

THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND

December 3, 2024
Legislative Session Day

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CODE HOME RULE
BILL NO. 9-2024

INTRODUCED BY: Ronald H. Fithian, President of the Board of County Commissioners for Kent County, Maryland.

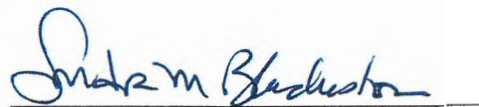
AN ACT to amend Chapter 222, Zoning, of the Code of Public Local Laws of Kent County, Maryland, also known as the Kent County Land Use Ordinance, in order to add a new land use and to permit said new land use in a single district as an accessory use: (1) by adding "10. Dog Kennel, Fox Hunting Club" to Article V. District Regulations, Section 2. Resource Conservation District, §2.4 A. Accessory Uses; (2) by adding a definition for "Dog Kennel, Fox Hunting Club" to Article XI. Definitions, Section 2. Definitions; (3) by including one non-codified provision; and (4) by providing for an effective date related to the required Critical Area Commission review and approval of the zoning text, per Md. Code Ann., Natural Resources § 8-1809, as the same may be amended from time to time.

THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND


Ronald H. Fithian, President

INTRODUCED, read the first time, December 3, 2023, ordered posted and a public hearing was held February 4, 2025, at 6:00 p.m. in the County Commissioners Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland.

By order of:


Sondra M. Blackiston, Clerk

PUBLIC HEARING

HAVING been posted and notice of the time and place of the hearing and copies having been made available to the public and the press, a public hearing was held on February 4, 2025. Reported favorably with amendments; read the second time and ordered to be considered on March 4, 2025, a legislative session day.

BILL NO. 9-2024, as amended by interlineation, indicated by ~~double strike through~~ for deletions and double-underlining for additions and **highlighted** for ease of location.

CAPITALS AND BOLD INDICATE MATTER ADDED TO EXISTING LAW.

~~Strike through~~ indicates all matter deleted from existing law in the introduced BILL.

**A BILL ENTITLED CHR 9-2024 FOX HUNTING CLUB DOG KENNELS IN RCD
AS AMENDED BY INTERLINEATION**

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND THAT THE KENT COUNTY LAND USE ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

SECTION 1.

ARTICLE V.
DISTRICT REGULATIONS

SECTION 2. RESOURCE CONSERVATION DISTRICT (RCD)

...

2.4 ACCESSORY USES

- A. The following accessory uses are allowed on all farms in the Resource Conservation District

...

9. Waste management structures, where not otherwise stipulated in this Ordinance, provided:
- a. Waste management structures shall be a minimum of 600 feet from all property lines.
 - b. No waste management structure shall be in the 100-year floodplain.
 - c. The operation is managed according to waste and nutrient management plans, approved by the Natural Resources Conservation Service, University of Maryland Extension Service, and the Kent County Health Department.

10. **DOG KENNEL, FOX HUNTING CLUB, PURSUANT TO LICENSURE REQUIREMENTS SET FORTH IN CHAPTER 64 OF THE PUBLIC LOCAL LAWS OF KENT COUNTY, MARYLAND.**

PROVIDED:

~~A. KENNELS ARE 200 FEET FROM ANY SIDE OR REAR LOT LINE OR IN AN EXISTING BUILDING~~

~~B. WASTE IS PROPERLY MANAGED~~

SECTION 2.

ARTICLE XI.
DEFINITIONS

SECTION 2 DEFINITIONS

...

BILL NO. 9-2024, as amended by interlineation, indicated by ~~double-strike-through~~ for deletions and double-underlining for additions and **highlighted** for ease of location. **CAPITALS AND BOLD INDICATE MATTER ADDED TO EXISTING LAW.** Strike-through indicates all matter deleted from existing law in the introduced BILL.

94. Dog Kennel, Commercial - The keeping of any dog or dogs, regardless of number, for breeding, sale, boarding, or treatment purposes, except in an animal hospital, dog parlor, or pet shop as permitted by these regulations. The keeping of five or more dogs, six months or older, for any purpose.

94.5 DOG KENNEL, FOX HUNTING CLUB. THE KEEPING OF HOUNDS OWNED BY FOX HUNTING CLUB FOR THE PURPOSE OF PARTICIPATING IN THE SPORT OF FOX CHASING, BREEDING OF HOUNDS TO PERPETUATE THE SPORT OF FOX CHASING AND TRAINING THE HOUNDS FOR THE SPORT OF FOX CHASING.

...

SECTION 3.

BE IT FURTHER ENACTED by the County Commissioners of Kent County that the County planning staff are hereby instructed to prepare corresponding text amendments and include them within the body of any proposed legislation related to re-adoption of the Land Use Ordinance via Comprehensive Rezoning, which is to be prepared by County staff following review and comment by the Critical Area Commission.

SECTION 4.

BE IT FURTHER ENACTED by the County Commissioners of Kent County that this Act shall be adopted on the 4th day of March, 2025; however, the provisions of this Act shall take effect on the 14th day of March, 2025, contingent upon review and approval of the Critical Area Commission for the Chesapeake & Atlantic Coastal Bays pursuant to the Md. Code Ann., Natural Resources § 8-1809, as the same may be amended from time to time, **AND CONTINGENT UPON THE ADOPTION BY THE BOARD OF COUNTY COMMISSIONERS OF LICENSURE REQUIREMENTS IN CHAPTER 64 OF THE PUBLIC LOCAL LAWS OF KENT COUNTY, MARYLAND.**

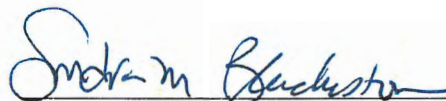
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Read Third Time March 4, 2025

PASSED this 4th day of March, 2025.

Failed of Passage _____

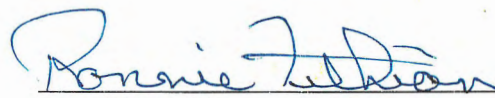
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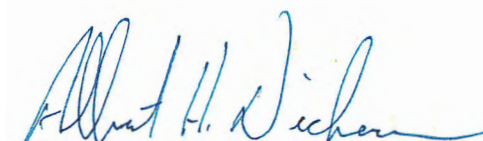

Sondra M. Blackiston, Clerk

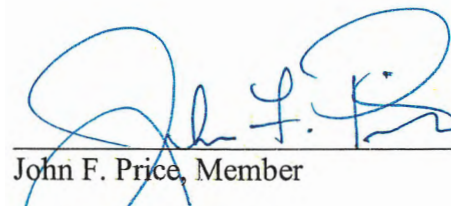
THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND

(SEAL)




Ronald H. Fithian, President


Albert H. Nickerson, Member


John F. Price, Member

ORDERED a fair summary thereof or the entire bill shall be published in at least one newspaper of general circulation in the County, not less than three times at weekly intervals within a four-week period.

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