

THE BOARD OF GARRETT COUNTY COMMISSIONERS
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Board of Commissioners

David C. Beard
 Ernest J. Gregg
 Frederick A. Holliday

Filed and recorded March 1, 2006.

County Administrator

R. Lamont Pagenhardt

County Attorney

Gorman E. Getty III

RESOLUTION 2006-6

WHEREAS, the Board of County Commissioners of Garrett County, Maryland, (the "Board") is authorized to exercise its powers to insure the orderly development and use of land and structures in Garrett County, Maryland to protect the health, safety morals and general welfare of the community; and

WHEREAS, the Board has exercised its authority and jurisdiction by creating the Deep Creek Lake Watershed Zoning Ordinance; and

WHEREAS, the Board wishes to exercise its authority to further protect the health, safety, morals and general welfare of the community by regulating and licensing the use of certain vacation rental units within the Deep Creek Lake Watershed Zoning District; and

WHEREAS, Article 66B of the Code of Public General Laws of Maryland empowers the County to prepare, enact, amend and provide for the administration and enforcement of an ordinance regulating and licensing the use of Transient Vacation Rental Units within the Deep Creek Zoning District to facilitate orderly development and growth; and

WHEREAS, The Garrett County Planning Commission and a committee of citizens of the county, acting with the advise and assistance of the general public has caused to be prepared a "Transient Vacation Rental Unit Ordinance"; and

WHEREAS, Said Ordinance has been subject to public review and to public hearings pursuant to Article 66B; and

WHEREAS, The Garrett County Planning Commission and citizen's committee has recommended adoption of the Said Ordinance by the Board of County Commissioners.

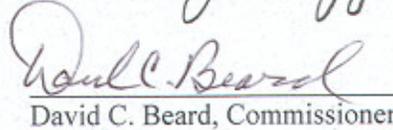
NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Garrett County, as follows:

1. That the recitals set forth above are incorporated as a substantive provision of this Resolution; and
2. That the Board finds that it is necessary to protect the health, safety, morals and general welfare of the Garrett County Community by regulating and licensing the use of certain vacation rental units within the Deep Creek Lake Watershed Zoning District; and
3. That the Transient Vacation Rental Unit Ordinance (the "Ordinance") a copy of which is attached to this Resolution and incorporated herein be and is hereby adopted by the Board by unanimous vote of the Board of County Commissioner of Garrett County, Maryland to be effective in accordance with its terms; and

4. That the Garrett County Planning Commission shall cause a copy of the Ordinance to be certified to the Clerk of the Circuit Court for Garrett County, Maryland.

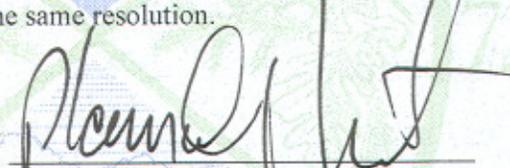
DULY ADOPTED BY AN UNANIMOUS VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY MARYLAND THIS 28th day of February, 2006. TO BE EFFECTIVE THE 1st day of March, 2006

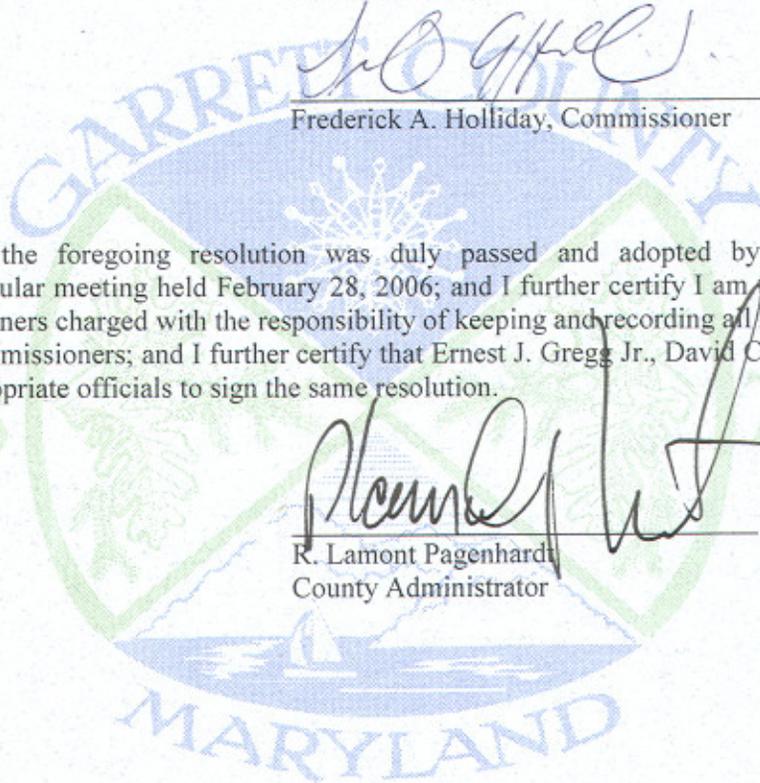

Ernest J. Gregg, Chairman


David C. Beard, Commissioner


Frederick A. Holliday, Commissioner

I certify that the foregoing resolution was duly passed and adopted by the Board of County Commissioners at a regular meeting held February 28, 2006; and I further certify I am the Administrator for the said County Commissioners charged with the responsibility of keeping and recording all minutes, records and acts of the said County Commissioners; and I further certify that Ernest J. Gregg Jr., David C. Beard and Frederick A. Holliday to be the appropriate officials to sign the same resolution.


R. Lamont Pagenhardt
County Administrator



ORDINANCE 2006-7

Filed and recorded March 1, 2006.

TRANSIENT VACATION RENTAL UNIT LICENSING ORDINANCE

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY, MARYLAND (THE "BOARD"), A BODY POLITIC AND CORPORATE AND A POLITICAL SUBDIVISION OF THE STATE OF MARYLAND (THE "COUNTY"), IN ACCORDANCE WITH AND PURSUANT TO THE AUTHORITY GRANTED TO THE BOARD BY THE PROVISIONS OF ARTICLE 66B OF THE ANNOTATED CODE MARYLAND (THE "STATE CODE"), ESTABLISHING, IMPLEMENTING, REGULATING AND LICENSING THE USE OF TRANSIENT VACATION RENTAL UNITS WITHIN THE DEEP CREEK WATERSHED ZONING DISTRICT (THE "DISTRICT"), IN ORDER TO PROMOTE THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD that the use of residential property offered for rent and rented on a transient or short-term basis, as defined by this Ordinance, within the District is and shall be subject to the following:

1. Definitions.

- A. For the purpose of this Ordinance, the following terms shall be defined as follows:
- (1) "Dwelling Unit" shall mean a dwelling or portion thereof providing complete living facilities for one family limited to not more than 8 bedrooms except as allowed under Section 1A(2); provided, however, that the term "dwelling unit" shall not be deemed to include transient vacation rental units, rooming, boarding or lodging houses or hotels, motels, tourist homes or other similar places offering overnight accommodations for transients.
 - (2) "Single Family Dwelling Unit" shall mean a dwelling unit commonly known as a single family house designed for and occupied exclusively as a private residence from ground to roof, open on all sides, and not available or used for transient vacation rental. Such single family dwelling shall be limited to not more than 8 bedrooms unless the holder(s) of record title to the property for which the application is made executes a binding covenant running with the land in favor of adjoining land owners and/or Garrett County, Maryland, recorded among the land records of Garrett County,

Maryland limiting the use of the dwelling to prohibit transient vacation rental of the property.

- (3) "Transient Vacation Rental Unit" shall mean a building offering complete living facilities under one roof provided that a maximum of 8 bedrooms (unless a greater number of bedrooms lawfully existed prior to August 5, 2003) and a maximum occupancy of two persons per bedroom plus four additional persons will be permitted on the property and that the living facilities are rented on the basis of a 14-day period or less to guests. All living facilities must be incorporated into the principal structure and no living quarters may be installed in accessory buildings, unless such quarters lawfully existed prior to August 5, 2003.
- (4) "Owner's Agent" shall be that individual, firm, or organization appointed, in writing, to act for and on behalf of the Owner in respect to the Owner's duties and obligations under the terms of this Ordinance.
- (5) "Owner" shall mean all the titled Owners, including but not limited to corporations, partnerships and all beneficiaries of property held in trust of the real property comprising the Transient Vacation Rental Unit as well as any contract purchaser of the Transient Vacation Rental Unit.
- (6) "Bear Proof Enclosure" means a type of enclosure designed for the storage of trash containers between collection times that prevents access to garbage by bears and wildlife. It should be an enclosed structure containing four walls and a roof, with one side accommodating a door. The latching device must be of sufficient strength and design as to prevent access by bears and wildlife.
- (7) "Bear Proof Trash Container" means a fully enclosed container with a lid that is inaccessible to bears and wildlife. The lid must fit tightly and have a latching mechanism of sufficient strength and design as to prevent access by bears and wildlife. Any container overfilled so as to prevent latching is not a bear proof container.
- (8) "Adjacent and Contiguous Property Owners" means those properties which are immediately adjacent, that is, actually touch upon the land of the Owner of the Transient Vacation Rental Unit, and those properties located across or adjacent to a roadway, tributary waterway, easement, or right-of-way which touches upon the land of the Owner of the Transient Vacation

Rental Unit.

2. **Uses.** The use of a Transient Vacation Rental Unit shall be subject to the following:
- A. The use of property within the District as a Transient Vacation Rental Unit must be a use permitted under the terms, conditions, and zoning within the District;
 - B. The use of property within the District as a Transient Vacation Rental Unit must be registered in accordance with the terms of this Ordinance;
 - C. The Owner of the property shall grant agents of the Garrett County Licensing and Enforcement Division and Garrett County Health Department authorization to enter onto Transient Vacation Rental Unit property for the purposes of making inspections necessary to insure compliance with all regulations, restrictions and limitations on the residence and operation as a Transient Rental Unit.
 - D. A license must have been issued for each Transient Vacation Rental Unit prior to the time that the unit is rented, or occupied; the unit may be advertised subject to full compliance of the County Transient Vacation Unit Ordinance; and
 - E. The use of property as a Transient Vacation Rental Unit must be in accordance with all of the laws, rules, regulations, and ordinances of the County and the State.
3. **Registration.** All Owners of property who intend to offer property for use as a Transient Vacation Rental Unit shall first apply to register that property with the Office of Licensing and Enforcement Management of the County and pay a one-time registration fee as adopted by the Board of County Commissioners.
- A. All rental agency firms acting on behalf of the owners of Transient Vacation Rental Units as defined in this Ordinance shall supply annually a complete list of all rental properties, their owners represented by that agency and all emergency contacts for that agency.
4. **Approval.** Upon registration of the Transient Vacation Rental Unit the applicant shall:
- A. Obtain approval from the Garrett County Health Department to ensure that there are adequate facilities present on the property to protect the public health and safety. The applicant shall comply with all codes, regulations and requirements administered by the Garrett County Health Department regarding drinking water, sanitary sewage disposal, swimming pools and hot tubs/spas to include;

- (1) Water samples shall be taken by a Maryland State certified water sampler and submitted to a Maryland State certified laboratory for bacteriological analysis annually. The results shall be submitted to the Garrett County Health Department. A Transient Vacation Rental Unit not equipped with a water disinfection device, found to have coliform bacteria present in the water at any time, shall immediately cease occupancy of the rental unit. Prior to resuming occupancy, the water system shall be disinfected and resampled by the Health Department. If the resample is negative for coliform bacteria, occupancy can resume, however an additional water sample must be supplied to the Health Department within 60-90 days of resuming occupancy. If any resample is positive for coliform bacteria, a Health Department approved disinfection device shall be installed along with any other necessary additional water treatment equipment to assure bacteria free water prior to continuing rental of the unit.
 - (2) A Transient Vacation Rental Unit that has two consecutive annual samples positive for coliform bacterial shall be required to install a Health department approved disinfection device.
 - (3) A Transient Vacation Rental Unit equipped with a water disinfection device and found to have coliform bacteria present in both the untreated and treated water shall immediately cease occupancy of the rental unit. Occupancy may resume after deficiencies in the disinfection system are corrected and a sample negative for coliform bacteria after treatment is obtained.
 - (4) All Transient Vacation Rental Units with a pool, hot tub and/or spa shall have it maintained by an individual who is certified as an operator of pools, hot tubs and spas by the State of Maryland during the time period the Transient Vacation Rental Unit is used as a rental. Maintenance shall be performed weekly and records kept on site for review. All pools, hot tubs and/or spas shall be maintained in accordance with Maryland State requirements for water quality and filtration parameters.
- B. Provide evidence that the Owner of the property, either individually or by agent, is able to respond to any request to address problems, including emergencies, that may exist with respect to the property or its use as a Transient Vacation Rental Unit;

- C. Provide evidence that the Transient Vacation Rental Unit complies with the Building or Life Safety Codes, as follows:
- (1) All new construction as a Transient Vacation Rental Unit shall comply with the International Residential Building Code; and
 - (2) All new and existing Transient Vacation Units shall be equipped with;
 - (i) A proper egress for each bedroom; and
 - (ii) An emergency exit plan; and
 - (iii) A wall mounted fire extinguisher in the kitchen area; and
 - (iv) Operable smoke alarms in each bedroom and an additional one per floor of the unit.
- D. Upon approval by the Health Department, the Office of Licensing and Enforcement Management will review the registration application and conduct an inspection of the Transient Vacation Rental Unit to determine compliance with the provisions of the Ordinance. A property complying with the terms of the Ordinance shall then be registered as a Transient Vacation Rental Unit in the County.

5. **Licensing.** Upon approval of the registration and payment of the biennial license fee to the Office of Licensing and Enforcement Management of the County:

- A. The Owner of the property shall be issued a Transient Vacation Rental Unit License and will be required to biennially obtain approval and renew the license with the Office of Licensing and Enforcement Management;
- B. The Owner or subsequent Owner of any Transient Vacation Rental Unit that ceases or fails to renew a license for a period of two consecutive years shall then be subject to all requirements set forth in the Deep Creek Lake Zoning Ordinance prior to re-obtaining a Transient Vacation Rental Unit license;
- C. The Owner of the property shall be required annually to obtain approval from the Garrett County Health Department indicating compliance with all codes, regulations and requirements administered by the Garrett County Health Department regarding drinking water, sanitary sewage disposal, swimming pools and hot tubs/spas;
- D. The Owner of the property shall be required to pay all administrative fees as established from time to time by the County and the Health Department for the license to be issued in respect to the property. The fees for registration, re-registration, license and appeals shall be accordance with a fee schedule adopted

by resolution of the County Commissioners upon the enactment of this ordinance, or as such schedule may be amended by resolution of the County Commissioners.

6. **Other Requirements.** The property Owner, upon satisfying the terms and conditions of this Ordinance and the registration and licensing requirements as implemented by the Office of Licensing and Enforcement Management and, upon payment of all fees required by the terms of this Ordinance, shall be issued a biennial license for the Transient Vacation Rental Unit, subject to the following:

- A. The maximum occupancy of any and all Transient Vacation Rental Units approved pursuant to the provisions of the Zoning Ordinance as a Transient Vacation Rental Unit after August 5, 2003 shall not exceed the maximum occupancy as set forth and defined in the Zoning Ordinance;
- B. The maximum occupancy of any and all Transient Vacation Rental Units established prior to August 5, 2003, shall be subject to the same limitations as contained in §6A above unless the owner or agent can provide documentation of a pre-existing occupancy precedent;
- C. Subleasing of Transient Vacation Rental Units shall be prohibited;
- D. No Transient Vacation Rental Unit or grounds, dwellings, or accessory structures shall be used for any commercial purpose;
- E. Any Transient Vacation Rental Unit or grounds, dwellings, or accessory structures used for any wedding, reception, banquet, corporate retreat, fundraiser, or similar activity shall comply with all requirements and/or policies set forth by the Office of Licensing and Enforcement for such an event;
- F. Parking shall be provided by the Owner of any Transient Vacation Rental Unit, approved as a Transient Vacation Rental Unit after August 5, 2003, in accordance with the Zoning Ordinance.
- G. Parking shall be provided by the owner of any Transient Vacation Rental Unit established prior to August 5, 2003, pursuant to the standard set forth in §6F above unless said owner is unable to physically accommodate or is restricted by provisions of their Condominium by-laws to provide the appropriate number of parking spaces on the premises of the unit, the owner or their agent may then be required to:
 - (1) Provide additional off-site parking for the occupants; or
 - (2) Provide parking permits to the occupants in accordance with the number of parking spaces designated to the Transient Vacation Rental Unit for on premise parking; and

- (3) Notify rental occupants of this requirement.
- H. Noise levels on the property and premises of the Transient Vacation Rental Unit shall not constitute a nuisance. Standard quiet hours are considered to be 11:00 p.m. to 8:00 a.m.;
- I. The property and premises of the Transient Vacation Rental Unit shall be equipped with a bear proof enclosure and a sufficient number of bear proof trash containers to accommodate the unit; and
 - (1) Trash must be kept in a bear proof enclosure; and
 - (2) All trash placed outside the unit must be secured inside bear proof containers
 - (3) A community using a common dumpster for trash disposal will be considered in compliance with this section providing:
 - (i) The dumpster is a bear proof trash container; and
 - (ii) Any trash is placed outside the Transient Vacation Rental Unit shall be secured inside bear proof trash containers
- J. The Owner of the Transient Vacation Rental Unit shall pay all taxes having application to the use of the property as a Transient Vacation Rental Unit;
- K. A summary of all conditions, restrictions, and limitations imposed by this Ordinance or by any regulation adopted by any governmental agency concerning the use or occupancy or the physical condition of the Transient Vacation Rental Unit shall be included in any written lease or agreement between the Owner of the property and any tenant of the Transient Vacation Rental Unit; and
- L. The Owner of the property shall comply with all codes, regulations, or requirements of the Garrett County Health Department regarding drinking water, sanitary sewage disposal, or other health regulations of that Department.
- M. The Owner or the Owners Agent of the property shall notify the Office of Licensing and Enforcement Management upon any transfer and/or sale of property containing a Transient Vacation Rental.
- N. A Transient Vacation Rental Unit License is transferable only upon registration of the new owner within 30 days of the property settlement date.

7. **Declination, Suspension or Revocation.** The Office of Licensing and Enforcement Management may decline to issue, may suspend or revoke a Transient Vacation Rental Unit license based upon any of the following:

- A. Any false, inaccurate, incomplete, or incorrect statement in any registration or

application for renewal;

- B. Any infraction, disturbance, nuisance, failure to monitor, or other problem or violation occurring during the term of a Transient Vacation Rental Unit;
- C. Violation of any law or ordinance with respect to the Transient Vacation Rental Unit, or any term, condition, or restriction of the Transient Vacation Rental Unit license; or
- D. Failure to pay any tax associated with the property or the use of the property as a Transient Vacation Rental Unit.

8. **Establishment of Board of Appeals.** To provide for the competent interpretation and the full and equitable achievement of the purposes of this Ordinance, a Licensing and Enforcement Board of Appeals shall be established.

- A. **Membership.** The Licensing and Enforcement Appeals (the "Board") shall consist of 5 members. The terms of office of the members shall be staggered and will serve for a period of 3 years. Members shall be appointed by the County Commissioners, and shall be removable for cause upon written charges and after public hearing. The County Commissioners shall designate one or more alternate member or members for the Board. In the event of absence or voluntary disqualification of any appointed member, the Chairperson of the Board of Appeals shall designate one of the alternate members to act during that meeting in place of said appointed member.
- B. **Procedures, Meetings, Records, and Decisions.**
 - (1) The Board shall elect a chairperson from its membership, shall appoint a secretary and shall prescribe rules for the conduct of its affairs in accordance with the provisions of this Ordinance and of Article 66B.
 - (2) Meetings of the Board shall be held at the call of the chairperson and at such other times as the Board may determine. Such chairperson or acting chairperson may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. Three members present shall constitute a quorum.
 - (3) The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the Board and shall be a

public record. All actions or decisions of the Board shall be taken by resolution in which 3 members, present during the proceedings, must concur. Each resolution shall contain a statement of the grounds and any findings forming the basis of such action or decision.

- (4) The Board shall notify the County Commissioners, Licensing And Enforcement Manager and the Zoning Administrator of all decisions and resolutions.
- C. Who May Appeal. The Owner of any property who seeks to register, license, or is registered or licensed under the terms of this Ordinance, who is aggrieved by any officer, department, or board of the County affected by the decision of the Office of Licensing and Enforcement Management in respect to registration or licensing of a Transient Vacation Rental Unit under the terms of this Ordinance may appeal to the Transient Vacation Rental Unit Board of Appeals.
- D. Interpretation. Upon appeal from a decision by the Licensing and Enforcement Manager the Board shall decide any question:
- (1) Where it is alleged there is error in any order, requirement, decision or determination, including any order requiring a license to be suspended or revoked, made by the Licensing and Enforcement Manager in the enforcement of this Ordinance, or
 - (2) Involving the interpretation of any provisions of this Ordinance.
- E. Variances. Upon appeal from a decision by the Licensing and Enforcement Manager, the Board shall have the power to vary or adapt the strict application of any of the requirements of this Ordinance in the case of exceptional physical conditions whereby such strict applications would result in practical difficulty or unnecessary hardship depriving the owner of the reasonable use of land or building as a Transient Vacation Rental, but in no other case.
- (1) No variance to the provisions of this Ordinance shall be granted by the Board unless the Board finds that the appellant establishes and substantiates that all the following requirements and standards are satisfied.
 - (i) That the variance will not be contrary to the public interest.
 - (ii) That a literal enforcement of the Ordinance would result in either practical difficulty or unnecessary hardship.
 - (iii) That the granting of the variance would be in harmony with the

general purpose and intent of this Ordinance, and would not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- (iv) The special circumstances or conditions (described in the findings of fact) are peculiar to the Transient Vacation Rental Unit for which the variance is sought, and are not the result of any action taken by the applicant.
- (v) That because of the special circumstances or conditions, the literal application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building as a Transient Vacation Rental Unit or create unnecessary hardship or create practical difficulty.

- a. It shall not be considered sufficient proof of hardship to show that greater profit would result if the variance were awarded. Furthermore, hardship complained of cannot be self-created; it cannot be claimed by one who purchases with or without the knowledge of restrictions; it must result from the application of the ordinance; it must be suffered directly by the property in question; and evidence of variance granted under similar circumstances shall not be considered.

- (2) The Board may establish such conditions and safeguards that it deems necessary to secure substantially the objectives of the regulation or provisions to which the variance applies.

F. Rules for Filing Appeals. Any appeal shall be filed with the Licensing and Enforcement Manager within 30 days after the date of the Licensing and Enforcement Manager's decision; provided however, that the Board may waive the time limit if the appellant demonstrates good cause for doing so. All appeals and applications made to the Board shall be in writing on standard forms prescribed by the Board.

- (1) Interpretation. Appeals concerning the interpretation of any provisions of this Ordinance shall exactly set forth the interpretation that is claimed by the appellant to be the correct interpretation.
- (2) Variance. Appeals for variance from the literal application by this

Ordinance shall include a copy of the license application denied by the Licensing and Enforcement Manager together with a statement containing any relevant supporting arguments regarding the requirements listed in Section E.

- (3) Multiple Applications. An application or appeal for a Variance or Interpretation will automatically terminate if a second application or appeal concerning the same property is filed with the Licensing and Enforcement Manager by the same applicant before the Licensing and Enforcement Board of Appeals has reached its decision on the first application.
- G. Notice of Hearing. Upon transmittal to the Board of an application filed with the Licensing and Enforcement Manager for a variance or an appeal from alleged error of the Licensing and Enforcement Manager, the Board shall fix a reasonable time (not less than 14 days nor more than 45 days from the transmittal date) for a public hearing thereon and give notice as follows:
- (1) Legal Advertisement. At least 14 days prior to the date fixed for public hearing, publish a notice containing the name of the applicant or appellant; the date, time and place fixed for the hearing; and a brief statement of the error alleged by the appellant, or of the variance or other question, which is subject to appeal, in at least one newspaper of general circulation within Garrett County.
 - (2) Sign. Post, in a conspicuous place on the property involved, a notice of pending action containing the same information as in subsection A. above, such posting to occur at least 14 days prior to the date fixed for the public hearing.
 - (3) Mail. Give written notice of the time and place of such hearing sent by certified mail to the applicant or appellant and to the owners of record of all adjacent and contiguous property owners.
- H. Decisions. Decisions by the Board on variances and interpretation appeals shall be rendered in writing, within 10 working days of the completion of hearing(s) on said variance or interpretation, unless a later date is mutually agreeable to the Board and the applicant.
- (1) In exercising its powers concerning interpretation appeals, the Board may, in conformity with law and the provisions of this Ordinance, reverse or affirm wholly or in part, or may modify the order, requirement, decision or

determination appealed from and make such order, requirement, decision or determination as ought to be made in conformity with the Deep Creek Lake Zoning Ordinance and this Ordinance, and to that end shall have all the powers of the officer from whom the appeal is taken.

(2) In making its decisions pursuant to the authority conferred by this Ordinance, the Board shall study the specific property involved, as well as the neighborhood, and consider all testimony and data submitted, and shall hear any person desiring to speak for or against the issuance of the Transient Vacation Rental Unit License. The application for a license shall not be approved where the Board finds that the proposed use as a Transient Vacation Rental Unit would adversely affect the public health, safety, security, morals or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood.

- I. A decision of the Board permitting the licensing of the Transient Vacation Rental Unit shall be valid for a period of one year, unless such use is established within said period; except that, where such use is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a zoning permit for such erection or alteration is obtained within said period, and such erection or alteration proceeds to completion in accordance with the terms of the decision.
- J. Time Limits on Submission. If an application or an appeal therefrom is disapproved, the Board shall take no action on another application for or an appeal against substantially the same proposal on the same premises until after 12 months from the date of said disapproval.
- K. Appeals to Court. Any person aggrieved by the decision of the Transient Vacation Rental Unit Board of Appeals may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this State.

9. **Penalties.** Any person violating the provisions of this ordinance by operating a Transient Vacation Rental Unit without a valid license is guilty of a misdemeanor.

10. **Amendments.** The County Commissioners may from time to time amend, supplement, change, modify or repeal this Ordinance. When doing so, the County Commissioners shall proceed in the manner prescribed in this Article and Article 66B of the State Law.

- LIBER 015 PAGE 650
- A. Initiation. Proposals to amend, supplement, change, modify or repeal may be initiated by the County Commissioners on their own motion, by the Planning Commission or by petition of one or more owners of a Transient Vacation Rental Unit to be affected by the proposed amendment.
 - B. Procedure. The County Commissioners shall refer every proposed amendment, supplement, change, modification or repeal to the Planning Commission. Within 30 days of the referral of said proposal, the Planning Commission shall submit to the County Commissioners a report containing the Commission's recommendations, which may include any additions or modifications to the original proposal.
 - C. Hearing. No amendment, supplement, change, modification or repeal shall become effective until after a public hearing by the County Commissioners in relation thereto at which parties in interest and citizens shall have the opportunity to be heard, and of which a complete record shall be kept.

(1) At least 14 days prior to the date fixed for a public hearing, a notice containing the name of the applicant, if any; the date, time and place of the hearing; and the general nature of the hearing shall be published in at least one newspaper of general circulation in Garrett County.

11. **Effective Date.** This Ordinance shall be effective March 1, 2006 with the initial registration and licensing to be implemented over a one year period at the direction of the Licensing and Enforcement Manager; and shall regulate the use and rental of all Transient Vacation Rental Units from and after that date.