



**TOWN OF PORT DEPOSIT
RESOLUTION 05-2021
APPROVING OF SEASONAL OUTDOOR
DINING PERMIT FOR LEE'S LANDING DOCK BAR
WITH ADDITIONAL CONDITIONS**

**A Resolution of the Mayor and Council of the Town of Port Deposit, Cecil County, Maryland titled:
APPROVAL OF SEASONAL OUTDOOR DINING PERMIT FOR LEE'S LANDING DOCK BAR WITH
ADDITIONAL CONDITIONS.**

WHEREAS, on February 20, 2021, an application was submitted to the Town seeking a permit for Seasonal Outdoor Dining for Lee's Landing Dock Bar located at 600 Rowland Drive, Port Deposit pursuant to the Town Zoning Code, Section 211, which was assigned File No. 05-2021 ("the Application"), which is attached hereto and made a part hereof; and

WHEREAS, the Application proposes placing and maintaining up to sixteen (16) additional tables and matching chairs in an extended outdoor table seating for dining within an area spanning approximately 13 feet abutting the Susquehanna River on the Promenade as indicated in the Application starting April 23, 2021 and ending October 31, 2021 between the hours of 11 a.m. and 10 p.m. ("the Proposed Extended Outdoor Dining Area"); and

WHEREAS, the Application proposes the Proposed Extended Outdoor Dining Area on part of a public pedestrian easement that the Town holds for the benefit of the public ("the Pedestrian Easement"), leaving an approximate minimum six (6) foot width area on the Promenade for pedestrian traffic ("the Pedestrian Walkway"), again as indicated on the Application; and

WHEREAS, pursuant to the Town Code, Section 211, seasonal business or use may under certain circumstances be permitted in any zoning district in the Town, subject to the issuance of a temporary zoning permit by the Town, and further subject to conditions as set forth therein; and

WHEREAS, Section 211, Subsection 13, "[a]pplications and permits issued pursuant to this Section

are subject to terms and conditions printed on applications and permit forms approved and adopted by the Mayor and Town Council from time to time by Resolution"; and

WHEREAS, the Mayor and Town Council, pursuant to Section 211 and as the holder of the Pedestrian Easement, desire to approve the Application and the issuance of the permit sought, subject to all those conditions set forth in Section 211, and those additional conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Port Deposit, pursuant to Section 211 of the Town Code, that the Application for Outdoor Seasonal Dining be and is hereby APPROVED, and that a Permit for such as applied for be issued by the Town Administrator, subject to all those conditions set forth in Section 211 of the Town Code, as well as the following additional conditions imposed pursuant to Section 211, Subsection 13, and in the Town's capacity as holder of the Pedestrian Easement, said additional conditions to be specifically enumerated in the Permit, which shall be signed by the Town Administrator and the Property Owner with the Property Owner agreeing to be bound and abide thereby or be subject to revocation of the permit and immediate cessation of use of the Proposed Extended Outdoor Dining Area:

1. 6 – 4-top tables and 4 chairs are to be placed and maintained with 4 – 4-top tables on the north side and 2 – 4-top tables on the south side of the dining area.
2. The end area around these tables shall be roped on each end to mark the dining area of the promenade.
3. 10 – 6-top tables and 6 chairs shall be placed and maintained in front of the restaurant if the landscape tie and sand area is removed and tables in this area are moved closer to the building. If the sand area and landscape tie is not removed, only 10 – 4-top tables and 4 chairs shall be permitted in this area.

4. Tables will be placed on the west side of the Promenade and one end shall butt to the rope and post at the bulkhead. A rope or planter shall be placed at the other end of the table to prohibit seating next to and onto to the pedestrian walkway. The designated promenade area at the bulkhead shall be for tables only.
5. A sign shall be placed and maintained on each table: Please see Hostess for Table Service.
6. The Pedestrian Walkway must be clearly marked on the promenade with a line that runs the length of the tables placed on the Promenade and a parallel line on the east side along the promenade. The area must be clearly identified as the Pedestrian Walkway.
7. A pedestal sign must be placed and maintained at each end of the table area and at the end of the boardwalk entering the Promenade - signs should state: "Pedestrian Walkway - NO standing permitted. NO alcohol permitted - Keep Walkway Area Open".
8. Standing and alcohol consumption shall be prohibited on the Pedestrian Walkway.
9. Alcohol service and consumption shall be permitted only at the tables on the Promenade in connection with dining, and shall not be consumed by customers who are not dining while seated at a table, and/or who are standing or congregating in the Proposed Extended Outdoor Dining Area.
10. The granting of the permit for Seasonal Use, and none of the conditions set forth in Section 211 or herein shall constitute a waiver of the Town's rights under the Pedestrian Easement(s), or any restriction or condition therein, or any rights of the Town under the law.

This Resolution was passed at a regular meeting of the Mayor and Council of the Town of Port Deposit on April 20, 2021 by 4 members of the Town Council voting in affirmation, 0 members of the Town Council voting in the negative, 0 members of the Town Council abstaining, and 0 members of the Town Council absent.


RESOLUTION 05-2021 ADOPTED THIS 20TH DAY OF APRIL, 2021.

MAYOR AND COUNCIL OF THE TOWN OF PORT DEPOSIT, MARYLAND

ATTEST:



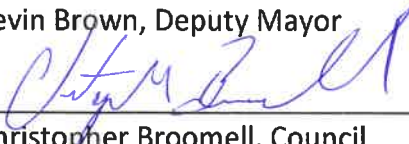
Town Administrator



Robert Kuhs, Mayor



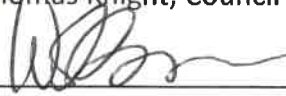
Kevin Brown, Deputy Mayor



Christopher Broomell, Council



Thomas Knight, Council



William Baron, Council