

## CHAPTER 24

AN ORDINANCE RECONSTITUTING THE PLANNING COMMISSION  
FOR THE TOWN OF WILLIAMSPORT, MARYLAND  
PRSUANT TO ARTICLE 66 B OF THE CODE OF PUBLIC GENERAL  
LAWS OF MARYLAND, CHAPTER 672, ACTS OF 1970,  
EFFECTIVE JANUARY 1, 1971 AND SUBSEQUENTLY AMENDED

## PREAMBLE

WHEREAS; Article 66 B entitled "Maryland Planning and Zoning Enabling Act", Chapter 672, Acts of 1970, effective January 1, 1971 and as subsequently amended provides that municipal corporations under Section 3.01 are granted powers to make, adopt, and establish planning and zoning commissions; and

WHEREAS, the Town of Williamsport, Maryland now has a Planning and Zoning Commission that has been actively functioning and has properly exercised all powers granted by law to same; and

WHEREAS, it is considered desirable pursuant to the aforementioned Annotated Code that said Planning and Zoning Commission be reappointed or reconstituted by ordinance; and

WHEREAS, pursuant to Section 9.01 of the aforementioned Act, all planning and zoning commissions shall be deemed to be legally constituted and acting as such within the purview of said Act until re-created or until December 31, 1973, whichever first occurs.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Mayor and Council of the Town of Williamsport do hereby declare and confirm, reconstitute and recreate a Planning Commission for the Town of Williamsport, Maryland; with full powers and duties as set forth in the Maryland Planning and Zoning Enabling Act, Article 66 B, Code of Public General Laws of the State of Maryland, as passed and subsequently amended; and same is incorporated herein by reference.

**SECTION 1. COMPOSITION OF PLANNING COMMISSION**

A. The Commission shall consist of five (5) members. One of said members may be a member of the Mayor and Council to serve in an ex officio capacity concurrent with his official term. The members shall be appointed by the Mayor and Council or by such person or persons as the Mayor and Council may designate.

**SECTION 2. TERM OF OFFICE**

A. The term of office of each member shall be five (5) years or until his successor takes office, except that the respective terms of the five members first appointed shall be on a staggered basis.

B. Vacancies occurring other than through the expiration of the term shall be filled for the unexpired term by the Mayor and Council or by such person or persons as designated by them with appointive power.

**SECTION 3. POWERS AND DUTIES**

A. The general powers and duties of the Planning Commission for the Town of Williamsport shall be those set forth and designated in Article 66 B, Code of Public General Laws of Maryland, as passed and subsequently amended.

B. The Planning Commission for the Town of Williamsport shall continue in its present form and all action shall be considered duly authorized and in conformity with this Ordinance and the Maryland Planning and Zoning Enabling Act and pursuant to said provisions until the effective date of this Ordinance.

C. After the effective date of this Ordinance, all records, provisions and powers shall be transferred to the newly created Planning and Zoning Commission.

DATE OF INTRODUCTION:	June 23, 1972
DATE OF PASSAGE:	July 3, 1972
EFFECTIVE DATE:	July 24, 1972
REENACTED:	September 11, 1989

Former Chapter 19 in 1989 Codification.

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March 5, 2014

**Via Email(s) & Regular Mail**

Mr. Charles Stumbaugh  
13 North Clifton Drive  
Williamsport, Maryland 21795

Dear Jerry:

This letter is in response to your email of February 26, 2014.

I have previously reviewed the letter from the State Fire Marshal's office. In view of the fact that we utilize the County to review all Applications for Building Permits and the County routinely circulates any Applications for County residents to the State Fire Marshal, we must assume that some disconnect has occurred in that regard as it relates to any Building Permits being requested from the Town of Williamsport. You should probably inquire of the County Permit's Office regarding the substance of Mr. Iseminger's letter of January 29, 2014. It would seem a simple matter to have the County include the State Fire Marshal as a reviewing agency when a Building Permit is being sought in the Town of Williamsport for commercial and/or multi-family residential projects. I am surprised that the County is not submitting Building Permit Plans for commercial properties to the State Fire Marshal for review.

I certainly would agree that plans for the Sheetz store should be and/or should have been submitted to the State Fire Marshal's Office for code review.

In regard to your second inquiry regarding George's successor, you are correct that the new Chairman of the Planning Commission is to be elected from one of the appointed members of the Planning Commission. In that regard, the Planning Commission for the Town of Williamsport should consist of five (5) members. One of those members may be a member of the Mayor and Council who would serve in an *ex officio* capacity concurrent with his/her official term. The members of the Planning Commission are to be appointed by the Mayor and Council and are to serve a term of five (5) years or until the successor takes office in the event that member is appointed to fill a vacancy created by a resigning member. (Please refer to Chapter 24 of the Code of Ordinances of the Town of Williamsport and Article 66-B §§3.02 and 3.03 of the Annotated Code of Maryland), Article 66-B §3.03 indicates that the Chairman's term is

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for one (1) year. A Planning Commission Chairman may be re-elected with no limit on the number of terms. Obviously, if no affirmative election occurs, the sitting Chairman would continue to serve until his/her successor would be elected in accordance with the applicable Ordinance and Statute.

Hopefully, I have answered your questions adequately.

If you have any further questions, or need any additional assistance, please do not hesitate to contact me. Thank you.

Very truly yours,

KUCZYNSKI & KUCZYNSKI, P.A.

By: \_\_\_\_\_

  
Edward L. Kuczynski

ELK/rgr

cc: James McCleaf, Mayor  
Donnie Stotelmyer, Town Clerk

Corr.Jerry Stumbaugh.03.05.14