

**TOWN OF NEW WINDSOR**

**ORDINANCE NO. 02-01-17**

WHEREAS, by virtue of the authority contained in the Land Use Article of the Annotated Code of Maryland and Chapter 35 of the Code of the Town of New Windsor, the Mayor and Council of the Town of New Windsor have the authority to create and from time to time amend regulations pertaining to the use of land within the Town; and

WHEREAS, the New Windsor Planning and Zoning Commission has reviewed and recommended these amendments for adoption; and

WHEREAS, these amendments were duly advertised and a public hearing on them was held on February 21, 2017;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of New Windsor:

**ARTICLE 1:** That Chapter 215 be amended as follows:

Section 1. That Section 215-53(A)(2) be amended to read as follows:

(2) Business, trade schools and [colleges] educational institutions;

Section 2. That Section 215-54(6) be added to read as follows:

(6) New dwellings used subordinate to and in support of the operation of an educational institution

Section 3. That Section 215-55(A) be amended to read as follows:

A. Dwellings (new) except as permitted by §215-54(6) and §215-56(E); any dwelling existing at the adoption of this chapter which is subsequently damaged or destroyed may be rebuilt for use as a dwelling, irrespective of the amount of the damage;

Section 4. That Section 215-56(E) be added to read as follows:

E. Dwellings existing at the time of this subsection used subordinate to and in support of the operation of an educational institution.

### **ARTICLE 3. Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this chapter, it being the intent of the Town that this chapter shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion thereof.

### **ARTICLE 4. Section Headings, Chapter Headings, Titles.**

Section headings, chapter headings, titles, etc., are for the purpose of description or ease of use and do not form a part of the text of this Ordinance or any Code or test adopted hereby.

### **ARTICLE 5. Existing Liabilities.**

This Ordinance shall not discharge, impair or release any contract, obligation, duty, liability or penalty whatever existing on the date of its enactment. All suits and actions, both civil and criminal pending or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance affected by the adoption of this Ordinance shall be instituted, proceeded with and prosecuted to final determination and judgment as if this Ordinance had not become effective.

This Ordinance shall take effect on the 15<sup>th</sup> day of March, 2017.

Introduced this 1<sup>st</sup> day of February, 2017.

Donna Alban  
Donna Alban, Town Clerk

Passed this 21<sup>st</sup> day of February, 2017, by a vote of 4 members in favor and 0 Council members opposed.

Donna Alban  
Donna Alban, Town Clerk

ATTEST:

Donna Alban  
Donna Alban  
Town Clerk

Neal C. Roop  
Neal C. Roop  
Mayor

Effective this 15<sup>th</sup> day of March, 2017.

Approved as to form and legal sufficiency this 1<sup>st</sup> day of February, 2017.

By: Michelle M. Ostrander  
Michelle M. Ostrander



NOTE: Matter in [brackets] is proposed for deletion from existing law.  
Matter underlined is new material proposed to be added to existing law.