greensboro or not, who goes from house to house, from place to place or from street to street

soliciting or taking or attempting to take orders for the sale of services to be performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject for such order and whether or not he is collecting advance payments on such orders or who engages in soliciting junk or who engages in any of the foregoing activities from a stationary location on the street or other public place.

§ 9-3. Application for license; hours.

A. Applicants for a license under this Chapter shall file with the Town clerk a sworn application, in writing on a form to be furnished by the Town Clerk, which shall give the following information.

1. Name and description of the applicant.
2. Permanent home address and local mailing address, if any, of applicant.
3. A brief description of the nature of the business and the goods to be sold and the name and address of the principal office of their manufacturer, as well as the name and address of the agent designated to receive service of process in the State of Maryland.
4. If employed, the name and address of the employer.
5. The length of time for which the right to do business is desired.
6. The applicants' fingerprints, at the request of the Police Chief.
7. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, other than a traffic violation of any municipal ordinance, other than a traffic violation, and the nature of the offense and the punishment or penalty assessed therefore.
8. Whether or not orders are to be solicited or taken for future delivery of goods or performance of services and whether or not soliciting is for funds.

B. The time of solicitation, peddling, hawking, vending and canvassing shall be between the hours of 9:00 a.m. and 8:00 p.m.

§ 9-4. Investigation and issuance of license.

A. Upon receipt of such application, the original shall be referred to the Police Chief, who shall cause to be made such investigation of the applicant's business and moral character as he deems necessary for the protection of the public welfare.

B. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Police Chief shall endorse on such application his disapproval and his reason for the same and return the application to the Town Clerk, who shall notify the applicant that his application is disapproved.

C. If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Police Chief shall endorse his approval on the application, returning the application to the Town Clerk, who shall, upon payment of the prescribed license fee, execute and deliver to the applicant his license. The Clerk shall keep a record of all licenses issued and of all complaints received, if any, concerning each license.

§ 9-5. Fees.

A fee as provided by ordinances of the Town shall be paid by each applicant upon the issuance of each license, except as otherwise provided by law.

§ 9-6. Exhibition of license.

All licenses issued must be worn or displayed in such a manner as to be readily visible when engaged in the activities regulated herein.

§ 9-7. Duration of license.

All licenses issued under this Chapter shall expire at the end of the calendar year in which they are issued. License shall not be transferrable and must be surrendered after expiration before a renewal license can be issued.

§ 9-8. Transfer.

No license or tag issued under the provisions of this Chapter shall be used or worn at any time by any person other than the one to whom it was issued.

§ 9-9. Revocation of License.

Licenses issued under the provisions of this Chapter may be revoked by the Town Council, after notice and hearing, for any of the following causes:

A. Fraud, misrepresentation, or false statement contained in the application for licenses;

B. Fraud, misrepresentation or false statement made in the course of carrying on his business as peddler;

C. Any violation of this Chapter;

D. Conducting the business peddling in an unlawful manner or in manner as to constitute a breach peace or to constitute a menace health, safety, or general welfare of the public.

§ 9-10. Use of Streets and Parks.

A. Every person who shall hawk, peddle, huckster or vend goods to retail trade on the streets of the Town, either from a wagon, vehicle, or conveyance of any description, shall keep moving from place to place and not remain in any one place longer than 20 minutes, or return thereto within a period of five hours, Any hawker, peddler, huckster, or vendor shall not be deemed to have complied with this provision unless he or they shall have moved distance of at least 100 feet from the point or place at which he or they last stopped; provided further, that any hawker, peddler, huckster or vendor shall not stop, pause, or take up location for the purpose of selling to retail trade at any point upon the streets of the Town which is less than 100 feet from the entrance of any store or place of business which sells to retail trade like goods, wares, merchandise, foodstuffs, and produce which the hawker, peddler, huckster, or vendor is offering for sale.

B. No person who shall hawk, peddle, huckster or vend goods to retail trade shall do so in any Town park or on that portion of any street on which such park fronts.

§ 9-11. Consent of Resident.

As a condition precedent to any peddler going in or upon any private residence for the purpose of selling or disposing of any goods, wares, or merchandise, the consent of the owner or occupant of the private residence shall first be obtained by that person.

§ 9-12. Restrictions on Articles to be Sold.

It shall be unlawful for any person or persons to hawk, peddle, or offer for sale on any street, lane or Town, medicines, patented remedies, nostrums, soaps, perfumes, extracts, toy balloons, toilet, or other like articles.

§ 9-13. Transient Business – License Required; Fee.

A. Every person, firm, or corporation, whether principal or agent, not already engaged in a permanent business within the corporate limits of the Town, but who is about to enter into or begin a transient business in the Town for the sale of any goods, wares and merchandise, whatsoever, shall first apply to the Town Clerk for a license therefore, and shall pay for such license the sum of \$500 for each 30 days or fraction thereof the person, firm, or corporation may be engaged in conducting such transient business as aforesaid within the corporate limits of the Town; provided, that should two or more persons, firms or corporations offer goods, wares or merchandise for sale at the same location and at the same time, including, but not limited to, antique shows, art shows, etc., then said persons, firms or corporations, or the sponsor or

coordinator of the show or exhibit shall apply to the Town Clerk for a license therefore and shall pay for such license the sum of \$500 for each period of 30 days or fraction thereof without regard to the actual number of persons, firms or corporations participating in said exhibit or show and that said coordinator and/or sponsor shall be liable for the payments of said fee; and further provided that the fee for a garage sale and yard sale which has not been conducted at the site more than three times during the previous twelve months shall be \$5.00 per day.

B. For vendors whose products are primarily limited to ice cream, popsicles, Italian ice, gelatin, frozen custard, frozen yogurt or similar frozen products who sell to the public, at retail, for immediate consumption, from refrigerated trucks who have been issued a trader's license by the State, the license fee, in Paragraph A immediately above, is reduced to \$25.00 per calendar year.

§ 9-14. Transient Business – Conflict with publicly beneficial organizations.

No temporary vendor's license shall be issued where the effective date thereof will conflict, or place the vendor in competition with, a previously scheduled fundraiser by any civic, charitable, benevolent or fire and rescue organization unless the vendor shall have been invited, in writing, by such organization.

§ 9-15. Inspections.

The equipment used or employed by peddlers, hawkers and vendors of ice cream, foods, beverages confections and other related commodities shall be maintained in a clean and sanitary manner and be subject to the inspection by and comply with the rules and regulations of the Caroline County Health Department and the ordinances of the Town of Greensboro.

§ 9-16. Exceptions.

A. This Chapter shall not be construed to include the selling of any article at wholesale to dealers in such articles or the delivery of milk, eggs, bread, newspapers or other such necessary and perishable article of food or merchandise of a type commonly delivered on a house-to-house basis at intervals of less than one (1) week.

B. Any veteran who holds a special license issued under the laws of the State of Maryland shall be exempt from securing a license or paying a fee as provided herein but shall be required to comply with A other applicable sections of this Chapter and shall be required to register with the Town Clerk and obtain a permit, which will be issued by the Clerk upon proper identification and exhibition of such state license.

C. Certain organizations.

1. Any nonprofit religious, charitable, educational, civic or veterans organization, society, association, service club, volunteer first aid or fire

company, etc., desiring to solicit or have solicited in its name money, donations of money or property or financial assistance of any kind or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of such organizations, at any place or places within the Town of Greensboro, for a charitable, religious, patriotic or philanthropic purpose, shall be exempt from the provisions of §§ 9-3 and 9-5 of this Chapter, provided that there is filed a sworn application, in writing with the Clerk or Police Chief which shall give the following information:

- a. The name and purpose of the cause for which the permit is sought,
 - b. The name and address of the organization.
 - c. The period during which solicitation is to occur.
 - d. The name and address of each agent or representative who will conduct solicitation and the length of time that said agent or representative has been employed or affiliated with such organization, society, association or corporation.
2. Upon being satisfied that such person, organization, society, association, etc. is a bona fide nonprofit religious, charitable, education, patriotic or philanthropic organization, and that the agents or representatives who shall conduct the solicitation are of good moral character and reputation, the Town Clerk or Police Chief shall issue a permit, without charge to such organization, association or corporation, to solicit in the Town. Such organization, association, society, corporation, etc., shall furnish to all its members agents or representatives conducting solicitation credentials, in writing, stating the name of the agent and the duration and purpose of solicitation.

D. Any school, political or civic organization, benevolent society, service club or organization not operated for profit, which is located in or has substantial membership from the Town of Greensboro, is hereby exempt from the provisions of this Chapter.

§ 9-17. Violations and penalties.

Violations of any of the provisions of this Chapter shall constitute a municipal infraction.

(HISTORY: Adopted by the Town Council of the Town of Greensboro 7/6/1981 as Ch. III, Art. I, of the 1981 Code; amended by Ordinance No. 1995-O-12, adopted 9/28/1995;

amended by Ordinance No. 2002-O-16, adopted 10/1/2002; amended by Ordinance No. 2004-O-30, adopted 11/24/2004)

CHAPTER 10. NOISE

- § 10-1. Unlawful noise.
- § 10-2. Unlawful acts enumerated.
- § 10-3. Applications and permits.
- § 10-4. Exceptions.
- § 10-5. Enforcement.
- § 10-6. Engine or exhaust braking device.
- § 10-7. Violations and penalties.

§ 10-1. Unlawful noise.

It shall be unlawful for any person or persons to make continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which endangers the health, safety or welfare of the community or which annoys, disturbs, injures or endangers the comfort, rest, health, peace or safety of others within the Town of Greensboro.

§ 10-2. Unlawful acts enumerated.

The following acts, among others, are declared to be loud, unnecessary, disturbing and a danger to the health, safety and welfare of the community and its people, in violation of § 10-1, if they occur between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and 12:00 a.m. and 7:00 a.m. Friday and Saturday:

A. Using, operating or permitting to be played, used or operated any radio, television, hi-fi, stereo, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of any person or persons in the vicinity. The operation of any such machine or device in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, device or vehicle in which it is located shall be prima facie evidence of a violation of this section. Any person or persons who cause production of said sound through the operation of the machines or devices enumerated herein may be deemed a violator of this Chapter.

B. Yelling, shouting, hooting, whistling or singing or the making of loud and disturbing noises by the use of clappers, bells, horns, musical instruments or similar devices at any time or place so as to unreasonably annoy or disturb the quiet, comfort or rest of any person in any residence, hospital, school, place of business, street or public place.

C. The keeping of any animal or bird which by causing frequent or long-continued noise shall disturb the comfort or repose of any person or persons in the vicinity.

D. The use of any automobile, motorcycle, truck or vehicle so out of repair or loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.

E. The creation of loud and excessive noises in connection with the loading or unloading of any vehicle or their operating and distraction of bales, boxes, crates and containers.

F. The operation or use of any power mower, chainsaw, fence post driller or the like;

G. Any of the following activities when occurring in close proximity to residences:

1. The warming up or idling of buses, trucks or trailers.

2. The unnecessary or unreasonable or repeated idling, acceleration and deceleration or starting and stopping of automobiles and motorcycles.

H. Using, operating or permitting to be played, used or operated any receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, tape recorder or other machine or device for the producing or reproducing of sound which is left upon the public streets for the purpose of commercial advertising or for any other purpose except as authorized by the government or in public emergencies, provided that such devices may be employed in connection with nonprofit charitable, educational, civic, religious or recreational activities in accordance with permits first obtained therefore from the Clerk/Treasurer of the Town of Greensboro pursuant to § 10-3 hereof.

I. Outdoor concerts, except in accordance with permits first obtained therefore from the Clerk/Treasurer of the Town of Greensboro pursuant to § 10-3 hereof.

J. The excavation, grading, paving, erection, demolition, alteration or repair of any premises, street building or structure, except in case of urgent necessity in the interest of public health and safety, and, if the nature of emergency will admit the prior procurement of a permit, then only in accordance with a permit first obtained from the Town Engineer as to public street work or from the Town Building Inspector as to other work, pursuant to § 10-3 hereof. Such a permit may be granted for a period not to exceed three (3) days or less while the emergency continues. Notwithstanding the foregoing, if the Clerk/Treasurer or Building Inspector, as the case may be, shall determine that the public health and safety will not be impaired by such work within the prohibited hours and that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior alterations, provided that the work shall be done without undue noise or disturbance of the peace and quiet of the neighborhood.

K. The creation of any excessive noise on any street or property adjacent to any school, institution of learning, church or court while the same is in use or adjacent to any hospital which unreasonably interferes with the working of such institution or which disturbs or unduly annoys patients in the hospital.

§ 10-3. Applications and permits.

A. The officer charged with the responsibility of issuing permits for the activities requiring permits under this Chapter shall issue permits for such activities if such officer shall find that the activities will not unduly or unnecessarily annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others, that the activities will not violate any other ordinance or law or create a public nuisance and that the public health and safety will not be endangered thereby.

B. Permits shall specify the dates and hours of the permitted activities, which shall not be allowed between the hours of 11:00 p.m. and 7:00 a.m. Sunday through Thursday and 12:00 a.m. and 7:00 a.m. on Friday and Saturday unless the issuing officer shall determine that it is in the best interest of the community that the activities take place wholly or partially during such hours.

C. The issuing officer is authorized to adopt and use such forms of applications and permits as may be reasonably required in the performance of his duties. Each application for a permit shall be accompanied by a fee as provided in the fee schedule so set by the Town Council, which fee shall be payable to the Town of Greensboro.

§ 10-4. Exceptions.

Nothing in this Chapter shall be construed to apply to church bells or chimes nor to the playing of bands or orchestras in a hall or building in a manner which will not annoy the peace, comfort and quiet of the neighboring inhabitants nor to municipal, county, state or federal government agencies in connection with any emergency nor to normal working activities of or activities sponsored by the Town Council nor to warning devices on other vehicles used only for traffic safety purposes.

§ 10-5. Enforcement.

In addition to the public, law enforcement officers and others who, by the law, are entitled to enforce or bring complaints under this Chapter and the officers who are designated hereunder for the issuance of permits shall have the power to enforce and bring complaints under this Chapter.

§ 10-6. Engine or exhaust braking device.

A. No person shall operate exhaust braking devices within the Town of Greensboro Town limits.

B. This section does not prohibit the use of such exhaust braking devices in a bona fide emergency and does not prohibit or require any action which would violate Chapter 22, Subtitle 3 of the Transportation Article.

(History: Ordinance 2003-O-10, adopted November 6, 2003)

§ 10-7. Violations and penalties.

Violations of any of the provisions of this Chapter shall constitute a municipal infraction.

(HISTORY: Adopted by the Town Council of the Town of Greensboro 7/6/1981 as Ch. III, Art. V, of the 1981 Code; amended by Ordinance No. 1995-O-12 on 9/28/1995; amended by Ordinance No. 2003 on 12/1/2003; amended by Ordinance No. 2014-O-1 on 3/6/2014)

CHAPTER 11. LITTERING

- § 11-1. Dirt and trash on roadways and alleys.
- § 11-2. Throwing glass or refuse upon streets or alleys.
- § 11-3. Violations and penalties.

§ 11-1. Dirt and trash on roadways and alleys.

A. No person engaged in excavating, repairs to structures or grounds or construction or having charge or control of excavation, repairs to structures or grounds or construction or who may be engaged in or have charge or control of conveying material to or from excavations, repairs to structures or grounds or construction shall deposit, or permit to be deposited, in any manner, upon the surface of any street, alley, avenue, highway, footway, sidewalk, parking or other public space within the corporate limits of the Town of Greensboro, either by placing, spilling, dropping or tracking from the wheels of vehicles, or otherwise, any earth, clay, mud, sand, gravel or other material. If any such deposit occurs, every person whose duty it is under this Chapter to prevent such deposit shall promptly remove the same. All macadamized or broken stone roadways adjacent to excavations or traversed by vehicles, either in the process of conveying material from an excavation or in returning from the place of deposit to the place of excavation, shall be covered with planking so far as may be required to prevent any mud, earth, clay or other material from the excavation or from the place of deposit from reaching the surface of such roadway.

B. No one being the owner, driver, manager or conductor of any cart or other vehicle shall carry or convey or cause to be carried or conveyed in such vehicle any earth, sand, gravel, broken stone, dirt, paper and other rubbish or any articles whatsoever within the corporate limits of said Town of Greensboro so that the same shall or may be scattered, dropped, let fall, blown or spilled therefrom; and all vehicles conveying combustible refuse or foul, dusty or offensive matter of any sort shall have tight bodies and be closely and securely covered. All vehicles conveying wastepaper and wastepaper products, bailed, sacked or otherwise, shall be closely and securely covered.

C. Owners of lots abutting upon streets, avenues or alleys or upon public parking or other public space in the Town of Greensboro and which are above grade shall protect such lots so as to prevent dirt, sand or gravel or any bushes, trees or like thing from falling or being washed upon the sidewalks, streets, alleyways or other public space adjacent to the same.

§ 11-2. Throwing glass or refuse upon streets or alleys.

It shall be unlawful for any person to cast or throw into any street, alley, avenue or highway or in the river within the jurisdiction of the Town authorities any glass, glassware, crockery, porcelain or other similar substances or pieces thereof or any pieces of iron, hardware or sharp metal, nails, tacks or other articles or any wastepaper, trash, rubbish, garbage or refuse of any kind.

§ 11-3. Violations and penalties.

Violations of any of the provisions of this chapter shall constitute a municipal infraction.

(HISTORY: Adopted by the Town Council of the Town of Greensboro 7-6-1981 as Ch. V, Art. IV, Sections 4 and 5, of the 1981 Code; amended by Ordinance No. 1995-O-12 on 9/28/1995)

CHAPTER 12. FIRE PREVENTION

§ 12-1. Burning restrictions.

§ 12-1. Burning restrictions.

A. Purpose. This Chapter is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Town of Greensboro by regulating the air pollution and fire hazards of open burning and outdoor burning.

B. Applicability. This Chapter applies to all outdoor burning and open burning within the Town of Greensboro with the following exceptions:

1. This Chapter does not apply to grilling or cooking food using charcoal, wood, or propane in cooking or grilling appliances.
2. This Chapter does not apply to burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building.
3. This Chapter does not apply to the use of propane, acetylene, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

C. Definitions.

CAMPFIRE – A small outdoor fire, not to exceed three feet in diameter, intended for recreation or cooking but not including a fire intended for disposal of waste wood or refuse.

CLEAN WOOD – Natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.

CONSTRUCTION AND DEMOLITION WASTE – Building waste materials, including but not limited to waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that result from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building or other structure.

FIRE CHIEF – The Chief of the Greensboro Volunteer Fire Department or other person designated by the Fire Chief.

OPEN BURNING – Kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or chimney. This includes burning in a burn barrel.

OUTDOOR BURNING – Open burning or burning in an outdoor wood-fired boiler or patio wood-burning unit.

PATIO WOOD-BURNING UNIT – A patio warmer, or other portable wood burning device used for outdoor recreation and or heating.

REFUSE – Any waste material except trees, logs, brush, stumps, leaves, grass clippings, and other vegetative matter.

D. General Prohibition on Outdoor Burning and Open Burning. Open burning and outdoor burning are prohibited in the Town of Greensboro unless the burning is specifically permitted by this Chapter.

E. Open Burning of Refuse. Open burning of refuse is prohibited.

F. Burning trees, logs, brush, stumps, leaves and grass clippings. The open burning of trees, brush, stumps, leaves and grass clippings is prohibited.

G. Campfires.

1. Campfires are allowed between the hours of 7:00 A.M. and 11:00 P.M.
2. Campfires shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age with readily available means of extinguishing the fire; a competent person shall remain at the fire until it is extinguished and cold.
3. Campfires must be at least twenty-five (25) feet from the nearest building that is not on the same property and at least twenty-five (25) feet from the nearest fence. The distance may be decreased with the consent of the property owner on whose property the nearest building or fence is situate.
4. Campfires shall not be allowed when the Governor of the State of Maryland has issued a burning ban for the area.
5. Only clean wood or logs shall be burned in a campfire.

H. Patio Wood Burning Units. A patio wood burning unit may be used in the Town of Greensboro only in accordance with all of the following provisions:

1. The patio wood burning unit shall not be used to burn refuse.
2. The patio wood burning unit shall burn only clean wood.
3. The patio wood burning unit shall be located at least fifteen (15) feet from the nearest structure which is not on the same property as the patio wood burning unit.

I. Fire Suppression Training. Any other provision of this subsection notwithstanding, structures and other material may be burned for fire prevention training only in accordance with all of the following provisions.

1. The burn must be exclusively for fire prevention training. The burning shall not be used as a means to dispose of waste material including tires and other hazardous materials.
2. Any standing structure that will be used in a fire suppression training must be inspected and should be inspected by a licensed asbestos inspector.
3. All asbestos must be removed prior to conducting the fire suppression training.
4. All ash shall be disposed of in an approved landfill.
5. At least forty-eight (48) hours before a planned practice burn, residents within five hundred (500) feet of the site of the proposed burn shall be notified.
6. All fires suppression training should conform to the guidelines established by the National Fire Protection Association (NFPA) Standard on Live Fire Training Evolutions.

J. Liability. A person utilizing or maintaining a campfire or patio wood-burning unit shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

K. Right of Entry and Inspection. The Fire Chief or any authorized officer, agent, employee or representative of the Town of Greensboro may inspect any property for ascertaining compliance with the provisions of this Chapter.

L. Enforcement and Penalties.

1. The Fire Chief or his designee, any law enforcement officer or the Code Enforcement Officer of the Town of Greensboro are authorized to enforce the provisions of this Chapter.
2. Any person, firm, association, partnership, corporation which violates any of the provisions of this ordinance or fails to comply with a duly authorized order issued pursuant to this Chapter shall be deemed responsible for a municipal infraction.

(HISTORY: Ordinance No. 2008-O-8, adopted on 1/8/2009)

CHAPTER 13. STREETS AND SIDEWALKS

- § 13-1. Restrictions on planting trees, shrubbery or similar obstructions.
- § 13-2. Removal of visual obstructions.
- § 13-3. Restriction on placement of mailboxes.
- § 13-4. Plants between sidewalk and curb.
- § 13-5. Assigning a right of entry upon public property for the purpose of construction and repair of sidewalks.
- § 13-6. Permit for installation of utility service line.

§ 13-1. Restrictions on planting trees, shrubbery or similar obstructions.

It shall be unlawful to plant any tree, post, pole, shrubbery, or similar obstruction, except installations by the Town and/or public utilities, between the sidewalk and curb line of any street or highway in the Town without first obtaining permission of the Town and the execution of an agreement by the property owner assuming full responsibility for all expenses of repairs and removal of said trees, shrubbery, or other obstruction, the existence, trimming and maintenance of the trees or shrubbery may cause to gas mains, water sewage lines, sidewalk, curb, gutter, or any other damage, and the costs of trimming of the trees and shrubbery for the clearance of utility lines. A violation of this section shall constitute a municipal infraction.

§ 13-2. Removal of visual obstructions.

If the Chief of Police determines that any tree, post, pole, shrubbery, or similar planting or vegetation on private property obstructs the view of persons traveling on the adjacent street, regardless of whether such tree, post, pole, shrubbery or similar planting or vegetation was lawfully planted, he shall report the same to the Clerk/Treasurer. Upon receipt of such notice, the Clerk/Treasurer shall notify the landowner in writing of the obstruction, and order the landowner to remove the obstruction at the landowner's expense. Such notice shall specify the time period for removal. If the landowner does not remove the obstruction within the time period set forth in the notice, the Town may remove the obstruction and the cost of such removal shall constitute a lien on the real property which shall be collectible in the same manner provided for the collection of real estate taxes. Refusal by the landowner to remove the obstruction will constitute a municipal infraction.

(History: Ordinance 1999-O-19, adopted 12/2/1999)

§ 13-3. Restriction on placement of mailboxes.

- A. Prohibition against impeding pedestrian traffic.
 - 1. It shall be unlawful for any mailbox to extend over into the sidewalk in such a manner as to impede the flow of pedestrian traffic.

2. If any mailbox extends into the sidewalk in a manner which impedes the flow of pedestrian traffic, the Clerk/Treasurer will notify the landowner in writing of the impediment, and shall order the landowner to correct the impediment at the landowner's expense. Such notice shall specify the time period for correction. If the landowner does not correct the impediment within the time period set forth in the notice, the Town may correct the impediment and assess the costs of removal to the landowner in the same manner provided for the collection of real estate taxes. Any landowner who refuses to correct the impediment will be guilty of a municipal infraction. In addition, the United States Postal System will be notified of the violation of this Section and will be requested to discontinue delivery of mail to the mailbox.

B. Prohibition against damage to sidewalk. No post or other device used for the construction of a mailbox shall be erected in any manner or by any means which will cause damage to the curb or sidewalk. The Town may repair any damage so done and assess the costs of repair to the landowner in the same manner provided for the collection of real estate taxes. Anyone cause such damage shall be guilty of a municipal infraction.

§ 13-4. Plants between sidewalk and curb.

It shall be unlawful to plant any vegetation, flower, plant, ivy, or other greenery, except grass, between the sidewalk and curb line of any street or highway in the Town, including the area at the base of any mailbox. Any vegetation, flower, plant, ivy, or other greenery (other than grass) found in such area will be removed by the Town employees or subcontractors charged with maintaining or mowing the area, without notice by the Town to the landowner or occupant.

§ 13-5. Assigning a right of entry upon public property for the purpose of construction and repair of sidewalks.

A. In order to protect the public health, safety, comfort, convenience and welfare of the Town of Greensboro, it has become necessary to initiate construction and repair of the streets and sidewalks.

B. The required work shall consist of the construction and repair of the streets and sidewalks, the drainage systems, the various utility systems, including the location or relocation of water, sewer, electric, telephone and cable transmission lines, street and sidewalk lights, landscaping, as well as maintaining existing entrances from public and private property to the street and sidewalks, and to do all things necessary to accomplish same.

C. To carry out the aforesaid street and sidewalk construction and repairs as duly authorized by the Town Charter and Town Code, the Town employees, its agents and assigns, shall

have the right of entry, for the purpose of accomplishing said work, at all reasonable hours, upon any premises in the Town which abuts a Town street or sidewalk.

(History: Ordinance 2001-O-2001, adopted 3/1/2001)

§ 13-6. Permit for installation of utility service line.

A. Not less than seventy-two hours (72) before engaging in the installation of any service line under any sidewalk, public street, alley or way of the Town of Greensboro, whether by excavation or otherwise, a public utility shall submit an application to the Clerk of the Town detailing the work which it plans to do, including, but not limited to, the location thereof, the method of doing so, and the period of time when such work will be performed.

B. The application will be granted only if, upon review by the Town, the Town shall be satisfied that:

1. Such plans provide that the work will be done so as to minimize, to the extent feasible, the interruption of the use by the public of such sidewalk, street, alley or way; and
2. The planned work will avoid interference with or endangerment of existing service lines of the Town; and
3. The plan satisfactorily requires the restoration of the sidewalk, street, alley or way to its condition prior to commencement of the work once the work has been completed.
4. At the time of the submission of the application for such permit, the Clerk shall collect a fee for the review thereof in an amount to be established by resolution of the Mayor and Council.

C. At the time of the submission of the application for such permit, the Clerk shall collect a fee for the review thereof in an amount to be established by resolution of the Mayor and Council.

D. Any permit granted hereunder may be modified or revoked with just cause at any time at the discretion of the Town without rendering the Town liable in any way. The Town shall have the authority to inspect work in progress and the applicant shall correct any deficiencies identified during said inspections.

E. Upon completion of the work, the utility to whom the permit shall have been granted shall provide the Town with "as-built" plans showing the location of the utility line, as

well as any information required to be provided by the applicant to the Maryland Public Service Commission.

F. Unless the Clerk is satisfied that the utility making application is financially able to meet its obligations under the permit, the Clerk shall require that the utility post a bond or letter of credit in a form satisfactory to the Town to secure the applicant's obligation of repair.

G. The Town Clerk shall prepare a form to be used by an applicant in requesting a permit under this Section.

H. Nothing herein shall contravene, nor require that the provider of utility service violate, any order or regulation of the Maryland Public Service Commission.

(HISTORY: Adopted by the Town Council of the Town of Greensboro as Ordinance No. 1999-O-19 on 12/2/1999; amended by Ordinance No. 2003-O-11, adopted 2/1/2004)

CHAPTER 14. VEHICLES AND TRAFFIC

ARTICLE I Traffic Regulations

- § 14-1. Scope.
- § 14-2. Traffic and parking control signs.
- § 14-3. Two-hour parking limit.
- § 14-4. Stopping, standing or parking prohibited in certain areas.
- § 14-5. Speed limits.
- § 14-6. Spikes, cleats and other traction devices.
- § 14-7. Parking and stopping restrictions.
- § 14-8. Applicability of other regulations.
- § 14-9. Violations and penalties.

ARTICLE II Snow and Ice Emergencies

- § 14-10. Declaration of emergency.
- § 14-11. Parking prohibited on certain streets.
- § 14-12. Placement of signs.
- § 14-13. Violations and penalties.

ARTICLE III Removal and Impoundment of Vehicles

- § 14-14. Removal and impoundment authorized.
- § 14-15. Approved storage garages designated.
- § 14-16. Bonding garages.
- § 14-17. Towing and storage fees.
- § 14-18. Notification.
- § 14-19. Payment of charges; protests.
- § 14-20. Records of vehicles removed and impounded.
- § 14-21. Liability of owner or operator.
- § 14-22. Restrictions on removal of vehicles.

ARTICLE I. TRAFFIC REGULATIONS

§ 14-1. Scope.

The provisions of this Article are intended to be in addition to, and supplementary to the provisions of the Transportation Article of the Annotated Code of Maryland, and in accordance with the authority specifically granted by said Article.

§ 14-2. Traffic and parking control signs.

Whenever, in the judgment of the Mayor and Council of Greensboro, it is necessary for the safety or control of vehicular or pedestrian traffic or for the regulation of the use of parking areas;

the Mayor and Council may erect or cause to be erected weight limit, stop, no-parking, speed limit, one-way and other traffic control and parking restriction signs designed to control, regulate, warn or guide traffic or limit parking on public streets, highways or other areas in the Town of Greensboro. It shall be the duty of all persons to observe such signs, and any person failing to observe any such sign shall, upon conviction thereof, be guilty of a misdemeanor. Nothing herein contained shall be deemed to constitute a repeal of the authority here before granted by the Mayor and Council of Greensboro for the erection of traffic control and parking restriction signs, and failure to observe any such signs here before erected shall be subject to the same penalties as set forth hereafter.

§ 14-3. Two hour parking limit.

Upon the erection of appropriate parking restrictions signs giving notice of the contents to this section, no one shall park on Main Street in the Central Commercial Zoning District for a period exceeding two (2) hours of continuous parking in any twenty-four hour period beginning 12:01 a.m. and ending 12:00 midnight. Continuous parking shall include parking interrupted by removal of a vehicle from the Central Commercial Zoning District for a period of less than one-half (½) hour, and shall include parking within such zoning district at a different location. Violation of this section shall constitute a municipal infraction.

(History: Ordinance No. 1999-O-18, adopted 12/22/1999)

§ 14-4. Stopping, standing or parking prohibited in certain areas.

A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control devices, in any of the following places:

1. On sidewalks.
2. In front of a public driveway or alley or in front of a private driveway except with the consent of the owner or occupant of the premises.
3. Within an intersection.
4. Within fifteen (15) feet of fire hydrant.
5. On a crosswalk or within twenty (20) feet of a crosswalk at an intersection, except for the purpose of receiving or discharging passengers or merchandise.
6. Within twenty-five (25) feet of any beacon, stop sign or traffic control signal located at the side of a roadway.

7. Between a safety zone and the adjacent curb or within thirty feet (30) of points on the curb immediately opposite the ends of a safety zone, except for the period necessary to take on passengers or discharge passengers, freight or merchandise.
8. Within twenty (20) feet of the driveway entrance to any Fire Department station within seventy-five (75) feet of said entrance when signs are posted.
9. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
10. On the roadway side of any vehicle stopped or parked at the edge or curb of a street, except for the purpose of receiving or discharging passengers or merchandise.
11. At any place where an official sign or painted curb of Caroline County, the State of Maryland or the Mayor and Council of Greensboro prohibits stopping, parking or standing, and it is hereby specifically provided that, wherever a curb is painted red or yellow, there should be no parking, standing or stopping parallel to said painted curb.
12. On curves at the brow of a hill, where the State Highway Administration or the Mayor and Council of Greensboro have painted yellow lines on the surface of the road.

B. No person shall stop, stand or park a vehicle designed or used for carrying freight or merchandise in front of, alongside or in the rear of any private dwelling, except when actually unloading merchandise or when the operator or owner of such vehicle is actually engaged in rendering a service at or to such premises. The exception to this section is when such person resides at said dwelling and has no other safe area to park said vehicle, he then may apply to the Chief of Police for a permit to park said vehicle. The permit will be issued at no cost.

C. No person shall stop, park or leave standing on the roadway any vehicle, whether attended or unattended, if it is practicable to stop, park or leave the vehicle standing off the roadway.

D. No person shall leave a vehicle standing without providing an unobstructed view of the roadway opposite the standing vehicle for the free passage of other vehicles.

E. No person shall stop any vehicle unless it can be seen clearly from two hundred (200) feet away in each direction on the roadway.

F. Exceptions for disabled vehicles. These provisions do not apply to the driver of a vehicle that has become unintentionally so disabled while on the roadway that he cannot avoid stopping and temporarily leaving the vehicle there.

G. Parking spaces for individuals with disabilities. A person may not stop, stand, or park a vehicle unless for the use of an individual with a disability, in a space or zone marked as restricted for the use of individuals with disabilities, and unless the vehicle so stopped, standing or parked shall display an approved placard or handicap/disabled registration plates.

§ 14-5. Speed limits.

No motor vehicle, truck or tractor shall be operated upon any highway or street in the Town at a speed greater than twenty-five (25) miles per hour except on such streets and highways as may be covered by regulations and the placing of signs.

§ 14-6. Spikes, cleats and other traction devices.

No person shall operate over the streets of the Town of Greensboro any vehicle, motor-driven or otherwise, equipped with spikes, cleats or other traction device calculated to inflict any undue damage or injury upon the surface of the streets of the Town of Greensboro.

§ 14-7. Parking and stopping restrictions.

A. All vehicles shall be driven and parked on the Right-hand side of the street, unless a street or avenue is designated by a sign to be for one-way traffic. At any time it shall become necessary, the Mayor and Council may mark and designate areas which may become congested, banning parking altogether if necessary. No automobile or other vehicle shall stop in any street, avenue or highway in such a manner as to hinder or delay traffic or passage, and the Police Department is empowered to enforce this provision by impounding said vehicle.

B. Stop sign postings. The Mayor and Council shall designate from time to time such streets as shall contribute to the safe movement of traffic within the Town on boulevards and may post intersecting streets with appropriate stop signs so placed as to be readily visible to the motoring public; and all traffic entering boulevards so designated shall come to a complete stop before doing so.

C. Angle parking. There will be no angle parking permitted on the streets of the Town of Greensboro.

D. No parking. There shall be no parking on streets so designated by the Mayor and Council of the Town of Greensboro.

E. Loading and unloading areas.

1. There shall be no loading or unloading of merchandise on the streets of Greensboro except in the areas specifically specified as loading and unloading zones.
2. Those areas specified as loading or unloading zones shall be properly posted as loading or unloading zones and shall be painted and marked off with yellow paint identification. There shall be no parking in the areas thus specified except for loading and unloading between the hours of 8:00 a.m. and 4:30 p.m. each and every day except Sunday.
3. Any vehicles improperly loaded and unloaded in an area other than those specified and acting in noncompliance with this Article shall be subject to a fine as provided in § 14-9.

F. Mobile Home, motor home, travel trailer, boat trailer, stock trailers. No person shall leave, park or stand any mobile home, motor home, travel trailer, boat trailer, stock trailer, or any other type of trailer upon any public street within any area zoned as residential district, or where the primary use is residential, for a period in excess of twenty-four hours. (History: Ordinance 2006-O-2, adopted 4/20/2006)

§ 14-8. Applicability of other regulations.

Except as herein otherwise provided, the Motor Vehicle Law of the State of Maryland [Editor's Note: See now the Transportation Article of the Annotated Code of Maryland.], which is hereby declared and made a part of this Article by reference, shall control and govern, and any person violating any of the provisions thereof shall, upon conviction, be subject to the penalties provided therein.

§ 14-9. Violations and penalties.

Violations of any of the provisions of this Article shall constitute a municipal infraction.

(History: Ordinance No. 1995-O-12, adopted 9/28/1995)

ARTICLE II. SNOW AND ICE EMERGENCIES

§ 14-10. Declaration of emergency.

In order to facilitate the movement of traffic and to combat the hazards of excessive snow and ice on the highways or portions of highways so designated by the Mayor and Council, the Mayor and Council in their discretion, may declare an emergency due to such hazards.

§ 14-11. Parking prohibited on certain streets.

A. After any such emergency shall have been declared or when snow accumulation at any time reaches the depth of three (3) inches or more, it shall be unlawful during the period of such emergency for any person to park a motor vehicle or tractor or to allow the same to remain parked on any highway or portion thereof so designated by the Mayor and Council or to operate any such vehicle or tractor on any such highway or portion thereof unless such vehicle shall be equipped with adequate equipment to provide sufficient traction to keep such vehicle or tractor in motion so that other traffic on such highways will not be blocked or seriously impeded.

B. The highways or portion thereof to which the provisions of this Article shall be applicable during all periods of emergency declared as in § 14-10 shall be those so designated by the Mayor and Council.

§ 14-12. Placement of signs.

A. In order to assist the operation of motor vehicles and tractors in determining the highways affected by this Article, the Mayor and Council or the Chief of Police shall place around the utility poles on the highways or portions thereof designated in § 14-11.B. signs reading "Snow Emergency Route - Snow Tires or Chains Required No Parking During Emergency - Vehicles Towed Away."

B. The Mayor and Council or the Chief of Police shall also, through radio, newspaper or other available media, disseminate information as to the existence of such emergency.

§ 14-13. Violations and penalties.

A. Any person who shall park a motor vehicle or tractor upon or along any of the highways or portions thereof designated by the Mayor and Council at any time during a period of emergency shall be guilty of a violation of this Article.

B. Operation of a vehicle or tractor upon any highway or portion thereof designated as a snow emergency route without the equipment hereinabove prescribed shall constitute a municipal infraction. (Amended 9/28/1995 by Ordinance No. 1995-0-12)

ARTICLE III. REMOVAL AND IMPOUNDMENT OF VEHICLES

§ 14-14. Removal and impoundment authorized.

The Chief of Police of the Town of Greensboro is hereby authorized to remove and impound or to order the removal and impoundment of any vehicle parked on any of the streets, highways or public property in the Town in violation of any provision of the law or of any

ordinance of the Town; provided, however, that no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Article.

§ 14-15. Approved storage garages designated.

Garages located in the Town may be designated from time to time by the Mayor and Council as approved storage garages, as pounds for the storage of such impounded vehicles.

§ 14-16. Bonding garages.

Every such approved garage or pound shall be bonded in the amount of three thousand dollars (\$3,000.00) for the indemnifying of the owner of every such impounded vehicle against the loss thereof or injury or damage thereto while in the custody of such poundkeeper.

§ 14-17. Towing and storage fees.

The towing charge to be collected by every such poundkeeper shall be as designated by the Mayor and Council from time to time in cooperation with such poundkeeper, and the fees for storage for the first day and each additional day shall be so designated by the Mayor and Council from time to time in cooperation with such poundkeeper.

§ 14-18. Notification.

Within twelve (12) hours from the time of removal of any vehicle under the authority granted by this Article, notice of the fact that such vehicle has been impounded shall be sent by the Chief of Police of the Town of Greensboro to the owner of record of such vehicle. Such notice shall designate the place from which such vehicle was removed, the reason for its removal and impounding and the pound in which it shall have been impounded.

§ 14-19. Payment of charges; protests.

A. The payment of any towing and impounding charges authorized by this Article shall, unless such payment shall have been made under protest, be final and conclusive and shall constitute a waiver of any right to recover the money so paid.

B. In the event that any towing and impounding charges so imposed shall be paid under protest, the offender shall be entitled to a hearing before a Magistrate or court of record having jurisdiction, in which case such defendant shall be proceeded against and shall receive such notice as is provided in the motor vehicle laws as provided by the Transportation Article of the Annotated Code of Maryland, 5-11-101 et seq.

§ 14-20. Records of vehicles removed and impounded.

The Chief of Police shall keep a record of all vehicles impounded and shall be able at all reasonable times to furnish the owners or the agents of the owners thereof with information as to the place of storage of such vehicles.

§ 14-21. Liability of owner or operator.

The payment of towing and storage charges authorized by this Article shall not operate to relieve the owner or operator of any vehicles from liability for any fine or penalty for violation of any law or ordinance on account of which such vehicle was removed and impounded.

§ 14-22. Restrictions on removal of vehicles.

No vehicle shall be removed under the authority of this Article if, at the time of intended removal thereof, the owner or person for the time being in charge of such vehicle is present and expresses a willingness and intention to remove such vehicle immediately.

(HISTORY: Adopted by the Town Council of the Town of Greensboro 7/6/1981 as Ch. VIII Art. II, of the 1981 Code. Amendments noted above where applicable.)

CHAPTER 15. HUNTING AND FIREARMS

- § 15-1. Definitions
- § 15-2. Hunting of game unlawful.
- § 15-3. Discharge of weapons.
- § 15-4. Exemptions.
- § 15-5. Seizure of weapons.
- § 15-6. Intent and purpose.
- § 15-7. Violations and penalties.

§ 15-1. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

GAME – Includes all wild birds and wild animals and all domesticated animals, whether protected or unprotected under the game laws of the State of Maryland, found in a wild state.

§ 15-2. Hunting of game unlawful.

It shall be unlawful for any person to hunt for, catch, take wound or kill game of any kind through the use of a pistol, revolver, bow and arrow, slingshot, shotgun, rifle, air rifle, air gun, pellet gun or firearm or weapon from which a shot or other object is discharged within the Town of Greensboro or on Town-owned property.

§ 15-3. Discharge of weapons.

It shall be unlawful to discharge a rifle, air rifle or air gun of any kind and description which impels with force a pellet of any kind or to discharge a bow and arrow, slingshot, shotgun, gun or any firearm or weapon from which a shot or other object is discharged within the Town of Greensboro or on Town-owned property.

§ 15-4. Exemptions.

The provisions of this Chapter shall not apply to:

- A. Properly authorized law enforcement officers acting in their line of duty or in training.
- B. The members of duly organized gun, rifle or archery clubs or their bona fide guests or of a military organization, upon the ranges of such clubs or organization, under the control and supervision of the duly constituted officers of such clubs or organizations.
- C. The patron of commercial ranges.

D. Those persons in possession of permits issued by the Town for hunting in certain areas within the Town of Greensboro.

§ 15-5. Seizure of weapons.

Authorized enforcing agents are hereby authorized to seize and retain any rifle, air rifle or air gun of any description or ammunition or pellets for the same or any bows and arrows, slingshots, shotguns, guns or any firearm or weapon from which a shot or other object is discharged which shall be used, discharged or possessed within the Town of Greensboro or on Town-owned property, in violation of this Chapter.

§ 15-6. Intent and purpose.

It is the intent and purpose of this Chapter that the killing of game or vermin of any kind through the use of a rifle, air rifle, air gun or bow and arrow, slingshot, shotgun, gun or any firearm or weapon from which a shot or other object is discharged shall be unlawful.

§ 15-7. Violations and penalties.

Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor.

(HISTORY: Adopted by the Town Council of the Town of Greensboro 7/6/1981 as Ch. II, Art. I, of the 1981 Code, amended by Ordinance No. 1995-O-12, adopted 9/28/1995)

CHAPTER 16. ETHICS, CODE OF

- § 16-1. Applicability.
- § 16-2. Ethics Council.
- § 16-3. Conflicts of interest.
- § 16-4. Financial disclosure – Local Elected Official and Candidates to be Local Elected Officials.
- § 16-5. Financial disclosure – Employees and Appointed Officials.
- § 16-6. Enforcement.
- § 16-7. Elected Officials prohibited from employment by the Town Letter from State Ethics Commission.

§ 16-1. Applicability.

The provisions of this Chapter apply to all Town elected officials, employees, and appointees to boards and commissions of the Town of Greensboro.

§ 16-2. Ethics Council.

A. There is a Town Ethics Council that consists of three members appointed by the Mayor and Town Council.

B. The Ethics Council shall:

1. Devise, receive, and maintain all forms required by this Chapter;
2. Develop procedures and policies for advisory opinion requests and provide published advisory opinions to persons subject to this Chapter regarding the applicability of the provisions of this Chapter to them;
3. Develop procedures and policies for the processing of complaints to make appropriate determinations regarding complaints filed by any person alleging violations of this Chapter; and
4. Conduct a public information program regarding the purposes and application of this Chapter.

C. The Town Attorney shall advise the Ethics Council.

D. The Ethics Council shall certify to the State Ethics Commission on or before October 1 of each year that the Town is in compliance with the requirements of State Government Article, Title 15, Subtitle 8, Annotated Code of Maryland, for elected local officials.

E. The Ethics Council shall determine if changes to this Chapter are required to be in compliance with the requirements of State Government Article, Title 15, Subtitle 8, Annotated Code of Maryland, and shall forward any recommended changes and amendments to the Town Council for enactment.

F. The Ethics Council may adopt other policies and procedures to assist in the implementation of the Council's programs established in this Chapter.

§ 16-3. Conflicts of interest.

A. In this section, "qualified relative" means a spouse, parent, child, or sibling.

B. All Town elected officials, officials appointed to Town boards and commissions subject to this Chapter, and employees are subject to this section;

C. Participation prohibitions. Except as permitted by an Ethics Council regulation or opinion, an official or employee may not participate in:

1. Except in the exercise of administrative or ministerial duty that does not affect the disposition of decision of the matter, any matter in which, to the knowledge of the official or employee, the office or employee, or a qualified relative of the official or employee has an interest.
2. Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision with respect to the matter, any matter in which any of the following is a party:
 - a. A business entity in which the official or employee has a direct financial interest of which the official or employee may reasonably be expected to know;
 - b. A business entity for which the official, employee, or a qualified relative of the official or employee is an officer, director, trustee, partner, or employee;
 - c. A business entity with which the official or employee or, to the knowledge of the official or employee, a qualified relative is negotiating employment or has any arrangement concerning prospective employment;
 - d. If the contract reasonably could be expected to result in a conflict between the private interests of the official or employee and the official duties of the official or employee, a business entity that is a

party to an existing contract with the official or employee, or which, to the knowledge of the official or employee, is a party to a contract with a qualified relative;

e. An entity, doing business with the Town, in which a direct financial interest is owned by another entity in which the official or employee has a direct financial interest, if the official or employee may be reasonably expected to know of both direct financial interests; or

f. A business entity that:

i. The official or employee knows is a creditor or obligee of the official or employee or a qualified relative of the official or employee with respect to a thing of economic value; and

ii. As a creditor or obligee, is in a position to directly and substantially affect the interest of the official or employee or a qualified relative of the official or employee.

3. A person who is disqualified from participating under paragraphs 1 and 2 of this subsection shall disclose the nature of circumstances of the conflict and may participate or act if:

a. The disqualification leaves a body with less than a quorum capable of acting;

b. The disqualified official or employee is required by law to act; or

c. The disqualified official or employee is the only person authorized to act.

4. The prohibitions of paragraphs 1 and 2 of this subsection do not apply if participation is allowed by regulation opinion of the Ethics Council.

D. Employment and financial interest restrictions.

1. Except as permitted by regulation of the Ethics Council when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official or employee may not:

a. Be employed by or have a financial interest in any entity:

i. Subject to the authority of the official or employee or the Town agency, board, commission with which the official or employee is affiliated; or

ii. That is negotiating or has entered a contract with the agency, board, or commission with which the official or employee is affiliated; or

b. Hold any other employment relationship that would impair the impartiality or independence of judgment of the official or employee.

2. The prohibition does not apply to:

a. An official or employee who is appointed to a regulatory or licensing authority pursuant to a statutory requirement that persons subject to the jurisdiction of the authority be represented in appointments to the authority;

b. Subject to other provisions of law, a member of a board or commission in regard to a financial interest or employment held at the time of appointment, provided the financial interest or employment is publicly disclosed to the appointing authority and Ethics Council;

c. An official or employee whose duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest, as permitted by and in accordance with regulations adopted by the Ethics Council; or

d. Employment or financial interests allowed by regulation of the Ethics Council if the employment does not create a conflict of interest or the appearance of a conflict of interest or the financial interest is disclosed.

E. Post-employment limitations and restrictions.

1. A former official or employee may not assist or represent any party other than the Town for compensation in a case, contract, or other specific matter involving the Town if that matter is one in which the former official or employee significantly participated as an official or employee.

2. Until the conclusion of the next regular session that begins after the elected official leaves office, a former member of the Town Council may not assist or represent another party for compensation in a matter that is the subject of legislative action.

F. Contingent compensation. Except in a judicial or quasi-judicial proceeding, an official or employee may not assist or represent a party for contingent compensation in any matter before or involving the Town.

G. Use of prestige in office.

1. An official or employee may not intentionally use the prestige of office or public position for the private gain of that official or employee or the private gain of another.
2. The subsection does not prohibit the performance of usual and customary constituent services by an elected local official without additional compensation.

H. Solicitation and acceptance of gifts.

1. An official or employee may not solicit any gift.
2. An official or employee may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist.
3. An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has the reason to know:
 - a. Is doing business with or seeking to do business with the Town office, agency, board, or commission with which the official or employee is affiliated;
 - b. Has financial interests that may be substantially and materially affected, in a matter distinguishable from the public generally, by the performance or nonperformance of the official duties of the official or employee;
 - c. Is engaged in an activity regulated or controlled by the official's or employee's governmental unit; or

- d. Is a lobbyist with respect to matters within the jurisdiction of the official or employee.
4. Paragraph 5 of this subsection does not apply to a gift:
- a. That would tend to impair the impartiality and the independence of judgement of the official or employee receiving the gift;
 - b. Of significant value that would give the appearance of impairing the impartiality and independence of judgment of the official or employee; or
 - c. Of significant value that the recipient official or employee believes or has reason to believe is designated to impair the impartiality and independence of judgement of the official or employee.
5. Notwithstanding paragraph 3. of this subsection, an official or employee may accept the following:
- a. Meals and beverages consumed in the presence of the donor or sponsoring entity;
 - b. Ceremonial gifts or awards that have insignificant monetary value;
 - c. Unsolicited gifts of nominal value that do not exceed \$20 in cost or trivial items of informational value;
 - d. Reasonable expenses for food, travel, lodging, and scheduled entertainment of the official or the employee at a meeting which is given in return for the participation of the official or employee in a panel or speaking engagement at the meeting;
 - e. Gifts of tickets or free admission extended to an elected local official to attend a charitable, cultural, or political event, if the purpose of this gift or admission is a courtesy or ceremony extended to the elected official's office;
 - f. A specific gift or class of gifts that the Ethics Council exempts from the operation of this subsection upon a finding, in writing, that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the Town and that the gift is purely personal and private in nature;

- g. Gifts from a person related to the official or employee by blood or marriage, or any other individual who is a member of the household of the official or employee; or
- h. Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is not related in any way to the official's or employee's official position.

I. Disclosure of confidential information. Other than in the discharge of official duties, an official or employee may not disclose or use confidential information, that the official or employee acquired by reason of the official's or employee's public position and that is not available to the public, for the economic benefit of the official or employee or that of another person.

J. Participation in procurement.

- 1. An individual or a person that employs an individual who assists a Town agency in the drafting of specifications, an invitation for bids or a request for proposals for a procurement may not submit a bid or proposal for that procurement or assist or represent another person, directly or indirectly, who is submitting a bid or proposal for the procurement.
- 2. The Ethics Council may establish exemptions from the requirements of this section for providing descriptive literature, sole source procurements, and written comments solicited by the procuring agency.

§ 16-4. Financial Disclosure – Local Elected Officials and Candidates to be Local Elected Officials.

This section applies to all local elected officials and candidates to be local elected officials.

A. Except as provided in subsection C. of this section, a local elected official or a candidate to be a local elected official shall file the financial disclosure statement required under this section:

- 1. On a form provided by the Ethics Council;
- 2. Under oath or affirmation; and
- 3. With the Ethics Council.

B. Deadlines for filing statements.

1. An incumbent local elected official shall file a financial disclosure statement annually no later than April 30th of each year for the preceding calendar year.
2. An individual who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within 30 days after appointment.
3. An individual who, other than by reason of death, leaves an office for which a statement is required shall file a statement within 60 days after leaving the office.
 - a. The statement shall cover:
 - i. The calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and
 - ii. The portion of the current calendar year during which the individual held the office.

C. Candidates to be local elected officials.

1. Except for an official who has filed a financial disclosure statement under another provision of this section for the reporting period, a candidate to be an elected local official shall file under a financial disclosure statement each year beginning with the year in which the certificate of candidacy is filed through the year of the election.
2. A candidate to be an elected local official shall file a statement required under this section:
 - a. In the year the certificate of candidacy is filed, no later than the filing of the certificate of candidacy;
 - b. In the year the certificate of the election, on or before the earlier of April 30th or the last day for the withdrawal of candidacy; and
 - c. In all other years for which a statement is required, on or before April 30th.

3. A candidate to be an elected official:
 - a. May file the statement required under § 16-4.C.2.a of this Chapter with the Town Manager or Board of Election Supervisors with the certificate of candidacy or with the Ethics Council prior to filing the certificate of candidacy; and
 - b. Shall file the statements required under § 16-4.C.2.b. and c. with the Ethics Council.
4. If a candidate fails to file a statement required by this section after written notice is provided by the Town Manager or Board of Election Supervisors at least 20 days before the last day for the withdrawal of candidacy, the candidate is deemed to have withdrawn the candidacy.
5. The Town Manager or Board of Election Supervisors may not accept any certificate of candidacy unless a statement has been filed in proper form.
6. Within 30 days of the receipt of a statement required under this section, the Town Manager or Board of Election Supervisors shall forward the statement to the Ethics Council or the office designated by the Ethics Council.

D. Public record.

1. Ethics Council or office designated by the Ethics Council shall maintain all financial disclosure statements filed under this section.
2. Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the Ethics Council.
3. If an individual examines or copies a financial disclosure statement, the Ethics Council or the office designated by the Ethics Council shall record:
 - a. The name and home address of the individual reviewing or copying the statement; and
 - b. The name of the person whose financial disclosure statement was examined or copied.
4. Upon request by the official or employee whose financial disclosure statement was examined or copied, the Ethics Council or the office

designated by the Ethics Council shall provide the official with a copy of the name and home address of the person who reviewed the official's financial disclosure statement.

E. Retention requirements. The Ethics Council or the office designated by the Ethics Council shall retain financial disclosure statements for four years from the date of receipt.

F. Contents of statement.

1. Interests in real property.

a. A statement filed under this section shall include a schedule of all interests in real property wherever located.

b. For each interest in real property, the schedule shall include:

i. The nature of the property and the location by street address, mailing address, or legal description of the property;

ii. The nature and extent of the interest held, including any conditions and encumbrances on the interest;

iii. The date when, the manner in which, and the identity of the person from whom the interest was acquired;

iv. The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;

v. If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and the identity of the person to whom the interest was transferred; and

vi. The identity of any other person with an interest in the property.

2. Interests in corporations and partnerships.

a. A statement filed under this section shall include a schedule of all interests in any corporation, partnership, limited liability partnership, or limited liability corporation, regardless of whether the corporation or partnership does business with the Town.

b. For each interested reported under this paragraph, the schedule shall include:

i. The name and address of the principal office of the corporation, partnership, limited liability partnership, or limited liability corporation;

ii. The nature and amount of the interest held, including any conditions and encumbrances on the interest;

iii. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred; and

iv. With respect to any interest acquired during the reporting period:

1) The date when, the manner in which, and the identity of the person from whom the interest was acquired; and

2) The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

3) An individual may satisfy the requirement to report the amount of the interest held under item b.ii of this paragraph by reporting, instead of a dollar amount:

a) For an equity interest in a corporation, the number of shares held and, unless the corporation's stock is publicly traded, the percentage of equity interest held; or

b) For an equity interest in a partnership, the percentage of equity interest held.

3. Interests in business entities doing business with the Town.

a. A statement filed under this section shall include a schedule of all interests in any business entity that does business with the Town, other than interests reported under paragraph 2 of this subsection.

- b. For each interest reported under this paragraph, the schedule shall include:
 - i. The name and address of the principal office of the business entity;
 - ii. The nature and amount of the interest held, including any conditions to and encumbrances in the interest;
 - iii. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred; and
 - iv. With respect to any interest acquired during the reporting period:
 - a) The date when, the manner in which, and the identity of the person from whom the interest was acquired; and
 - b) The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

4. Gifts.

- a. A statement filed under this section shall include a schedule of each gift in excess of \$20 in value or a series of gifts totaling \$100 or more received during the reporting period from or on behalf of, directly or indirectly, any one person who does business with or is regulated by the Town.
- b. For each gift reported, the schedule shall include:
 - i. A description of the nature and value of the gifts; and
 - ii. The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.

5. Employment with or interests in entities doing business with the Town.

- a. A statement filed under this section shall include a schedule of all offices, directorship, and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with the Town.
 - b. For each position reported under this paragraph, the schedule shall include:
 - i. The name and address of the principal office of the business entity;
 - ii. The title and nature of the office, directorship, or salaried employment held and the date it commenced; and
 - iii. The name of each Town agency with which the entity is involved.
6. Indebtedness to entities doing business with the Town.
- a. A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons doing business with the Town owed at any time during the reporting period:
 - i. By the individual; or
 - ii. By a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability.
 - b. For each liability reported under this paragraph, the schedule shall include:
 - i. The identity of the person to whom the liability was owed and the date the liability was incurred;
 - ii. The amount of the liability owed as of the end of the reporting period;
 - iii. The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and
 - iv. The security given, if any, for the liability.

7. A statement filed under this section shall include a schedule of the immediate family members of the individual employed by the Town in any capacity at any time during the reporting period.
8. Sources of earned income.
 - a. A statement filed under this section shall include a schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.
 - b. A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment of business entity of the minor child.
9. A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.

G. For the purposes of § 16-4.F.1., 2. and 3. of this Chapter, the following interests are considered to be the interests of the individual making the statement:

1. An interest held by a member of the individual's immediate family, if the interest was, at any time during the reporting period, directly or indirectly controlled by the individual.
2. An interest held by a business entity in which the individual held a 30% or greater interest at any time during the reporting period.
3. An interest held by a trust or an estate in which, at any time during the reporting period:
 - a. The individual held a reversionary interest or was a beneficiary; or
 - b. If a revocable trust, the individual was a settler.

H. The Ethics Council shall review the financial disclosure statements submitted under this section for compliance with the provisions of this section and shall notify an individual submitting the statement of any omissions or deficiencies.

I. The Town Ethics Council may take appropriate enforcement action to ensure compliance with this section.

§ 16-5. Financial Disclosure – Employees and Appointed Officials.

A. This section applies to all appointed Town officials and all employees who have decision-making and/or policy responsibilities or are involved in the commitment of municipal public funds.

B. A statement filed under this section shall be filed with the Ethics Council under oath or affirmation.

C. On or before April 30th of each year during which an official or employee holds office, an official or employee shall file a statement disclosing gifts received during the preceding calendar year from any person that contracts with or is regulated by the Town, including the name of the donor of the gift and the approximate retail value at the time of receipt.

D. An official or employee shall disclose employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the employee or official sufficiently in advance of the action to provide adequate disclosure to the public.

E. The Ethics Council shall maintain all disclosure statements filed under this section as public records available for public inspection and copying as provided in § 16-4.D. of this Chapter.

§ 16-6. Exemptions and Modifications.

A. The Ethics Council may grant exemptions and modifications to the provisions of §§ 16-3 and 16-5 of this Chapter to employees and to appointed members of Town Boards and Commissions, when the Ethics Council finds that an exemption or modification would not be contrary to the purposes of this Chapter, and the application of this Chapter would:

1. Constitute an unreasonable invasion of privacy; and
2. Significantly reduce the availability of qualified persons for public service.

§ 16-7. Enforcement.

A. The Ethics Council may:

1. Assess a late fee of \$2 per day up to a maximum of \$250 for a failure to timely file a financial disclosure statement required under §§ 16-4 or 5. Of this Chapter; and
 2. Issue a cease and desist order against any person found to be in violation of this Chapter.
- B. Upon a finding of a violation of any provisions of this Chapter, the Ethics Council may:
1. Issue an order of compliance directing the respondent to cease and desist from the violation;
 2. Issue a reprimand; or
 3. Recommend to the appropriate authority other appropriate discipline of the respondent, including censure or removal if that discipline is authorized by law.
- C. Upon request by the Ethics Council, the Town Attorney may file a petition for injunctive or other relief in the Circuit Court for Caroline County, or in any other court having proper venue for the purpose of requiring compliance with the provisions of this Chapter.
1. The court may:
 - a. Issue an order to cease and desist from the violation;
 - b. Except as provided in subparagraph b. of this paragraph, void an official action taken by an official or employee with a conflict of interest prohibited by this Chapter when the action arises from or concerns the subject matter of the conflict and if the legal action is brought within 90 days of the occurrence of the official action, if the court deems voiding the action to be in the best interest of the public; or
 - c. Impose a fine of up to \$5,000 for any violation of the provisions of this Chapter, with each day upon which the violation occurs constituting a separate offense.
- D. In addition to any other enforcement provisions of this Chapter, a person who the Ethics Council or a court finds has violated this Chapter:
1. Is subject to termination or other disciplinary action; and

2. May be suspended from receiving payment of salary or other compensation pending full compliance with the terms of an order of the Ethics Council or a court.

E. A Town official or employee found to have violated this Chapter is subject to disciplinary or other appropriate personnel action, including removal from office, disciplinary action, suspension of salary, or other sanction.

F. A finding of a violation of this Chapter by the Ethics Council is public information.

(HISTORY: Adopted by the Town Council of the Town of Greensboro 7-6-1981 as Ch. VI of the 1981 Code. Repealed and reenacted on 10/18/2012 by Ordinance No. 2012-O-10).

CHAPTER 17. VOTING, ABSENTEE

- § 17-1. Qualified persons.
- § 17-2. Applications for absentee ballots.
- § 17-3. Envelopes for absentee ballots.
- § 17-4. Online ballots sent by electronic transmission.
- § 17-5. Canvassing of ballots.

§ 17-1. Qualified Persons.

Every person who is a citizen of the United States; is at least eighteen years of age; has resided in the State of Maryland for at least thirty (30) days next preceding any Town election; has resided within the corporate limits of the Town for thirty (30) days next preceding any Town election and is registered in accordance with the provisions of the Town Charter, shall be a qualified voter of the Town. Every qualified voter of the Town shall be entitled to vote at any or all Town elections. Any qualified voter who may be absent or unable to vote for any reason on election day may vote as an absentee voter under this subtitle.

§ 17-2. Applications for Absentee Ballots.

A. Required; contents. A qualified voter desiring to vote at any election as an absentee voter shall make application in writing to the Supervisor of Elections for an absentee ballot, which application must be received not later than five (5) days before the election. The application shall contain an affidavit, which need not be under oath but which shall set forth the following information under penalty of perjury;

1. The voter's name and residence address, including the street and number, if any, or rural route, if any;
2. That the person is a qualified voter at the residence address given;
3. If the person voted at the preceding election, the resident address from which he voted; and
4. That the voter expects in good faith to be unable to vote in person for any of the reasons set out in this Article.

B. Application forms.

1. Applications for absentee ballots in accordance with the requirements of this section shall be provided by the Supervisor of Elections and shall be available to any qualified voter upon request.

2. The Town Board of Supervisor of Elections shall prescribe the forms of “Application for Absentee Ballot by Registered Voter,” and related affidavits and statements.

C. Determination of absentee voter’s application; delivery of ballots.

1. Rejection of application. Upon receipt of an application containing the affidavit, the supervisor, when rejecting the application, shall notify the applicant of the reason therefor if he determines upon the inquiry that the applicant is not legally qualified to vote at the election as an absentee voter.
2. Delivery of Ballot. If the applicant is a qualified voter as stated in his affidavit the supervisor shall, as soon as practicable thereafter, deliver to him, at the office of the supervisor, or mail to him at an address designated by him, an absentee voter’s ballot and envelopes therefor. The absentee ballot may also be delivered by electronic transmission to the qualified voter, with the envelope template describe in subsection (j) herein.

Postage for transmitting ballot material to the voter shall be paid by the supervisor, and postage for the return of ballots shall be paid by the voters. If the ballots are to be sent by mail, the determinations required in this section shall be made in such time as will allow for the sending and return of the ballots by regular mail, or airmail, depending on the mailing address and including at least one secular day for marking the ballots and completing the affidavit. All such investigations shall be concluded and any determination made as to all absentee ballot applications not later than five (5) days before election day.

3. Record of application received and ballots delivered.
 - a. The supervisor shall keep a record of applications for absentee voters’ ballots as they are received, showing the date and time received, the names and residences of the applicants, and such record shall be available for examination by any registered voter.
 - b. After approval of an application for an absentee ballot, the voter’s record card in the ward binder shall be removed and placed in a separate binder marker “Registered Absentee Voters” and retained in the office of the supervisor. A marker shall be placed in the registration of voter’s binder with voter’s name and recording the fact that an absentee ballot has been mailed, which shall show the

date on which the ballot was sent. No such voter shall vote or be allowed to vote in person at the polling place.

4. One ballot to an applicant. Not more than one absentee ballot shall be mailed to any one applicant unless the supervisor has reasonable grounds to believe that the absentee ballot previously mailed has been lost, destroyed, or spoiled.

D. Ballots for absentee voters.

1. Printing of ballots, envelopes and instructions. In sufficient time prior to any election the supervisor shall have an adequate number of absentee ballots, the envelopes described in this section, and the instructions to absentee voters as set out in this article.
2. Form of ballots. The ballots shall contain the words "Absentee Ballot" printed in large letters in clear space at the top of each paper ballot. Underneath these words shall be printed the following warning: "Mark ballot by placing X in proper blank after each candidate or question. Do not erase or make identifying mark."

E. Instruction to Voters.

The instructions for the casting of absentee ballots shall be prescribed by the Town Supervisor of Elections.

§ 17-3. Envelopes for absentee ballots.

An absentee ballot shall be enclosed in specially printed envelopes, the form and content of which shall be prescribed by the Board of Supervisors of Elections. The Board shall use three envelopes. The innermost envelope shall be designated the "ballot envelope," which shall fit inside the envelope designated the "oath envelope" on which has been printed an oath prescribed by the Board of Supervisors of Elections, both of which, when used, shall fit inside the envelope designated the "return envelope".

§ 17-4. Online ballots sent by electronic transmission.

If an absentee ballot is sent by the internet or facsimile transmission, the Board of Supervisors of Elections shall provide the voter with an envelope template, the oath prescribed by the Board of Supervisors of Elections, and instruction for marking and return the absentee ballot.

§ 17-5. Canvassing of ballots.

1. Opening or unfolding ballots. The Board of Supervisors of Elections shall not open or unfold any absentee ballot at any time prior to the closing of the polls and the beginning of the canvass of the absentee ballots.
2. Procedure generally. At any time after the closing of the polls and not later than the canvass of the votes cast at the regular voting places at any election, the Board of Supervisors of Elections shall proceed to count, certify and canvass the absentee ballots contained in the ballot envelopes, received by them prior to the closing of the polls on election day. No ballot shall be rejected by the board except by the Supervisor of Elections. All voter's applications, medical certificates, notarial affidavits, certifications, ballot envelopes and ballots shall be kept separate and apart from ballots cast at the regular voting places and retained for six (6) months after the date of election at which they were cast, unless prior to that time, the Supervisor of Elections shall be ordered by a court of competent jurisdiction, to keep the same for any longer period.
3. Voter dying before election day. Whenever the board shall determine from proof or investigation that any person who has marked and transmitted or deposited in person with the board an absentee ballot has died before election day, said board shall not count the ballot of the said deceased voter, but it shall be preserved by the board for six (6) months and may then be destroyed, unless prior to that time the board is ordered by a court of competent jurisdiction to keep the same for any longer period. If at or prior to the time of counting the canvassing the board shall not have determined that the absentee resident who marked a ballot had died before election day, said ballot shall be counted, and the fact that said absentee resident may later be shown to have been actually dead on election day shall not invalidate said ballot or said election.
4. More than one ballot received from same person. If the board receives from the same person prior to the closing of the polls on election day more than one absentee ballot, it shall count, certified and canvass only the absentee ballot contained in the ballot envelope on which the voter's oath was first executed, and if the oath on two or more of the ballot envelopes containing absentee ballots are dated the same or if both are undated, none of the ballots received from such person shall be counted.

(History: Ordinance No. 2018-O-7, adopted 9/6/2018)

CHAPTER 18. OFFICERS AND EMPLOYEES

ARTICLE I. TOWN MANAGER

- § 18-1. Position created.
- § 18-2. Powers and duties.
- § 18-3. Compensation.
- § 18-4. Performance of Clerk-Treasurer duties.

ARTICLE II. NEPOTISM POLICY

- § 18-5. Prohibition of nepotism in hiring.

ARTICLE I. TOWN MANAGER

§ 18-1. Position Created.

The Mayor shall be assisted in the management of the affairs of the Town by a Town Manager. The Council, by resolution, shall appoint an individual with a sincere interest in municipal government administration, who shall serve at the pleasure of the Mayor and Council.

§ 18-2. Powers and Duties.

The Town Manager shall have such duties as shall be assigned to him or her by the Council be resolution.

§ 18-3. Compensation.

The Town Manager shall be compensated for the performance of his or her duties in an amount to be fixed by the Town Council by resolution.

§ 18-4. Performance of Clerk-Treasurer Duties.

Whenever the position of Clerk-Treasurer shall be vacant, the Town Manager shall perform the duties assigned by the Town Charter to the Clerk-Treasurer, including signing, as Clerk-Treasurer, any documents required to be executed by the Clerk-Treasurer.

(History: Ordinance 2005-O-2, adopted 3/3/2005)

ARTICLE II. NEPOTISM POLICY

§ 18-5. Prohibition of nepotism in hiring.

A. Relatives of elected officials, department heads, and supervisory employees. Any person who is a relative of an elected official, department head, or supervisory employee shall not be appointed, hired, employed or permitted to work for the Town of Greensboro in any position.

B. Existing employees.

1. If an existing employee of the Town of Greensboro becomes subject to this policy as a result of the election of a relative, or because of changes in marital, domestic partner/co-habitant or relationship status one of the related persons must resign their position within 90 days.

2. It shall be the affirmative duty of a related elected official, department head, supervisory employee, or employee to immediately disclose any circumstances which may constitute a violation of this policy. Failure to do so will result in involuntary termination of employment.

C. Definition. As used in this section, the term “relative” shall mean a parent, spouse, child, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, first cousin, in-law or step-relative, domestic partner, co-habitant, or a person with whom a significant committed relationship exists.

(History: Ordinance No. 2001-O-12, adopted 8/18/2011)

CHAPTER 19. WATER AND SEWER

ARTICLE I Definitions and Word Usage

§ 19-1. Terms defined.

ARTICLE II Connection of Water and Sewer Services

§ 19-2. Connections to public service required

ARTICLE III Extension of Water and Sewer Services

§ 19-3. Permission required to make extensions

§ 19-4. Extension of water and sewer services to properties located within the Town

ARTICLE IV Water and Sewer Restrictions

§ 19-5. Water restrictions

§ 19-6. Prohibited sewer connections

ARTICLE V Water and Sewer Charges and Rates

§ 19-7. Water and sewer usage, and basic service charge(s)

§ 19-8. Water and sewer connection, and allocation charge(s)

§ 19-9. Retirement of capital improvement debts

§ 19-10. Rates for properties located outside of Town

§ 19-11. Operation and maintenance costs

§ 19-12. Payment of water and sewer charges

§ 19-13. Turn off of water supply to fire sprinkler systems

§ 19-14. Turn on/turn off fees

§ 19-15. Multiple billings

§ 19-16. Unoccupied buildings

§ 19-17. Estimated billing

§ 19-18. Partial billing period

§ 19-19. Abatement of sewer charges after water leak repair

§ 19-20. Restoration of service after turn off for nonpayment

ARTICLE VI Service Installation, Meters and Metering

§ 19-21. Meters and metering

§ 19-22. Meter installation

§ 19-23. Customer access

§ 19-24. Transported water

§ 19-25. Authority of the Town's representative

ARTICLE VII Maintenance of the Water and Sewer Systems

§ 19-26. Maintenance of systems and connections

ARTICLE VIII Use of Sewer System

- § 19-27. Certain water discharges restricted
- § 19-28. Discharge to storm sewers or natural outlets restricted
- § 19-29. Restricted water or waste discharges enumerated
- § 19-30. Discharges which are harmful to sewers or facilities
- § 19-31. Action by Town upon certain discharges
- § 19-32. Amalgam Management at Dental Offices
- § 19-33. Grease, oil and sand interceptors
- § 19-34. Preliminary treatment or flow equalizing facilities
- § 19-35. Control structures and observation facilities
- § 19-36. Measurements, tests, and analyses
- § 19-37. Special agreements or arrangements
- § 19-38. Damaging, destroying or tampering with works; penalties
- § 19-39. Powers and authority of inspectors

ARTICLE IX Use of Water Supply System

- § 19-40. Use of Town's water system
- § 19-41. Use of fire hydrants
- § 19-42. Approved water supply; plumbing fixtures and piping
- § 19-43. Potable water supply systems; cross-connections
- § 19-44. Unlawful discharge of water into the streets

ARTICLE X Supplemental Water and Sewer Regulations

- § 19-45. Adding or removing units in multi-unit structures
- § 19-46. Abandonment and expiration of service
- § 19-47. Change of use after service is connected.

ARTICLE XI Penalties

- § 19-48. Unpaid charges to become lien upon property
- § 19-49. Violation and penalties
- § 19-50. Liability for damages
- § 19-51. Executive regulations
- § 19-52. Public works agreements
- § 19-53. Miscellaneous

ARTICLE XII Bay Restoration Fund Fee Exemption Program

- § 19-54. Application Process
- § 19-55. Eligibility
- § 19-56. Period of Exemption
- § 19-57. Disqualification

Table 1 – Fees and Charges

Appendix 1 – Water Use Standards

ARTICLE I. DEFINITIONS AND WORD USAGE

§ 19-1. Terms defined.

A. Unless the context specifically indicates otherwise, the meanings of terms used in this Chapter shall be as follows:

ALLOCATION – A reservation of gallons in the Town’s water and sewer systems capacity to accommodate the proposed needs of the consumer. Non-residential allocations shall be calculated using “Design Guidelines for Wastewater Facilities” a publication by the Maryland Department of the Environment or a similar standard published by the Maryland Department of the Environment.

BACKFLOW – The flow of water or other liquids, mixtures or substances into distributing pipes of a potable supply of water from any source or sources other than its intended source.

BOD (denoting “biochemical oxygen demand”) – The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C expressed in milligrams per liter.

BUILDING – A structure built, erected and framed of component structural parts designed for the housing, shelter, or enclosure of persons or property of any kind.

CROSS-CONNECTION – Any connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other either water of unknown questionable safety or steam, gas or chemical, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

CURBLINE – A location which, in the Town’s judgment, is as near to the curb of the street as it is feasible to terminate its service connection and/or install Town-owned facilities.

DWELLING UNIT OR FAMILY UNIT – A building or part thereof arranged or designed to provide living and sanitary facilities for only one family.

DISCHARGE – The direct or indirect introduction of pollutants into the Town system from any source, by any means.

EQUIVALENT DWELLING UNIT (EDU) – The average daily flow of wastewater generated by a residential dwelling, which may not exceed 250 gallons. The number of EDUs required for commercial businesses shall be calculated in accordance with the Water Use Standards in Appendix 1.

GARBAGE – Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

INDUSTRIAL WASTE – The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

LATERAL – The line from the main to the curblin.

NATURAL OUTLET – Any outlet into a watercourse, pond, ditch, lake or other body or surface or ground water.

PERSON – Any individual, firm, company, association, partnership, society, corporation, governmental body or group.

pH – The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PLUMBING FIXTURES – The installed receptacles, devices or appliances which are supplied with water or which receive or discharge liquids or liquid-borne waste, with or without discharge into the drainage system with which they may be directly or indirectly connected.

POLLUTED WATER – Water in which there are microorganisms, chemical waste materials in a concentration which renders the water harmful or objectionable.

POTABLE WATER – Water in which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the health authority having jurisdiction.

PRIVATE – Of, belonging to or concerning a particular person and not open to or intended for the public.

PUBLIC SEWER – A sewer which is controlled by public authority.

PUBLIC WATER MAIN – Water supply pipe for public use controlled by the Town.

SANITARY SEWER - A sewer which carries sewage and to which storm-, surface and ground waters are not intentionally admitted.

SEWAGE or SEWERAGE or WASTES- A combination of the water-carried wastes from residences, business, buildings, institutions and industrial establishments, together with such ground-, surface and storm waters as may be unintentionally admitted.

SEWAGE TREATMENT PLANT - Any arrangement of devices and structures used for treating sewage.

SEWAGE TREATMENT WORKS - All facilities for collecting, pumping, treating and disposing of sewage.

SEWER - A pipe or conduit for carrying sewage.

SLUG - Any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the average twenty-four-hour concentration or flows during the normal operation.

STORM DRAIN or STORM SEWER - A sewer which carries storm- and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUSPENDED SOLIDS - Solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by laboratory filtering.

TOWN - The Mayor and Council of Greensboro, a municipal corporation of the State of Maryland, and/or its duly authorized officers or agents.

USER - A person who contributes or causes or permits the contribution of wastewater into the Town sewer and sewerage system.

WASTEWATER - Any combination of domestic and nondomestic water-carried wastes from dwellings, business buildings, institutions, and commercial and industrial establishments, together with groundwater, surface water, and stormwater that may be present, that discharges into the Town sewer and sewerage system.

WATER MAIN or MAIN – The principal pipes of a water supply system to which water services may be connected.

WATER SERVICE – The water-distributing pipes and necessary connecting pipes, fittings, control valves and all appurtenances in a building which convey water from the water service pipe to plumbing fixtures and other water outlets.

B. Word usage. "Shall" is mandatory "may" is permissive.

C. Abbreviations. In this Chapter, the following abbreviations are used as indicated.

(1) BOD - biochemical oxygen demand.

- (2) °C - degrees Celsius.
- (3) °F - degrees Fahrenheit.

ARTICLE II. CONNECTION OF WATER AND SEWER SERVICES

§ 19-2. Connection to public service required.

A. The Town shall maintain for each property abutting on a street or right-of-way in which a water main or wastewater main is laid, a water and/or wastewater service access connection. The access connection shall connect to the private service connection at the street or right-of-way limit and be maintained by the Town. The costs associated with the installation, maintenance, repair, or replacement of the access connection shall be paid to the Town by the owner of property. Bills for work related to the access connection shall be sent on completion of the work or with the normal invoice for service.

B. All improved parcels of real property within the Town, or within sewer and water service districts beyond Town corporate limits that are served by the Town, shall be supplied with water and drained of domestic wastewater by connection to Town water and sewer utilities.

C. Unless an exemption is granted by the Mayor and Council of Greensboro, all newly built structures used for human occupancy, employment, recreation or other purposes within the Town's corporate limits which properties abut a public way where water or sewer lines are available, shall be required to connect to that public water or sewer line if not already so connected as of that effective date.

D. All connections must be made to Town specifications, as amended from time to time. The Town may require plans, specifications, and any necessary information or engineering opinions in its discretion for the purpose of evaluating the permit application.

E. All costs and expenses incidental to the installation and connection of the building water and sewer service shall be borne by the owner. The owner shall indemnify and hold the Town harmless from any loss or damage that may directly or indirectly be caused by the installation of utility service. A licensed plumber shall be used for all installation of water and sewer lines and said lines shall be inspected by a Town's agent or representative before any coverage takes place.

ARTICLE III. EXTENSION OF WATER AND SEWER SERVICES

§ 19-3. Permission required to make extensions.

A. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public water main, water service, public sewer or sewer treatment works, or appurtenance thereof, without first obtaining a written permission from the Mayor and Council and/or their duly authorized agent.

B. In each case where the property owner is seeking water or sewer service for any residential, commercial or industrial service, the owner or his agents shall make application to the Town for a connection. When requested, the application shall be supplemented by plans, specifications or other information considered pertinent in the judgment of the Town.

C. When a property owner or private contractor has completed utility installations, all such installations must be inspected and approved by the Town's authorized representatives prior to any backfilling or covering of the fixtures, pipes, lines or other apparatus installed.

§ 19-4. Extension of water and sewer services to properties located within the Town.

Where no town water and sewer extension exists to a property located in Town, said services may be extended, provided that the property owner pays for all costs and expenses associated with the extension of such water and sewer service, including, but not limited to: construction costs, engineering costs, legal fees, and other professional costs. All such extensions to or from the Town's water and sewer system shall be constructed by the Town, or to the Town's specifications.

(History: Repealed and reenacted by Ordinance No. 2014-O-2 on 3/6/2014)

ARTICLE IV. WATER AND SEWER RESTRICTIONS

§ 19-5. Water restrictions.

A. All properties connected to the Town's water and sewer facilities shall comply with the provisions of this Chapter and the Maryland State Plumbing Code set forth in COMAR 09.20.01.01.

B. All water-using appliances, fixtures, toilets, faucets, hose hydrants, dishwashers, and the like shall be properly maintained at all times.

C. In case of water shortage or scarcity, the Mayor and Council may by resolution, place any restrictions upon the use of water for irrigation, car washing, sprinkling, or for any other purposes which such body deems necessary. In case of fire which requires a large use of water, the Mayor and Council of Greensboro may place a temporary emergency restriction on the use of water without the passing of a resolution.

§ 19-6. Prohibited Sewer Connections.

The following connections to the Town wastewater collection system are prohibited: storm drains, roof drains, roof gutters, yard drains, cellar drains, cellar pumps, swimming pool drains, and any other connection that may be restricted by law or as determined by the Mayor and Council of Greensboro from time to time.

ARTICLE V. WATER AND SEWER CHARGES AND RATES

§ 19-7. Water and sewer usage, and basic service charge(s).

A. The Town shall impose a basic service charge and a per gallon usage charge on each and every service connected to the municipal water or sewer system. When a structure containing multiple units is connected to the Town water or sewer system, each residential dwelling unit shall be considered a separate service regardless of the number of physical connections to the water or sewer main serving the structure.

B. The Town shall base the usage charges for properties served by meter(s) on the water flow indicated by the meter(s).

C. Mayor and Council of Greensboro shall, from time to time, establish basic service rates and a per gallon usage rates as set forth in Table 1.

§ 19-8. Water and sewer connection, and allocation charge(s).

A. The Town shall impose a water and sewer connection charge on each and every service connected to the municipal water or sewer system. When a structure containing multiple units is connected to the Town water or sewer system, each residential dwelling unit shall be considered a separate service regardless of the number of physical connections to the water or sewer main serving the structure. The Mayor and Council of Greensboro shall, from time to time, establish the connection charge as set forth in Table 1.

B. Non-residential uses shall be charged a sewer allocation charge for the number of EDUs prescribed for that use or the next closest use, in the discretion of the Town of Greensboro, as detailed in the Water Use Standards in Appendix 1 hereto.

C. Whenever an additional EDU is required for an existing property or a new lot is created, the Town shall impose a water and sewer allocation charge for each EDU. An applicant may pay the allocation charge to reserve an EDU in accordance with the procedures adopted by the Town. The Mayor and Council of Greensboro shall, from to time, establish the allocation charge as set forth in Table 1.

D. Connection and allocation fees shall be paid in full to the Town Clerk before construction begins and service connections are provided.

E. Where multiple non-residential uses in the same structure are served by a meter, the allocation charge for all units shall be the same as for the most intense use as defined in the most recent version of the “Design Standards for Wastewater Facilities” publication by the Maryland Department of the Environment, as adopted herein.

§ 19-9. Retirement of capital improvement debts.

The cost to retire debts for capital improvements to the water and sewer system(s) shall be included in the water and sewer basic service and usage charges.

§ 19-10. Rates for properties located outside of Town.

Other than properties which are located within the Goldsboro Sewer Service District, the rates and charges for water and sewer service for consumers living outside of Town limits may be charged a sum not less than two (2) times the minimum rate charged consumers within Town limits. In the event that the Mayor and Council establish a higher rate for out-of-town consumers, such rate shall not apply to those consumers and properties that are located within the Goldsboro Sewer Service District.

§ 19-11. Operation and maintenance costs.

Operation and maintenance costs for the water system shall be reviewed by the Town on an annual basis. The water and sewer basic service and usage charges shall be adequate to assure the Town will have sufficient funds to operate and maintain the water and sewerage system and shall provide sufficient funds to establish a reserve account for future replacement of capital equipment during the service life of the water system.

§ 19-12. Payment of water and sewer charges.

A. The Town may establish a billing period for water and sewer bills from time to time as deemed appropriate, but no less often than quarterly.

B. Unless otherwise stated, payment of a water and/or sewer bill is due in full on a quarterly basis.

C. When a combined bill for multiple services connected to a meter becomes past due, the bill for each included individual service shall be considered past due.

D. Water user charges shall be billed at the same time sewer charges are billed.

E. When a water and sewer bill is not paid within thirty (30) days after the due date, the Town shall post a conspicuous notice on the property, or send notice via first class U.S. mail to the last known address of the property owner and current occupant of the property, stating that the water bill is delinquent and that the water service may be turned off. The sewer service shall be considered turned off when the water service is turned off. Quarterly water and sewer bills will be sent by first class U.S. mail to the owner of the property. The property owner shall be responsible for paying all water and sewer charges within thirty (30) days. Disconnection of water service will occur seven (7) days after the bill for water and sewer services is due.

F. Bills paid after the due date shall be subject to a finance charge as set forth in Table 1 applied to the entire balance including accumulated interest and turn on/turn off fees. The Town reserves the right to use an average thirty (30) day period for the purpose of computing monthly interest. The interest on any unpaid balance begins to accrue as of the first day after due date.

G. Any unpaid water and sewer bill including finance charges and any service charge for turning the water on or off shall become a lien upon the real property which is serviced, and may be collected in the same manner as taxes are collected.

H. All residences subject to the Minimum Livability Code (COMAR 05.02.03) shall have running water and operable kitchen and bathroom fixtures consistent with those regulations.

§ 19-13. Turn off of water supply to fire sprinkler system.

A. Where a fire sprinkler system is connected to the same water meter as other metered uses in a building and the service is turned off for nonpayment, the water supply to the sprinkler system will also be turned off. The Town shall not be liable for losses resulting from failure of the sprinkler system to operate.

B. Water service to fire sprinkler systems may be interrupted from time to time for emergency repairs or scheduled maintenance of the water distribution system. The Town shall not be liable for losses resulting from failure of the sprinkler system to operate during such times.

§ 19-14. Turn on/turn off fees.

The charge for turning off any water service, as well as for turning on any water service after suspension in service, is set forth in Table 1.

§ 19-15. Multiple billings.

When a structure containing multiple units is connected to the Town water system, each residential dwelling unit shall be considered a separate service regardless of the number of physical connections to the water and sewer main serving the structure. When two or more structures

owned by the same party are connected to the Town system, the water and sewer bills for such structures may not be combined into a single bill.

§ 19-16. Unoccupied buildings.

For billing purposes, a building or building unit connected to the Town water system shall be considered occupied until such time as the property owner shall pay the specified water turn off fee as set forth in Table 1 herein, and notify the Town office to turn off the water service.

§ 19-17. Estimated billing.

Where the meter is unable to be read or fails to register the total amount of water used, the customer shall pay for such period an estimated amount based upon the average consumption in similar periods. The customer shall notify the Town at once of any damage to or of any cessation in registration of, the meter as soon as he is aware of it.

§ 19-18. Partial billing period.

The Town, from time to time, may establish rates for water service that is provided during any portion of a billing period. In no event shall the user charges be greater than the normal user charges for the entire period.

§ 19-19. Abatement of sewer charges after water leak repair.

A. The sewer portion only of the excess charges above the 3-month seasonal average for a specific property may be abated if all of the following conditions are met:

1. The higher than normal usage is the result of leaking water that is not being sent through the wastewater system.
2. The high usage is not the result of outside water usage such as, but not limited to, lawn and garden watering, car washing, power washing and the like.
3. The leak has been verified by the Public Works Director and/or documented by a plumber licensed to work in Caroline County.
4. The leak has been properly repaired by a plumber licensed to work in Caroline County with written documentation of the repair submitted to the Town billing clerk, or the repair has been inspected and approved by the Public Works Director.
5. The abatement period shall be for a period not exceeding 60 days or two billing periods.

6. The request for abatement must be in writing and received by the Town billing clerk within 45 days of the billing having the excessive usage, except where it can be verified that the resident has been away for an extended period.

B. The sewer portion only of the charges for metered water used to fill a residential swimming pool may be abated if all of the following conditions are met:

1. The billing clerk and the Public Works Director are notified at least 3 days in advance of the pool filling.
2. The volume of water used can be determined by pool dimensions or meter readings (an extra charge may apply for reading the meter).
3. The fill rate and time of fill are approved by a designee of the Town.

C. Abatements, if approved, will be applied as a credit to the customer's account during the next billing cycle. The Town will not issue cash refunds.

§ 19-20. Restoration of service after turn off for nonpayment.

Water and sewer service turned off for nonpayment of the water and/or sewer bill shall be restored only after the past due account balance plus the turn off and turn on charges set forth in Table 1 have been paid in full unless a payment plan has been approved in accordance with subsection C below.

A. A turned off water service shall not be restored unless the property owner or adult occupant is present.

B. A turned off water service will be restored within 24 hours after payment is made whenever possible except that payments will not be accepted or services restored on weekends or Town holidays. Water service will only be restored between the hours of 7:30 a.m. and 3:00 p.m.

C. When a service is turned off or scheduled to be turned off for nonpayment and the Town Clerk determines that an extenuating circumstance or hardship exists, the Town Clerk may approve a payment plan to assist the customer with paying the past due balance. Any payment plan approved shall result in a declining monthly account balance. Water and sewer service may be restored as long as the customer complies with the terms of the approved payment plan.

ARTICLE VI. SERVICE INSTALLATION, METERS AND METERING

§ 19-21. Meters and metering.

A. For the purpose of determining the amount of water used, a water meter shall be installed at a point determined by the Town.

B. Where a residential customer desires to avoid paying sewer usage charges on water used exclusively for lawn irrigation, filling a pool, or other dedicated outdoor uses that do not return water to the sewer system a second isolated service meter may be installed in conjunction with the metered residential service provided that the fees set forth in Table 1 are paid.

C. For the purpose of determining the amount of wastewater generated, the metered water consumption shall be used.

D. Meters will be maintained by the Town as far as ordinary wear and tear is concerned, but the customer shall be responsible to the Town for any damage or loss of, any meter or meter pit arising out of or caused by, the customer's negligence or carelessness, or any person upon his premises under or by his consent or sufferance.

E. No one other than an agent of the Town or someone otherwise lawfully authorized so to do, may remove, inspect or tamper with the Town's meter, or other property of the Town on the customer's premises.

F. The customer is responsible for the installation and maintenance of service lines from the point of service connection to his premise. The point of service connection for water is generally considered to be the outlet side of the meter. The point of service connection for sewer is the end of the service lateral where the lateral enters the customer's premise.

G. In case of a disputed account involving the accuracy of a meter, the readings from such meter shall be monitored by the Town and the Town, in its discretion, will decide if the meter has a defect. If a defect is suspected, the Town may adjust the bill and/or replace the meter.

H. Structures having more than one dwelling unit or multiple non-residential users shall have a separate meter for each unit. The number and location of the meters and the design of the water service system is subject to the approval of the Town. Rates and charges for service to properties served by the meters will be as set forth in Table 1.

I. All meters, meter boxes, and meter cutoff valves and such other appurtenances as are furnished by the Town, or turned over to the Town under the terms of a development public works agreement, shall remain its property. All piping and appurtenances upon the customer's

premises must comply with and be installed and maintained in accordance with the requirements of the Town of Greensboro Building Code and the Plumbing Code of the State of Maryland.

§ 19-22. Meter installation.

A. The Town shall furnish with each permit for each water connection upon the payment of the required fee to cover all cost for water connection including the cost of a meter hereinafter prescribed, a water meter of a size and a type deemed by the Engineer to be suitable for the installation contemplated. The water meter shall remain under the ownership of the Town and will be maintained by the Town. To defray the cost of the supervision of the installation and maintenance of the meter the Town's connection fee shall encompass this amount as set forth in Table 1.

B. The Town's designee shall determine the size and type of any water meter and the type of location of settings. Outside meter settings will be used except where obstructions or other considerations require that the meter be placed inside the building, in which case they will be set as the Town's designee shall require. When the water meter is set inside the building the property owner will be held responsible for the protection of the meter from injury due to freezing and/or tampering. Repair and replacement of a meter so damaged shall be at the expense of the property owner.

C. The outside meter housing or the curb box must be installed so that top is on the ground surface of the permanent grade and within the public right-of-way whenever possible. In order to accomplish this, one (1) of the following methods will be followed:

1. Where the curb and sidewalk do not exist, the property owner shall indicate the final grade of the ground surface at which an outside meter setting or curb box is to be placed and the structure will be set at the grade given when it is installed. The water house connection shall not be installed until such grade is given. If the grade or location of the meter setting or the curb box is changed due to a change in elevation of the ground from that original indicated, the property owner shall bear the expense of such change in grade or location.
2. Where curbs and sidewalks are present, the top of the meter housing shall be placed at the straight line grade between the back of the curb and the street edge of the sidewalk.

D. The Town reserves the right to limit the size on any water meter to be installed.

E. If due to a change in the use or due to the installation of additional fixtures the owner requests a larger water building connection, the existing connection shall be discontinued and abandoned at the expense of the owner. The Town's designee will verify the adequacy of

meter size and any necessary additional installation or connections shall be at the expense of the property owner. If the Town's designee finds that an existing water connection is too small to serve the number of fixtures connected to it, the owner shall be notified of the need to install a larger water connection and larger meter. Failure to follow the Town's order will be considered a violation in this Chapter, and may result in disconnection of service.

§ 19-23. Customer access.

No customer (or his properly authorized agent), unless specially authorized by the Town, so shall open or close any of the stop cocks or valves in any mains or services owned and maintained by the Town.

§ 19-24. Transported water.

With the exception for water used for firefighting, fire protection or other public services, all water transported in tanks or vehicles of more than one hundred gallon capacity shall be metered and billed according to a rate established by the Town Council as set forth in Table 1.

§ 19-25. Authority of the Town's representative.

The Town's duly authorized representative, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance and the laws of the State of Maryland.

ARTICLE VII. MAINTENANCE OF THE WATER AND SEWER SYSTEM

§ 19-26. Maintenance of systems and connections.

A. The Town will maintain all water and sewer services from the street main to the property line. The Town's responsibility for maintenance, repair, or replacement of any water or sewer fixture, connection or other apparatus shall be limited to those which are part of the public system or are located within the boundaries of a public way.

B. All pipes and appurtenances related to building water or sewer service on private property shall be maintained by, and at the expense of, the property owner. The Town, where it shall deem such action necessary, may perform maintenance or repair work on private property, in which case the cost, including overhead expenses, shall be paid by the property owner. Likewise, the cost of any work outside of the property line made necessary by the neglect or through action of a property owner or tenant may be charged to the property owner.

C. In the event of a complaint regarding a leak of water service, the Town will determine if the leak is in the public way, in which case the leak will be repaired by the Town. If

the Town determines that the leak is not in the public way and is not the Town's responsibility, the owner will be notified, and it shall be his responsibility to have the leak repaired at once by a master plumber at the owner's expense. If the property owner fails to make such repairs within five (5) days after written notification by the Town, the Town, in order to conserve water and protect the public health, will make such repairs as are necessary and will bill the owner for the costs of such work.

§ 19-27. Certain water discharges restricted.

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

§ 19-28. Discharge to storm sewers or natural outlets restricted.

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Town. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Town, to a storm sewer or natural outlet.

§ 19-29. Restricted water or waste discharges enumerated.

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

A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

B. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewer treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;

C. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewerage works.

D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage treatment works, such as by way of example, but not limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, manure, hair and fleshings, seafood waste, entrails and paper dishes, cups, milk containers, either whole or ground by garbage containers.

§ 19-30. Discharges which are harmful to sewers or facilities.

No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Town that such wastes can harm either the sewers, sewerage treatment plant, or process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public or private property or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Town will give consideration to such factors as the quantities of subject waste in relation to the flows and velocities in the sewers, materials of construction of the sewers, nature of the sewerage treatment process, capacity of the sewerage treatment plant, degree of treatability of wastes in the sewerage treatment plant and other pertinent factors. The substances prohibited are:

- A. Any liquid or vapor having a temperature higher than 150° F.
- B. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32° and 140° F. (0° and 60° C).
- C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of $\frac{3}{4}$ horsepower (0.76 metric) or greater shall be subject to review and approval by the Town.
- D. Any waters or wastes containing strong acid from pickling wastes or concentrated plating solutions, whether neutralized or not.
- E. Any waters or waters containing iron, chromium, copper, zinc and other similar objectionable or toxic substances or wastes exerting an excessive chlorine or other disinfectant requirement, to such degree that any material received in the composite sewerage at the sewerage treatment plant exceeds the limits established by the Town for such materials.
- F. Any waters or wastes containing phenols or other taste-or odor producing substances in such concentrations exceeding limits which may be established by the Town, as necessary, after treatment of the composite sewerage, to meet the requirements of the state, federal, or other public agencies having jurisdiction for such discharge into the receiving waters.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town in compliance with applicable state or federal regulations.
- H. Any water or wastes having a pH lower than 5.5 or higher than 9, or having any other corrosive property that may be hazardous to the Town system.
- I. Materials which exert or cause:

(i) Unusual concentration of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride, and sodium sulfate).

(ii) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(iii) Unusual BOD, chemical oxygen demand or chlorine or other disinfectant requirements in such quantities as to constitute a significant load on the sewerage treatment works.

(iv) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

J. Prescription medications or other pharmaceutical products.

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

§ 19-31. Action by Town upon certain discharges.

A. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in § 19-29 and/or § 19-30 of this Chapter, and which, in the judgment of the Town, may have a deleterious effect upon the sewage treatment works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this Chapter.

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

§ 19-32. Amalgam Management at Dental Offices.

All dental offices and dental clinics shall conform to best management practices in the handling and processing of material containing amalgam and prevent the discharge of untreated amalgam into the wastewater system.

§ 19-33. Grease, oil and sand interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Town, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes and/or other harmful ingredients, except that such interceptors shall not be required but are recommended for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town and shall be located as to be readily and easily accessible for cleaning and inspection.

§ 19-34. Preliminary treatment or flow equalizing facilities.

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

§ 19-35. Control structures and observation facilities.

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

§ 19-36. Measurements, tests, and analyses.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater, " published by the American Public Health Association, and shall be determined at the control structure provided or upon suitable samples taken at said control structure. In the event that no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage treatment works and to determine the existence of hazards to life, limb and property. (The particular analyses

involved will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended-solids analyses are obtained from twenty-four-hour composites of all outfalls, whereas pH's are determined from periodic grab samples.)

§ 19-37. Special agreements or arrangements.

No statement contained in this Chapter shall be constructed as preventing any special agreement or arrangement between the Town and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefor, by the industrial concern.

§ 19-38. Damaging, destroying or tampering with works; penalties.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage treatment works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct or for violation of any of the laws of the State of Maryland.

§ 19-39. Powers and authority of inspectors.

A. The Town and other duly authorized employees, or representative of the Town bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Section. While performing the necessary work on private properties referred to in this Section, the Town or its employees or representatives of the Town shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Town employees or representatives, and the Town shall indemnify the company against loss or damage to its property by Town employees or representatives and against liability claims and demands for personal injury or property damage asserted against the company and growing out of its gauging and sampling operation, except as may be caused by negligence or failure of the company to maintain safe conditions as required by this Chapter.

B. The Town and other duly authorized employees or representatives of the Town bearing proper credential and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage treatment works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX. USE OF WATER SUPPLY SYSTEM

§ 19-40. Use of Town's water system.

Water from the Town's system may be used for residential, business, industrial and public purposes. The Town reserves the right to impose at any time such restrictions on the use of water as, in its judgment, may appear necessary.

§ 19-41. Use of fire hydrants.

A. No person, other than an authorized employee of the Town or a member of a Fire Department acting under orders of his proper superior in the performance of his duties, may operate a public fire hydrant unless in possession of a permit from the Town to do so.

B. Public or private fire hydrants may not be used for flushing or for any other purpose except by special written permission of the Town, for the time and at the location specified. If such permission is granted, the water used shall be paid for by the user, who shall be charged for the water at the prevailing water rates.

§ 19-42. Approved water supply; plumbing fixtures and piping.

A. All buildings which are served with public water from the Town's system shall have approved water supply and plumbing fixtures and piping; where the same do not exist or are not of proper character, in the judgment of the Town, or are in a state of disrepair, they shall be provided, altered or repaired, as the case may be, in such manner as shall be required and within the time named, by notice served by the Town upon the property owner or occupant. No such building shall be hereafter erected in a location accessible to a public water main or sewer without being provided with adequate water supply and plumbing arrangements as required in this Ordinance.

B. The Town may at any time inspect existing plumbing systems and require such modifications as, in its judgment, may be necessary to put said plumbing in an approved, sanitary condition.

§ 19-43. Potable water supply systems; cross-connections.

A. Potable water supply systems shall be designed, installed and maintained in such manner as to prevent non-potable liquids, solids or gases from being introduced into the potable water supply through cross-connections or any other piping connections to the system.

B. Piping conveying potable water shall be constructed of nontoxic material and shall bear the National Sanitation Foundation ("NSF") certification. No chemicals or other substances

that could produce either toxic conditions, taste, odor or discoloration in a potable water system shall be introduced into or used in such systems. The interior surface of a potable water tank shall not be lined, painted or repaired with any material which will affect either the taste, odor, color or potability of the water supply when the tank is placed in or returned to service.

C. No physical connection or cross-connection shall be permitted between the public water supply and an industrial, fire or other auxiliary or emergency water supply source. This prohibition applies to all piping systems, whether inside or outside of any building or buildings.

D. Backflow or back-siphonage.

1. No plumbing fixture or device shall be installed which will provide a cross-connection between the Town's water supply and a drainage or sewerage system so as to permit or make possible the backflow of sewage or waste into the Town's water supply system; nor shall any such plumbing fixture or device be installed which will provide a possible cross-connection between the Town's water supply system and any well, spring, cistern, river or other private source of water supply. No water closet bowl shall be supplied directly from a domestic water supply system through a flush valve unless such valve is set above the water closet bowl in a manner so as to prevent any possibility of polluting the water supply and the valve is protected by an approved air-break or backflow preventer.

2. In order to prevent back-siphonage, all heating plants connected to the water system shall have a Town-approved check valve installed on the waterline supplying the plant, and the check valve shall be installed ahead of the plant's automatic water feeder or ahead of the boiler shutoff valve.

3. All humidifiers or similar devices having the water inlet below the overflow level shall be equipped with a Town-approved non-siphon ball cock.

4. Water which has been used for cooling or heating purposes shall not be reused for domestic purposes.

E. Soda, bar, laboratory, dental, medical, surgical and other appliances requiring either a waste or water supply connection are plumbing fixtures, and no such fixture may be connected to either a waste or water supply unless the said fixture is approved as free of any possibility of cross-connection or back-siphonage. Dental, surgical or other aspirators shall not be of the type operated by water pressure, unless equipped with a Town-approved vacuum-break device.

§ 19-44. Unlawful discharge of water into the streets.

A person may not empty, discharge, or cause or allow to be emptied or discharged from premises occupied by the person, directly or indirectly, to or on any of the public streets of the

Greensboro, a liquid other than rainwater flowing in its natural course. Notwithstanding anything to the contrary herein, car washing, and routine washing of sidewalks, buildings, patios, driveways or similar surfaces or structures shall be permitted.

ARTICLE X. SUPPLEMENTAL WATER AND SEWER REGULATIONS

§ 19-45. Adding or removing units in multi-unit structures.

A. When the total number of units or uses in a structure containing multiple units or users is reduced by combining units or downsizing the structure, any previously paid water and sewer connection and allocation fees shall not be refunded except as provided in Chapter. Basic water and sewer service charges will continue until the water meter(s) (where installed) for the corresponding down sized unit(s) are removed and the account paid in full.

B. When additional residential dwelling units or multiple non-residential users are added to an existing structure, such units shall not be connected to, or served by, the Town water and sewer system until the fees as set forth in Table 1 shall have been paid in full.

C. Failure to notify the Town when additional units or uses are added to a structure shall constitute a violation of this ordinance subject to the penalties set forth in this Chapter.

§ 19-46. Abandonment and expiration of service.

For the purpose of this section, a service shall be considered abandoned when no service, maintenance, or usage charges have been billed for five (5) years or the meter and service line have been removed. After abandonment and/or expiration of service, a property owner shall pay the applicable connection fees to have service resumed.

§ 19-47. Change of use after service is connected.

A. When an existing non-residential service or use is changed to a different service or use, the property owner shall pay an additional allocation charge, as applicable, for the additional anticipated usage in accordance with the Water Use Standards detailed in Appendix 1 and Table 1.

B. When an existing residential service or use is changed to a non-residential service or use resulting in an anticipated water usage in excess of two hundred fifty gallons per day (250 gpd) the property owner shall pay an additional allocation charge, as applicable, in accordance with the Water Use Standards detailed in Appendix 1 and Table 1.

C. No portion of previously paid allocation and connection fees shall be refunded if a use is downgraded to a use that uses less water.

ARTICLE XI. PENALTIES

§ 19-48. Unpaid charges to become lien upon property.

All rates, charges, fees and/or fines referred to in this Chapter shall constitute a lien on the real property served and shall be levied, collected, and enforced in the same manner as are Town real property taxes, and shall have the same priority rights, bear the same interest and penalties, constitute a lien on the real property so assessed, and be treated as Town real property taxes.

§ 19-49. Violation and penalties.

Any person found to be violating any provision of this Ordinance shall be a municipal infraction, the fine for which shall be \$200.00 for the first offense, and \$500.00 for each subsequent offense. Each day that a violation continues shall be considered a separate offense. In addition to said fine, the Town may request during the adjudication of an infraction that the owner(s) abate the violation, or in the alternative, permit the Town to abate the violation, and that all costs incident to the abatement shall be charged against the property owner, and shall constitute a lien on the property.

§ 19-50. Liability for damages.

Any person found violating any provision of this Chapter shall become liable to the Town of Greensboro for any expense, loss or damage occasioned by the Town by reason of such violation.

§ 19-51. Executive regulations.

The Mayor and Council may adopt such supplemental ordinances and regulations are permitted by State law necessary for the safe and efficient operation of its water and sewer system from time to time.

§ 19-52. Public Works Agreements.

The Mayor and Council shall have the right to require that any person or property owner that has requested its water and/or sewer services execute public works agreement and/or development rights and responsibilities agreement to address the conditions of extensions or services, including, but not limited to: financing, timing of work, scope of work, plans and specifications for infrastructure or facilities, warranties, allocations, performance and/or payment bonds or other security obligations, and such other terms and conditions that the Mayor and Council determine, in its discretion, are necessary or required for the use or extension of its facilities.

§ 19-53. Miscellaneous.

A. All ordinances or portions of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

B. It is hereby declared to be the intention of the Mayor and Council that the sections, paragraphs, sentences, clauses, and words of this Ordinance are severable, and if any word, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment of decree of any court of competent jurisdiction, that unconstitutionality or invalidity shall not affect any of the other remaining words, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Mayor and Council without the incorporation of in this Code of any unconstitutional or invalid word, clause, sentence, paragraph or section.

ARTICLE XII. BAY RESTORATION FUND FEE EXEMPTION PROGRAM

§ 19-54. Application Process.

All applications for an exemption shall be reviewed for sufficiency by the Town's designee.

§ 19-55. Eligibility.

To be eligible for the exemption, the applicant must be a citizen of Greensboro and must be the occupant of the dwelling listed on the application and the occupant responsible for the payment of the Bay Restoration Fund Fee. The applicant must also meet at least two (2) of the following criteria for exemption from the Bay Restoration Fund fee, and submit the required documentation:

A. Receipt of energy assistance within the last 12 months. Confirmation on official letterhead is required of the applicant.

B. Receipt of public assistance-supplemental Social Security Income (SSI) or food stamps within the last 12 months. Confirmation on official letterhead required of the applicant.

C. Receipt of Veteran's or Social Security disability benefits within the last 12 months. Confirmation on official letterhead required of the applicant.

D. Meet the income criteria, as prescribed by the Maryland Department of the Environment. The current year's tax return is required to be submitted by the applicant.

§ 19-56. Period of Exemption.

The exemption will be valid for 12 months from the date of approval for applicants who have owner occupied dwellings and 6 months for applicants who rent the dwelling. Before the expiration of the exemption, it will be the responsibility of the applicant to reapply and provide all required documentation upon reapplication.

§ 19-57. Disqualification.

Any citizen who, in the discretion of the Town, submits false information in support of an application for an exemption will be disqualified from re-applying for an exemption.

(History: Ordinance 2013-O-01, adopted 2/7/13)

**TABLE 1
Fees and Charges**

The following fees and charges are adopted for Town water and sewer services. These charges and fees may be supplemented or amended from time to time by the Mayor and Council of Greensboro:

Connection Fees:	
Residential Water Connection fee	\$1,500 per EDU
Residential Fire Sprinkler Connection fee (where the sprinkler system has an approved dedicated non-metered service connection)	Customer pays actual contractor cost.
Residential Isolated Water Connection fee (For a dedicated use, other than fire sprinkler system, that is not connected to the Town sewer system such as an in-ground irrigation system or pool.)	\$300 per meter if installed at the same time as the household metered service with the meter in the same meter pit. (If installed <u>after</u> household metered service, customer pays actual contractor cost plus the cost of the meter and meter pit.)
Residential Sewer Connection fee	\$1,500 per EDU
Non-Residential Water connection fee	The greater of \$1,500 per unit/user or the actual installation costs where the water service line or meter is larger than one (1) inch in diameter
Non-Residential Sewer connection fee	The greater of \$1,500 per unit/user or the actual installation costs where the sewer service line is larger than four (4) inches in diameter

Non-Residential Fire Sprinkler Connection fee (where the sprinkler system has an approved dedicated non-metered service connection)	Customer pays actual cost depending on the size of the service required.
Allocation Fees:	
Residential Water Allocation fee	\$1,500 per EDU
Residential Fire Sprinkler Allocation fee (In addition to the regular residential allocation fee)	\$100 per dwelling unit
Residential Isolated Water Allocation fee (For a dedicated use, other than fire sprinkler system, that is not connected to the Town sewer system such as an in-ground irrigation system or pool.)	\$450 per service (based on 10% expected increase)
Residential Sewer Allocation fee	\$9,525 per EDU
Non-Residential Water Allocation fee	The greater of \$1,500 or \$1,500 per Equivalent Dwelling Unit as determined by the Water Use Standards (Appendix 1) divided by 250 gpd
Non-Residential Sewer Allocation fee	The greater of \$9,525 or \$9,525 per Equivalent Dwelling Unit as determined by the Water Use Standards (Appendix 1) divided by 250 gpd
Quarterly Fees:	
Water Service Fee	\$65.12 per metered connection, or per residential dwelling unit
Sewer Service Fee	\$76.43 per metered connection, or per residential dwelling unit
Water Usage Rate	\$ 3.85 (per thousand gallons)
Sewer Usage Rate	\$ 5.77(per thousand gallons)
Bay Restoration Fund	Billed per State of Md.
Out of Town Fees:	
Water Service Fee	\$130.26 per metered connection, or per residential dwelling unit
Sewer Service Fee	\$152.87 per metered connection, or per residential dwelling unit
Water Usage Rate	\$7.71 (per thousand gallons)
Sewer Usage Rate	\$11.56 (per thousand gallons)
Bay Restoration Fund	Billed per State of Md.

Other Fees and Charges:	
Farm Tank Fill Up	10.00 per thousand gallons
Late Payment Finance Charge Rate	2% per month 24% per annum
Returned Check fee	\$25.00
Turn On - Turn Off Fee	\$35.00
Close Account and Final Meter Reading	\$25.00
New Account Setup & Startup Meter Reading	\$25.00
Visible Leak Inspection (outside building)	No Charge
Meter Read Confirmation or Low Flow check	\$35.00 (no charge if defect found)
Meter Recalibration or Replacement	\$70.00 change out fee plus calibration cost. (no charge if meter calibration defect is found)
Off-Cycle Meter Read	\$25.00
Damaged meter or meter pit	Actual cost to repair/replace
Locate covered meter with metal detector	\$35.00

The connection fees set forth in **Table 1** do not cover the expense associated with water and/or sewer extensions or actual charges associated with bringing water or sewer services to town properties located in town where no existing service exists. Where no town water or sewer extensions exist to a property, said services may be extended provided that the property owner pays for all costs associated with the extension of water or sewerage service, including, but not limited to, construction costs, engineering costs, legal fees and other professional costs. All such extensions to or from the Town's water or sewer system shall be constructed by the Town or to the Town's specifications.

APPENDIX 1

1. Water Use Standards

For calculation of water and sewer capital allocation charges for non-residential properties. These standards may be supplemented or amended from time to time by the Mayor and Council of Greensboro.

DESCRIPTION OF FACILITY	Standard
Adult Day Care	25 gpd/person
Assisted Living	75 gpd/person
Camps Day Camps (No Meals Served)	15 gpd/person

Camps Day Camps (Meals Served)	25 gpd/person
Children Day Care	15 gpd/person
Church	4 gpd/pew
Commercial Auto Dealership	0.078 gpd/sq. ft.
Commercial Bakery	0.15 gpd/sq. ft.
Commercial Banks	0.04 gpd/sq. ft.
Commercial Barber Shops	0.2 gpd/sq. ft.
Commercial Beauty Salons	0.35 gpd/sq. ft.
Commercial Carry Out (no seating)	0.2 gpd/sq. ft.
Commercial Car Wash w/o wastewater recirculation equipment	4.90 gpd/sq.ft
Commercial Dry Goods Stores	0.05 gpd/sq. ft.
Commercial Laundromats	3.68 gpd/sq. ft.
Commercial Shopping Center	0.18 gpd/sq. ft.
Commercial Office Buildings	0.09 gpd/sq. ft.
Commercial Service Station	0.18 gpd/sq. ft.
Commercial Supermarkets	0.2 gpd/sq. ft.
Commercial Warehouses	0.03 gpd/sq. ft.
Commercial Retail Stores	0.05 gpd/sq. ft.
Country Club Baths	300 gpd/bath
Country Club Lavatories	100 gpd/lavatory
Country Club Showers	500 gpd/shower
Country Club Toilets	150 gpd/toilet
Country Club Urinals	100 gpd/urinal
Fire House (per person/per shift)	60 gpd/person/shift
Funeral Homes	500 gpd
Hospitals (per bed space)	350 gpd/bed
Hotels/Motels	60 gpd/room
Irrigation Systems	1000 gpd/acre
Library	0.10 gpd/sq. ft.
Marinas (per slip)	25 gpd/slip
Medical Office Buildings	0.62 gpd/sq. ft.
Nursery School	4 gpd/child
Nursing Homes	125 gpd/bed
Public Parks Faucet	15 gpd/faucet
Public Parks Flush Toilets	35 gpd/toilet
Public Parks Showers	100 gpd/shower
Public Parks Urinals	10 gpd/urinal
Restaurants, Conventional (per seat)	25 gpd/seat
Schools, without gyms, cafeterias or showers	15 gpd/student
Schools, with gyms, cafeterias and showers	25 gpd/student
Schools, with cafeterias, without gyms or	20 gpd/student

showers	
Swimming pools	10 gpd/per person
Theater-Arena (per seat, no food)	5 gpd/seat
Theater-Dinner (per seat)	25 gpd/seat
Theaters-Movie (add for food service)	1 gpd/seat

(HISTORY: Ordinance No. 2014-O-2 adopted on 3/6/2014.)

CHAPTER 20. SOLID WASTE

ARTICLE I Refuse Disposal Charges

§ 20-1. Fee imposed.

§ 20-2. Single-family properties.

§ 20-3. Multifamily properties.

§ 20-4. Manner of collection; unpaid fee to constitute lien.

§ 20-5. Annual Fee.

ARTICLE I. REFUSE DISPOSAL CHARGES

§ 20-1. Fee Imposed.

Effective January 1, 1992, the Town of Greensboro shall impose, upon all properties from which refuse is collected by the Town for disposal, an annual fee, in the amount set forth below, to offset the costs of collecting and disposing of refuse.

§ 20-2. Single-family properties.

A quarterly refuse disposal fee shall be imposed against each property in the Town of Greensboro improved by a single-family dwelling, including each unit of a duplex, in an amount established by resolution of the Town Council.

(History: Ordinance No. 2005-O-5, adopted on 6/30/2005)

§ 20-3. Multifamily properties.

A. An annual refuse disposal fee is imposed against each property in the Town of Greensboro improved for such housing projects. The annual fee shall be calculated according to the number of dwelling units located upon the property. The term "multifamily housing" includes, but is not limited to residential condominiums, apartment complexes and duplexes. The annual fee per dwelling unit shall be established by a resolution of the Town Council. The owner of all multifamily housing complexes in which the number of residential units exceed four (4) shall provide dumpsters for the disposal of refuse by the occupants, the number of such dumpsters to be determined by the Public Works Director.

B. In any case in which the owner of a multifamily complex who is required to provide dumpsters fails to do so, the Town may do so and may bill the cost of providing dumpsters as a part of the refuse disposal fee.

§ 20-4. Manner of collection; unpaid fee to constitute lien.

The refuse disposal fee shall be billed to the owner of each parcel of real property within the Town as to which the fee is applicable on a quarterly basis. The refuse disposal fee shall be due and payable thirty (30) days after the date of mailing of the statement to the owner of the property. An unpaid, overdue refuse disposal fee shall bear interest at the rate of one and one-half percent (1½%) per month until paid. An unpaid refuse disposal fee shall constitute a personal obligation of a property owner and shall be a lien against all real and personal property of the owner located within the Town.

§ 20-5. Annual fee.

The annual fee to be charged for collection and disposal of refuse shall be set in accordance with a schedule of fees for different users adopted, from time to time, by resolution of the Town Council.

(HISTORY: Adopted by the Town Council of the Town of Greensboro Ordinance No. 1991-O-9 on 10/24/1991, amended as noted above)

CHAPTER 21. PARKS AND RECREATION COMMISSION BYLAWS

- § 21-1. Purpose.
- § 21-2. Membership.
- § 21-3. Officers; organization; records.
- § 21-4. Park operation.
- § 21-5. Meetings.
- § 21-6. Duties of Commission.
- § 21-7. Amendments.

§ 21-1. Purpose.

The purpose of this Commission is:

- A. To advise, make recommendations to and communicate with the Recreation Chairperson and/or municipal officials on recreation and park matters. To plan, coordinate and operate events for the public. Citizens should be encouraged to help to develop a sense of community within the Town.
- B. To seek the developments of a broad variety of programs, facilities and services to meet the total needs of the Town, utilizing the total commitment of the community.
- C. To inform and educate the public about the importance of and need for recreational programs, facilities and services.
- D. To strive to involve the citizens of Greensboro in the planning and development of the recreational parks and identify local needs and program.
- E. To establish and maintain an effective public relations program utilizing all appropriate communications media.
- F. To prepare a budget request by Feb 1st each year to be considered for inclusion in the annual budget for the Town.
- G. To provide a close liaison and coordination with other agencies to ensure total cooperative community effort, thus providing the most effective and economical services possible.
- H. To evaluate the Commission programs, facilities, services and relationships periodically to assure that its goals and objectives are being achieved.
- I. To report such evaluations and findings to the Council of Greensboro on a scheduled basis.

§ 21-2. Membership.

A. The Commission shall consist of five (5) members. The Parks Board shall make a recommendation to the Town Council for all proposed members after interviews are conducted. Interviews will be conducted by the Chair of the Parks and Recreation Commission, the Vice Chair of the Parks and Recreation Commission and the Town Manager. The members of the Parks and Recreation Commission shall include citizens of Greensboro, persons who reside in the Second Election Voting District and can include up to two (2) individuals who reside outside of Greensboro, who shall be interested in active and spectator sports and also be interested in recreational activities such as playgrounds, picnic areas, tennis courts, swimming pools, horse shows, folk dancing, youth sports, or recreational activities and other similar community and recreational park usages.

B. Parks and Recreation Commission members shall serve a five (5) year term. Terms will be rotated to avoid having the loss of all members at once.

(History: Ordinance No. 2016-O-4 on 10/15/2015)

§ 21-3. Officers; organization; records.

A. At the annual meeting, the members of the Recreation Commission shall elect from its membership a Chairperson, Vice Chairperson and Secretary.

B. The Chairperson shall preside at, meetings of the Commission, appoint committees and perform all duties generally pertaining to the office of Chairperson.

C. The Vice Chairperson shall perform these duties in the absence of the Chairperson.

D. The Secretary shall keep a record of the meetings of the Commission, record all official actions, have custody of books and records, give notice to the members of meetings and perform other duties as may be assigned by the Commission.

E. The Town Treasurer shall maintain an account for all money received from spectator sports or other income from the operation of the facility, and such account shall be used for purchasing sports equipment and to help defray park maintenance costs.

F. The Parks and Recreation Commission shall have no spending authority. All purchases must be preapproved through a purchase order approved by the Town Manager or his/her designee.

§ 21-4. Park Operation.

A. The Commission shall make recommendations for rules and regulations for town owned parks. Any deviation in these rules and regulations shall require approval by the Town Council prior to implementation.

§ 21-5. Meetings.

A. The annual meetings shall be held in April of each year. Officers elected at the annual meeting shall take office in the following month.

B. All meetings of the board are subject to the Open Meetings Act and shall be conducted accordingly.

C. Special meetings may be called by the Chairperson or a majority of the members at any time deemed necessary or desirable.

D. The absence for three (3) consecutive meetings of any member of the Commission without prior notice or acceptable excuse shall create a vacancy on the Commission.

E. A majority of the Commission shall at all times constitute a quorum.

§ 21-6. Duties of Commission.

A. The Commission is responsible for devising and making recommendations to the Town Council on all recreational matters.

B. The Commission shall operate under the adopted bylaws as approved by the Council.

C. The Commission shall prepare and recommend for approval regulations for proper conduct of public recreation facilities for the Town of Greensboro.

D. The Commission shall have one member of the Commission attend the 1st Town Council meeting each month to give a report on all activities of the Commission during the previous month and to present recommendations as needed. An annual report will be given each April detailing the activities of the Parks and Recreation Commission over the past year and proposed projects, events, and activities for the upcoming year.

§ 21-7. Amendments.

A. A proposed amendment by the Parks and Recreation Commission to these bylaws must be submitted in writing at a regular scheduled meeting. They cannot be voted on until the next regular scheduled meeting or subsequent meeting. After a majority vote of approval by the commission a recommendation shall be given to the Town Council for review and approval prior to implementation.

B. An amendment cannot be effective until reviewed and approved by the Council of Greensboro.

(HISTORY: Adopted by the Parks and Recreation Commission of the Town of Greensboro 3/7/1985; amended by Ordinance 2014-O-3, adopted 4/3/2014. Amendments noted where applicable.)

LAND DEVELOPMENT ORDINANCE

Editor's Note. The Town of Greensboro Land Development Ordinance, and all amendments thereto, are incorporated into this volume by reference as if fully set forth herein. A copy is on file in the Town Office.