

1. Agenda TC January 2026 Draft

Documents:

[AGENDA TC JANUARY 2026 DRAFT.PDF](#)

2. CALL TO ORDER

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

5. PUBLIC COMMENT

6. SPEAKERS

7. APPROVAL OF COUNCIL MEETING MINUTES & CLOSED MINUTES, And Other Related Minutes As Listed:

7.I. 12-01-2025 Town Council Minutes

Documents:

[12-01-2025 TOWN COUNCIL MINUTES.PDF](#)

8. CIVIL AIR PATROL REPORT- Captain Rolfe

9. MOUNT AIRY VOLUNTEER FIRE COMPANY REPORT

10. MOUNT AIRY POLICE DEPARTMENT REPORT- Chief Ginevra

11. MAYOR, COUNCIL AND STAFF REPORTS

Mayor's Report- Mayor Hushour

Water and Sewer Commission, Beautification Commission and Inclement Weather Task Force - Councilmember Domotor

Planning Commission - Councilmember Kelly

Streets and Roads Commission, Commission on Aging and Livability and Flat Iron Task Force- Councilmember Munder

Economic Development Commission and Recycling and Sanitation Commission - Council Secretary Evans

Board of Recreation and Parks and Mount Airy Sustainability Commission - Council President Washabaugh

Town Attorney Report

Town Administrator Report

Code Enforcement Report

Zoning Administrator Report

11.I. Bank Balances 12-31-25

Documents:

[BANK BALANCES 12-31-25.PDF](#)

11.II. Zoning Administrator Report November 2025

Documents:

[ZONING ADMINISTRATOR REPORT NOVEMBER 2025.PDF](#)

12. NEW BUSINESS

13. ORDINANCES AND RESOLUTIONS

13.I. Ordinance 2026-1

Documents:

[ORDINANCE 2026-1.PDF](#)

13.II. Ordinance 2026-2

Documents:

[ORDINANCE 2026-2.PDF](#)

13.III. Resolution 2026-1

Documents:

[RESOLUTION 2026-1.PDF](#)

14. UNFINISHED BUSINESS

15. ADJOURNMENT

LARRY HUSHOUR  
Mayor



Council Members  
JASON P. EVANS  
Secretary

TIM J. WASHABAUGH  
Council President

KARL L. MUNDER  
SEAN M. KELLY  
STEPHEN L. DOMOTOR

## **TENTATIVE MOUNT AIRY TOWN COUNCIL AGENDA**

*Meetings are held at Mount Airy Town Hall, 110 S. Main Street, Mount Airy, MD*

**JANUARY 5, 2026**

**This meeting will be broadcast live on local Channel 23. It can also be viewed live at [www.carrollmediacenter.org](http://www.carrollmediacenter.org) and on the Town's Facebook page at <https://www.facebook.com/TownofMountAiry/>.**

### **REGULAR TOWN COUNCIL MEETING – 7:30 p.m.**

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **PRESENTATIONS**
- **PUBLIC COMMENT**
- **SPEAKER(S)**
- **APPROVAL OF COUNCIL MEETING MINUTES & CLOSED MINUTES, and other related minutes as listed:**
  - December 2025 - Town Council Meeting Minutes
  - December 2025 - Closed Meeting Minutes
    - 1) *Statutory Authority to Close Session, General Provisions Article, 3-305(b)(7):* To consult with counsel to obtain legal advice on a legal matter; Subj: Litigation
    - 2) *Statutory Authority to Close Session, General Provisions Article, 3-305(b)(3):* To consider the acquisition of real property for a public purpose and matters directly related thereto; Subj: Land Acquisition
- **CIVIL AIR PATROL REPORT** – Erin Lavelle, 1<sup>st</sup> Lt.
- **MOUNT AIRY VOLUNTEER FIRE COMPANY REPORT** – M. Heard
- **MOUNT AIRY POLICE DEPARTMENT REPORT** – Chief Ginevra

- **MAYOR, COUNCIL AND STAFF REPORTS** – Highlights/action items only
  - Mayors Report – **MAYOR HUSHOUR**
  - Water & Sewer Commission, Beautification Commission & Inclement Weather Task Force (**COUNCILMEMBER DOMOTOR**)
  - Planning Commission (**COUNCILMEMBER KELLY**)
  - Streets & Roads Commission, Commission on Aging and Livability (COAL) and Flat Iron Task Force (**COUNCILMEMBER MUNDER**)
  - Economic Development Commission and Recycling & Sanitation Commission (**COUNCIL SECRETARY EVANS**)
  - Board of Recreation & Parks and Sustainability Commission (**COUNCIL PRESIDENT WASHABAUGH**)
  - Town Attorney Report (**TOM MCCARRON**)
  - Town Administrator Report
  - Code Enforcement Report
  - Zoning Administrator Report
  
- **NEW BUSINESS**
  - Commission Appointments & Re-appointments – Mayor Hushour
  
- **ORDINANCES AND RESOLUTIONS**
  - a. **Ordinance 2026-1 – Food Trucks – For Introduction**
  - b. **Ordinance 2026-2 – Standards and Process for Rezoning Properties – For Introduction**
  - c. **Resolution 2026-1 – Weather Related Alert System – For Adoption**  
*\*After introduction representatives from the Inclement Weather Task Force will provide a brief presentation on the rationale for the Resolution and its benefits to public safety.*
  
- **UNFINISHED BUSINESS**
  
- **POSSIBLE CLOSED MEETING**
  - ***STATUTORY AUTHORITY TO CLOSE SESSION, GENERAL PROVISIONS ARTICLE, 3-305(b)(7):*** To consult with counsel to obtain legal advice on a legal matter; Subj: Litigation
  - ***STATUTORY AUTHORITY TO CLOSE SESSION, GENERAL PROVISIONS ARTICLE, 3-305(b)(3):*** To consider the acquisition of real property for a public purpose and matters directly related thereto; Subj: Land Acquisition
  
- **ADJOURNMENT**

The Town will make every effort to provide a reasonable accommodation for the hearing impaired by providing a sign language interpreter. A request for such an accommodation must be made 72 hours in advance of the meeting to facilitate scheduling.

LARRY HUSHOUR  
*Mayor*

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TIM J. WASHABAUGH  
*Council President*



*Council Members*  
JASON P. EVANS  
*Secretary*

KARL L. MUNDER  
SEAN M. KELLY  
STEPHEN L. DOMOTOR

## Minutes of the Mount Airy Town Council Meeting December 1, 2025

**Attendees: Town Officials:** Mayor Hushour, Council President Washabaugh, Councilmember Evans, Councilmember Munder, Councilmember Kelly and Councilmember Domotor

**Town Staff:** Jared Schumacher - Town Administrator, Holly McCleary - Town Clerk, Barney Quinn - Town Engineer, John Breeding - Director of Planning and Zoning, Katie Moore - Senior Accounting Clerk, Tom McCarron - Town Attorney, Michael Ginevra - Chief of Police

**1. CALL TO ORDER AND PLEDGE –** Council President Washabaugh called the Town Council meeting to order and led everyone in the pledge.

**2. PRESENTATIONS –**

- The Mount Airy Historical Society presented the Town of Mount Airy with a check for \$22,722.00 from fundraising for the Flat Iron Building.
- Presentation of the Preconcept Design Plan of the nonresidential portion of the Greentree Development. – Pulled from the agenda.

**3. PUBLIC COMMENTS –**

- Steve Semelsburg

**4. SPEAKERS –** None

**5. APPROVAL OF TOWN COUNCIL MEETING MINUTES –**

- October 2025 Closed Meeting Minutes – Litigation - MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- October 2025 Closed Minutes – Land Acquisition – MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- November 2025 Town Council Minutes - MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- November 2025 Closed Meeting Minutes – Litigation - MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- November 2025 Closed Minutes – Land Acquisition – MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.

**6. CIVIL AIR PATROL REPORT** – No report.

**7. MOUNT AIRY VOLUNTEER FIRE COMPANY REPORT** – No report.

**8. MOUNT AIRY POLICE DEPARTMENT REPORT** – Chief Ginevra gave the report.

**9. MAYOR, COUNCIL AND STAFF REPORTS –**

- **Mayor's Report** - See attached.
- **Board of Recreation & Parks and Sustainability Commission** - Council President Washabaugh gave his report.
- **Planning Commission** - Councilmember Kelly gave his report.
- **Streets and Roads Commission, C.O.A.L. & Flat Iron Task Force** - Councilmember Munder gave his report.
- **Economic Development Commission & Recycling and Sanitation Commission** - Councilmember Evans gave his report.
- **Water and Sewer Commission, Beautification Commission, Inclement Weather Task Force** - Councilmember Domotor gave his report.
- **Town Administrator** - See attached
- **Town Attorney** - Tom McCarron gave his report.
- **Zoning Administrator Report** - See attached.
- **Code Enforcement Report** - See attached.

**10. NEW BUSINESS –**

- **PWA Bond Release for S-19-0010 – Twin Arch Business Park, Section 4, Lot 18A, J&J Trash – for Approval** - MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- **PWA Bond Release for S-19-0032 Twin Arch Business Park, Section 4, Lot 17 – for Approval** - MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- **PWA Bond Release for S-21-0022 – Twin Arch Business Park, Section 2, Lot 20, Ultra Utilities – for Approval** - MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- **PWA Bond Release for S-20-0031 – Mt. Airy Medical Eye Center, Mt. Airy Ridge, LLC 1401 Ridge Court – for Approval** - MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- **Recommendation of Approval for FY2026 Paving** - MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: Council President Washabaugh and Councilmembers Evans, Munder and Kelly – Yea, Councilmember Domotor – Nay.
- **Commission Appointments and Re-appointments**
  - **Vincent Coble appoint to the Beautification Commission** - MOTION: Councilmember Domotor moved to appoint, Councilmember Evans seconded. Vote: All in favor.
  - **Bradley Lindgren appoint to the Board of Recreation and Parks** – MOTION: Council President Washabaugh moved to appoint, Councilmember Munder seconded. Vote: All in favor.
  - **Fran Sonkin re-appoint to the Water and Sewer Commission** – MOTION: Councilmember Domotor moved to re-appoint, Council President Washabaugh seconded. Vote: All in favor.

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## 11. ORDINANCES AND RESOLUTIONS –

- **Ordinance 2025-19 – Water and Sewer Rate Increase – for Adoption** – MOTION: Councilmember Munder moved to adopt as amended, Councilmember Kelly seconded. Vote: Council President Washabaugh and Councilmembers Evans, Kelly and Domotor – Nay, Councilmember Munder - Yea
- **Ordinance 2025-20 – Budget Amendment to add \$80,000 for the South Main Street Roundabout Project – for Adoption** – MOTION: Councilmember Munder moved to introduce, Councilmember Evans seconded. MOTION: Council President Washabaugh moved to approve, Councilmember Munder seconded. Vote: All in favor.
- **Ordinance 2025-21 – Food Trucks – for Introduction - The Town Council put Ordinance 2025-21 on hold until next month.**

**12. ADJOURNMENT** – Council President Washabaugh moved to adjourn the Town Council meeting following the closed meeting, Councilmember Munder seconded. Vote: All in favor.

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Jason Evans, Council Secretary

Prepared by Colleen Reilly

GENERAL FUND BANK BALANCES: 12/31/25				WATER & SEWER BANK BALANCES: 12/31/25				
		Checking	Savings Non-Reserves	Town Reserves		Checking	Savings Non-Reserves	Town Reserves
<b>Operating Funds</b>								
Checking Account	ACNB	7627	\$2,384,762.05		Water & Sewer Checking	ACNB	4837	\$750,989.89
Operational Savings	ACNB	4887	\$103,534.40		Water/Sewer Operational Savings	ACNB	1661	\$12,888.07
Operational Savings	PNC/MLGIP	5944	\$1,682,941.93					
American Rescue Plan GF	ACNB	80987	\$1,182,814.98					
<b>General Reserve Fund</b>								
	PNC/MLGIP	3474	\$386,460.74		Capital Improvement Assessments	ACNB	644	\$6,612.49
<b>Streets and Roads Reserve</b>								
Streets & Roads	ACNB	3251	\$16,032.48		Treatment Plant Expansion Fund	ACNB	80628	\$18,377.93
Sidewalk Improvements Fund	ACNB	2977	\$9,923.84			PNC/MLGIP		\$2,269,792.30
Center Street Improvements Fund	PNC/MLGIP	5936	\$75,943.24					
<b>Public Safety Capital Improvement</b>								
	PNC/MLGIP	540	\$491,034.74		Water System Expansion Fund	ACNB	80651	\$1,183.20
<b>Park Reserve Fund</b>								
	ACNB	6171	\$252,770.27		Well Exploration & Development Fees	ACNB	3244	\$149,784.34
	PNC/MLGIP	5986	\$272,007.03			PNC/MLGIP	5960	\$1,348,353.96
<b>Capital Improvements Assessments</b>								
	PNC/MLGIP	3505	\$3,809,330.03		TOTAL WATER & SEWER:			\$3,806,992.29
	ACNB	636	\$101,964.56					\$750,989.89
<b>Planning &amp; Zoning</b>								
Planning & Zoning Filing Fees	ACNB	4910	\$113,056.37					\$4,557,982.18
Bond Escrow Fund	ACNB	4895	\$273,049.52					
Mount Airy Police Dept. Adjudicated	ACNB	1881	\$12,646.24					
Mount Airy Police Dept. Non-Adjudicated	ACNB	8438	\$0.01					
			\$3,577,577.03					
			\$398,752.14					
			\$7,201,943.26					
<b>TOTAL GENERAL FUND:</b>				\$11,178,272.43				

LARRY HUSHOUR  
Mayor



Council Members  
JASON P. EVANS  
Secretary

TIM J. WASHABAUGH  
Council President

KARL L. MUNDER  
SEAN M. KELLY  
STEPHEN L. DOMOTOR

## Zoning Administrator Report – November 2025

The Town Zoning Administrator approved 14 permits, which generated \$297.50 in revenue for November 2025. Below is a breakdown of the Carroll County Building Permits and the Town of Mount Airy Permits.

<u>Carroll County Building Permits Totals:</u>	<u>9</u>	
New Dwelling Building Permit	-	
New Commercial/Industrial	-	
Existing /Renovations	9	
<u>Town of Mount Airy Permit Totals:</u>	<u>5</u>	
Fence permit	2	
Banner Permit	2	
Signage Permit	1	
Shed Permit	-	
Zoning/U&O Permit	-	
Driveway Permit	-	
Antenna	-	

12/04/2025 - Prepared and submitted by Debra Clinton

P.O. Box 50, Mount Airy, MD 21771  
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Permit #	Location	County	Est. Cost	Dwelling	Acc. Use	Add'ns	Signs	Zoning Certificate	Industrial	Com'l	Shed	Fence	B	Town Fee	Comments
RD-25-2184	1006 Meadowgreen Dr	18	\$ 17,000			1								\$30.00	Remove the existing deck and build a new deck
RR-25-2210	206 Montgomery Ave	13	\$ 2,000		1									\$42.50	Install basement gutter
RV-25-2222	203 Saddleback Trail	13	\$ 32,000		1									\$30.00	Install detached 16' x 20' Pavilion
RV-25-2256	1710 Locksley Lane	13	\$ 50,000		1									\$30.00	Install detached 20' x 20' pavilion
SP-25-2075	1106 Parkridge Dr	18				1								\$30.00	Install Roof mounted solar panels
RR-25-2251	11 Baker Ave	13	\$ 70,000			1								\$30.00	Whole house renovation
RD-25-2277	503 Eventide Court	18	\$ 25,728			1					1			\$30.00	22' x 7' front porch
PS-25-2279	707 Bridleweath Way	13	\$ 9,500			1								\$15.00	12' x 22' Shed
RD-25-2371	1710 Locksley Lane	13	\$ 100,000			1								\$30.00	Adding 31' x 22' deck, partially covered
M-2025-27	110 S. Main St	13					1							\$0.00	Town Parks and Recs Signage
Banner	702 N. Main - MAVFC	13											1	\$0.00	MAVFC Craft Show
Banner	6607 Runkles Rd	13											1	\$0.00	SCHS Stagelights
Fence	405 Park Ave	13										1		\$15.00	Hailey Griffin
Fence	306 Hill Street	13										1		\$15.00	Andrew Hurst
	<b>Monthly Totals</b>		<b>\$306,228.00</b>	<b>0</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>\$297.50</b>	
	<b>Year to Date totals</b>		<b>\$4,164,272.00</b>	<b>0</b>	<b>21</b>	<b>47</b>	<b>29</b>	<b>14</b>	<b>2</b>	<b>13</b>	<b>6</b>	<b>36</b>	<b>25</b>	<b>\$5,479.84</b>	

Submitted by Debra Clinton November 2025

For:  
Introduction and referral to PC: 1/5/26  
Public hearing: \_\_\_  
Adoption: \_\_\_  
Effective: \_\_\_ (upon expiration of 20 calendar days following approval by Mayor or passage by Council over Mayor's veto by 4/5ths of the whole Council)

**THE TOWN OF MOUNT AIRY, MARYLAND**

**ORDINANCE NO. 2026-1**

**AN ORDINANCE TO AMEND PART II  
OF THE CODE OF THE TOWN OF MOUNT AIRY  
ENTITLED "GENERAL LEGISLATION,"  
CREATING NEW CHAPTER 15 ENTITLED "FOOD TRUCKS/MOBILE FOOD UNITS  
(MFUs)"; AND AMENDING CHAPTERS 98 ENTITLED "SUBDIVISION OF LAND  
AND SITE PLAN REVIEW", ARTICLE VIII ENTITLED "SITE PLAN PROCESS",  
SECTION 98-30 ENTITLED "PROCEDURES FOR SITE PLAN REVIEW AND  
APPROVAL"; AND CHAPTER 112 ENTITLED "ZONING", ARTICLE II ENTITLED  
"GENERAL REGULATIONS", SECTION 112-5 ENTITLED "USES NOT LISTED"  
AND ARTICLE V ENTITLED "PROVISIONS GOVERNING COMMERCIAL  
DISTRICTS", SECTION 112-37.1 ENTITLED "DOWNTOWN ZONE (DTZ)"**

**WHEREAS**, the use and operation of food trucks within the Town is becoming more prevalent, often in place of, and sometimes in conjunction with, so called "brick-and-mortar" restaurants; and

**WHEREAS**, while certain aspects of food truck operations may be regulated by County health department standards and regulations and/or to some extent by the State of Maryland, there currently exists in the Town no clear set of guidelines or regulations related to such operations within the Town; and

**WHEREAS**, the Town Council has determined it necessary and desirable to regulate the use and operation of food trucks within the Town to create a clear permitting and approval process for mobile food vendors operating within the Town, to ensure that food truck operations meet the same health, safety and site standards required of permanent food service establishments (*e.g.* "brick and mortar" restaurants), balance the opportunities for mobile vendors with the needs of established businesses and residential neighborhoods, and to protect public property, ensure equitable use of Town spaces, and maintain downtown character.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF MOUNT AIRY:**

Section 1. That new Chapter 15 of the Code of the Town of Mount Airy is hereby created and enacted as follows:

## **CHAPTER 15 – FOOD TRUCKS/MOBILE FOOD UNITS (MFUs)**

### **§15-1. Intent and purpose.**

The purposes of this Chapter are to:

- A. Establish a clear permitting and approval process for food truck vendors operating within Mount Airy.
- B. Ensure food truck operations meet the same health, safety, and site standards expected of permanent food service establishments.
- C. Balance opportunities for food truck vendors with the needs of established businesses and residential neighborhoods.
- D. Protect public property, ensure equitable use of Town spaces, and maintain downtown character.

### **§15-2. Definitions.**

The following terms shall have the following meanings in this Chapter:

“Food Truck / Mobile Food Unit (MFU)” shall mean a motorized or towable vehicle, trailer, or cart equipped to store, prepare, and/or serve food or beverages for public sale.

“Permanent Food Truck/MFU” shall mean a Food Truck/MFU that operates on the same property for more than 30 consecutive days or more than 60 total days per year.

“Temporary Food Truck/MFU” shall mean a Food Truck/MFU operating for special events, community gatherings, or time-limited promotional purposes authorized by the Town for durations less than those which would qualify a Food Truck/MFU as a Permanent Food Truck/MFU.

“Special Event” shall mean any Town-approved public event (e.g., festivals, markets, parades).

“Downtown Zone” or “DTZ” shall mean the area designated in the Town Zoning Map as the Downtown Zone and as governed by Section 112-37.1 of this Code.

### **§15-3. Applicability, permitting and other requirements.**

The provisions of this Chapter shall apply to:

- A. All Food Trucks/MFUs, whether temporary or Permanent Food Trucks/MFUs, which must obtain a Town-issued Food Truck/MFU Permit issued by Town planning staff prior to operation.

B. Operators of all Food Trucks/MFUs, whether temporary or Permanent Food Trucks/MFUs must maintain valid Carroll County and/or Maryland Health Department licenses as a condition of the Town permit, and shall at all times during operation within the Town comply with all County and State laws and regulations related to food service facilities as they apply to food trucks or mobile food service facilities, including but not limited to the regulations set forth in Code of Maryland Regulations, Title 10, Subtitle 15, Chapter 03 as they may apply.

C. All Food Trucks/MFUs, whether temporary or Permanent Food Trucks/MFUs, located on public or private property within the Town must comply with all zoning, parking, and health and safety regulations outlined herein and in Chapters 98 and 112 of this Code as they pertain to Food Trucks/MFUs.

#### **§15-4. Location and operational restrictions.**

A. Downtown Zone (“DTZ”)

(1) Food Trucks/MFUs operated within the DTZ may operate only with an approved Special Event Permit.

(2) The Town may designate specific locations within the DTZ for maintenance and operation of a Food Truck/MFU and may restrict the dates of operation and impose conditions for such use and operation.

B. Outside Downtown Zone.

(1) Food Trucks/MFUs may operate on public property outside the Downtown Zone if approved through a Town Food Truck/MFU Permit.

(2) Food Trucks/MFUs may otherwise operate on private property outside the DTZ only with written permission from the property owner and approval by the Town.

C. Distance Restrictions

(1) Wherever located, Food Trucks/MFUs must be at least 500 feet from the customer entrance of any brick-and-mortar restaurant unless written consent is provided by that business.

(2) Food Trucks/MFUs, including all seating, must maintain at least a 100 foot buffer from residentially zoned property lines unless otherwise specifically authorized by the Town.

D. Site and Circulation

(1) Food Trucks/MFUs must operate on paved or otherwise improved surfaces.

(2) Food Trucks/MFUs may not block sidewalks, fire lanes, driveways, sightlines, or required parking spaces.

(3) Customer queues and seating for Food Trucks/MFUs must remain within the approved operating area.

E. Permitting Process

(1) All operators must obtain a Town Food Truck/MFU Permit.

(2) The application for a Town Food Truck/MFU Permit shall include:

(a) Proof of valid Health Department license(s).

(b) Maintenance of liability insurance coverage acceptable to the Town during the period of operation within the Town naming the Town as an additional insured. Any applicant shall provide a Certificate of Insurance as proof of such coverage.

(c) Written property owner consent (if applicable).

(d) A site layout or plot plan showing placement, signage, seating, utilities, access, and trash handling.

(3) Permits are issued per operation or per special event — no annual or seasonal permits shall be permitted.

(4) Permanent Food Trucks/MFUs shall be subject to the Modified Site Plan process set forth below.

**§15-5. Modified site plan requirement for Permanent Food Trucks/MFUs.**

A. Permanent Food Trucks/MFUs will require Modified Site Plan approval by the Planning Commission.

B. Modified Site Plans must include:

(1) Parking layout and circulation.

(2) Pedestrian safety and ADA compliance.

(3) Screening, lighting, and trash management.

(4) Access to water, sewer, or approved alternative systems.

(5) Compliance with fire and electrical codes.

(6) Proposed signage.

(7) Proposed seating.

C. Review and approval of any site plan for Permanent Food Trucks/MFUs shall meet Town standards for health, safety, and aesthetics, consistent with similar other commercial uses.

**§15-6. Operating standards.**

A. Permit Duration: Each permit is valid for up to 12 hours of operation within the window of 7:00 a.m. to 9:00 p.m., unless modified or extended under a special permit.

B. Utilities: No permanent hookups are permitted except for Permanent Food Trucks/MFUs with modified site plan approval in accordance with Section 15-5 above.

C. Noise/Lighting: Must comply with Town Code on noise and light pollution.

D. Trash & Grease: Operators are responsible for daily cleanup and disposal.

E. Display: All Town and Health permits must be visibly posted on the unit.

F. Signage: Temporary Food Trucks/MFUs shall be limited to signage attached or otherwise displayed on the Food Truck/MFU. Permanent Food Trucks/MFUs must abide by the signage restrictions as set forth in Section 112-11 of the Town Code and otherwise for brick-and-mortar restaurants.

G. Seating: Seating for Food Truck/MFU customers must comply with the sidewalk seating requirements set forth in this Code, Section 112-37.1B(1)(d) as may be applicable and must comply with other applicable requirements including under the Americans with Disabilities Act. If applicable, any seating shall be limited to the square footage of the Food Truck/MFU, unless otherwise specifically authorized by the Town.

H. Food Trucks/MFUs shall be limited in size to 26 feet or less in length, and 7 feet or less in width, unless otherwise authorized by the Town.

**§15-7. Fees and revenue.**

A. Permit fees shall be set by the Town Council by resolution, as may be amended from time to time.

B. A portion of fees may be allocated to support the Mount Airy Main Street Association (MAMSA) or other designated downtown organizations.

**§15-8. Enforcement.**

A. Operation without a valid permit constitutes a municipal infraction, subject to the fines set forth in Section 112-22A.

- B. Repeated violations may result in permit revocation.
- C. Immediate suspension may occur for health or safety violations.
- D. Appeals from determinations of Town Staff related to a Town Food Truck/MFU may be made to the Board of Appeals and shall be made in writing in accordance with Section 112-59.

Section 2. That Article VIII of Chapter 98 of the Code of the Town of Mount Airy, Section 98-30 be and is hereby amended as follows:

**§98-30. Procedures for site plan review and approval.**

\* \* \*

- P. Approval of site plans for Permanent Food Trucks/Mobile Food Units, as defined in Section 15-2 of this Code, shall follow the modified site plan review process and requirements set forth in Section 15-5 of the Town Code.

Section 3. That Chapter 112 of the Code of the Town of Mount Airy, Article II, Section 112-5 and Article V, 112-37.1 be and are hereby amended as follows:

**§112-5. Uses not listed.**

Except with respect to Food Trucks/Mobile Food Units (“MFUs”), Any use not specifically enumerated as being allowed in a given district in this chapter shall not be allowed by approval of a special exception from the Board of Appeals unless the Board of Appeals find that the use not specifically enumerated is identical in impact to a use permitted by right or allowed by special exception in the district. All such uses must meet all requirements for the identical use as well as the general requirements for a special exception (§ 112-62E). This section shall not apply to any use (or similar use) that is expressly listed in this chapter as being prohibited. Food Trucks/MFUs shall be a use of right within the Downtown Zone (DTZ) subject to the permitting, restrictions and regulations set forth in Chapter 15 of this Code. Notwithstanding the provisions above, Food Trucks/MFUs may be permitted in other zoning districts only upon the expressed permission of the Town and subject to the permitting, restrictions and regulations set forth in Chapter 15 of this Code.

**§112-37.1. Downtown Zone (DTZ).**

\* \* \*

- B. Principally permitted uses. No building or structure may be erected, used or occupied except in accordance with the following principally permitted uses:

- (1) Retail and personal service establishments. The following retail and personal service establishments, up to a maximum of 15,000 square feet of floor space except as respects Food Trucks/Mobile Food Units (“MFUs”) for which floor space shall be limited as set forth in Chapter 15 of this Code:

\* \* \*

(b) Food service and preparation for consumption on or off premises as follows:

\* \* \*

[11] Food Trucks/MFUs as permitted, restricted and regulated pursuant to Chapter 15 of this Code.

\* \* \*

D. Prohibited uses. The following uses shall be prohibited within the Downtown Zone:

\* \* \*

(3) Drive-in or drive-through food establishments, which shall not include Food Trucks/MFUs which are permitted in the Downtown Zone subject to the permitting, restrictions and regulations set forth in Chapter 15 of this Code;

BE IT ENACTED AND ORDAINED BY THE AUTHORITY AFORESAID, that this Ordinance shall take effect on the \_\_\_ day of \_\_\_\_\_, 2026 (upon expiration of 20 calendar days following approval by Mayor or passage by Council over Mayor’s veto by 4/5ths of the whole Council).

Introduced this 5<sup>th</sup> day of January, 2026.

Enacted this \_\_\_ day of \_\_\_\_\_, 2026 by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

ATTEST:

\_\_\_\_\_  
Jason Evans, Secretary

\_\_\_\_\_  
Tim Washabaugh,  
President of the Town Council

Approved this \_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Jason Evans, Secretary

\_\_\_\_\_  
Larry Hushour, Mayor

REVIEWED AND APPROVED AS TO LEGAL FORM AND SUFFICIENCY.  
This \_\_\_ day of \_\_\_\_\_, 2026.

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Thomas V. McCarron, Town Attorney

For:  
Introduction and referral to PC: 1/5/26  
Public hearing: \_\_\_\_  
Adoption: \_\_\_\_  
Effective: \_\_\_\_ (upon expiration of 20 calendar days following approval by Mayor or passage by Council over Mayor's veto by 4/5ths of the whole Council)

**THE TOWN OF MOUNT AIRY, MARYLAND**

**ORDINANCE NO. 2026-2**

**AN ORDINANCE TO AMEND PART II  
OF THE CODE OF THE TOWN OF MOUNT AIRY  
ENTITLED "GENERAL LEGISLATION,"  
CHAPTER 112 ENTITLED "ZONING", ARTICLE IX ENTITLED "AMENDMENTS",  
SECTION 112-66 ENTITLED "PROCEDURES" AND SECTION 112-69 ENTITLED  
"FINDINGS FOR RECLASSIFICATION" FOR THE PURPOSE OF  
ESTABLISHING A PROCESS AND STANDARDS  
FOR RECLASSIFICATION OF PROPERTIES WITHIN THE TOWN  
THEREBY ADDING CLARITY TO RECLASSIFICATION PROCESS,  
APPROVALS AND DOCUMENTATION**

**WHEREAS**, the Town Council finds it necessary and desirable to set forth in the Town Code standards, the requirements and process for any reclassification requests, including during the comprehensive plan process and thereafter consistent therewith as a part of comprehensive reclassification, and due to change/mistake pursuant to the Maryland Land Use Article, Section 4-204(b)(2), received by the town, to include the name and address of the requestor, property location, reasons for the reclassification request, date requested, date received/logged in by the town, *etc.*; and

**WHEREAS**, the formal record of the town's review and analysis of each request or combination of requests, the decision to approve or disapprove, and the technical/policy rationale for the reclassification decisions, record of the final reclassification request/decision, the Planning Commission recommendation, and other record of the determination on such requests for reclassification should likewise be set forth in the Code; and

**WHEREAS**, the intent of this ordinance is to prescribe the formal standards, factors, procedures, and comprehensive documentation requirements that apply to all applications for the reclassification of property within the Town's jurisdiction to ensure that every reclassification request is reviewed with transparency, precision, and accountability to adopted public policy.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF MOUNT AIRY:**

Section 1. That Chapter 112 of the Code of the Town of Mount Airy, Article IX, Sections 112-66 and 112-69 be and are hereby amended as follows:

## §112-66. Procedures.

- A. A public hearing shall be held by the Town Council before adoption of any proposed amendment, supplement or change. Public notice of the time and place of such hearing, together with a summary of the proposed amendment, at a minimum shall be published in a newspaper of general circulation in the Town of Mount Airy once each week for two successive weeks, with the first such publication of notice appearing at least 14 days before the hearing. Other forms of notice to the public, though not required, are encouraged such as the posting of the property proposed to be rezoned, posting notice on the Town's website and social media. A complete record of the hearing and the votes of all members of the Town Council shall be kept.
- B. A fee of \$300 for a zoning text amendment and a like fee for a Zoning Map amendment shall be paid to the Town at the time the application is filed. Charges will include the costs of the Town's employees and consultants. When the application is concluded by the Town Council, the charges will be assessed, and if less than the fee imposed, a refund will be given to the applicant, and if greater, the applicant will be billed for the difference. Fifteen percent will be added to the total charges for the Town's administrative costs and overhead. The rates for charges shall be established from time to time by resolution of the Town Council. Charges will be billed monthly if in excess of the fee imposed as set forth above. If any charges are not paid within 60 days of billing, the Town will withhold further review, approvals and/or issuance of any required permits until paid in full, together with interest at the rate of 1% per month or fraction thereof from the date of billing to the date of payment.
- C. Public Notification and Citizen Input. Reasonable notice shall be provided in advance of Planning Commission meetings at which a proposed reclassification and/or recommendations thereon are discussed and/or are to be made by the Commission related to a reclassification application, and for public hearings before the Town Council regarding zoning reclassifications shall be in accordance with Subsection A above and the Land Use Article of the Maryland Code, Section 4-203. In addition to the record for hearings before the Town Council as required by the Land Use Article of the Maryland Code, Sections 4-203 and/or 4-204, a thorough record shall be made of the notification process and input from citizens, with particular attention to concerns and perspectives of neighboring property owners regarding the proposed reclassification's effects on property values, compatibility, traffic, aesthetics, noise, and quality of life.
- D. Comprehensive Staff Report. Town planning staff shall prepare and maintain a detailed written report for each reclassification application, incorporating, at minimum, the following elements:
- (1) Date of Reclassification Request. The official date the application was submitted.
  - (2) Name and Address of Property Owner. Identification of the property owner, including legal name and mailing address.

- (3) Owner’s Rationale for Reclassification. A summary and documentation of the reasons provided by the applicant for seeking the reclassification, including intended use, benefits, and any supporting evidence.
- (4) Review and Analysis Results. Detailed findings based on consideration of the required evaluation criteria listed in Section 112-69, referencing supporting data and studies where applicable.
- (5) Consideration of Criteria Evaluated. Explicit documentation of how each factor was weighed and addressed, including staff and Planning Commission perspectives.
- (6) Record of the public comment including from neighboring property owners.
- (7) Final Recommendation. A professional recommendation for approval, denial, or approval with conditions, inclusive of justification and supporting rationale.
- (8) Group Reclassification Analysis. If analysis reveals that neighboring or adjacent properties would benefit from reclassification as a group, the report shall include an evaluation of such. The rationale shall address the benefits to overall land use compatibility, infrastructure efficiency, coordinated development, and community objectives.
- (9) Planning Commission Review. The Planning Commission shall review the detailed staff report, conduct at least one public meeting with full public participation, and document its deliberations and recommendations, especially as they relate to citizen and neighboring property owner perspectives and potential group reclassification considerations.
- (10) Town Council Action. The Town Council shall examine all documentation, staff analyses, citizen input, and the Planning Commission’s recommendations before rendering a decision, referencing impacts on neighboring properties and the merits of group reclassification as appropriate, and hold a public hearing and create a record of the proceedings as may be applicable and required by this Section, as well as the Land Use Article of the Maryland Code, Sections 4-203 and/or 4-204.
- (11) Record Keeping. All materials—including applications, staff reports, owner rationale, citizen comments, public hearing records, meeting minutes, recommendations, and decisions—shall be retained as part of the Town’s official public record in accordance with records retention requirements and applicable law.

\* \* \*

**§112-69. Findings for reclassification.**

- A. Where the purpose and effect of the amendment is to change the zoning classification, the Mount Airy Town Council shall make findings of fact in each specific case including but

not limited to the following: population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development for the area, the recommendation from the Mount Airy Planning Commission, the relationship of such proposed amendment to the Mount Airy Master Plan; and may grant the amendment based upon the finding that there was a substantial change in the character of the neighborhood where the property is located or that there was a mistake made in the existing zoning classification.

B. In addition to the findings set forth in Subsection A above, and/or in the Land Use Article of the Maryland Code, Section 4-204(b)(1) and/or (2), including but not limited to findings related to change or mistake, and to the extent not inconsistent therewith, all reclassification proposals shall be evaluated according to the criteria below, which must be explicitly addressed in staff analyses, Planning Commission recommendations and Town Council findings:

- (1) Consistency with the Comprehensive Plan. The degree to which the proposed reclassification aligns with the Town's adopted plans and policy frameworks, specifically the Comprehensive Master Plan's vision, strategic goals and implementing strategies.
- (2) The full range of uses permitted in the proposed new zoning for the property.
- (3) Compatibility with Surrounding Uses. The anticipated impact of the proposed zoning on existing and planned land uses nearby and community quality of life.
- (4) Suitability of the Subject Property. Suitability of the parcel for proposed uses versus its current classification and local development patterns.
- (5) Availability of Adequate Public Facilities and Services. Whether infrastructure and public services can accommodate the proposed zoning, and any additional costs to the Town of the reclassification in consideration of the full range of uses permitted in the proposed new zoning for the property.
- (6) Environmental Considerations. Assessment of environmental impacts and mitigation strategies.
- (7) Economic Effects. Projected impacts on property values, municipal revenues, and economic opportunity.
- (8) Public Health, Safety, and Welfare. Implications for the general welfare of Town residents.
- (9) Changed or Changing Conditions. Significant changes in the area or on the subject property that support the request.

(10) Conformance with Other Applicable Laws and Regulations. Compliance with all relevant local, state, and federal laws.

C. Zoning decisions shall not be based on the race, ethnicity, or religion of the applicant, landowner, or future tenants of the property.

BE IT ENACTED AND ORDAINED BY THE AUTHORITY AFORESAID, that this Ordinance shall take effect on the \_\_\_ day of \_\_\_\_\_, 2026 (upon expiration of 20 calendar days following approval by Mayor or passage by Council over Mayor’s veto by 4/5ths of the whole Council).

Introduced this 5<sup>th</sup> day of January, 2026.

Enacted this \_\_\_ day of \_\_\_\_\_, 2026 by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

ATTEST:

\_\_\_\_\_  
Jason Evans, Secretary

\_\_\_\_\_  
Tim Washabaugh,  
President of the Town Council

Approved this \_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Jason Evans, Secretary

\_\_\_\_\_  
Larry Hushour, Mayor

REVIEWED AND APPROVED AS TO LEGAL FORM AND SUFFICIENCY.

This \_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Thomas V. McCarron, Town Attorney

**THE TOWN OF MOUNT AIRY  
TOWN COUNCIL RESOLUTION NO. 2026-1**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNT AIRY  
FOR THE PURPOSE OF APPROVING ACQUISITION, IMPLEMENTATION,  
OPERATION AND MAINTENANCE OF, AND PROVIDING EDUCATIONAL  
PUBLIC OUTREACH ABOUT, HAZARDOUS WEATHER ALERT SIREN  
SYSTEM WITHIN THE TOWN TO ENHANCE PUBLIC SAFETY.**

**WHEREAS**, one of the most fundamental responsibilities of a government is to provide for the safety of its citizens; and

**WHEREAS**, when life-threatening weather is approaching, minutes or even seconds can make a difference; and

**WHEREAS**, hazardous weather alert sirens are a proven technology for alerting people to seek safety; and

**WHEREAS**, out of all twenty-four Maryland counties and jurisdictions, Frederick County ranks first, and Carroll County ranks seventh in number of recorded tornadoes; and

**WHEREAS**, tornadoes and floods often hit hardest in areas where resources are scarce, where low-income and vulnerable community members may live in older, less resilient housing, who may lack access to traditional emergency notification systems; and

**WHEREAS**, there have been thirteen tornadoes within ten miles of Mount Airy since 2010, three of which touched down within town limits of Mount Airy, two in 2012 and one in 2018; and

**WHEREAS**, since 2020 (just the last five years), there have been three tornado warnings, three flash flood warnings, and one destructive severe thunderstorm warning (having winds of greater than eighty mph), all of which triggered the highest tier of National Weather Service (“NWS”) warnings on cell phones and as such would trigger Town weather alert sirens; and

**WHEREAS**, two serious and impactful hazardous weather events have occurred in Mount Airy over the span of only the last seven years, as described below; and

**WHEREAS**, in 2018 Mount Airy was hit by a damaging Enhanced Fujita scale (EF)-2 tornado, the impact of which included the destruction of trailer homes in a nearby trailer park and damage to other residences and businesses within our community; and

**WHEREAS**, in July of 2025 Mount Airy experienced a serious storm with flash flooding resulting in a devastating loss within our community; and

**WHEREAS**, many citizens, including low-income community members, may not have access to smart phones or internet services which are used to disseminate NWS emergency warnings, and there are citizen-identified reports of cell phone dead zones in several areas of the Town; and

**WHEREAS**, the Town Council finds that moving forward, a hazardous weather alert siren system and associated education will help to reduce and prevent fatalities, injuries, and property damage from such natural disasters and severe weather events; and

**WHEREAS**, to this end, on August 20, 2025, Mayor Larry Hushour established the Inclement Weather Task Force (hereafter “the Task Force”) to provide recommendations to the Mayor and Town Council on ways to better anticipate, prepare, educate, respond to and clean up following significant weather events in Mount Airy; and

**WHEREAS**, a key priority was to research and provide a recommendation on the need for and feasibility of a hazardous weather alert siren system for the Town; and

**WHEREAS**, the Task Force has now completed its research in this regard, to include gathering weather alert siren system costs, capabilities, operational needs and requirements, possible locations for placement within town boundaries, and benchmarking of many other municipalities to obtain lessons learned on their selection and operation of such systems; and

**WHEREAS**, research indicates that such siren systems are typically set up to be activated when NWS highest tier weather alerts are issued; and

**WHEREAS**, the Task Force has received numerous letters of support from residents and businesses, and elected officials for the addition of a weather alert siren system to our town; and

**WHEREAS**, on October 28, 2025, Task Force members reached a unanimous recommendation that the Town Council should pursue and approve the acquisition and operation of a weather alert siren system to enhance public safety; and

**WHEREAS**, accordingly, this Resolution formalizes the Town Council of Mount Airy’s decision and commitment to acquire, operate, maintain, and provide educational public outreach on a hazardous weather alert siren system, given that the Town Council has concluded that implementation of this siren system will enhance the Town of Mount Airy’s overall approach to imminent hazardous weather preparation, warning, and response for public safety; and

**WHEREAS**, by way of this Resolution, the Council commits to securing and allocating needed funding conservatively estimated by the Task Force to be \$93,500 for a weather alert siren system and its components to include: two weather alert sirens, associated hardware and software, poles for mounting, installation, and development of associated public notification and educational outreach materials; and

**WHEREAS**, the Council encourages pursuit of outside funding sources through partnerships with other municipalities, government entities, grants and private sector donations of resources, equipment and services to achieve a goal of at least fifty percent co-funding.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Mount Airy that the Town hereby:

- A. Commits to acquiring, implementing, operating, maintaining, and providing educational public outreach on a weather alert siren system within the Town as described herein and below in order to enhance public safety by enhancing the response time to and chances for surviving natural disasters such as hurricanes, tornados, severe thunder storms and flooding; and
- B. Commits to secure and allocate needed funding conservatively estimated by the Task Force at \$93,500 for a weather alert siren system and its components to include: two weather alert sirens, associated hardware and software, poles for mounting, installation, and development of associated public notification and educational outreach materials; and
- C. Encourages Town Staff under the direction of the Mayor to pursue outside funding sources through partnerships with other municipalities, government entities, grants, and private sector donations of resources, equipment and services to achieve a goal of at least fifty percent co-funding.

ADOPTED:

This 5<sup>th</sup> day of January, 2026 by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

ATTEST:

\_\_\_\_\_  
Jason Evans, Secretary

\_\_\_\_\_  
Tim Washabaugh, President of the Council

ATTEST:

\_\_\_\_\_  
Jason Evans, Secretary

\_\_\_\_\_  
Larry Hushour, Mayor

Reviewed and approved as to legal sufficiency  
this 5<sup>th</sup> day of January, 2026

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Thomas V. McCarron, Town Attorney