

**TOWN OF HAMPSTEAD
ORDINANCE NO. 528**

AN ORDINANCE TO AMEND CHAPTER 135 OF THE HAMPSTEAD TOWN CODE REGARDING USES IN THE B-L LOCAL BUSINESS ZONING DISTRICT.

WHEREAS, by virtue of the authority contained in the Land Use Article of the Annotated Code of Maryland and Chapter 25 of the Code of the Town of Hampstead, the Mayor and Council have the authority to create, and from time to time amend, regulations relating to the use of real property within the Town; and

WHEREAS, the Hampstead Planning and Zoning Commission has considered these amendments and recommended them to the Council for adoption; and

WHEREAS, the Mayor and Council held a public hearing on these amendments on the 5th day of June, 2018;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMPSTEAD:

ARTICLE 1. That Chapter 135-113, Conditional uses requiring Board authorization, be amended to add a new subsection J as follows:

J. The following businesses or operations that involve the production, storage, distillation, manufacturing, processing, distribution, and wholesale and retail sale of liquor, beer, wine, coffee, and/or cider made from produce grown or produced off site. The hosting of tours and tastings of such products incident to such businesses or operations conducted on the premises. Such business or operations must be conducted in an enclosed building. Such operations shall be in compliance with any and all local and state liquor laws and licensing requirements and Health Department regulations, and shall possess any and all licenses which may be required by Carroll County, the Town of Hampstead, and/or the State of Maryland:

(1) Microdistillery.

(2) Microbrewery.

(3) Microwinery.

(4) Coffee-roasting operations.

ARTICLE 2. 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 3. 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 4. Interpretation.

In interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This Ordinance shall be construed broadly in favor of the Town of Hampstead for the purpose to promote the purpose for which it is adopted.

ARTICLE 5. Abrogation and Greater Restrictions.

1. Public Provisions. This Ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law except as provided in these regulations. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, the provision which is more restrictive or imposes higher standards shall control.

2. Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement impose duties and obligations more restrictive than these regulations, and the private provisions are not inconsistent with these regulations, then the private provisions shall be operative and supplemental.

Introduced this 8th day of May, 2018.

Clerk of the Council

Passed this 5th day of June, 2018 by a vote of 5 Council members in favor, 0 Council members opposed, and 0 abstentions.

Delivered to the Mayor for his approval or disapproval this 5th day of June, 2018.

ATTEST:

Clerk of the Council

Christopher M. Nevin
Mayor

Effective this 25th day of June, 2018.

Approved as to form
and legal sufficiency
this ____ day of _____, 2018.

MICHELLE M. OSTRANDER, ESQ.

BY: _____
Town Attorney

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