

**TOWN OF RISING SUN  
RESOLUTION 2022-16**

Scrivener's Error – Zoning Map Correction

**WHEREAS** the Town, located in Cecil County, Maryland is a municipality organized under the provisions of the Maryland Constitution and governed under the provisions of the Local Government Article of the Annotated Code of Maryland; and

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

**WHEREAS** as provided for in the LAND USE Article of the Annotated Code of Maryland, Division 1 titled SINGLE-JURISDICTION PLANNING AND ZONING [Titles 1-13], Title 4 titled ZONING, Subtitle 1 titled POWERS, §4-101 titled STATEMENT OF POLICY establishes as a statement of policy that that the orderly development and use of land and structures requires comprehensive regulation through the implementation of planning and zoning controls and that those controls shall be implemented by local government; and

**WHEREAS** in addition to the above, §4-202 titled ZONING REGULATIONS – ADOPTION; PURPOSES, provides the Mayor and Commissioners with the authority to adopt zoning regulations in accordance with the Town's Comprehensive Plan and with reasonable considerations for, among other things, the character of the district or zone and its suitability for particular uses and with a view to conserving the value of property and encouraging orderly development and the most appropriate use of land; and

**WHEREAS**, the Code of Ordinances of the Town, contains Chapters 12, titled TOWN OF RISING SUN ZONING ORDINANCE which establishes the intent and authority of the zoning ordinance and to promote the orderly development of the Town of Rising Sun, Maryland, in accordance with the Rising Sun Comprehensive Plan or any of the component's parts thereof; and

**WHEREAS** section 12-110 of the above Town Zoning Code, titled OFFICIAL ZONING MAP, states in part that *"The Incorporated areas of the Town are hereby divided into zones, as shown on the Official Zoning Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to a part of this ordinance"*; and

**WHEREAS**, on July 12, 2022, the Mayor and Commissioners adopted Resolution 2022-15 titled Adoption of Town Zoning Map, which incorporated recent changes in Zoning designations that were previously approved by the Mayor and Commissioners on May 10, 2022; and

**WHEREAS**, upon review of Town records it was discovered that a previous version of the Town's Zoning Map had inadvertently recorded the zoning of 629 and 635 Joseph Biggs Memorial Highway, tax id 06-007953 and 06-041973 as being zoned R-1 Single Family Residential, when in fact both properties were annexed into Town under Annexation Resolution 2006-03 as R-2 Single Family Residential; and

**WHEREAS**, this error, a scrivener's error, was carried forward and incorrectly shown on subsequent zoning maps, to include the map recently adopted on July 12, 2022; and

**WHEREAS**, the Mayor and Commissioners wish to correct this scriveners' error by adopting the attached Zoning Map dated August 23, 2022, which now shows the proper zoning for the above detailed properties.

**THEREFORE, BE IT FURTHER RESOLVED** that the Mayor and Commissioners of the Town of Rising Sun have passed, approved, and adopted this resolution on this 23<sup>rd</sup> day of August 2022 and have accepted this revised Zoning Map as the Official Zoning Map of the Town of Rising Sun.

**AYES:**

**NAYES:**

**ABSTAIN:**

**PASSED**

THE MAYOR AND COMMISSIONERS OF  
THE TOWN OF RISING SUN

BY: \_\_\_\_\_  
Travis Marion, Mayor

ATTEST:

\_\_\_\_\_  
Judy C Melton  
Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
THIS 19<sup>TH</sup> DAY OF AUGUST 2022

BY: \_\_\_\_\_  
Jack A. Gullo, Jr., - Town Attorney

STATE OF MARYLAND)  
COUNTY OF CECIL)  
TOWN OF RISING SUN)

SS:

CERTIFICATE

I, Judy C Melton, Town Clerk for the Town of Rising Sun, Maryland, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution adopted by the Mayor and Commissioners of the Town of Rising Sun, Maryland, and is identical to the original thereof appearing in the official records of the Town of Rising Sun, Maryland and the same has not, since its adoption, been rescinded or amended in any respect.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and have affixed the seal of the Town of Rising Sun as of this 24th day of August 2022.

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Judy C. Melton  
Town Clerk

This is to certify that this is the Official Zoning Map Referred to in Article 1 of the Zoning Ordinance of the Town of Rising Sun, Maryland.

Travis Marion, Mayor

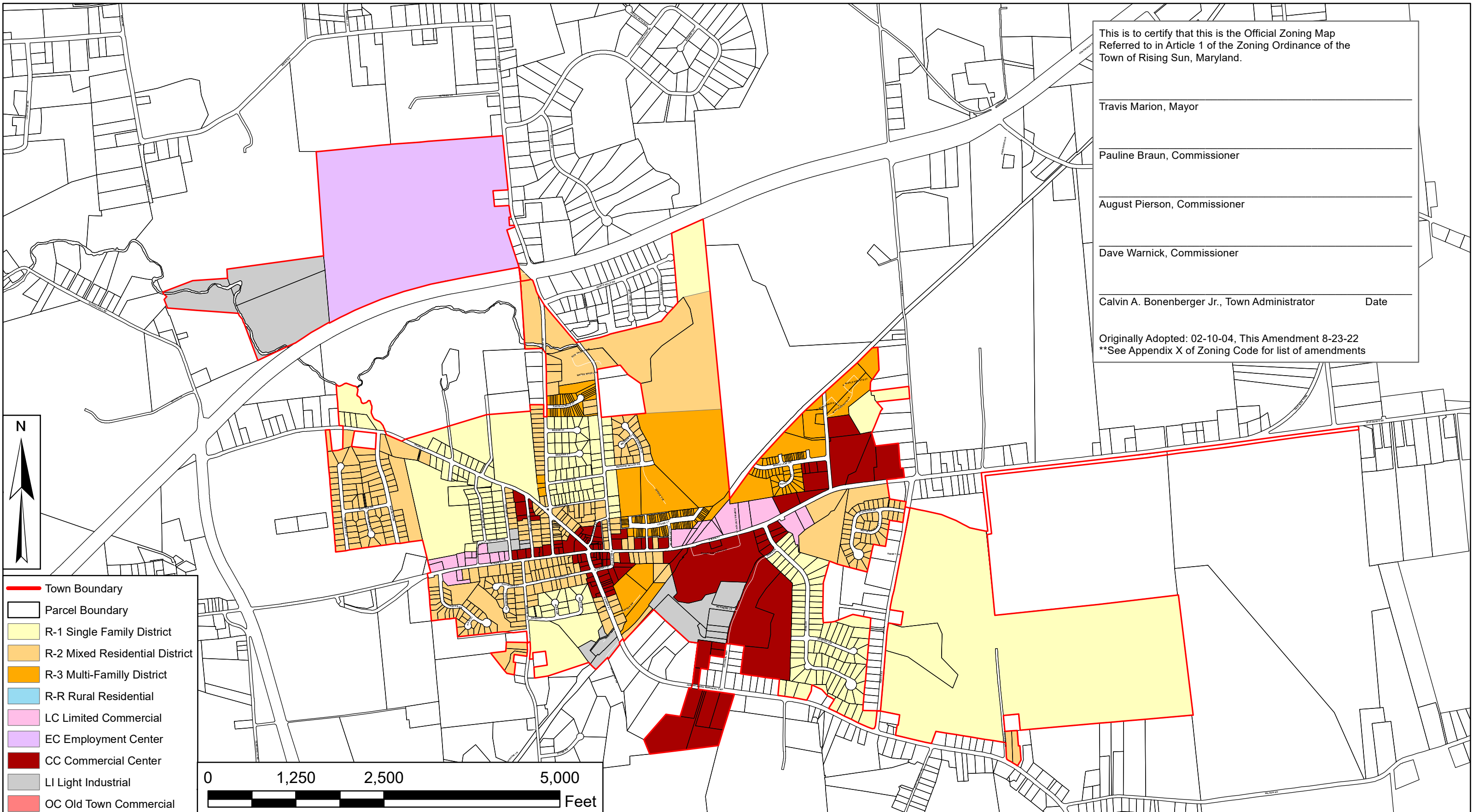
Pauline Braun, Commissioner

August Pierson, Commissioner

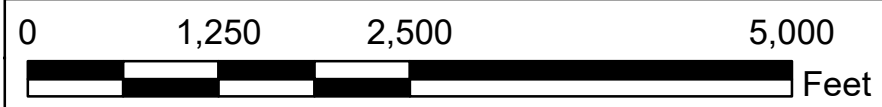
Dave Warnick, Commissioner

Calvin A. Bonenberger Jr., Town Administrator      Date

Originally Adopted: 02-10-04, This Amendment 8-23-22  
 \*\*See Appendix X of Zoning Code for list of amendments



- Town Boundary
- Parcel Boundary
- R-1 Single Family District
- R-2 Mixed Residential District
- R-3 Multi-Family District
- R-R Rural Residential
- LC Limited Commercial
- EC Employment Center
- CC Commercial Center
- LI Light Industrial
- OC Old Town Commercial



**Official Zoning Map**  
**Town of Rising Sun, Maryland**  
 Feb 10, 2004  
 Map Last Updated: August 23, 2022



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