



**TOWN OF PORT DEPOSIT  
RESOLUTION 09-2021  
APPROVING OF SEASONAL OUTDOOR  
MOBILE FOOD VENDOR  
CLARKS FRIED FISH**

**A Resolution of the Mayor and Council of the Town of Port Deposit, Cecil County, Maryland titled:  
APPROVAL OF MOBILE FOOD VENDOR CLARKS FRIED FISH USE OF PUBLIC PROPERTY PERMIT WITH  
ADDITIONAL CONDITIONS.**

**WHEREAS**, on May 8, 2021, an application was submitted to the Town seeking a permit for Seasonal Outdoor Dining for mobile food vendor, Clarks Fried Fish, 37 Green Lane, Port Deposit, MD pursuant to the Town Zoning Code, Section 211, which was assigned File No. 09-2021 (“the Application”), which is attached hereto and made a part hereof; and

**WHEREAS**, the Application proposes the use of Marina Park and the parking lot of the Public Works building at 129 S. Main Street as indicated below; 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 owner of Marina Park and the property at 129 S. Main Street, 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 the property owner, said additional conditions to be specifically enumerated in the Permit, which shall be signed by the Town Administrator and the Property Owner and/or Applicant with the Property Owner and/or Applicant 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. Two (2) weekends per month from 8:00 a.m. Friday until 8:00 p.m. Sunday the mobile food vendor is permitted to set up in Marina Park to the south of the blue building situated in the park. Mobile food trailer is to be placed parallel to the railroad tracks.;
2. Two (2) weekends per month from Friday at 2:00 p.m. to Sunday at 8:00 p.m. the mobile food vendor is permitted to set up next to the Public Works building at 129 S. Main Street.;
3. Two (2) "floating" days between Monday and Thursday, from 8:00 a.m. to 8:00 p.m. on each day, is permitted in Marina Park ONLY. Set-up is NOT permitted on the floating week days in the parking lot of the Public Works property at 129 S. Main Street.;
4. Mobile food vendor is permitted to use one (1) tent to be installed over the service window of the trailer as required by the Health Department.
5. Mobile food vendor operation is for "take-out" only. No other tables are permitted to be temporarily installed or used as part of the operation.

6. 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 as the property owner, 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 the 18<sup>th</sup> day of May 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 09-2021 ADOPTED THIS 18<sup>th</sup> DAY OF MAY, 2021.**

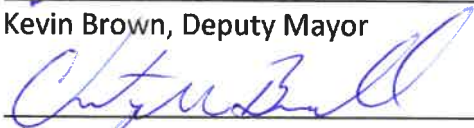
**MAYOR AND COUNCIL OF THE TOWN OF PORT DEPOSIT, MARYLAND**

ATTEST:

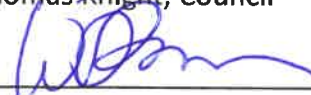
  
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Town Administrator

  
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Robert Kuhs, Mayor

  
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Kevin Brown, Deputy Mayor

  
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Christopher Broomell, Council

  
\_\_\_\_\_  
Thomas Knight, Council

  
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William Baron, Council