

**THE GENERAL ORDINANCES OF
THE TOWN OF
EAGLE HARBOR, MARYLAND**

Adopted: August 7, 2021

Effective
BY ORDER OF THE COMMISSIONERS

August 7, 2021

James D. Crudup, Sr.
Mayor

ATTEST

Bertha A. Guerra
Clerk-Treasurer

2021

REVISED AND UPDATED
September, 2021

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ARTICLE I – COMMITTEES AND GENERAL PROVISIONS

§ 1. Appointment of Committees by Chairperson-Mayor

The Chairperson-Mayor may annually appoint the following standing Committees from the membership of the Town Commissioners, and designate the Chairperson thereof, with not less than three (3) members on any committee:

- A. Committee on Finance
- B. Committee on Code Enforcement
- C. Committee on Sanitation
- D. Committee on Public Safety
- E. Committee on Buildings
- F. Committee on Public Works
- G. Committee on Environmental Issues

§ 2. Duties of Standing Committees

A. Finance: The Committee on Finance shall examine all billings and accounts and recommend their continuation, approval, or disapproval to the Town Commissioners at the annual Town Budget meeting; keep informed as to the financial affairs of the Town and the operations of the Treasurer's office; make recommendations to the Town Commissioners regarding receipts and disbursements, and any other matters relating to the finances of the Town. Under the oversight of the Board of Commissioners, it shall be the duty of the Finance Committee to have a certified public accountant audit the Commissioner's financial records and prepare the Uniform Financial Report (UFR) and prepare a report to the Town after the close of the fiscal year as required by State law.

B. Licenses/Code Enforcement: The Committee on Licenses Code Enforcement shall be responsible for recommending approval of any and all licenses and/or permits issued advising Board of Commissioners/Licensing Commissioner of code violations and drafting appropriate Notice of Violation Letter(s) to be forwarded to License Commissioner for final approval and distribution to property owner under the ordinances of the Town of Eagle Harbor. The Committee shall also work closely with License Commissioner to see to it that all businesses for profit in the Town of Eagle Harbor are properly licensed and all required fees are paid.

C. Sanitation: Under the oversight of the Board of Commissioners, the Committee on Sanitation shall review, on a regular basis the sanitary conditions of the Town and after approval of Sanitation Commissioner may make and enforce sanitary rules and regulations for the preservation of the public health, subject to prior approval of the Town Commissioners.

D. Public Safety: The Committee on Public Safety shall meet from time to time for the transaction of business as may be deemed advisable by the Chairperson-Mayor; keep itself informed of Police operations; make recommendations to the Safety Commissioner

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with regard to recommended improvements in the efficiency of such department, and all other matters relating to the public safety.

E. Buildings: The Building Committee shall investigate and keep informed as to the condition of all Town owned property; make any plans necessary for the improvement thereof except such properties coming within the jurisdiction of some other committee; investigate and keep informed as to street names, the numbering of houses, building regulations, zoning and over-all planning; make recommendations to the License and Permits Commissioner with regard to such matters; advise License and Permits Commissioner of any new construction and alterations to see that all Town code enforcement, permits and ordinances are complied with.

F. Public Works: The Committee of Public Works shall investigate and keep informed as to the condition of streets, sidewalks, and other public works including drainage; make plans for necessary improvements thereof, investigate the necessity for engineering work and make recommendations to the Town Commissioners with regard to all such matters; keep informed as to matters involving recreational facilities and activities in and near Eagle Harbor, and to make recommendations to the Town Commissioners with regard to such matters, including the acquisition and disposal of land for parks and all other buildings and rooms maintained by the Town as public meeting places; see that such buildings and rooms, furniture, and equipment are properly safeguarded and maintained in a suitable condition.

G. Environmental Issues: The Committee on Environmental Issues ("Environmental Advisory Committee") a standing committee consisting of a minimum of five members, will include a chairperson appointed by the Board for a term of two (2) years. The Committee shall actively investigate, research, study and observe any environmental issues relevant to Eagle Harbor and the Aquasco community for possible environmental concerns that affect the health and safety of the Town. The Committee is to meet on a regular basis, provide updates and gain approval for action to be taken on environmental issues. The Committee will report at the Board of Commissioners regularly scheduled meeting. In addition, the Committee shall:

1. Keep records and minutes of all related activities,
2. Contact and engage the county and state MDE for assistance and information,
3. Partner and participate with other environmental groups to achieve the Towns goals,
4. Engages the entire community in environmental and sustainability issues, and
5. Conduct other duties as approved by the Board.

§3. Special Committees

There shall be such special committees created by written resolution or ordinance and appointed as may be deemed by the Chairperson/Mayor together with the Board of Town Commissioners as needed, with the duties prescribed by the Chairperson/ Mayor and the Board at the time of their establishment or subsequently.

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§ 4. Vacancies

The Chairperson/Mayor along with approval of majority of Board of Commissioners shall fill all vacancies on committees and make any and all desired changes at any time and prescribe the duties thereof not inconsistent with the Town Charter or Ordinances.

§ 5. Inconsistent ordinances repealed

All previous existing ordinances or parts of ordinances inconsistent with the provisions contained in this Code of Ordinances are hereby repealed; provided, however, that such repeal shall only be to the extent of any inconsistency, and any valid and existing legislation of the Town of Eagle Harbor which is not in conflict with the provisions of the Code of Ordinances shall be deemed to remain in full force and effect.

§ 6. Exemption or adoption of Prince George's County ordinances

A. Pursuant to Md. Ann. Code, LG Article, § 4-111 and unless the provisions of this Code of Ordinances expressly state otherwise, the Town is generally exempt from all legislation heretofore or hereafter enacted by the County relating to any subject upon which the Town has been heretofore or is hereafter granted legislative authority to act, either by public general law or by the Town Charter, and upon which subject the Town in fact acts. Legislation of Prince George's County pertaining to a subject as to which the Town has not acted shall be in effect in the Town unless and until the Town specifically exempts itself therefrom.

B. Whenever, in this Code, the Town adopts or incorporates by reference, or otherwise subjects itself or persons within its boundaries to the ordinances or regulations of Prince George's County, Maryland, it is the intention of the Board of Commissioners to adopt any amendments that might subsequently be enacted by the Prince George's County Council, such that the most current version of such ordinance or regulation then in effect in the unincorporated areas of Prince George's County shall be effective within the Town.

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ARTICLE 2 – ASSESSMENTS AND TAXATION

§1. Property Taxes

A. Annual Collection The Town Commissioners shall annually levy a general tax for the purpose of raising sufficient revenue for the expenses and improvements of Eagle Harbor upon all taxable property within the Town Limits, not hereinafter exempted. The said tax shall be collected by the Town Treasurer–Clerk or by a collector specially appointed by the Town Commissioners for that purpose. The said Treasurer or specially appointed collector in the collecting of said taxes, shall have full power to distrain for the same or otherwise enforce the payment thereof in the name of the Town in the same manner as the collectors of State and County taxes.

B. Due and Payable All taxes levied by the Town Commissioners shall be due and payable on owner-occupied residential property and small businesses that pay less than \$100,000 in property taxes are due on a semiannual schedule or as otherwise prescribed by State law. The first installment is due on July 1 and may be paid without interest on or before September 30. The second installment is due on December 1 and may be paid without interest on or before December 31. The Town may add a service fee to the second installment to pay for administrative costs. However, homeowners and certain small business owners may elect to pay the full year's property tax on or before September 30 to avoid a service charge or interest charge. Property taxes for other property are due on July 1 and may be paid without interest on or before September 30. If billed after September 1, the taxes are due without interest 30 days after the date of the tax bill. All improvement assessments shall be due and payable thirty (30) days after the completion of the project with respect to which such improvement assessments shall have been made and if the same is not paid within sixty (60) days from the date such project shall have been completed, a penalty of one percent per month shall be added until such assessment and penalty shall have been paid.

§ 2. Highway User Revenues

Historically, highway user revenues have been distributed to the Transportation Trust Fund for the Maryland Department of Transportation's capital program, debt service, and operating costs and to the counties, Baltimore City, and municipalities to assist in the development and maintenance of local transportation projects. In recent years, a portion of highway user revenues has been redirected to the State's general fund to help balance the State's budget. The Town's share of highway user revenues is distributed based upon municipal road miles and vehicle registrations.

§3. Valuation

The State Department of Assessments and Taxation was granted the authority to establish standards and guidelines over local jurisdictions' assessment processes. The Town Commissioners may under and by virtue of the Charter of Eagle Harbor and State law, make or cause to be made for the purpose of taxation, assessments of all property subject to such tax and the Town Commissioners shall prepare or cause to be prepared and keep an Assessment Book showing the lot and square numbers of all taxable property, assessed value of the land and

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improvements together with the name of the owner thereof.

§ 4. Trash and Garbage Collection Assessment

A. An annual assessment may be levied by the Chairperson-Mayor and the Town Commissioners for the collection of trash and garbage. The assessment shall be levied and collected each year from the owner of every dwelling house in Eagle Harbor for the removal of trash and garbage. Such tax shall be collected as other taxes.

B. Scavenger services and facilities satisfactory to the Sanitation Committee must at all times be properly maintained by all business places within the corporate limits at the owner or operator's own expense if an annual assessment is not levied by the Town against them for the collection of trash and garbage.

§ 5. Duty of Clerk-Treasurer or Appointed Collector

Any and all taxes, front foot benefit charges, use charges, and assessments made under and by virtue of any Town ordinance, resolution or charter provision shall be collected by the Town Clerk-Treasurer or appointed collector to maintain books of accounts, render monthly financial reports to the Chairperson/Mayor and the Board of Town Commissioners, pay all bills approved by the Board of Commissioners, keep adequate records of receipts and disbursements, be responsible for the submission of the annual Town report to the Department of Legislative Services, make all billings, and to keep such records, and maintain such accounts as directed by the Town Commissioners.

§ 6. Tax Levy

A. Budget authorized levy from the effective date of the budget, the amount stated therein as the amount to be raised by the property tax bill shall constitute a determination of the amount of the tax levy in the corresponding year.

B. Notice of tax levy: tax bills Immediately after a levy is made by the Town Commissioners in each year, the Clerk-Treasurer may give notice of the making of the levy by posting a notice thereof in some public place or places in the Town. The Clerk-Treasurer or other designated agent of the Town shall mail or deliver the notice to each taxpayer or his/her agent at his/her last known address. This bill or account shall contain a statement of the amount of real and personal property with which the taxpayer is assessed, the rate of taxation, the amount of taxes due and the date on which the taxes will bear interest. Failure to give or receive any notice required by this section shall not relieve any taxpayer of the responsibility to pay on the dates established by this ordinance all taxes levied on his property.

C. Taxes Due Except as stated in §1 if this Article, taxes shall be due and payable on the first day of July in the year for which they are levied and shall be overdue and in arrears on the first day of the following October. Unpaid taxes shall bear interest while in arrears at the rate of two-thirds of one per cent ($\frac{2}{3}$ of 1%) for each month or fraction of a month until paid. All taxes not paid and in arrears after the first day of the following January shall be collected as provided in

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Article 2, §6D of the Town Ordinances.

D. Sale of tax-delinquent property A list of all property on which the Town taxes have not been paid and which are in arrears as provided in Article 2, §6C of the Town Ordinances shall be turned over by the Clerk-Treasurer to the official of the County responsible for the sale of tax-delinquent property as provided in state law. All property listed thereon shall, if necessary, be sold for taxes by this County Official in the manner prescribed by state law. The County Official shall make up a list stating the name of the owner, a brief description of the property, and the amount of taxes, interest and other penalties on the property. The County Official shall give notice by publication in Prince George's County, naming the time and place the County will sell the property to the highest bidder for cash. At such time and place, the County shall offer the said property for sale, and if there are no bidders for the property in the name of or on behalf of the property owner of the tax-delinquent property, any such person interested in said property may redeem the property within two years from the date of said sale, and if at the expiration of said two years said property is not redeemed, then the County shall give the deed of the property to the purchaser. The deed to purchaser shall convey fee simple title based upon prima facie evidence of the validity of all acts of the County and/or its authorities leading up to the sale of the property and passing of the deed of the property to the purchaser. The County shall file a lien upon the tax-delinquent property owner and/or said owner's real estate property from the date of the levy until paid in full.

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ARTICLE 3 – LICENSES

§1. Licenses Required

No person, corporation, company, firm, partnership or association shall engage in any kind of business for gain within the Town Limits without first having obtained a license and paid the required license fee. Any such person, corporation, company, organization, LLC, independent contractor, etc., desiring to obtain a license to engage in and conduct any business in the Town, shall first make application therefore in writing accompanied by the prescribed fee, to the License and Permit Commissioner in which shall be stated the lot(s) and square number of the business to be conducted in a building and the nature of the business to be so conducted.

§ 2. Street Vendors

No street vendor shall be permitted to sell any article or thing upon any street or public place within the Town, except in such places as may be designated by the Chairperson/Mayor and the Board of Town Commissioners.

§ 3. Vehicles Used for Vending

Every vehicle and everything pertaining thereto used by a licensed vendor shall at all times be maintained in a clean and orderly condition, and no portion of the contents thereof, shall be thrown, spilled, or deposited upon the street or other public place.

§ 4. Issuance and Approval of Application

Upon payment of the fees hereinafter provided, it shall be the duty of the Commissioner for Licenses and Permits to issue or cause to be issued a license to the applicant provided, however, the License and Permits Commissioner and other Board of Commissioners have first approved such application.

§ 5. License Designation

Every license issued for the conduct of any business shall designate the place of such business and the kind of business to be engaged in, and such license may not be transferable.

§ 6. Sanitation Inspection

Any and all premises or vehicles used by street vendors licensed hereunder for the conduct of business shall from time to time be inspected by the Committee on Sanitation. If any unsanitary condition is found to exist; or other conditions injurious to the public health and morals are disclosed the same shall be ordered to be immediately corrected, and if the order is not complied with the license may be revoked by vote of the Town Commissioners, and all payments made on the same forfeited to the Town.

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§ 7. Closing of Business Establishments

No business establishment within the corporate limits of the Town of Eagle Harbor, except those establishments providing to the public food or lodging, shall remain open to the public between the hours of 2:00 a.m. and 6:00 a.m. Business establishments providing both lodging and other commercial enterprises under the same roof may only provide those business services directly connected with the providing of public lodging between the hours of 2:00 a.m. and 6:00 a.m.

§ 8. Annual License Fee

Annual License Fees for the year beginning January 1 of each and every year in the following amounts shall be paid by persons engaged in the respective business as specified. The full annual license fee shall be assessed against and collected from the owner or operator of every and all businesses if conducted for profit within the Town of Eagle Harbor at any time between May 15th and September 15th, whether the business be continued throughout the summer or not. No part time license shall be issued for any business to operate between the above dates, and no part of the annual license fee shall be refunded on account of any business not being operated during the entire period between May 15th and September 15th of any year.

Amusement Games of Skill	\$30.00
Apartments	\$30.00
Arcades	\$30.00
Bakers	\$30.00
Barber Shops	\$30.00
Bath Houses	\$30.00
Bingos	\$30.00
Boarding Houses, 3 rooms or more	\$40.00
Bottled Gas	\$20.00
Bottled Gas and Appliances	\$30.00
Bowling Alleys and Billiard Parlors	\$30.00
Business License (Corp., LLC, etc.	\$50.00
Commercial Aircraft	\$80.00
Commercial Crabbing	\$30.00
Contractors and Builders	\$20.00
Delicatessens	\$40.00
Drug Stores	\$30.00
Dry Cleaning and Laundry Services	\$30.00
Filling and Service Stations	\$30.00
Food Stands	\$30.00
Food and Novelty Stands	\$30.00
Fruit and Vegetable Stands	\$30.00
General Merchandise or Notions	\$30.00
Grocery or Meat Dealers	\$30.00
Hair Dressers and Manicurists	\$20.00
Hardware Stores	\$40.00

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Hotels, 10 rooms or more	\$55.00
Hucksters and Produce Dealers	\$30.00
Mechanically Operated Concessions	\$55.00
Motels	\$55.00
Moving Pictures and other Theatres	\$30.00
Party Power Boats for Hire (per boat)	\$20.00
Photographers	\$20.00
Pool Tables (per table)	\$10.00
Public Garages and Repair Shops	\$30.00
Real Estate Agents	\$30.00
Restaurant or Lunchroom	\$30.00
Rooming Houses, 3 10 rooms	\$30.00
Row Boats or Rafts for Hire	\$20.00
Skating Rinks and Public Dance Halls	\$30.00
Soda Fountains and Merchandise	\$30.00
Taxicabs and other Vehicles for Hire	\$20.00 for first 2 vehicles, \$10.00 for each additional vehicle
Wholesale Merchandise Dealer	\$20.00
Slot Machines	\$35.00
Miscellaneous/Special License	\$35.00

Any person or persons engaged in any business for profit within the Town Limits not herein before specified shall pay an annual License Fee of not less than \$25.00 or such greater amount as the Board of Commissioners may determine.

§ 9. Duty of the Clerk Treasurer

The Town Clerk-Treasurer shall make monthly payments to the Collector all money collected by virtue of this Article. If there is no designated Collector, the Clerk-Treasurer, by virtue of this Article, shall make monthly deposits of all money collected to the Town's Treasury and/or designated financial institution.

§ 10. Personal Privilege

Every license shall be held to confer a personal privilege to transact the business specified therein and shall not be exercised, except by the person, firm, company or corporation licensed, or his/her, or its duly authorized agents, executors or administrators.

§11. Penalties

Any person, corporation, company, firm, partnership or association engaging in any business within the Town Limits without first having obtained a license as required in this Article, or in any manner violating the Provisions of the same, shall upon conviction be fined not less than one hundred (\$100.00) dollars for the first offense and like amounts for successive offenses. Each passing month of noncompliance shall constitute a new violation and successive penalty.

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ARTICLE 4 – BUILDING REGULATIONS

§ 1. Adoption of Building Code

There is hereby adopted by the Town of Eagle Harbor for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, the certain building code known as the official Building Code of Prince George's County including the enumerated national codes and standards thereby adopted by reference and made a part of Subtitle 4 of the Prince George's County Code, as may be amended by the Town Commissioners, is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and other structures within the corporate limits of the Town of Eagle Harbor.

§2. Establishment of Office of Building Official

The Office of Building Official may be created and the Chairperson/Mayor and Board of Commissioners and shall appoint the designated Chairperson as such official with approval of the Board, for limited and specific projects as agreed upon by the Board.

§3. Permits Required

No building of any description shall be erected or removed and no structural alterations or additions (except painting) to the same shall be made unless and until a Town permit has been obtained and, if required, a County Permit has been obtained. No Town building permit shall be issued until any required County Permit is obtained with a copy thereof submitted to the Town's Building Official.

§ 4. Permit Applications

A. Every person who erects or causes to be erected any building within the Town Limits or makes any structural alterations or additions (except painting) to the same shall, before commencing work, make a written application to the License and Permits Commissioner, to be presented to Board of Commissioners, accompanied by a written plan and specifications for approval by the License and Permit Commissioner and containing the name of the owner, lot and square number, kind of building, number of stories in height, dimensions of building and location of same on lot, the contemplated use of said building and the estimated value of the building alterations or additions. All applications for permit for the erection of any new buildings shall be accompanied by a fee of ten per cent (10%) of the County permit application fee(s) or twenty-five (\$25.00) dollars, whichever amount is greater. Upon the approval, the License and Permit Commissioner shall issue a permit and such permit shall expire one (1) year from the date of issuance or shall expire six (6) months after issuance if construction has not commenced within the six month(s) period. Every plan for the erection of a new building must show thereon tat suitable provisions have been made for construction of an approved sanitary disposal system.

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B. All applications for permits for structural alterations or additions to buildings and for erection of any fence over four feet, any barn, stable, private garage or other out-buildings shall be accompanied by a fee of Ten (\$10.00) dollars, provided, however, no permit will be required for minor interior or exterior repairs where there are no structural alterations in the repairing of said building.

C. No part of said building or premises shall be converted, altered, maintained, or used for a hotel, theatre, restaurant, public amusement house, bath house, pool room, hospital, asylum home, institution, cemetery, slaughter house, market, dairy, public garage, open or enclosed; wood, coal, lumber, stone, vehicle, or storage yard, stable or pen for animals, nor for any factory; manufacturing or for any business or trade whatsoever without the written consent of the owners of 75% of:

(1) the properties within the plat block where it is proposed to locate, establish, maintain, erect, or enlarge such building premises; and

(2) 75% of all other properties within a radius of 200 feet of the proposed establishment.

D. All Town permits shall expire one (1) year after the approval date of the Town permit or shall expire six (6) months after the approval date if the permitted activity has not commenced within said time period.

E. Town permits are not transferable to any other owner or person and Town permits are not transferable to any other property within the Town.

§ 5. Building Committee

A. Upon receipt of an application for new buildings such application and the payment of the fees as herein above provided for; the application shall be referred to the Building Committee for investigation and report. Said report shall be laid before the Town Commissioners and a permit shall be issued only after the approval thereof by the Town Commissioners. The Town Clerk-Treasurer shall account monthly and make monthly deposits to the Town Treasury for all money collected under this Article. In the event any application for a permit is disapproved the fees paid on account thereof shall be returned to the applicant upon demand. The Clerk-Treasurer shall cause to be kept on file all applications, plans and specifications which shall have been submitted and the same shall be open for public inspection.

B. It shall be the duty of the Building Committee from time to time to inspect all buildings, under construction and to inspect all structural alterations or additions being made to the same and to compel by appropriate action compliance of all laws concerning the same.

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§ 6. Building Restrictions

A. Unless the County Zoning Ordinance states otherwise, no part of any building shall be erected on any lot, nearer to the front lot line than fifteen (15) feet, nor nearer to any other side or rear lot line than eight (8) feet, nor on a corner lot nearer to the Street sideline than eight (8) feet.

B. No fence shall be erected on the front, side or rear of any lot at a greater height than four feet, provided, however, that a party fence of open panel construction may be erected from the building line to the rear of the lot to a height not to exceed six (6) feet. The type of fence may be subjected to approval by the Building Committee.

§ 7. Residential Dwellings

Unless the County Zoning Ordinance states otherwise, no residential dwelling shall be erected on less than six (6) adjoining lots and no residential dwelling shall exceed twenty (20) feet in height from the ground to the highest point of the house. Unless the County Zoning Ordinance states otherwise, a lot size in the Town shall be one hundred (100) feet in length and twenty-five (25) feet in width.

§8. Penalties

Any person, persons, or corporation guilty of erecting or removing any building or making structural alterations or additions on any building or structure before first obtaining a permit therefore or doing any such work after obtaining a permit not in conformance with the plans and specifications approved by the Building Committee shall be subject to a fine of not less than one hundred (\$100.00) dollars.

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ARTICLE 5 – FIRE REGULATIONS

§ 1. Fire Prevention Code

There is hereby adopted by the Town of Eagle Harbor for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Safety Law of Prince George's County, Maryland codified in Subtitle 11 of the Prince George's County Code thereof and the whole thereof save and except such portions as are hereinafter deleted, modified or amended (by Section 6 of this ordinance), of which does not less than three (3) copies have been and now are filed in the office of the Clerk of the Town of Eagle Harbor and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance, shall take effect, the provisions thereof shall be controlling within the corporate limits of the Town of Eagle Harbor.

§ 2. Establishment of Office of Fire Official

The Office of Fire Official is hereby created who shall be the Chairperson of the Building Committee.

§ 3. Prevention of Fires

A. No fuel, shavings, waste-paper, trash or other combustible matter shall be burned within the Town limits.

B. All residential dwellings, at all times, shall be equipped with a working fire and smoke detector.

C. Any person violating any of the provisions of this Section or said Fire Safety Law, as adopted by reference in this Article, as amended, shall upon conviction be fined not more than One Hundred (\$100.00) dollars.

§ 4. Fireworks

Unless officially authorized and/or organized by the Board for special events, the discharge or firing of fire-crackers, rockets, torpedoes, roman-candles, or other explosive fireworks, or the selling of any such fireworks within the Town is hereby prohibited under a penalty of not more than One Hundred (\$100.00) dollars, or in addition thereto may be imprisoned in the County Jail for not more than twenty-five (25) days.

§ 5. False Alarms or Removal of Fire Equipment

It shall be unlawful for any person to knowingly give a false alarm or remove any fire apparatus or equipment belonging to the Town of Eagle Harbor or an organized fire department serving the Town from its proper place except in the case of fire or other public necessity requiring the same or upon authority of the Committee of Public Safety.

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§ 6. Fire Extinguishers Required

Every person, persons or corporations engaged in conducting a hotel, boarding-house, rooming-house, restaurant or other business and the owner of every building within the Town where inflammable oil or other explosives are stored are required to keep and maintain on said premises a suitable fire extinguisher to be approved by the Committee on Public Safety and it shall be the duty of the said Committee on Public Safety to make timely inspections of said extinguishers.

§ 7. Fire Escapes Required

Every person, persons or corporation engaged in conducting a hotel, boarding-house, or rooming-house having three or more stories in height, shall provide and maintain suitable apparatus or other means of escaping from fire, such apparatus or means so provided to be approved by the Committee on Public Safety.

§ 8. Public Garages and Repair Shops to be Fireproof

All public garages and repair shops within the Town shall be fireproof. All private garages or other store rooms under any building used for human habitation wherein any motor or engine propelled by gasoline, coal-oil or other combustible material is kept shall be fireproof.

§ 9. Penalties

Unless stated otherwise herein, any person or persons violating any of the provisions of this Article or any of its Sections, shall upon conviction be fined not more than Fifty (\$50.00) dollars or in default of the payment thereof.

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ARTICLE 6 – DOGS

§ 1. Running at Large

It shall be unlawful for any dog whether licensed or not by Prince George's County to run at large within the corporate limits of Eagle Harbor.

§ 2. Applicability of County Regulations

It shall be unlawful for any person to own or harbor within the Town of Eagle Harbor any dog unless such dog is licensed as provided by the ordinances and regulations of Prince George's County. All ordinances and regulations regulating dogs or other domesticated animals passed by the Prince George's County Council shall apply within the corporate limits of Eagle Harbor and the Board of Commissioner may supplement or provide stricter regulations to those ordinances and regulations within this Article.

§ 3. Disturbing the Peace

No dog shall be kept within the Town of Eagle Harbor which shall by barking, whining, or howling or in any other manner disturb the peace and quiet of any person or neighborhood, or which is known to be of a quarrelsome, dangerous or vicious disposition.

§ 4. Enforcement

For the purposes of this ordinance, the Dog Catcher or Animal Warden of Prince George's County shall have jurisdiction within the corporate limits of Eagle Harbor to enforce all provisions of this Article, pursuant to agreement between the Town and the County, and the ordinances and regulations of Prince George's County pertaining to dogs. Absent an agreement with the County, the Committee on Public Safety shall enforce this Article. Nothing herein shall be construed to deny the County's concurrent jurisdiction of the regulation of animals within the corporate limits of the Town.

§ 5. Penalties

Any person or persons violating any of the provisions of this Article or any of its Sections, shall upon conviction be fined not more than Fifty (\$50.00) dollars or in default of the payment thereof.

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ARTICLE 7 – TRAFFIC, VEHICLES AND TRANSPORTATION

§ 1. Scope

The provisions of this Chapter are intended to be in addition to and supplementary to the provisions of the Maryland Vehicle Law (Titles 11-27 of the Transp. Art. of Ann. Code of Md.) as amended, and in accordance with authority specifically granted by this Article.

§ 2. Traffic and Parking Signs

Whenever, in the judgment of the Board of Town Commissioners of Eagle Harbor, it is necessary for the safety or control of vehicular or pedestrian traffic or for the regulation of the use of parking areas, the Board of Town Commissioners of Eagle Harbor may erect or cause to be erected "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 public areas in the Town of Eagle Harbor under the Town's jurisdiction. 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 Board of Town Commissioners of Eagle Harbor for the erection and traffic control and parking restriction sign and a failure to observe any such signs here before erected shall be subject to the same penalties as set forth hereafter.

§ 3. Prohibitions

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 device 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. On a cross walk, or within twenty (20) feet of a cross walk at an intersection, except for the purpose of receiving or discharging passengers or merchandise,
5. Within twenty-five (25) feet of any beacon, stop sign, or traffic control signal located at the side of a roadway,
6. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the end of a safety zone, except for the period necessary to take on or discharge passengers, freight, or merchandise,
7. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic,

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8. 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,
9. At any place where an official sign or painted curb placed by Prince George's County, the State of Maryland, or the Chairperson/Mayor and the Town Commissioners of Eagle Harbor that prohibits stopping, parking or standing and it is hereby specifically provided that whenever a curb is painted red or yellow that there shall be no parking, standing or stopping parallel to said painted curb, or
10. On curves, at the brow of a hill, where the State Roads Commission, or the Town of Eagle Harbor has painted white lines on the surface of roads.

B. No person shall stop, stand, or park a vehicle designed or used for carrying freight or merchandise, in front of, alongside of, 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.

§ 4. Unregistered Vehicles

A. It shall be unlawful to park, store, or leave any vehicle, the certificate of title, registration card, or registration plate which has expired, been revoked, cancelled or suspended, or for the owner of any of such vehicle to allow, permit, or suffer the same to be parked, stored, or left, whether attended or not, upon any public street, highway, alley, or parking lot within the corporate limits of the Town of Eagle Harbor, for a period longer than twenty-four (24) hours. The Public Safety Commissioner or the Town's designated agent or agents, are authorized to remove and impound any such vehicle parked, stored or left in violation of this Section and to keep the same impounded until the owner thereof, or other duly authorized person, shall deposit collateral in the amount and in the manner as hereinafter provided for violation of this Ordinance, and shall pay to the Town of Eagle Harbor a sum equal to the towage and any and all reasonable storage charges incurred by the Town of Eagle Harbor in impounding said vehicle.

B. It shall be unlawful to operate any unregistered and/or unlicensed motorized vehicle operating using gasoline, batteries, or any other fuel, such as all-terrain vehicles, go-carts, miniature vehicles, mopeds, buggies, scooters, motorcycles and/or motorbikes within the corporate limits of the Town of Eagle Harbor. The Chief of Police, and his or the Town's designated agent or agents, are authorized to impound any such vehicle parked, stored or left in violation of this Section and to keep the same impounded until the owner thereof, or other duly authorized person, shall deposit collateral in the amount and in the manner as hereinafter provided for violation of this Ordinance, and shall pay to the Town of Eagle Harbor a sum equal to the towage and any and all reasonable storage charges incurred by the Town of Eagle Harbor in impounding said vehicle, as well as pay to the Town an infraction cost no less than \$75.00 (seventy-five) dollars.

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§ 5. Parking of Unregistered Vehicles on Public or Private Property

A. It shall be unlawful to park, store, or leave any vehicle or vehicle attachment of any kind, whether motorized, computerized, or manually operated, which has an expired, revoked, cancelled, or suspended certificate of title, registration card, or registration plate, or for the owner of any such vehicle and/or the owner of any private property where the vehicle is parked, stored, or left, to allow, permit, or suffer the same to be parked, stored, or left, upon any public or private property in the Town, with or without consent of the property owner,

B. The Town Commissioners of Eagle Harbor, and its designated agent or agents, are authorized to issue a notice of infraction under this section to the property owner where a vehicle in violation of this section is located and shall impose a fine in an amount not less than Seventy-Five (\$75.00) dollars for the first offense, to increase by Twenty-Five (\$25.00) dollars for each violation notification thereafter. Violations left unpaid after ninety (90) days are subject to a tax lien for this unpaid fine.

C. The Town Commissioners of Eagle Harbor, and its designated agent or agents, are authorized to remove and impound any vehicle parked, stored, or left in violation of this Section and to keep the same impounded until the owner thereof; or other duly authorized person, shall deposit collateral in the amount and in the manner hereinafter provided for in the case of violations of this Ordinance and shall have paid to the Town of Eagle Harbor an amount equal to the towage and any and all storage charges incurred by the Town of Eagle Harbor, impounding said vehicle. In any prosecution under this Section, proof that a vehicle was parked, stored, or left on public or private property shall be prima facie evidence that the vehicle was so parked, stored, or left on such public or private property. Inoperative boats, trailers, etc., are subject to this subsection.

D. Exceptions An exception to the prohibitions or requirements of Section 5 of this Ordinance is specifically authorized for those official events sponsored by the Town of Eagle Harbor, to include but not limited to, Town Day Celebrations, Trueman Point Landing Events, Memorial Day Celebrations and other Special Events as designated by Town Commissioners, whereby the Town of Eagle Harbor may use such unlicensed motorized vehicles to include, but not limited to, golf carts, trailers, etc. during the operation of said special events provided that such use is limited to Town ways under the jurisdiction of the Town that are conspicuously posted and temporarily closed to other vehicles.

§ 6. Reckless Driving

A. No individual shall operate a motor vehicle over any public highway or street within the Town limits; (1) recklessly; (2) at a rate of speed greater than that posted in the Town.

B. No motor vehicle, truck or tractor shall be operated upon any street in the Town at a greater speed than fifteen (15) miles per hour.

C. No person shall operate over the streets of Eagle Harbor 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 Eagle Harbor.

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D. Any individual violating any provision of this Section where the offense constitutes reckless driving or a violation of the speed limit shall upon conviction for the first offense be fined not more than One Hundred (\$100.00) dollars or in default thereof be imprisoned in the County Jail not more than twenty-five (25) days. For the second or subsequent offense, such individuals shall be fined not less than Twenty-Five (\$25.00) dollars nor more than Three Hundred (\$300.00) dollars.

E. Any individual violating any provision of this Section except where the offense constitutes reckless driving or a violation of the speed limit; shall upon conviction be fined not more than Twenty-Five (\$25.00) dollars or in default thereof be imprisoned in the County Jail not to exceed twenty-five (25) days.

§ 7. Driving Under Influence of Alcohol or Drugs

No individual shall, while under the influence of any alcohol or illegal drugs, operate any motor vehicle within the Town Limits. Any individual violating any provision of this subdivision shall upon conviction for the first offense be fined not more than One Hundred (\$100.00) dollars or in default thereof be imprisoned in the County Jail not more than Thirty (30) days. Subsequent offenses shall be subject to additional penalties in the amounts stated in the above section.

§ 8. Accidents

No individual while operating a motor vehicle within the Town Limits, knowing that such motor vehicle has struck any individual or any vehicle, or that such vehicle has been struck by any other vehicle, shall leave the place where the collision or injury occurred without stopping and giving his name, place of residence, including street and number and registration and operator's permit numbers to the individual so struck, or other necessary information to the owner or operator of the other vehicle if such owner or operator is present; or if such owner or operator is not present then to bystanders. Any operator whose vehicle strikes or causes personal injury to any individual shall be reported to the County Police and, upon conviction of the first offense, be fined not more than One Hundred (\$100.00) dollars or in default be imprisoned in the Town or County Jail not more than Thirty (30) days. Upon conviction of a second or subsequent offense shall be fined not less than Three Hundred (\$300.00) dollars or in default thereof be imprisoned in the Town or County Jail not more than Thirty (30) days. Any operator whose vehicle strikes or causes damage to any other vehicle and who fails to conform to the requirements of this subdivision shall upon conviction of the first offense be fined not more than One Hundred (\$100.00) dollars or in default thereof be imprisoned in the Town or County Jail not more than Thirty (30) days; and for the second or any other subsequent offense be fined not more than Three Hundred (\$300.00) dollars, in default thereof be imprisoned in the Town or County Jail not more than Thirty (30) days.

§ 9. Parking Restrictions

A. It shall be unlawful to park; store, or leave any vehicle of any kind, whether attended or not, or for the owner of any vehicle of any kind to allow, permit, or suffer the same to be parked, stored, or left, whether attended or not; upon any public or private property in the Town of Eagle Harbor, other than public highways, without the consent of the owner of such public or private property, and the Town Commissioners of Eagle Harbor, and its designated

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agent or agents, are authorized to remove and impound any vehicle parked, stored, or left in violation of this Section and to keep the same impounded until the owner thereof or other duly authorized person, shall deposit collateral in the amount and in the manner hereinafter provided for in the case of violations of this Ordinance and shall have paid to the Town of Eagle Harbor an amount equal to the towage and any and all reasonable storage charges incurred by the Town impounding said vehicle. In any prosecution under this Section, proof that a vehicle was parked, stored, or left on public or private property shall be prima facie evidence that the vehicle was so parked, stored, or left without the consent of the owner of such public or private property.

B. It shall be unlawful for any person to park or leave standing on either side of Truman Point Road, from Hawkins Drive down to the river front, any automobile or other vehicle, provided that any person loading or unloading freight or taking on or putting off passengers on said road may let the vehicle remain standing as long as it is necessary therefore, but no longer.

C. The Board of Town Commissioners shall designate from time to time such streets as shall contribute to the safe movement of traffic within the Town and shall post all intersecting streets with appropriate "Stop Signs" so placed as to be readily visible to the motoring public.

D. It shall be unlawful to park, store, or leave more than four (4) vehicles of any kind, whether attended or not, or for the owner of any vehicle of any kind to allow permit; or suffer the same more than four (4) vehicles to be parked, stored, or left, whether attended or not, upon any private property in The Town of Eagle Harbor for a period longer than forty-eight (48) hours during any seven (7) day period. Violators of this ordinance will be subject to the Town Commissioners of Eagle Harbor, and its designated agent or agents, authorizing the removal and impoundment of any vehicles in excess of four (4) that are parked, stored, or left in violation of this Section and to keep the same impounded until the owner thereof or other duly authorized person, shall deposit collateral in the amount and in the manner hereinafter provided for in the case of violations of this Ordinance and shall have paid to the Town of Eagle Harbor an amount equal to the towage and any and all reasonable storage charges incurred by the Town of Eagle Harbor for impounding said vehicle. In any prosecution under this Section, proof that more than four (4) vehicles were parked, stored, or left on private property shall be prima facie evidence that the vehicles were so parked, stored, or left in excess of the Town limit of four (4) vehicles to be parked on private property (including covered vehicles). Vehicles actively used for launching boats are exempt from this subsection.

E. Any person violating the provisions of these Sections shall, upon conviction, be fined not less than Seventy-Five (\$75.00) dollars for the first violation and an additional Twenty-Five (\$25.00) dollars for each subsequent violation per vehicle and shall be liable for any and all related impound or towing, or administrative fees incurred by the Town.

§ 10. Removal of Trees, Bushes and other Obstructions

A. Whenever the Board of Town Commissioners find that there exists on any private property within the Town any trees, branches, bushes, vines, weeds, undergrowth, loose earth or other obstructions, except buildings and similar structures affixed to the ground, and if they further find that the same obstructs the vision of operators of vehicles traveling upon any public street, road or highway so as to constitute a traffic hazard, said Board or its designee shall immediately, upon finding such condition, serve upon the owner, agent, lessee or any other

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person having supervision over such property a written notice describing the premises where such obstruction exists, a statement of the particulars in which the vision of operators of vehicles is obstructed including the steps necessary to correct such conditions, and a notice directing that such corrective steps be taken within a stated period of time.

B. Upon the failure of any person to comply with the provisions of any order issued hereunder within the time specified therein, the Chief of Police or the Town's designee shall direct their subordinates or agents to enter upon the property where the obstruction is located and remove all or such part of the obstruction as may be necessary to eliminate the traffic or safety hazard.

C. All orders and notices issued by the Town Commissioners or any Town Official pursuant to the authority of this Section shall be served on the person to whom they are directed either by certified mail or by personal delivery to such person. If such person is not known to reside and cannot be found in the Town, such service shall be made by mailing such notice, by certified mail, to the last known address as listed on the last/most current property records available with the State Department of Assessments and Taxation.

D. Whenever it is necessary for the Town to provide for the removal or elimination of any type of obstruction referred to herein pursuant to the procedure prescribed above, the Town shall file with the Clerk-Treasurer a certified statement of the cost to the Town for such removal together with the cost of service of the notice above described. The cost of such removal, together with the cost of publication, shall constitute a charge against the owner of said property and may be recovered by the Town Commissioners by appropriate legal action or in the same manner as the collection of real property taxes.

§ 11. Other Regulations

Except as herein otherwise provided, the General Motor Vehicle Law of the State of Maryland, which is hereby declared and made a part of these Ordinances 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.

§12. Penalties

Unless otherwise specifically provided in this Article, any person violating any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined Five Hundred (\$500.00) dollars or may be confined to the County Jail for a period not to exceed Thirty (30) days, or until such fine and costs are paid.

§ 13. Severability Clause

If any word, phrase, clause, item, sentence, paragraph, section or part in or of this Ordinance shall judicially be declared to be unconstitutional or the applicability to person or circumstances held invalid, the constitutionality of the remainder of this affected thereby applicability thereof to other persons and circumstances shall not be affected thereby.

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ARTICLE 8 – SANITATION

§ 1. Sale of Unwholesome Food

A. No person shall knowingly sell, or cause to be sold, or knowingly offer for sale, within this Town, any impure, diseased, decayed or unwholesome article of food.

B. Every person owning, renting, leasing, or occupying any stall, room, or stand where meats, fruits, or vegetables are sold for food within this Town shall keep said stall, room or stand in a clean condition nor shall such person allow any such meats, fruits or vegetables to become poisoned or infected or unfit for food by reason of any unclean condition of such stall, room or stand.

§ 2. Display of Food

Except for licensed vendors, no person shall expose any fresh vegetables, meats, fruits or dairy products or other perishable foods for sale outside the confines of any building.

§ 3. Running Water Required

Unless otherwise permitted by State, County or Town law, no person shall use any premises or any part of any premises in the Town for the preparation, manufacture, or storage for sale, or the offering for sale, exchange or delivery, of any food, drink, confectionery, or condiment for human consumption unless such premises or part of premises be provided with running water, or other proper water supply if running water is not available, and with all necessary facilities, apparatus, utensils, and materials used in connection therewith, and for the proper cleansing of the hands of all the persons employed therein.

§ 4. Insect Control

Every operator of a store, market, dairy, cafe, lunch room or other place in this Town where food or beverage or confectionery or any similar article is produced or offered for sale, shall cause it to be screened effectually, or effectually protected by air conditioning, a power-driven fan or fans, or under adequate refrigeration so as to prevent flies and other insects from obtaining access to such food, beverage, confectionery or other article, and to keep them free from flies and other insects at all times.

§5. Permits

No restaurant, oyster house, cook shop, ice cream parlor, dairy lunch, or eating house, by whatever name designated, where food, meals, or refreshments are served to transient customers, to be eaten on the premises where sold, shall be established, maintained, or continued without a certificate and any other required authorizations from the Committee on Sanitation or the County Health Officer having jurisdiction that the premises are in proper sanitary condition in which to conduct such business.

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§ 6. Health Nuisances

It shall be unlawful for any person or persons to maintain or permit any nuisance or other condition affecting health to exist on his/her or its property within the Town, such as, but not limited to the accumulation of trash, rubbish, refuse, weeds or under growth of any kind, shall constitute a health nuisance hereunder.

§7. Abatement of Health Nuisances

The abatement of any nuisance affecting health shall be at the expense of the person or persons causing or permitting the same to exist. If any nuisance or condition affecting health remains unabated after three days' notice in writing from the Committee on Sanitation, the said Committee may proceed to abate said nuisance or condition at the expense of the person or persons causing or permitting the same and said expense may name of the Town and any judgment secured shall be a lien upon and all real estate of the judgment debtor.

§ 8. Interference with Garbage Collector

The occupants of all premises where refuse is accumulated shall, in icy and snowy weather, keep such walks, paths, driveways, and steps as may be used by the collector in the normal collection of refuse in a condition that will permit the collection to be made without hazard to the collectors.

§ 9. Walks, Paths, Driveways

The occupants of all premises where refuse is accumulated shall in icy and snowy weather, keep such walks, paths, driveways, and steps as may be used by the collector in the normal collection of refuse in a condition that will permit the collection to be made without hazard to the collectors.

§ 10. Depositing of Refuse Prohibited

It shall be unlawful for any person to deposit, throw, place, or cause to be deposited, thrown, or placed, any refuse in any street, or other public place in the Town or into any navigable waters in or adjoining the said Town.

§11. Human or Animal Excreta

It shall be unlawful for any person to place or cause to be placed in any public receptacle provided for the collection of refuse any human or animal excreta, or any article or substance soiled by human or animal excreta.

§12. Property Standards-Open Storage and Junk/Debris Prohibited

Open storage is prohibited. No person shall permit an accumulation of unsightly junk, trash, clutter and debris to be left in yards. Unsightly debris and open storage includes but is not limited to ladders, cans, pipes, poles, sinks, toilets, carpet, buckets, falling gutters, junk auto parts, appliances, glass, bottles, building/carpenter material, tires, broken or inoperable vehicles, bikes

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or bike parts, grills, televisions, indoor furniture, cardboard, plastics, etc. Violations must be rectified within specified time in Notice of Violation letter or such written notice from License and Permits Commissioner, the Chairperson of the Committee on Sanitation, or designated Code Enforcement Officer of Town of Eagle Harbor.

§ 13. Overflow into Streets and Patuxent River

No sewer or outlet of any closet; cesspool, privy, septic tank, sink basin or bath- house shall be allowed to flow into the streets or into the Patuxent River adjoining the Town.

§14. Refuse Dumping in Patuxent River Restricted

No dead fish, crabs, garbage, trash, leaves, debris, or other refuse shall be deposited or thrown into the Patuxent River.

§ 15. Weed Control

A. Property owners, occupants, and/or agents in charge of any land in the Town are prohibited from permitting on their private property any weeds, grass, or deleterious, unhealthful growth or other noxious matter that may be growing, lying, or located on any lot, place or area within the Town, that may, in any way, endanger the public health, safety or welfare of the citizens of the Town.

B. It shall be the duty of the owner; occupant or agent in charge of any land in the Town of Eagle Harbor to remove from such land any grass or weeds thereon of ten (10) or more inches in height within ten (10) days (except Sunday and Holidays) after notice to do so. Upon failure to comply with such notice he or she shall, upon conviction thereof, be punished by a fine not less than One Hundred (\$100.00) dollars and not more than Two Hundred and Fifty (\$250.00) dollars.

C. Whenever there shall exist upon any land, occupied or unoccupied, any aforesaid grass or weeds of ten (10) or more inches in height and no person can be found who either is or claims to be the owner thereof or who either represents or claims to represent such owner of the aforesaid property, the Commissioners of the Town of Eagle Harbor shall give notice in writing, by letter, requiring their removal, describing the character of work to be done and time allowed for doing same, which shall be not more than ten (10) days, unless otherwise stated in the notice letter; and if such grass or weeds are not removed within the time so specified; it shall be the duty of the Town Commissioners to cause their removal or abatement. The cost of such removal, including the cost of advertising, if any, shall be a lien upon said property and shall be assessed by said Town Commissioners as a tax against the property on which said grass or weeds were located and said tax so assessed shall bear interest at the rate of ten (10%) percent per annum until collected in the manner provided for collection of general tax by the authority of the Town Commissioners.

§16. Penalties

Except as stated otherwise in this Article, any person violating any of the provisions of

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the preceding sections of this Chapter shall be punished by a fine of not less than One Hundred (\$100.00) dollars and not more than Five Hundred (\$500.00) dollars for each such subsequent offense and each day's violation shall be deemed a separate offense.

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ARTICLE 9 – PUBLIC NUISANCES, MORALS AND CONDUCT

§1. Disturbance of the Public Peace

It shall be unlawful for any person to willfully obstruct or hinder the free passage of persons passing along any public street within the corporate limits of the Town of Eagle Harbor, or to willfully disturb any neighborhood within the corporate limits of the Town of Eagle Harbor by loud and unseemly noises, or to profanely curse and swear or use obscene language in a loud manner upon or near any such street or to obstruct or hinder the free passage of persons upon any public street within the Town of Eagle Harbor by catching hold of and soliciting a person or persons against the will of such person or persons. It shall be unlawful for any person to be drunk or act in a disorderly manner by making loud and unseemly noises, or by profanely cursing, swearing or using obscene language, or by indecently exposing his or her person within public building or upon the public streets or private and public parking lots within the corporate limits of the Town of Eagle Harbor.

§ 2. Disorderly Conduct

A. Disorderly Conduct on Private Property. It shall be unlawful for any person to enter uninvited upon the lands or premises of any other person, firm or corporation, whether such person be the owner or lessee of said land or premises, and to willfully act in a disorderly manner by making loud and unseemly noises or by profanely cursing or swearing or using vulgar or obscene language or by being under the influence of intoxicating liquors or narcotics while thereon.

§3. Concealed Weapons

A. Any person who shall, without proper authority, within the Town have concealed about his/her person, any deadly or dangerous weapon, or who shall carry openly any such weapon, with intent to unlawfully use the same, shall upon conviction be subject to the penalties as hereinafter provided.

B. Any authorized official engaged in the execution of the laws for the protection of persons or property, when any such persons are on duty shall not be liable for unlawfully carrying necessary arms for use in performance of their duty. Provided further that nothing contained in the Section shall be so construed as to prevent any person from keeping or carrying about his place of business, dwelling house, or premises any such dangerous or deadly weapon, or from carrying the same from place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to any place where repairing is done to have the same repaired and back again.

§4. Trespass and/or Unlawful Entry on Private Property

No person, without lawful authority, shall trespass and/or enter, or attempt to enter a private dwelling or curtilage against the will of the lawful occupant thereof.

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§5. Gambling

Except as permitted by State law, no person shall operate public gambling facilities or activities within the Town limits.

§6. Manufacture and Sale of Intoxicating Beverages

It shall be unlawful for any, person within the Town Limits to transport, sell, keep, or store for sale, or advertise for sale, any alcoholic beverages as defined in the Alcoholic Beverages Article hereinafter mentioned, until he or she shall have first obtained a license therefore as provided in the Alcoholic Beverages Article of the Code of Public General Laws of State of Maryland.

§7. Defacing Trees or Buildings

It shall be unlawful for any person or persons to, at any time or in any manner, deface, or injure or remove any tree, fence, gate, railing, porch, building or other structure upon public land, by writing, carving, cutting or in any other manner within the corporate limits of the Town of Eagle Harbor. It shall be unlawful for any person or persons to purposely injure, or deface, by cutting, carving, breaking or otherwise, any tree or trees now planted or hereafter to be planted along or within the public's right-of-way within the corporate limits of the Town of Eagle Harbor.

§8. Obstructing Pavement

Except pursuant to a license or permit issued by the Town, it shall be unlawful for any storekeeper or other persons to encumber, obstruct or in any manner interfere with the free and uninterrupted use of the public streets and sidewalks of the Town of Eagle Harbor by leaving any goods, wares, merchandise or other articles or things thereon, or by the use of a commercial lift, except for loading or during the erection or repair of a building.

§9. Highway Debris

No person engaged in excavating, repairs to structures or grounds, or construction or having charge or control of excavation, repairs to structures or who may be engaged in or have charge or control of conveying material to or from excavations, making repairs to structures of grounds, or construction, shall deposit, or permit to be deposited, in any manner upon the surface of any street or other public space within the corporate limits of the Town of Eagle Harbor, either by placing spilling, dropping or tracking from wheels of vehicles, or from the feet of animals, or otherwise, any earth, dirt, mud, sand, gravel, or other material.

§ 10. Trespass Upon Boats

It shall be unlawful for any person to trespass upon or meddle with any boat or canoe that is not his/her own property within real property located in the Town Limits, or to remove any such boat or canoe from its mooring, or to take therefrom any of its contents or fittings or any property thereon, or to damage the same.

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§11. Animal Control

All property owners and visitors shall comply with the Animal Control Laws of the Town and Prince George's County, which are adopted by reference herein in Article 6.

§12. Unlawful Camping

It shall be unlawful for any person to camp in a public place, occupy public property for habitation or otherwise use camp paraphernalia in or upon any street, beach, public parking lot or any public area, improved or unimproved within the Town of Eagle Harbor.

§ 13. Warrantless Arrest

When, in the judgment of a sworn police officer, the delay necessary to the procurement of a warrant for the arrest of any person violating any provisions of these Ordinances which would be dangerous to the peace for the good of the Town, such person may be arrested without such warrant.

§ 14. Nuisances

No mechanical or electronic device, machine, or apparatus or instrument of intensification of the human voice or of any sound or noise, nor any bell, horn, gong, whistle, drum, or other noise making article, instrument or device shall be struck, sounded, used, operated or cause to be used or operated on or in the street or other public space, nor shall loud noises be made by any such article, instrument or device in or about public places in the Town of Eagle Harbor, Maryland. No musical instrument of any sort shall be played or any mechanical device, machine, or apparatus or instrument for the intensification of the human voice or any music, sound, or noises shall be played, used, operated, or caused to be unreasonably played, used, or operated by any person within the Town Limits.

§ 15. Defacing Town Signs

It shall be unlawful for any person or persons to purposely tear down or in any manner deface any sign, signs, barricade tapes, proclamations, official notices, or posters which have been posted by authority of the Chairperson-Mayor or the Town Commissioners of Eagle Harbor.

§16. Traffic Signs

It shall be unlawful for any person or persons to willfully break or damage any streetlights within the corporate limits of the Town of Eagle Harbor, or to damage, cut or break any street light posts, parking signs or traffic signs in said Town.

§ 17. Condemnable and/or Uninhabitable Property

Any property, building or structure determined to be condemnable and/or uninhabitable property by the Town Commissioners, the Town's Building Committee, or any other designated agent of the Town, whether situated on public or private property in the Town, may,

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upon written notice to the owner of record by said Town Commissioners, Town Building Committee, or a designated Town agent or agents, may issue an order under this Article upon the owner and after reasonable notice and an opportunity for a hearing before said Town Commissioners, are authorize to condemn, abate, make safe, remove, tear down, and/or discard the property or structure in violation of this Section and the owner shall pay to the Town of Eagle Harbor a sum equal to any and all reasonable notice, condemnation, abatement or removal charges incurred by the Town of Eagle Harbor in exercising its authority under this Section. Any unpaid charges or fines assessed under this Section may be collected in the same manner of real property taxes and shall be a lien on the subject property.

§18. Penalties

Unless a specific section or article herein states otherwise, any person violating any of the provisions of this Code of Ordinances or any lawful order issued by the Board of Commissioners, the Mayor or the Public Safety Commissioner in pursuance thereof, or committing any of the acts declared to be unlawful by this Code of Ordinances, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed Two Hundred and Fifty (\$250) dollars, or may be confined to the County Jail of Prince George's County for a period not to exceed Thirty (30) days and where the offense is of a continuing nature each day's violation shall be deemed a separate offense.

§19 Occupancy of trailers, cars, or other vehicles

It shall be unlawful for any person or persons to occupy any trailer, car, recreational vehicle, camper or other vehicle as his, her or their long-term living quarters within the limits of the Town of Eagle Harbor, regardless of whether the trailer or vehicle is located on public or private real property. Long-term is defined as more than 72 hours in any given month or more than two such occasions exceeding 72 hours in any given calendar year. Violators are subject to a one hundred (\$100.00) dollar per day fine. Violations left unpaid after ninety (90) days are subject to a tax lien for this unpaid fine.

§ 20. Severability Clause

If any word, phrase, clause, item, sentence, paragraph, section or part in or of this Ordinance shall judicially be declared to be unconstitutional or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this Ordinance and the applicability thereof to other persons and circumstances shall not be affected thereby.