

THE GENERAL ORDINANCES OF THE  
TOWN OF  
EAGLE HARBOR, MARYLAND

Adopted \_\_\_\_\_, 2007

Effected July 1, 2007

BY ORDER OF THE COMMISSIONERS

\_\_\_\_\_, 2007

Joseph C. Lomax Jr.  
TOWN MAYOR

ATTEST

Bertha Guerra  
CLERK

2007

REVISED AND UPDATED  
April 12, 2007

GENERAL ORDINANCES  
THE TOWN OF EAGLE HARBOR

TOWN OF EAGLE HARBOR

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## ARTICLE I - COMMITTEES

### § 1. Appointment of Committees by Chairman-Mayor

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

- A. Committee on Finance
- B. Committee on Licenses
- C. Committee on Sanitation
- D. Committee on Public Safety
- E. Committee on Buildings
- F. Committee on Public Works

### § 2. Duties of Standing Committees

A. Finance: The Committee on Finance shall examine all bills and accounts and recommend their approval or disapproval by the Town Commissioners recommend to the Town Commissioners the annual Town Budget and tax rate; keep informed as to the financial affairs of the Town and the operations of the Treasurer's office; make recommendations to the Town Commissioners in regard to receipts and disbursements, the keeping & account, and any other matters relating to the finances of the Towa It shall be the duty of the Finance Committee to have a certified public accountant; such report shall be transmitted to the Town Commissioners within 120 days after the close of the fiscal year.

B. Licenses: The Committee on Licenses shall be responsible for approving any and all licenses and/or permits issued under the ordinances of the Town of Eagle Harbor. The Committee shall see to it that all businesses for profit in the Town of Eagle Harbor are properly licensed and all required fees are paid. The Committee on Licenses may designate any number of persons to be responsible for the issuance of licenses and permits, and any such person designated shall be identified as a "Permit Commissioner."

C. Sanitation: The Committee on Sanitation shall have and exercise general supervision of the sanitary conditions of the Town, and may make and enforce sanitary rules and regulations for the preservation of the public health, subject to the 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 Chairman-Mayor; keep itself informed as to operation of Police and street lighting make recommendations to the Town Commissioners with regard to the appointment; promotion and discipline of the personnel of the Police Department; improvements in the efficiency of these departments, and all other matters relating to the public safety.

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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 Town Commissioners with regard to such matters; organize the participation by the Chairman-Mayor and Town Commissioners and other personnel of the Town Government in public ceremonies; inspect all construction and alterations to see that all Town ordinances and codes 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 to make recommendations to the Town Commissioners with regard to all such matters; keep informed as to — and 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 building 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.

§3. Special Committees

There shall be such special committees as may be deemed by the Chairman-Mayor or the Board of Town Commissioners as needed, with the duties prescribed by the Chairman-Mayor or the Board at the time of their establishment or subsequently.

§ 4. Vacancies

The Chairman-Mayor 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 those ordinances.

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ARTICLE 2- ASSESSMENTS AND TAXATION

§1. Property Taxes

A. Annual Collection. The Town Commissioners shall annually levy a general tax fix 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 or by a collector specially appointed by the Town Commissioners for that purpose and the said Treasurer or specially appointed collector in the collecting of said taxes, shall have full power to distain 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 by the Town Commissioners shall be due and payable on January 1 of the year for which the levy is made and if the taxes of any property owner shall not be paid by the first day of July of the year for which such levy is made, there shall be added a penalty of one per centum thereof and a like penalty of one per centum on the first day of each succeeding month until such taxes and penalties are paid 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. County Road Taxes

The County Commissioners of Prince George's County shall and they are hereby directed to return and pay over annually to the Town Commissioners of the Town of Eagle Harbor three-fourths (3/4) of the money collected on account of the county road and bridge tax from property within the said Town of Eagle Harbor in the Sine amount and manner as is now required by law to be paid to incorporated Town in said county; the money so returned to be expended by the Town Commissioners for improving maintaining and repairing the roads, streets, lanes and alleys of said Town.

§3. Valuation

The Town Commissioners shall under and by virtue of the Charter of Eagle Harbor, 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 improvements together with the name of the owner thereof.



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§ 4. Trash and Garbage Collection Assessment

A. An annual assessment may be levied by the Chairman-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 Sanitary Committee must at all times be properly maintained by all boarding-houses, rooming-houses, hotels, and 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 Treasurer-Clerk 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 Treasurer-Clerk or appointed collector to maintain books of accounts, render monthly financial reports to the Chairman-Mayor and the Board of Town Commissioners, pay all bills approved by the Finance Committee, keep adequate records of receipts and disbursements, be responsible for the submission of the annual Town report to the State Fiscal Research Bureau, 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 the levy is made by the Town Commissioners in each year, the Treasurer-Clerk shall give notice of the making of the levy by posting a notice thereof in some public place or places in the Town. The Treasurer-Clerk shall make out and mail or deliver in person to each tax payer or his agent at his last known address or bill or account of the taxes due from him. 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. 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. They shall bear interest while in arrears at the rate of two-thirds of one per centum (2/3 of 1%) for each month or fraction of a month until paid. All taxes

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not paid and in arrears after the first day of the following January shall be collected as provided in Article 2, §5D 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, §5C of the Town Ordinance shall be turned over by the Treasurer-Clerk 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 publishing 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 and 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, 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 Chairman of the License Committee in which shall be stated the lot and square number if the business is 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 it such places as may be designated by the Chairman-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 clear 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 Town Treasurer-Clerk to issue or cause to be issued a license to the applicant provided, however, the committee on Licenses and Permits shall first have 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 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 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 business if conducted for profit within the Town of Eagle Harbor at any time between May 15<sup>th</sup> and September 15<sup>th</sup>, 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 15 and September 15<sup>th</sup> of any year.

Amusement Games of Skill	\$25.00
Apartments	\$25.00
Arcades	\$150.00
Bakers	\$25.00
Barber Shops	\$25.00
Bath Houses	\$25.00
Bingos	\$250.00
Boarding Houses, 3 rooms or more	\$35.00
Bottled Gas	\$15.00
Bottled Gas and Appliances	\$25.00
Bowling Alleys and Billiard Parlors	\$25.00
Commercial Air Craft	\$75.00
Contractors and Builders	\$15.00
Delicatessens	\$25.00
Drug Stores	\$25.00
Dry Cleaning and Laundry Services	\$25.00
Filling and Service Stations	\$25.00
Food Stands	\$25.00
Food and Novelty Stands	\$25.00
Fruit and Vegetable Stands	\$25.00
General Merchandise or Notions	\$25.00
Grocery or Meat Dealers	\$25.00
Hair Dressers and Manicurists	\$15.00
Hardware Stores	\$35.00

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Hotels, 10 rooms or more	\$50.00
Hucksters and Produce Dealers	\$25.00
Mechanically Operated Concessions	\$50.00
Motels	\$50.00
Moving Pictures and other Theatres	\$25.00
Party Power Boats for Hire (per boat)	\$5.00
Photographers	\$15.00
Pool Tables (per table)	\$5.00
Public Garages and Repair Shops	\$25.00
Real Estate Agents	\$25.00
Restaurant or Lunchroom	\$25.00
Rooming Houses, 3 10 rooms	\$25.00
Row Boats or Rafts for Hire	\$10.00
Skating Rinks and Public Dance Halls	\$25.00
Soda Fountains and Merchandise	\$25.00
Taxicabs and other Vehicles for Hire [\$5.00 for fist 2 vehicles, \$5.00 for each additional]	
Wholesale Merchandise Dealer	\$15.00
Slot Machines	\$25.00

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 \$5.00 or such greater amount as the Commissioners may determine.

§ 9. Duty of the Treasurer-Clerk Issuing License

The Town Treasurer-Clerk shall make monthly payments to the Collector all money collected by virtue of this Article or if there is no designated Collector, the Treasurer-Clerk shall make monthly deposits of all money collected by virtue of this Article 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 fifty (\$50.00) dollars or in default thereof be imprisoned in the County Jail not more than twenty-five (25) days.

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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 National Building Code, Abbreviated Edition, recommended by the National Board of Fire Underwriters, being particularly the 1955 edition as amended thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which 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 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 is hereby created who shall be the Chairman of the Building Committee.

§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 permit shall have been first had and obtained.

§ 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 Chairman of the Building committee for a permit, the same to be accompanied by plan and specifications for approval by the Building Committee and containing the name of the owner, lot and square number, kind of building, numbers of stories in height, dimensions of building and location of saint 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 often (10%) per centum of the County permit application fee or twenty (\$25.00) dollars, whichever amount is greater. Upon the approval of the Building Committee, the Permit Commissioner shall issue a permit in accordance with the recommendation of the Building Committee and such permit shall expire one (1) year from the date of issuance by the Town or shall expire six (6) months after issuance by the Town if construction has not commenced within the six month

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period. Every plan for the erection of a new building must show thereon that suitable provisions have been made for construction of an approved sanitary disposal system.

b. All applications for permits for structural alterations or additions to buildings and for erection of any fence, 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 is 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, wagon, 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% or:

(1) the property within the square where it is proposed to locate, establish, maintain, erect, or enlarge such building premises.

(2) 75% of all other property 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 Treasurer-Clerk 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 Treasurer-Clerk 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. No part of any building shall be erected on any lot, nearer to the front line than fifteen (15) feet, nor nearer to any other lot line than eight (8) feet, nor on a corner lot nearer to the Street side line than eight (8) feet.

b. No fence shall be erected on the front, side or rear of any lot at a greater height than three (3) feet, six (6) inches, 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 in excess of six (6) feet.

§ 7. Residential Dwellings

No residential dwelling shall be erected on less than six (6) adjoining lots and no residential dwelling shall exceed twenty (20) feet in height. 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 before first obtaining a permit therefore or doing any such work after obtaining a permit not in conformity with the plans and specifications approved by the Building committee shall upon conviction be subject to a fine not less than one hundred (\$100.00) dollars, or on default in the payment thereof be imprisoned in the County Jail not exceeding twenty-five (25) days.



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ARTICLE 5-FIRE REGULATIONS

§ I. 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 Prevention Cod; Abbreviated Edition, recommended by the National Board of Fire Underwriters, being particularly the 1956 edition 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 thin the limits of the Town of Eagle Harbor.

2. Establishment of Office of Fire Officials

The Office of Fire Officials is hereby created who shall be the Chairman 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 shall upon conviction 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 twenty-five (25) days.

§ 4. Fireworks

The discharge or firing of fire-crackers, rockets, torpedoes, roman-candles, or other explosive fire works, or the selling of any such fire works within the Town is hereby prohibited under a penalty of not more than One Hundred (\$100.00) dollars, or in delimit thereof be imprisoned in the Town or County Jail for not more than twenty-five (25) days.

§ 5. False Maims 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 Fire Department of Eagle Harbor from its

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Proper place except in the case of fire or other public necessity requiring the same or upon authority of the Committee of Public Safety.

§ 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

Any person, or persons, guilty of violating any of the provisions of this Article or failing to comply with the requirements thereof or of any order or orders, rules and regulations prescribed by the Committee on Public Safety shall where no other penalty is prescribed, upon conviction be fined for each offense not more than One Hundred (\$100.00) dollars and in default of the payment thereof be imprisoned in the County Jail not more than Twenty-Five (25) days.

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ARTICLE 6-DOGS

§ 1. Running at Larger

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 passed by the Prince George's County Commission shall apply within the corporate limits of Eagle Harbor.

§ 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 and the ordinances and regulations of Prince George's County pertaining to dogs.

§ 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 Five (\$5.00) dollars or in default of the payment thereof be imprisoned in the Town or County Jail for a period not to exceed Twenty-Four (24) hours.

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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 Article 66 1/2 of the Annotated Code of Maryland, 1957 edition, as amended, and in accordance with authority specifically granted by said 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 restrictions signs designed to control, regulate, warn or guide traffic or limit parking on public street, highways, or other areas in the Town of Eagle Harbor, Maryland, 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. Within fifteen (15) feet of a fire hydrant
5. 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

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6. Within twenty-five (25) feet of any beacon, stop sign, or traffic control signal located at the side of a roadway
7. 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
8. Within twenty (20) feet of the driveway entrance to any fire department station within seventy-five (75) feet of said entrance when sign-posted
9. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic
10. 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
11. At any place where an official sign or painted curb of Prince George's, the State of Maryland, or the Chairman-Mayor and the Town Commissioners of Eagle Harbor 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
12. 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. Notice of Violations and Issuance of Summons

Every duly authorized Police officer of the Town of Eagle Harbor shall attach to any vehicle found to be in violation of Section 2 and 3 of this Chapter a notice to the owner thereof that such vehicle has been in violation of the provisions of this Chapter and instructing such owner to report to the Police Department of Eagle Harbor, Maryland, during regular office hours thereof in regard to such violation. Each such owner may, within Twenty (20) days of the time when such notice was attached to such vehicle, exclusive of Sundays and legal holidays pay to the Town of Eagle Harbor a penalty and in full satisfaction of such violation the sum of Twenty-Five (\$25.00) dollars the failure of such owner to make such conditions shall render the owner subject to the penalty

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hereinafter imposed. Any duly authorized Police Officer of the Town of Eagle Harbor shall take said notice to a duly authorized and appointed Trial Magistrate of Prince George s County for the purpose of having a warrant for the arrest of such owner issued and for the setting of an amount of collateral to be posted. In the event such owner does not pay said collateral he shall be subject to the penalties of fine or imprisonment, or both, as provided in This Chapter with respect to the provision which has been violated,

§ 5. 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 patted, 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 Chief of Police, and his 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 on gasoline, such as all-twain vehicles, go-hits, 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 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 \$50.00 (fifty) dollars.

§ 6. 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 dame to be patted, 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 registered

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owner of any vehicle and/or the registered owner of the private property where a vehicle in violation of this section is located and may impose a fine upon any person in violation of this section in an amount not less than Fifty (\$50.00) Dollars and not more than Two Hundred and Fifty (\$250.00) Dollars. The Town of Commissioners of Eagle Harbor, and its designated agent or agents, are authorized to impose a fine based upon a consideration of prior violations by a person of this Section.

c. The Town Commissioners of Eagle Harbor, and its designate agent or agents, are authorized to remove and impound any vehicle parted, 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 and amount equal to the towage and any and all reasonable 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.

§ 7. 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 is reasonable and proper, having regard to the width of the public highway, the use thereof, and the traffic thereon; (3) so to endanger any property or individual; or (4) so as to unnecessarily or unreasonably damage the public highway.

b. No motor vehicle, truck or tractor shall be operated upon any highway or street in the Town at a greater speed than twenty-five (25) miles per hour except on such streets and highways as may be covered by regulations and the placing of signs.

c. No motor vehicle shall be operated on any street or highway in the Town with clutch disengaged or gear out of mesh except for the purpose of changing or shifting gears or stopping or while being towed.

d. 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.

e. 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 upon the conviction 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 or in

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default thereof shall be imprisoned in the Town or County Jail not more than thirty (30) days.

f. 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 Town or County Jail not exceeding twenty-five (25) days.

§ 8. Driving Under Influence of Liquor or Drugs

No individual shall, while under the influence of any intoxicating liquor or narcotic and/or recreational drug, 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 Town or County Jail not more than Thirty (30) days.

§ 9. 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 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 be imprisoned in the Town or County Jail not more than Thirty (30) days; and upon the conviction of a second or subsequent offense shall be fined not less 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 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.

§10. 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



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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 and amount equal to the towage and any and all reasonable 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 without the consent of the owner of such public or private property.

b. All vehicles shall be driven and parked on the right hand side of the street, unless a street or avenue is designated by the Board of Town Commissioners to be for one-way traffic.

c. 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 and said road may let the vehicle remain standing as long as it is necessary therefore, but no longer.

d. 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 as Boulevards and shall post all intersecting streets with appropriate "Stop Signs" so placed as to be readily visible to the motoring public and all traffic entering Boulevards so designed shall come to a complete stop before so doing.

e. 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 and the Town Commissioners of Eagle Harbor, and its designated agent or agents, are authorized to remove and impound 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 and amount equal to the towage and any and all reasonable storage charges incurred by the Town of Eagle Harbor, 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.

f. Any person violating the provisions of these Sections shall upon conviction be fined not less than Twenty-five (\$25.00) dollars or in default thereof be imprisoned in the Town or County Jail not more than Twenty-Five (25) days.

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§ 11. 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, 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 to obstruct the vision of operators of vehicles traveling upon any public street, road or highway so as to constitute a traffic hazard, they shall immediately, upon finding such condition, serve upon the owner, agent, lessee or any other person having supervision over such property a written notice describing the premises where on 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 an order directing that such corrective steps be taken within a stated period of time.

b. Any person who considers himself aggrieved by any order issued pursuant to the authority of this Section may, within Ten (10) days of the receipt of such order petition the Board of Town Commissioners in writing for a hearing thereon, within Thirty (30) days from the receipt of such petition the Town Commissioners shall hold such a hearing after which it may either affirm, modify or rescind the order. No official of the Town Government shall remove any obstruction or enforce any order issued hereunder until after such hearing by the Town Commissioners has been held or until after the time to petition for such hearing has expired without such a petition having been filed.

c. 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 shall direct his subordinates to enter upon the property whereon the obstruction is located and remove all or such part of the obstruction as may be necessary to eliminate the traffic hazard.

d. 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 registered 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 publication of such order or notice once in a newspaper of general circulation in the Town, and by posting the same on the premises in a conspicuous manner. Service by publication and posting shall be deemed to be made on the day of publication or posting.

e. Whenever it is necessary for the Chief of Police to provide for the removal or elimination of any type of obstruction referred to herein pursuant to the procedure prescribed above, he shall file with the Town Treasurer a certified statement of the cost to the Town Treasurer of 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 there from and thereafter constitute a charge against the owner of said property and may be recovered by the Town Commissioners by appropriate legal action.

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f. Any person who violated any provisions of this Section shall be guilty of a misdemeanor and shall be punished by a fine of not less than Ten (\$10.00) dollars nor more than One Hundred (\$100.00) dollars or by imprisonment for not more than Ninety (90) days in the discretion of the Court. Each day of violation shall be deemed a separate offense.

§ 12. Other Regulations

Except as herein otherwise provided, the General Motor Vehicle Law of the State of Maryland, which are 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,

§13. Penalties

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

§ 14. 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 knowingly 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 unclean condition of such stall, room or stand.

§ 2. Display of Food

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

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 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,

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maintained, or continued without a certificate from the Health Officer having jurisdiction that the premises are in proper sanitary condition in which to conduct such business.

§ 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 expenses 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 ref use 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 or place~ or cause to be deposited, thrown or placed, any refuse in any avenue, alley, street, or other public place in the Town or into any waters in the said Town.

§11. Human or Animal Excreta

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

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§ 12. Receptacles

Every person maintaining a hotel, boarding-house, restaurant, apartment house, dwelling or other place where there may be accumulation of garbage, shall provide a suitable covered metal leak proof receptacle for the same and to be so placed on the premises that it will be accessible to the collector, and shall also provide a separate receptacle for containing cans, bottles and refuse of all kinds. All boarding-houses, rooming-houses, hotels, restaurants, or other places of business exempt from the Special Scavenger Tax shall have timely collections of waste matter, including garbage and trash, made at their own expense. In no case shall a receptacle be of greater than thirty (30) gallons.

§13. Filth on Property or in Gutters

No person shall permit any filth to be or remain for more than three (3) hours after notice from the Chairman of the Committee on Sanitation or any Police Officer to remove the same on any part of the ground and property of the owner or in the gutter opposite the ground occupied by such person or persons.

§ 14. Overflow into Streets and Bay

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 Chesapeake Bay in front of said Town.

§15. Refuse Dumping in Bay Restricted

No dead fish, crabs, offal, garbage, trash, leaves, debris, or other refuse shall be deposited or thrown in the Bay.

§ 16. 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 or any abutting sidewalk, 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, considered to endanger; in anyway, 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 weeds thereon twelve (12) 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, on 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.

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c. Whenever there are upon any land, occupied or unoccupied, aforesaid weeds twelve (12) 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 aforesaid, the commissioners of the Town of Eagle Harbor shall give notice in writing, by letter, requiring their removal, 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 weeds are not removed within the time so specified; it shall be the duty of the Town Commissioners to cause their removal. The cost of such removal, including cost of advertising, shall be a lien upon and shall be assessed by said Town Commissioners as a tax against the property on which said weeds were located and said tax so assessed shall bear interest at the rate of ten (10%) percent per annum until collection in manner provided for collection of general tax by the authority of the Town Commissioners to make health, safety and welfare regulations.

§17. Penalties

Any person violating any of the provisions of the preceding five sections of this Chapter shall be punished by a fine of not less than Twenty-Five (\$25.00) dollars not more than Five Hundred (\$500.00) dollars for each such offense and each day's violation shall be deemed a separate offense. For default in payment of a fine thereof, an imprisonment of no more than twenty-five (25) days may be imposed.

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ARTICLE 9- PUBLIC NUISANCES, MORALS AND CONDUCT

§1. Disturbance of the Public

It shall be unlawful for any person to willfully obstruct or hinder the free passage of persons passing along or by any public street, sidewalk or highway 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 upon or near any such street, sidewalk, or highway or to obstruct or hinder the free passage of persons upon any public street, sidewalk or highway 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, sidewalks, highways or private and public parking lots within the corporate limits of the Town of Eagle Harbor.

§ 2. Disorderly Conduct

A. Drunkenness. It shall be unlawful for any person to be drunk or act in a disorderly manner to the disturbance of the public peace, upon any public street, sidewalk, highway, parking lot, private or public or at any place of public worship or public resort & amusement within the corporate limits of the Town of Eagle Harbor.

B. 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. Indecent Conduct

It shall be unlawful for any person to indecently, improperly, or offensively use the street, highway, sidewalk, alleys or parking lots within the corporate limits of the Town of Eagle Harbor as toilet facilities.

§4. Assault

Whoever unlawfully Assaults, or threatens another in a menacing manner, shall upon conviction be subject to penalties as hereinafter provided.



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§ 5. Carrier and Innkeepers

Any person entrusted with anything of value, to be carried for hire or being an innkeeper and entrusted by his guest with anything of value for safe keeping who fraudulently converts the same to his own use, shall upon conviction be subject to penalties hereinafter provided.

§6. Concealed Weapons

a. Any person who shall Within the Town Limits 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. Provided that the Officer, Non-Commissioned Officers, and Privates of the United States Army, Air Force, Navy or Marine Corps, or any regularly organized Military Company, Police Officers, Officers guarding prisons, Officials of the United States or any State or the District of Columbia 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 fur carrying necessary arms for use in performance of their duty. Provided further that nothing contained in the Section shall he 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.

§7. 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 against the will of the lawful occupant thereof; or being therein without lawful authority to remain, shall refuse to quit the same on the demand of the lawful occupant thereof.

§8. Gambling

No person shall within the Town Limits set up or keep any gambling table, or any house, for the purpose of gambling or gambling device, commonly call A.B.C., Faro Bank, E.O. Roulette, Crap, Equality, Keno, Thimbles or Little Joker, or any kind of gambling table or gambling device adopted, devised and designed for the purpose of playing any game of change fur money or property, or shall induce, entice and permit any person to bet or play at or upon any such gambling table device, shall upon conviction be subject to the penalties provided hereafter, and in addition if such person has a license for the transaction & business at the premises in or upon which the offense shall have been committed, it may be revoked on order of the Town Commissioners.

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§9. Billiards

It shall be unlawful for any person, firm or corporation to keep, maintain, or conduct in Eagle Harbor a public billiard or pool parlor or room or public billiard or pool table or tables, and the Board of Town Commissioners of Eagle Harbor shall have no authority or power to, and shall not grant a permit for the same.

§10. Pool Selling

It shall be unlawful for any person or associations to bet, gamble, and/or make books or pools on the result of any trotting or running race of horses, or boat race of any kind or on an election or any contest of any kind, or game of baseball, basketball, football, hockey, or other type of team or individual sport, whether professional, amateur, or collegiate. Any person or association of persons violating the provisions of this Section shall upon conviction be subject to the penalties as hereafter provided.

§ 11. House of Ill-Fame

It shall be unlawful for any person or persons within the Town Limits to keep or maintain a house of ill-fame or assignation, resorted to for the purpose of prostitution or lewdness and it shall be unlawful for any person to visit such house of ill-fame for immoral purposes.

§ 12. Larceny

No person shall feloniously take and carry away any property of value of Twenty-Five (\$25.00) dollars or less including things savoring of the realty. In all convictions, the Trial Justice may, in his/her sound discretion order restitution to be made of the value of the money or property shown to have been stolen by the defendant and made way with or otherwise disposed of and not recovered.

§13. Manufacture, Sale, etc 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 Article 2b hereinafter mentioned, until he/the shall have first obtained a license therefore as provided in Article 2b of the Code of Public General Laws of Maryland as enacted by Chapter 2 of the Acts of the General Assembly of Maryland passed at its 1933 extraordinary session provided this provision shall not apply to wines used for religious purposes.

§ 14. Bay Bathing

It shall be unlawful for any person to bathe in Chesapeake Bay within two thousand (2,000) feet from the land boundaries of the Town between the hours of Twelve

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o'clock (12:00) midnight and Five o'clock (5:00) &m. or to bathe in said bay without a suitable bathing suit

§ 15. Trash Receptacles

It shall be unlawful for any person or persons to take and carry away, or willfully break, injure or remove any tree, fence, gate, railing porch, building, or other structure upon public land, by writing cutting, or in any other manner within the corporate limits of the Town of Eagle Harbor.

§ 16. 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 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 breaking or otherwise, any free or trees now planted or hereafter to be planted along the sidewalks or within the public's right-of-way within the corporate limits of the Town of Eagle Harbor.

§ 17. Sidewalks

It shall be unlawful for any person or persons to ride, drive, wheel, push or in any manner propel or permit to remain on the sidewalks of the Town of Eagle Harbor, any wheelbarrow, handcart, bicycle, or any other such article, or any sled or sleigh in such a manner so as to impeded pedestrian traffic, excepting however baby carriages and grocery store carts.

§ 18. Obstructing Pavement

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.

§ 19. Highway Trash

a. 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, repairs to structures of grounds, or construction, shall deposit, or permit to be deposited, in any manner upon the surface of any street, alley, avenue, highway, footway, sidewalk parking or other public space within the corporate limits of the Town of Eagle Harbor, either by placing spilling, dropping or tacking from wheels of vehicles, or from the feet of animals, or otherwise, any earth, clay, mud, sand, gravel, or other material. If any such

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deposit occurs, every person whose duty it is under this Section to prevent such deposit shall promptly remove the same. All macadamized or broken stone roadways adjacent to excavations or traversed by vehicles either in the process of conveying material from an excavation or in returning from the place of deposit to place or deposit to place of excavation shall be covered with planking so far as may be required to prevent any mud, earth, day or other material from the excavation or from the place of deposit from reaching the surface of such roadway.

b. No one being the owner, driver, manager, or conductor of any cart or other vehicle shall carry or convey, or cause to be carried or conveyed in such vehicle any coal, earth, sand, gravel, broken stone, dirt, ashes, paper; and other rubbish, or any loose fluid or offensive articles or matter, or any articles whatsoever within the corporate limits of said Town of Eagle Harbor so that the same shall or may be scattered, dropped, let fall, blown, or spilled therefrom; and all vehicles conveying combustible refuse or foul, dusty, or offensive matter of any sort shall have tight bodies and be closely and securely covered. All vehicles conveying waste paper and waster paper products, baled, sacked, or otherwise, shall be closely and securely covered.

c. Owners of lots abutting upon street, avenues, or alleys, or upon public parking or other public space, in the Town of Eagle Harbor, and which are above grade, shall protect such lots so as to prevent dirt, sand, or gravel or any bushes<sup>5</sup> trees or like thing from falling or being washed upon the sidewalks, streets, alley ways or other public space adjacent to the same.

§ 20. Suitable Coats or Wraps

It shall be unlawful for any person in a bathing suit to congregate or assemble in stores, hotels, or other places without suitable coats or wraps, unless such person is detained to the beach or to his dwelling house.

§21. Refuse Upon Streets

It shall be unlawful for any person to cast or throw into any street, alley, avenue, highway, or on the beach or in the bay within the jurisdiction of the Town authorities, any glass, bottles, glassware, crockery, porcelain or other similar substances, or pieces thereof, or any pieces of iron, hardware or sharp metal; nails, tacks or other articles, Or any waste paper, trash, rubbish, garbage, or reuse of any kind.

§ 22. Trespass Upon Boats

It shall be unlawful for any person to trespass upon or meddle with any boat or canoe not his own property within 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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§23. Animals at Large

It shall be unlawful for any person to allow his/her horse, mule, cow, hog, chickens or other animals of a similar kind to run at large within the Town Limits, or to keep any such animals (exclusive of household pets) within the Town except upon the issuance of a special permit Therefore by the Town Commissioners for which permit there shall be paid a fee of Five (\$5.00) dollars at the time of application therefore.

§ 24. Animal Cruelty

No person shall override, over-drive, overload, torture, ill-treat, or cruelly or unreasonably beat, maim, poison, mutilate, or kill any animal whether belonging to himself or another and no person shall cast any dead animal into any street, avenue, or alley within the limits of the Town.

§ 25. Public Intoxication

No person shall take a drink of intoxicating beverage, or offer a drink of such to another whether accepted or not, upon any street, avenue, alley, or in any public place, except on premises for which an “on sale” license for the sale of alcoholic beverages shall have been issued.

§ 26. Disturbance of Religious Worship

No person shall willfully interrupt or disturb any assembly met for the worship of God or being intoxicated, disturb the same.

§27. Vagrancy

Vagrancy is unlawful within the Town Limits and all persons who by the Common Law or by the Laws of the State of Maryland are vagrants are hereby declared to be vagrants for the purposes of this Section.

§ 28. Warrantless Arrest

When the Judgment of the Chairman-Mayor or any Police Officer of the Town, the delay necessary to the procurement of a warrant for the arrest of any person violating any provisions of these Ordinances or of any Section thereof would be dangerous to the peace and good out of the Town, such person may be arrested without such warrant and committed to the Town or County Jail until such a warrant is obtained.

§ 29. Nuisances

a. No mechanical 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,

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sounded, used operated or cause to be used or operated on or in the street avenue, alley, highway, footway, sidewalk parking or other public space, nor shall loud noises be made by any such article, instrument; or device in or about bar-moms hotels, or other public places in the Town of Eagle Harbor, Maryland.

b. No person within the Town of Eagle Harbor, Maryland shall make any noise or outcry, or sound, use or operate, or cause the same to be sounded or operated, any of the things or devices defined herein, hereof, for the purpose of advertising wars, or inviting the patronage or attention of any person for or to any business or any vehicle or rides whatsoever.

c. 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 cause to be played, used or operated by any person, corporation, company, partnership or association engaging in any business within the Town Limits.

§ 30. Defacing Town Signs

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

§31. Traffic Signals

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

§ 32. Ice Boxes/Refrigerators

It shall be unlawful fur any person, firm or corporation to abandon, discard, store or keep in any place accessible to children, or to permit, as the owner, lessee, or manager to remain on the premises under his/her control, a refrigerator ice box, freezer or any other similar container of any kind which has an air-tight door, or lock which may not be released fur opening from the inside of said refrigerator, ice box, freezer cabinet or other container and which is no longer used for refrigeration purposes, without the attached doors, hinges, lids, or latches being first removed.

§ 33. 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, upon written notice to the owner of record by said Town Commissioners, Town Building Committee, or designated Town agent or agents, issue an infraction under

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this Article upon the owner and are authorize to condemn1 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 condemnation or removal charges incurred by the Town of Eagle Harbor exercising its authority under this Section.

§34. Penalties

Any person violating any of the provisions of this Ordinance~ or any lawful order issued by the Chief of Police in pursuance thereof, or committing any of the acts declared to be unlawful by this Ordinance, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed Five Hundred (\$500.00) 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

§ 35. 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.