

# **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**

## **Rules & City Government Committee**

1. Call To Order

Chairman Arnett called the meeting to order at 3:04 p.m.

Roll Call

**Present:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

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 Budget 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 & Rules and City Government Proposed 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 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #2 as follows: Page 5, Lines 24-25: Strike "PROVIDED THE PERSON IS SELF-EMPLOYED". Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed 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 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed 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 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed 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 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

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

**Alderwoman Finlayson moved to recommend amendment #5 with amendments. Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #6 as follows: Page 9, Line 29: Insert "RIGHT" after "PROPERTY". Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #7 as follows: Page 9, Line 36: Replace "SHALL" with "MAY". Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #8 as follows: Page 10, Lines**

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

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #9 as follows: Page 11, Lines 12-13: Strike all language following "APPROVED" through "City Council". Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #10 as follows: Page 12, Line 2: Replace the word "FIVE" with "THREE". Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed 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 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #12 as follows: Page 13, Line 17: Strike "DOOR-TO-DOOR". Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed 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."**

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

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed 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:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed 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 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

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

**Alderwoman Finlayson moved to recommend amendment #15 with amendments. Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #16 as follows: Page 13, Lines 40-42: Rearrange paragraph 5 as follows:**

**As amended:**

**FOR NOT MORE THAN THIRTY MINUTES AT ONE LOCATION IN OTHER RESIDENTIAL AREAS OUTSIDE THE HISTORIC DISTRICT FOR NOT MORE THAN THIRTY MINUTES AT ONE LOCATION UNLESS IN CONJUNCTION WITH AN APPROVED SPECIAL EVENT. Seconded. A voice vote was taken. The motion CARRIED by the following vote:**

**Aye:** 2 - Alderwoman Pindell Charles and Alderwoman Finlayson

**Nay:** 1 - Alderman Arnett

**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 & Rules and City Government Proposed 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 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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 & Rules and City Government Proposed Amendment #18 as follows: Page 15, Line 2: Insert "45 DAYS" after "effect". Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

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

**Alderwoman Finlayson moved to recommend amendment #18 with amendments. Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

**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](#)

**Alderwoman Finlayson moved to recommend with Budge proposed amendments. Seconded. CARRIED on voice vote.**

**Aye:** 3 - Alderwoman Pindell Charles, Alderwoman Finlayson and Alderman Arnett

### 3. Adjournment

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

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*Hllary Raftovich, Deputy City Clerk*