



# CORPORATION OF HARPERS FERRY

## Ordinance Review Committee

### MEETING MINUTES

**Special Meeting**

**September 22, 2023**

**2:00 p.m.**

**Town Hall • 1000 Washington Street, Harpers Ferry, West Virginia 25425**

Upon confirmation of a quorum the Special Meeting was called to order at 2:04 PM p.m. by R. Meade-Curry, Chair. The meeting was posted and held in compliance with the West Virginia Open Governmental Meetings Act.

#### THOSE PRESENT:

Member	Title	Status
Chris Craig	Member	Present
George Owens	Member	Present
Roberta Meade-Curry, AICP	Member/Chair	Present
Public/Guests		
Pat Morse	Guest / Non-Voting	Present

#### Public Comments:

One member of the Public was present. No request was received to speak on the agenda items.

Upon brief discussion regarding Agenda Items to re-order the agenda with Items 2a and 3b to be item 1 on the agenda. C. Craig made a motion, seconded by R. Meade-Curry, to amend the agenda as presented. The Amended Agenda was approved unanimously.

#### 1. Order of Business.

- a. Meeting Minutes for July 28, 2023, approved unanimously. Meeting Minutes approval for August 25, 2023, postponed to next meeting.
- b. Transition Report was given by Chair.
  - i. Current and historical records of ORC – ongoing search and assemblage of documents.
  - ii. Status of items before previous ORC Members – ongoing search and assemblage of documents, but nothing outstanding at this time. Tree Commission issues resolved.
  - iii. K. Carden, Former Town Recorder, invited as guest to assist with background and history of procedures, and search for archived data. No reply has been received. (As of 10-23-2023- Chair has opted to forego this opportunity.)

#### 2. Unfinished Business.

- a. Discussion and Action – Codified Ordinances Part Seven, Article 735, Section 735.39-Temporary Special Event Vendor License.

P. Morse presented a brief background regarding this ordinance. P. Morse and R. Meade-Curry met in July of 2023, and reviewed some definitions that need to be added to ordinances. Ordinance updates and process improvements have been ongoing for about two years and have not been finalized. Events on private property need to be defined. ORC to review Section 735.39 in conjunction with Zoning Ordinances and Uses Allowed/Permitted Uses, and Conditional Uses

Allowed under Sections 1311 and 1312 on various zoned properties to determine changes, as necessary.

Definitions to be reviewed, added, and updated, as necessary:

Special Event, Temporary Event, Special/Temporary Event Vendor, Vendor, Vendor Market/Farmers Market, Garage Sales, Home-based Business

Application revisions, changes, or clarification for events will be handled as Policy and Procedures.

P. Morse and R. Meade-Curry to develop draft definitions to be presented at next and /or future ORC meetings.

- b. Discussion and Action – ORC “Mission Statement”. Chair reported that the ORC “Mission Statement” revisions are nearing completion via the Ad-Hoc Committee discussions.
- c. Discussion and Action – Review of Water Rate Ordinance, WV Code compliance review-update was completed during meeting. ORC found it to be in compliance with recent changes to Ordinances. ORC will include this in the October Report to Town Council.

### 3. New Business.

- a. Discussion and Action – Per Town Council Meeting on 08-10-2023, ORC received a recommendation to review several of the Codified Ordinances of Harpers Ferry relative to commission and committee membership nominations, appointments, and confirmations of members, and filling of vacancies. Request is to review and develop a unified, consistent method and process, and recommend ordinance changes to the following Articles 131, 133, 134, 135, 140, 901, 1104.

ORC conducted a brief brainstorming session during this meeting of Article 131. R. Meade-Curry will prepare a brainstorming chart/table of results from today and send this chart to members to continue reviewing.

ORC shall continue this review over a series of meetings and brainstorming sessions to review against WV Code. G Owens to develop some word-smithing suggestions. 30 minutes will be scheduled for the next meeting.

- b. Discussion and Action – Develop and/amend definition for “*Short-Term Rental*”.

P. Morse gave a brief history of this definition and ordinance and issues needing clarification as discussed with OCO. Problems are developing and crossing over with “Short-Term Rental vs. Events”.

G. Owens assigned to develop changes/revisions to current definition of “*Short-Term Rental*”. Current WV Code and the current WV Health Department Regulations are to be referenced and used to develop changes and updates.

- c. Discussion and Action - Per mayor's request, on an ordinance for the Parking Committee of Harpers Ferry to include purpose, authority, membership, and structure. This item was postponed until the Parking Committee has developed their “charter”. G. Owens will advise when this will be placed on a future agenda.

- d. Discussion and Action - Develop a definition for a “Permanent Structure” per June 15, 2023, meeting of the BZA.

Non-permanent objects defined by BZA was read by C. Craig as follows: “Non-Permanent objects as in the structure definition-1. Non-permanent objects (NPO) are intended to have a short duration, that is it will be at a property no more than 60-consecutive days within a calendar year, OR  
2. NPO can be moved manually by a single person w/o disassembly, NPO may include but are not limited to lawn furniture, picnic tables, grills, planters, bird baths, trellises; we specifically consider fuel tanks and A/C units to be exempted as permanent structures even though they do not meet these criteria.” BZA will send this language to ORC for review and consideration to be entered into the Town Codes.

ORC discussed this as a viable request. ORC will research the WV Code, ICC Codes, Building Codes, and Zoning Codes and will develop definitions that will be an assemblage of better language and text based on typical industry standards, and assist in resolve to determine when a structure needs a permit or not.

R. Meade-Curry to research the WV Code, ICC Codes, Building Codes, and Zoning Codes and bring back sample language to discuss at the next meeting.

C. Craig suggested inviting BZA to the next meeting.

- e. Agenda Items for Special Meeting - None

- f. Agenda Item Requests will be prepared for Town Council Regular Meeting:

- Chair to present ORC Report – report to include items discussed above.
- Chair to continue to submit rescinding of items that were assigned to ORC.

4. Future agenda items discussed:

- C. Craig – Historic Landmarks Review and update of Appendix ‘A’ once all deliberative bodies have completed their reviews and comments this will more than likely come before the ORC to begin revisions and updates to be codified.
- C. Craig – Permit Process definitions.
- Chair – Planning Commission bringing forward several items which are still in progress, and maybe Ad-Hoc Committee reorganization.

5. Additional Meeting Schedule – October 27, 2023, 2:00 pm.

**Motion to adjourn received by C. Craig, seconded by G. Owens. The vote to adjourn was unanimous.**

**Adjourned at 4:04 pm.**

The above reflects to the best of our knowledge the summary of the recorded Special Meeting of the Corporation of Harpers Ferry – Ordinance Review Committee held July 28, 2023.

Chair: \_\_\_\_\_

R. Meade-Curry, AICP

12-02-2023

date