

ORDINANCE NO. 2007-02

Town of Rising Sun

Cecil County, Maryland

AN ORDINANCE OF THE TOWN OF RISING SUN, ("TOWN") CECIL COUNTY, MARYLAND, AMENDING AND ADDING LANGUAGE TO CHAPTER 12 OF THE CODE OF ORDINANCES OF THE TOWN OF RISING SUN, IN ORDER TO PERMIT, **BY SPECIAL EXCEPTION**, PRIVATE EDUCATIONAL FACILITIES TO OPERATE IN MORE THAN JUST RESIDENTIALLY ZONED AREAS.

WHEREAS, the Town, located in Cecil County, Maryland is a municipality organized under and governed by Article 23A of the Annotated Code of Maryland; and

WHEREAS, the Town is proclaimed as a perpetual entity with the right to pass laws; and

WHEREAS, the Code of Ordinances of the Town, contains a Article 16 titled Amendments, located in Chapter 12, titled Zoning Code, which provides for amendments to the Town of Rising Sun Zoning Code; and

WHEREAS, the commissioners have received a written request submitted by legal representatives of "Specialized Education of Maryland Inc", who desires to amend, the current text in section 12-624 titled Education Institutions, Private, to **allow the filing of an application for special exception** to operate a private educational facility on a property located in the Light Industrial Zone of Rising Sun; and

WHEREAS, the written request was forwarded to the Rising Sun Planning and Zoning Board for consideration; and

WHEREAS, the Planning and Zoning Board voted on September 24, 2007, to recommend approval of the written request.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Town Commissioners of the Town of Rising Sun, Cecil County, Maryland, and it is hereby enacted and ordained by its authority that:

SECTION 1

Chapter 12, section 624, titled Education Institutions, Private, be modified by deleting the opening sentence, and replacing it to read as follows:

" Private educational institutions may be permitted as a Special Exception by the Board of Appeals in the residential, light industrial and commercial zones, not to include the central commercial district, provided:"

BE IT FURTHER ENACTED AND ORDAINED that in all other respects Chapter 12, Section 624 of the Rising Sun Zoning Ordinance remains unchanged and in full effect.

SECTION 2.

All ordinances or parts thereof inconsistent herewith are repealed, rescinded, canceled and annulled.

SECTION 3.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Rising Sun hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4.

That nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5.

That the Rising Sun Town Clerk/Treasurer is hereby ordered and directed to cause a **fair summary** of this ordinance to be published in a newspaper **having** general circulation **within** the Town.

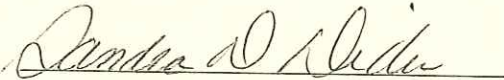
SECTION 6.

BE IT FURTHER ENACTED that this Ordinance shall become effective twenty


(20) days after is adoption

INTRODUCED this 27th day of November, 2007

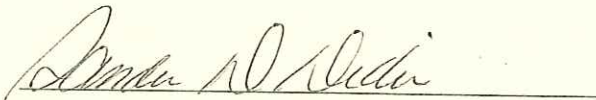
ATTEST:



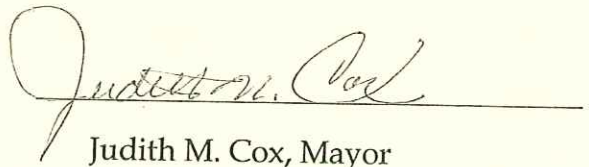
Sandra D. Didra Clerk/Treasurer

APPROVED AND ADOPTED this 27th day of November, 2007. 

ATTEST:



Sandra D. Didra, Clerk/Treasurer


Judith M. Cox, Mayor