

MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE
Ordinance 2017-12 (Amended)

Introduced By:	Mayor Eberhardt
Date Introduced:	July 6, 2017
Amendments Adopted:	October 3, 2017
Date Adopted:	October 3, 2017
Date Effective:	October 23, 2017

AN ORDINANCE concerning

Lower Ferry Pier Boat Slips

FOR the purpose of authorizing the licensing of the use of boat slips at Lower Ferry Pier under certain terms and conditions; specifying a fee for the use of such boat slips; and generally related to boat slips at Lower Ferry Pier.

BY repealing and reenacting, with amendments
Chapter 61 Parks and Playgrounds
Section 61-24.B.
Code of the Town of Perryville

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment

*** indicates omitted text that is not amended by this ordinance.

SECTION 1. BE IT ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Section 61-24.B. of the Code of the Town of Perryville, Chapter 61, Parks and Playgrounds, is repealed and reenacted, with amendments, to read as follow:

CHAPTER 61 –Parks and Playgrounds

§ 61-24. Lower Ferry Pier and Transient Dock.

B. The following restrictions and regulations apply to the pier:

- (1) The pier may be used only between sunrise and 11:00 p.m., seven days a week DURING THE APRIL 1 THROUGH OCTOBER 31 BOATING SEASON. NO OVERNIGHT USE IS PERMITTED. The town may further limit days and times for the use of the pier as needed for public safety because of inclement weather or other conditions that require that use of the pier be limited.
- (2) A person may not fish, dive or otherwise enter the water from the pier.
- (3) A person may not consume or possess an open container of alcoholic beverages on the pier.
- (4) A person may not throw or cast trash or debris from the pier into the water.
- (5) A person may not throw or leave trash and debris on the pier.
- (6) A person may not use a charcoal or gas grill or other open fire on the pier.
- (7) A person must act in a courteous manner and comply with all applicable laws when on the pier.
- (8) A person may not moor or tie up a boat or other vessel to the pier except in transient slips available for that purpose OR EXCEPT PURSUANT TO A SLIP USE LICENSE AS AUTHORIZED BY PARAGRAPH 10 OF THIS SUBSECTION.
- (9) A person shall use the pier at his or her own risk.
- (10) THE TOWN MAY GRANT EXCLUSIVE LICENSES FOR THE USE OF UP TO EIGHT SLIPS ON THE PIER BY BOATS UP TO 30 FEET IN LENGTH AS PROVIDED IN THIS PARAGRAPH (10), EXCEPT THAT NOT MORE THAN ONE SLIP USE LICENSE MAY BE ISSUED TO THE SAME PERSON. THE TOWN ADMINISTRATOR, FOR REASONS OF BOATING SAFETY OR OTHER GOOD CAUSE, MAY DECREASE THE NUMBER OF SLIPS AVAILABLE FOR LICENSING FOR ANY BOATING SEASON. UPON RECOMMENDATION OF THE TOWN ADMINISTRATOR, THE MAYOR AND COMMISSIONERS, BY RESOLUTION, MAY INCREASE THE NUMBER OF SLIPS AVAILABLE FOR LICENSING FOR ANY BOATING SEASON.

- A. A LICENSE SHALL ENTITLE A BOAT OWNER TO USE A DESIGNATED SLIP FOR THE APRIL 1 THROUGH OCTOBER 31 BOATING SEASON FOR WHICH THE LICENSE IS ISSUED. A BOAT MUST BE REMOVED FROM A LICENSED SLIP NOT LATER THAN OCTOBER 31.
- B. THERE IS A NON REFUNDABLE FEE FOR LICENSE OF A BOAT SLIP. THE FEE IS PAYABLE IN FULL, IN ADVANCE, WHEN A BOAT OWNER SUBMITS AN APPLICATION TO LICENSE A SLIP AND A SIGNED SLIP LICENSE APPLICATION. THE AMOUNT OF THE LICENSE FEE SHALL BE BASED ON THE LENGTH OF THE BOAT AS SHOWN ON THE BOAT'S REGISTRATION CARD IN ACCORDANCE WITH THE FOLLOWING:
 - I. FOR A BOAT UP TO 20 FEET, THE FEE IS \$1,400.
 - II. FOR A BOAT BETWEEN 20 FEET AND 30 FEET, THE FEE IS \$75 TIMES THE LENGTH OF THE BOAT.
- C. THE TOWN ADMINISTRATOR OR DESIGNEE SHALL ADMINISTER THE LICENSING OF SLIPS ON THE PIER INCLUDING PRESCRIBING A SLIP LICENSE APPLICATION FORM AND AGREEMENT, AND THE FOLLOWING:
 - ~~I. THE TOWN ADMINISTRATOR SHALL ACCEPT APPLICATIONS FOR SLIP LICENSES BEGINNING ON FEBRUARY 1 FROM CURRENT SLIP LICENSE HOLDERS SEEKING RENEWAL FOR THE ENSUING YEAR AND, FOR ALL OTHER PERSONS, ON MARCH 1. LICENSES SHALL BE ISSUED ON A FIRST COME FIRST SERVED, BASIS EXCEPT THAT A CURRENT LICENSE HOLDER SHALL HAVE PRIORITY FOR THE RENEWAL OF A LICENSE IF THE OWNER HAS SUBMITTED AN APPLICATION, SIGNED AGREEMENT AND LICENSE FEE BEFORE MARCH 1.~~
 - I. BEGINNING ON FEBRUARY 1 OF EACH YEAR, THE TOWN ADMINISTRATOR SHALL ACCEPT APPLICATIONS FOR SLIP LICENSES FROM HOLDERS OF SLIP LICENSES DURING THE PRIOR BOATING SEASON WHO ARE SEEKING RENEWAL FOR THE ENSUING YEAR, AND FROM OWNERS OF BOATS REGISTERED IN MARYLAND WHO DID NOT HOLD SLIP LICENSES DURING THE PRIOR BOATING SEASON. IF SLIPS FOR WHICH LICENSES HAVE NOT BEEN ISSUED REMAIN AVAILABLE ON MARCH 1, THE TOWN ADMINISTRATOR SHALL THEN BEGIN ACCEPTING APPLICATIONS FOR SLIP LICENSES FROM OWNERS OF BOATS REGISTERED IN A

STATE OTHER THAN MARYLAND. SLIP LICENSES SHALL BE ISSUED ON A FIRST COME FIRST SERVED BASIS, EXCEPT THAT A HOLDER OF A LICENSE DURING THE PRIOR BOATING SEASON SHALL HAVE PRIORITY FOR THE RENEWAL OF A LICENSE IF THE OWNER SUBMITS AN APPLICATION, SIGNED AGREEMENT AND LICENSE FEE BEFORE MARCH 1.

~~II. ON OR BEFORE JANUARY 1, THE TOWN ADMINISTRATOR SHALL NOTIFY CURRENT SLIP LICENSE HOLDERS OF THE PROCEDURE AND TIMETABLE FOR SEEKING RENEWAL OF THE LICENSE AND THAT RENEWAL OF A LICENSE CANNOT BE ASSURED IF AN APPLICATION, AGREEMENT AND FEE ARE NOT SUBMITTED BY NOVEMBER 1.~~

II. ON OR BEFORE JANUARY 1, THE TOWN ADMINISTRATOR SHALL NOTIFY HOLDERS OF SLIP LICENSES DURING THE PRIOR BOATING SEASON OF THE PROCEDURE AND TIMETABLE FOR SEEKING RENEWAL OF THE LICENSE AND THAT RENEWAL OF THE LICENSE CANNOT BE ASSURED IF AN APPLICATION, AGREEMENT AND FEE ARE NOT SUBMITTED BY MARCH 1.

D. THE TOWN ADMINISTRATOR SHALL DESIGNATE WHICH SLIPS ARE AVAILABLE FOR LICENSING.

E. A BOAT SLIP LICENSE IS PERSONAL TO THE OWNER OF A BOAT. THE HOLDER OF A LICENSE MAY NOT TRANSFER OR ASSIGN THE LICENSE OR RIGHT TO USE THE SLIP.

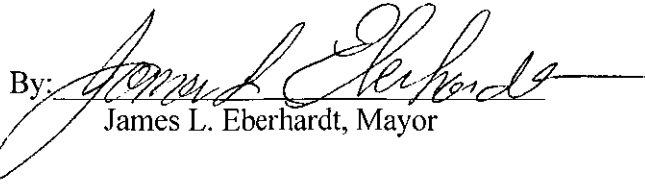
~~SECTION 2. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that the Town Administrator shall issue slip use licenses for the April 1 - October 31, 2017, boating season in accordance with this Ordinance, provided that the licenses are effective on or after the effective date of this Ordinance. The license fee for 2017 boating season licenses shall be 25% of the amounts specified in Section 1 of this Ordinance.~~

SECTION 32. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that this Ordinance shall become effective twenty (20) days following its approval by the Mayor and Commissioners.

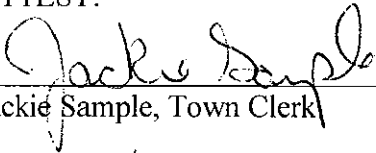
ADOPTED this 3rd day of October, 2017.

SEAL:

**MAYOR AND COMMISSIONERS OF
THE TOWN OF PERRYVILLE**

By: 
James L. Eberhardt, Mayor

ATTEST:


Jackie Sample, Town Clerk

Date: 10/10/17