

ORDINANCE NO. 2010-04

AN ORDINANCE OF THE TOWN OF BETTERTON PROVIDING FOR THE REPEAL OF ORDINANCE 02-01 ESTABLISHING STORMWATER MANAGEMENT REGULATIONS, AND THE RE-ENACTMENT OF SUCH REGULATIONS BY THE ADOPTION BY REFERENCE OF THOSE REGULATIONS ENACTED BY KENT COUNTY AS BILL NO. 3-2010 ENTITLED: "AN ACT TO AMEND ARTICLE VI, SECTION 10 (STORMWATER MANAGEMENT); ARTICLE IX, SECTION 3 (VARIANCES AND WAIVERS), ARTICLE XI SECTION 2 (DEFINITIONS) AND ARTICLE XII, SECTIONS 4 (ADMINISTRATIVE PROCEDURES-ENFORCEMENT) OF THE KENT COUNTY LAND USE ORDINANCE; AND TO AMEND THE CODE OF PUBLIC LOCAL LAWS OF KENT COUNTY, MARYLAND, PART III, LAND USE LEGISLATION, CHAPTER 210 STORMWATER MANAGEMENT TO AMEND THE EXISTING AND ADD NEW PROVISIONS RELATING TO STORMWATER MANAGEMENT."

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF BETTERTON AS FOLLOWS:

SECTION 1. Pursuant to the authority granted to them under Section 201, Article II, General Powers, of the Charter of the Town of Betterton, the Mayor and Council do hereby make the following amendment to the "Betterton Code of Ordinances".

Article 1. Stormwater Management

Section 4-101 The Kent County Stormwater Management Ordinance Adopted.

(a) The Kent County Stormwater Management Ordinance adopted on November 16, 2010, effective as of December 31, 2010, AS MAY BE AMENDED FROM TIME TO TIME, IS HEREBY ADOPTED AND MADE PART OF THIS CODE BY REFERENCE, EXCEPT AS OTHERWISE PROVIDED IN THIS CODE.

(b) This section is an exception to the general exemption enacted by the Town of Betterton in Section 1-202 of this code.

(c) The Town hereby requests and authorizes Kent County to enforce the provisions of this section.

(d) The review of plans required by the County under Section 10.11 and issuance of permits under Section 10.14 of the Kent County Stormwater Management Ordinance does not exempt any person, firm or corporation from obtaining other permits required by the Town or County pursuant to this code or other applicable laws.

(e) A copy of the Kent County Stormwater Management Ordinance shall be kept in the Town office and shall be made available during normal business hours.

Section 2. The title of this ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this ordinance for publication and all other purposes.

This Ordinance having been introduced on November 23, 2010 and adopted on December 28, 2010, we hereby affix our signatures. Effective January 7, 2011.

A summary of this Ordinance shall be published in at least one newspaper having general circulation with the Town of Betterton.

BY AUTHORITY OF THE MAYOR AND COUNCIL  
TOWN OF BETTERTON

\_\_\_\_\_  
Annette Green, Clerk

\_\_\_\_\_  
Carolyn C. Sorge, Mayor

\_\_\_\_\_  
Ayes

\_\_\_\_\_  
Donald E. Sutton, Council Member

\_\_\_\_\_  
Nays

\_\_\_\_\_  
Robert E. Pyfer, Council Member

\_\_\_\_\_  
Absent

\_\_\_\_\_  
J. Michael Otwell, Council Member

\_\_\_\_\_  
Edward Zellers, Council Member

Approved as to Form:

\_\_\_\_\_  
Thomas N. Yeager, Attorney-at-Law