

City of Annapolis

*160 Duke Of Gloucester Street
Annapolis, MD 21401*



Standing Committee Minutes

Thursday, July 14, 2016

3:00 PM

Joint Meeting

**Mayor John T. Chambers Jr.,
City Council Chambers**

Economic Matters Committee

1. Call To Order

Chairman Paone called the meeting to order at 3:03. p.m.

Roll Call

Present: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

2. Legislation before Committee

[O-08-16](#) Title 7 - Business Licenses, Taxes and Regulations - For the purpose of amending Chapter 7.40 to provide for the regulation of peddlers, hawkers, and itinerant merchants within the City.

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Attachments: [O-8-16 Peddlers Hawkers Itinerant Merchants.docx](#)

[O-8-16 Summary of Peddlers Hawkers Itinerant Merchants Legislation.docx](#)

[O-8-16 Staff Report.doc](#)

[O-8-16 Map.pdf](#)

[O-8-16 Recreation Advisory Bd Recommendation.docx](#)

[O-8-16 MAB Recommendation.pdf](#)

[O-8-16 Fiscal Impact.pdf](#)

[O-8-16 Memo from PZ to Planning Commission.pdf](#)

[O-8-16 PC Findings.pdf](#)

[Potential Areas to Amend O-8-16 v2.docx](#)

[O-8-16 Economic Matters and Rules and City Government Proposed Amendments \(1\).docx](#)

[O-8-16 Revised Budge Proposed Amendments.docx](#)

[O-8-16 SIGNED.pdf](#)

Assistant Director Brown was present and answered questions from the committee. Economic Development Manager Minor and Planning & Zoning Director Gutwald were also present and answered questions from the committee.

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 1 as follows: Page 3, Lines 22-23: Strike "NEIGHBORHOOD AND ENVIRONMENTAL PROGRAMS" and replace with: PLANNING AND ZONING." Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 2 as follows: Page 5, Lines 24-25: Strike "PROVIDED THE PERSON IS SELF-EMPLOYED" Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 3 as follows: Page 5, Line 41 through Page 6, Line 2: Strike entire Paragraph 10 and renumber following paragraphs. Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 4 as follows: Page 7, Line 33: Insert after "PROPERTY,": "OR LESSEE IF AUTHORIZED BY THE OWNER" Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 5 as follows: Page 9, Line 5: After "LICENSE." insert "COMPLETED APPLICATIONS SHALL BE ACTED UPON IN 45 DAYS." Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend Amendment # 5 as amended. Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 6 as follows: Page 9, Line 29: Insert "RIGHT" after "PROPERTY" Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 7 as follows: Page 9, Line 36: Replace "SHALL" with "MAY" Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 8 as follows: Page 10,

Lines 15-17: Delete entire Paragraph 5 and renumber subsequent paragraphs. Seconded. CARRIED on voice vote.

Aye: 2 - Alderman Budge and Alderwoman Finlayson

Nay: 1 - Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 9 as follows: Page 11, Lines 12-13: Strike all language following "APPROVED" through "City Council" Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 10 as follows: Page 12, Line 2: Replace the word "FIVE" with "THREE" Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 11 as follows: Page 12, Line 33: Insert new paragraph: "D. A PEDDLER, HAWKER, OR ITINERANT MERCHANT WHO IS OPERATING AT A SPECIAL EVENT MEETS THE REQUIREMENTS OF THIS SECTION IF THE EVENT ORGANIZER PROVIDES REFUSE AND RECYCLING RECEPTACLES AS REQUIRED IN CHAPTER 14.18. Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 12 as follows: Page 13, Line 17: Strike "DOOR-TO-DOOR" Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 13 as follows: Page 13, Line 23: Insert new paragraph and renumber existing Paragraph D and following paragraphs:

"D. AS PART OF A SPECIAL EVENT WITHIN THE WATERFRONT MARITIME EASTPORT (WME) AND WATERFRONT MIXED MARITIME (WMM) ZONING DISTRICTS." Seconded. CARRIED on voice vote.

Page 14, Line 1: Insert after (C) : "OR (D)" Seconded. CARRIED on voice vote. . Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 14 as follows: Page 13, Line 26: Strike existing Paragraph E, renumber following paragraphs. Page 14, Line 1: Strike "OR (E)" Seconded. CARRIED on voice vote.

Aye: 2 - Alderman Budge and Alderwoman Finlayson

Out of Room: 1 - Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 15 as follows: Page 13, Lines 32-33: Strike: "AND NOT WITHIN 100 FEET OF A STANDARD RESTAURANT OR RESIDENTIAL ZONING DISTRICT" and replace it with:

"SUBJECT TO THE FOLLOWING LIMITATIONS:

- a. NOT WITHIN 100 FEET OF A STANDARD RESTAURANT WITHOUT WRITTEN PERMISSION OF AN AUTHORIZED REPRESENTATIVE OF SAID RESTAURANT;**
- b. NOT WITHIN 100 FEET OF A RESIDENTIAL ZONING DISTRICT EXCEPT IN WARD 8; Seconded. CARRIED on voice vote.**

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend Amendment # 15 as amended. Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 16 as follows: Page 13, Lines 40-42: Rearrange paragraph 5 as follows: Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 17 as follows: Page 14, Lines 36-37: Strike all of paragraph 7

Page 14, Line 40: Insert new paragraph: "C. HAWKER, PEDDLER, AND ITINERANT MERCHANT SALES AS TEMPORARY USES PURSUANT TO CHAPTER 7.40 OF THE CITY CODE."

As amended:

Chapter 21.64 – STANDARDS FOR USES SUBJECT TO STANDARDS

Section 21.64.600 – Temporary uses.

The following temporary uses are permitted in the zoning districts indicated:

A. All Zoning Districts.

1. Storage or building materials and equipment, and temporary buildings for construction purposes, for a period not to exceed the duration of the building permit. No yards are required provided that there shall not be undue interference with the use and enjoyment of neighboring property.
2. Use of governmental property, including the erection of a tent or other temporary structure, for a carnival, circus or other activity.
3. Use of non-governmental property for up to five days by a nonprofit, educational, cultural, or civic organization for a carnival, street fair, circus or similar activity including the erection of a tent or other temporary structure. The operator must obtain all permits required by law.
4. Model homes and real estate tract offices for rental or sale of buildings in a project. A real estate office shall be removed upon the initial sales of all units in a project.
5. Yard sales and garage sales, up to ten SIX days in a calendar year.
6. Use of a trailer as a temporary office or shelter incidental to construction on or development of the premises on which the trailer is located during the time construction or development is actively underway.
7. HAWKER, PEDDLER, AND ITINERANT MERCHANT SALES PURSUANT TO CHAPTER 7.40 OF THE CITY CODE.

B. Waterfront Maritime Districts. Temporary festivals in conjunction with maritime uses up to thirty days duration.

C. HAWKER, PEDDLER, AND ITINERANT MERCHANT SALES AS TEMPORARY USES PURSUANT TO CHAPTER 7.40 OF THE CITY CODE. Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend favorably the Economic Matters and Rules and City Government Committee's Amendment # 18 as follows: Page 15, Line 2: Insert "45 DAYS" after "effect" Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

Indexes: Economic Matters Committee; Rules and City Government Committee; Planning Commission; Maritime Advisory Board; Recreation Advisory Board

Alderwoman Finlayson moved to recommend Amendment # 18 as amended. Seconded. CARRIED on voice vote.

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

R-02-16

Peddlers, Hawkers, and Itinerant Merchants Fees and Fines - For the purpose of setting fees and fines associated with engaging in the business of a peddler, hawker, and itinerant merchant as set forth in Chapter 7.40 of the City Code.

Indexes: Economic Matters Committee; Rules and City Government Committee; Finance Committee

Attachments: [R-2-16 Peddlers Hawkers Itinerant Merchants Fees and Fines.docx](#)
[Summary of Peddlers Hawkers Legislation.docx](#)
[R-2-16 Staff Report.doc](#)
[R-2-16 Fiscal Impact.pdf](#)
[R-2-16 Budge Proposed Amendments.docx](#)
[Proposed IM Fees ED Comments.doc](#)
[R-2-16 SIGNED.pdf](#)

**Alderman Finlayson moved to recommend favorably R-2-16. Seconded.
CARRIED on voice vote.**

Aye: 3 - Alderman Budge, Alderwoman Finlayson and Alderman Paone

3. Adjournment

**Upon motion duly made, seconded and adopted, the meeting was adjourned at
4:52 p.m.**

**Cyndi Gaines
City Council Associate**