

ORDINANCE NO. 2025-09

AN ORDINANCE TO MODIFY CHAPTER 165, ARTICLE XVIII, OVERLAY ZONES, SECTION 165-151, HISTORIC TOWN CENTER (HTC) OVERLAY DISTRICT, TO INCLUDE SPECIAL CONDITIONS PROHIBITING THE OPERATION OF EATING AND DRINKING ESTABLISHMENTS BETWEEN THE HOURS OF 12:00 AM UNTIL 6:00 AM EACH DAY.

SECTION I. BE IT RESOLVED, ORDAINED AND ENACTED by the Mayor and Council of Myersville that Chapter 165, Article XVIII, Section 165-151 of the Myersville Municipal Code be, and hereby is, amended as hereinafter provided. New language is designated by being **IN BOLD CAPITAL LETTERS**, and deletions are designated by being ~~{in brackets and stricken through}~~.

Chapter 165 – Zoning

Article XVIII – Overlay Zones

§ 165-151 Historic Town Center (HTC) Overlay District

A. – D. {Unchanged}

E. Special Conditions.

- (1) In an HTC District, processes and equipment employed and goods processed or sold shall be limited to those which are not hazardous to public health and safety, or which are not a nuisance, nuisance-like or objectionable by reason of hazard, odor, dust, smoke, cinders, gas, fumes, noise, vibration, radiation, refuse matter or water-carried waste.
- (2) In an HTC District, the site and development design should be planned in such a manner as to give consideration to the preservation of existing historic features, architecture and character.
- (3) In an HTC District, the site and development design should be planned to accommodate off-street parking only for the uses proposed on the site improvement plan. Off-street parking for uses other than those approved on an approved site improvement plan is prohibited.
- (4) An amendment to an approved overlay district master plan, sketch plat, or site plan may, at the discretion of the Planning Commission, be submitted and considered concurrently with a pending sketch plat.

- (5) In an HTC District, a public hearing must be held by the Planning Commission prior to the issuance of a zoning certificate for the demolition of any building greater than 500 square feet in area by the Zoning Administrator.
- (6) **IN AN HTC DISTRICT, AN EATING AND DRINKING ESTABLISHMENT MAY NOT OPERATE BETWEEN THE HOURS OF 12:00 AM UNTIL 6:00 AM EACH DAY.**

F. {Unchanged}

SECTION II: BE FURTHER RESOLVED, ORDAINED AND ENACTED by the Mayor and Council of the Town of Myersville, Maryland that this Ordinance shall take effect twenty (20) calendar days following its approval by the Mayor and Council.

INTRODUCED on the 10th day of June, 2025.

ENACTED AND APPROVED this 8th day of July, 2025 by a vote of 5 for, 0 against, 0 absent and 0 abstaining.

ATTEST:

Kathy Gaver
Kathy Gaver, Town Clerk

**MAYOR AND COUNCIL OF THE
TOWN OF MYERSVILLE**

By: Mark Hinkle (SEAL)
Mark Hinkle, Mayor