

ORDINANCE NO. ORD-09-06

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS TO THE  
ZONING ORDINANCE FOR WASHINGTON COUNTY, MARYLAND  
AND TO REENACT SAID ORDINANCE WITH CHANGES RELATING  
TO ITS TEXT**  
(RZ-09-002)

**RECITALS**

The Board of County Commissioners of Washington County, Maryland (the "Board") adopted the Zoning Ordinance for Washington County, Maryland (the "Ordinance") on January 23, 1973, and it became effective on April 2, 1973.

The Board filed an application requesting that amendments be made to the text of the Ordinance. The amendments will amend Article 15, the "IM" Industrial Mineral District.

The Board believes it to be in the best interests of the citizens of Washington County for the amendments to be enacted.

The Washington County Planning Commission held a public meeting for the purpose of taking testimony on the proposed amendments on March 2, 2009, pursuant to public notice duly given.

The Board held a public hearing for the purpose of taking testimony on the proposed amendments on June 15, 2009, pursuant to notice duly given.

Following the hearings, the Board considered the recommendations of the Planning Commission and the Planning Department staff, and materials received as part of the public hearings. The Board conducted this review in public sessions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that certain provisions of the Zoning Ordinance, as amended, be further amended as follows:

**RZ-09-002**

(1) **ARTICLE 15 – "IM" INDUSTRIAL MINERAL DISTRICT is amended as follows:**

**Section 15.5 Performance Standards for Site Plan Review is amended as follows:  
Section 15.5(h) is deleted in its entirety and the following is inserted in its place:**

Section 15.5 Performance Standards for Site Plan Review

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(h) All extraction areas, active or inactive, shall be fenced and posted with appropriate "warning" signs where: (1) water can pool more than one and one-half (1½) feet in depth, and (2) the excavation of slopes is steeper than one (1) foot vertical to two (2) feet horizontal. Other extraction areas, active or inactive,

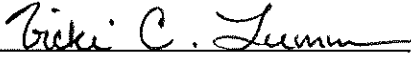
not meeting the foregoing depth and slope standards may be required to be fenced at the discretion of the Planning Commission.

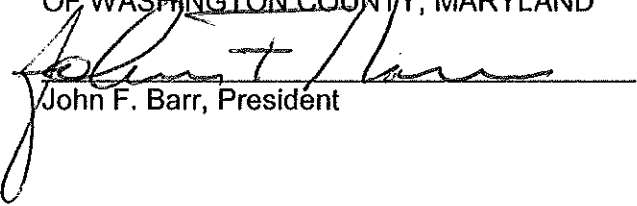
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Adopted and effective this 21<sup>st</sup> day of July, 2009.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

  
Vicki C. Lumm, Clerk

  
John F. Barr, President

Approved as to legal  
sufficiency:

  
Kirk C. Downey  
Assistant County Attorney

Mail to:  
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100 W. Washington Street, Room 202  
Hagerstown, MD 21740

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