

ORDINANCE NO. 2023-05

THE MAYOR AND COUNCIL OF
THE TOWN OF NEW MARKET

FOR THE PURPOSE OF AMENDING ARTICLE IV, SECTION 1.0
ESTABLISHMENT OF DISTRICTS AND USE CLASSIFICATIONS, 1.12
TEMPORARY USES OF THE LAND DEVELOPMENT ORDINANCE:

WHEREAS, per Article III Section 3.1 of Ordinance 2009-01 states that" The Town Council may from time to time amend, supplement, change, modify, or repeal by ordinance the regulations of this Ordinance and any amendment may be initiated by resolution of the Town Council; and

WHEREAS, per Article III Section 3.4 Before taking any action on any proposed amendment, supplement, change, modification, or repeal, the Town Council shall submit the proposal to the Planning Commission for review and recommendation. The Planning Commission may hold a hearing on any proposed amendment, supplement, or change before submitting its recommendation to the Town Council; and

WHEREAS, the Planning Commission voted on May 4, 2023, to recommend approval of this proposal and had confirmed both that there is a public need for the proposed amendment and that the proposed amendment is consistent with the Comprehensive Plan as required by per Article III Section 3.4; and

WHEREAS, per Article III Section 3.5 the Town Council held a public hearing on June 22, 2023, to hear public comment on this amendment and has published notice of the time and place of the public hearing, together with a summary of the proposed regulation in at least one newspaper of general circulation within the Town, once a week for two successive weeks, with the first notice to be published at least 14 days before the hearing and the notices have indicated where the proposed amendment and documents relating to the amendment may be reviewed, which may include a reference to internet publication of documentation by the Town.

NOW, THEREFORE, The Mayor and Council of The Town of New Market ordains as follows:

Article IV, Section 1.0 Subsection 1.12 (Temporary Uses), is amended to provide as follows:

1.12.5 Outdoor Public Events. A Town Temporary Use Permit is required for Outdoor Public Events in the Town in addition to other County and State required approvals.

Outdoor Public Events are activities that are open to a segment of the public either by invitation or general admission, they include but not limited to, events such as amplified musical performances, carnivals, circuses, tent revival meetings, festivals, fund raisers, public rallies, dinners, sales, bazaars, neighborhood parties, and other similar activities. Private activities for which tickets are sold or liquor is sold to the public are considered public events. The term outdoors shall include activities in a temporary structure such as a tent, pavilion, or an open-type permanent structure.

Outdoor Public Events at churches, schools, amusement parks, and fire halls that hold outdoor events as an accessory use are not required to obtain a Town permit provided the event does not include any of the following:

- off-site parking,
- use of town owned property,
- temporary closure of town roads and alleys,
- amplified musical performances,
- temporary rides,
- temporary structures including tents as defined in Article XIII.

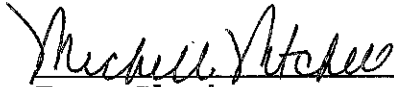
The following activities do not require a Town Public Event Permit:

- Events held inside a theater, church, school, fire hall, assembly hall, arena, governmental council chamber or board meeting room, or like area within a structure and specifically designed to be used as a place for the assemblage of individuals, provided the anticipated attendance does not exceed the established occupancy load of the building;
- Outdoor events held on the grounds of a school, place of worship, business, or nonprofit corporation and attended primarily by attendees of the school, place of worship, business, or nonprofit corporation not the general public.
- Events held on agriculturally zoned sites that do not include any of the following:
 - More than 300 guests
 - off-site parking,
 - use of town owned property,
 - temporary closure of town roads and alleys,
 - amplified musical performances,
 - A temporary liquor license.

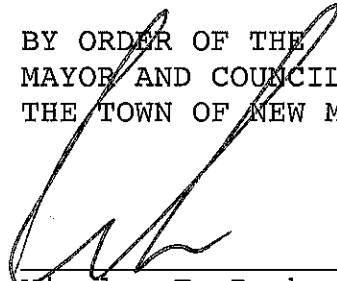
AG	OS	R-1	R-2	RM in d.u.	RM not in d.u.	MRS	MC	MCI	AP	I	EDF
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AND, IT IS FURTHER ORDAINED, that this Ordinance shall become effective on the 12th day of July, 2023.

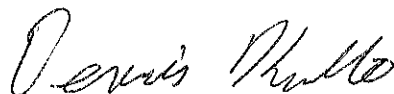
ATTEST:

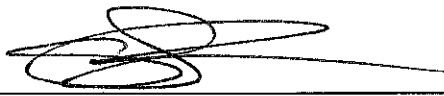

Town Clerk

BY ORDER OF THE
MAYOR AND COUNCIL OF
THE TOWN OF NEW MARKET

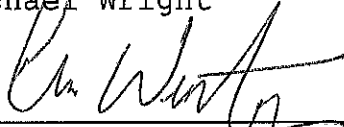

Winslow F. Burhans, III, Mayor

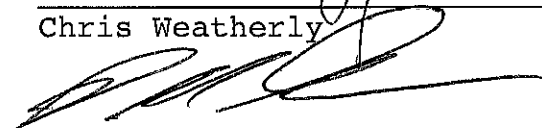
Council Members:


Dennis Kimble


Shannon Rossman


Michael Wright


Chris Weatherly


Matthew Chance

INTRODUCED: May 25, 2023

ENACTED: June 22, 2023

EFFECTIVE: July 12, 2023