



MAYOR AND CITY COUNCIL

WORK SESSION
Tuesday, January 27, 2026 - 1:00 PM

AGENDA

1. CALL TO ORDER

2. NOTICE AND REPORT ON CLOSED SESSION

- A. Closed Session Notice and Report - Tuesday, January 27, 2026, 11:45 AM - 1:00 PM to discuss Legal, Personnel and Public Security Matters

3. ACKNOWLEDGEMENTS AND RECOGNITIONS

- A. Retirement Recognition of Wastewater Collection System Supervisor Mike VonBank

4. COMMENTS FROM THE PUBLIC

- A. Any person who may wish to speak on a matter scheduled for discussion on the Work Session Agenda may be heard during Comments from the Public for a period of three (3) minutes or such time as may be deemed appropriate by the Council President. Anyone wishing to be heard shall state their name, address and the Agenda item on which he or she wishes to speak.

5. NEW BUSINESS

- A. Acknowledgement of Standing Committee Reports
1. Police Commission - January 12
2. Transportation Committee - January 13
- B. Acknowledgement of the Department Activity Report
- C. Request to Close a Portion of an Alley Located Between 26th and 27th Streets presented by Planning and Community Development Director George Bendler
- D. Discussion of Proposed Ordinance to Amend Chapter 110, Zoning, with Regards to Driveway Aprons presented by Planning and Community Development Director George Bendler
- E. Internal Auditor Q3 2025 Internal Auditor Report presented by Internal Auditor Karin Scott

6. ADJOURN



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 2.A

Council Meeting January 27, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Closed Session Notice and Report
DATE: January 21, 2026

ISSUE(S): Closed Session Notice and Report

SUMMARY: A Mayor and Council closed session is scheduled for Tuesday, January 27, 2026, at 11:45 AM to discuss legal, personnel and public security matters.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



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ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S): 1. Closed Session Notice 1.27.26.doc
2. Closed Session Report 1.27.26.doc

NOTICE OF CLOSED SESSION OF MAYOR & CITY COUNCIL OF OCEAN CITY

AUTHORITY: State Government General Provisions Article: § 3-305(b)

DATE AND TIME: Tuesday, January 27, 2026 11:45 AM - 1:00 PM

PLACE: City Hall

SUBJECT: Legal, Personnel and Public Security Matters

VOTE: UNANIMOUS

OTHER: FOR:

AGAINST:

ABSTAIN:

ABSENT:

PURPOSES:

X	1. To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees or officials over whom it has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals;
	2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business
	3. To consider the acquisition of real property for the public purpose and matters directly related thereto;
	4. Consider a matter that concerns the proposal for a business or industrial organization to locate, expand or locate in the state;
	5. Consider the investment of public funds;
	6. Consider the marketing of public securities;
X	7. Consult with counsel to obtain legal advice;
	8. Consult with staff, consultants or other individuals about pending or potential litigations;
	9. Conduct collective bargaining negotiations or consider matters that relate to the negotiations;
X	10. Discuss public security if the public body determines that public discussion would constitute a risk to the public or public security, including; a) the deployment of fire and police services and staff; and b) the development and implementation of emergency plans
	11. Prepare, administer or grade a scholastic, licensing or qualifying examination;
	12. Conduct or discuss an investigative proceeding on actual or possible criminal conduct;
	13. Comply with a specific constitutional, statutory or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
	14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process
	15. To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information or (iii) deployments or implementation of security personnel, critical infrastructure or security devices.

For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation	Topic	Reason for closed session discussion of topic
§3-305(b)1	Individual specific	Protect personal data
§3-305(b)7	Pending and potential litigation	Attorney-client privilege
§3-305(b)10	Public Security	Avoid strategy disclosure

REPORT OF CLOSED SESSION
OF THE MAYOR AND CITY COUNCIL OF OCEAN CITY

Prior to the Mayor and City Council Open Session held at 1:00 PM on January 27, 2026, a Closed Session was held January 27, 2026, at 11:45 AM at City Hall, 301 N. Baltimore Avenue, Ocean City, Maryland. The following is a report of the closed session.

1. A statement of the time, place, and purpose of the closed session is attached.
2. A record of the vote of each member as to closing the session is attached.
3. A citation of the authority under the law for closing the session is attached.
4. (a) Topics of Discussion: Legal, Personnel and Public Security Matters

(b) Persons present:

Mayor Rick Meehan
City Manager Terry McGean
Deputy City Manager JR Harmon
Council President Matt James
Council Secretary Tony DeLuca
Council Members: Will Savage III, Larry Yates, John Gehrig, Jake Mitrecic,
Carol Proctor
City Clerk Diana Chavis
City Solicitor Heather Stansbury

Action(s) taken:

Motion to close meeting:

End Time:



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Agenda Item # 3.A
Council Meeting January 27, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Hal Adkins, Director of Public Works
RE: Retirement Recognition
DATE: January 20, 2026

ISSUE(S): Retirement Recognition of Wastewater Collection System Supervisor Mike VonBank

SUMMARY: After 31 years of service with the Public Works Wastewater Department, Mike VonBank will retire on January 31, 2026.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



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ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Hal Adkins, Public Works Director
Randy Bradford, Superintendent of Wastewater

COORDINATED WITH: Not Applicable

ATTACHMENT(S): 1. Proclamation

**IN APPRECIATION OF MICHAEL VONBANK
31 YEARS OF SERVICE**

WHEREAS, Michael VonBank has dedicated 31 years of service to the Town of Ocean City working for the Public Works Wastewater Department; and

WHEREAS, Michael began his career with the Town as a Wastewater Operator, demonstrating a strong work ethic, technical skill, and commitment to public service; and

WHEREAS, through his professionalism, leadership, and extensive knowledge of wastewater operations, Michael advanced through the department, ultimately earning the role of Collection System Supervisor; and

WHEREAS, throughout his tenure, Michael played an essential role in maintaining and protecting the Town's critical wastewater infrastructure, ensuring public health, environmental stewardship, and reliable service for residents and visitors; and

WHEREAS, upon his retirement, the Town of Ocean City wishes to express its sincere gratitude for his many years of exemplary service and to extend best wishes for a well-earned retirement filled with health, happiness, and continued success.

NOW, THEREFORE, I, Richard W. Meehan, Mayor of the Town of Ocean City, Maryland, along with the Ocean City Council, do hereby extend our deepest gratitude to Michael VonBank for his 31 years of service to the Town and commend him for his dedication and contributions to the Wastewater Department.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the Town of Ocean City, Maryland to be affixed this 27th day of January, in the year of Our Lord two thousand and twenty-six.

RICHARD W. MEEHAN
Mayor



TOWN OF
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Agenda Item # 4.A
Council Meeting January 27, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Public Comments
DATE: January 21, 2026

ISSUE(S): Comments from the Public

SUMMARY: Any person who may wish to speak on a matter scheduled for discussion on the Work Session Agenda may be heard during Comments from the Public for a period of three (3) minutes or such time as may be deemed appropriate by the Council President. Anyone wishing to be heard shall state their name, address and the Agenda item on which he or she wishes to speak.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



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ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S): None



TOWN OF
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Agenda Item # 5.A
Council Meeting January 27, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Standing Committee Reports
DATE: January 21, 2026

ISSUE(S): Acknowledgement of Standing Committee Reports

SUMMARY: 1. Police Commission - January 12
2. Transportation Committee - January 13

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



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ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S): 1. 26-01-12 Police Commission Minutes.pdf
2. 2026-01-13 Transportation Committee Minutes.pdf

POLICE COMMISSION MEETING MINUTES

January 12, 2026

PRESENT: Council President Matthew James, Council Member and Police Commission Chairman Anthony DeLuca, Mayor Richard Meehan, City Manager Terence McGean, Department of Emergency Management Director Joseph Theobald, Heather Stansbury, Esquire, Captain Michael Colbert, Captain Dennis Eade, Lieutenant Andrew Yeager, Crime Analyst Brandon Reim

1. The meeting was called to Order at 9:29 AM in the 3rd Floor Administrative Conference Room of the Public Safety Building.
2. Approval of Minutes of the November 10, 2025, Police Commission Meeting: Council President James made a motion and Mayor seconded to approve the minutes of the November 10, 2025 Police Commission meeting. The vote was 3-0 with Council Member Yates absent.
3. Chief Austin's Update: In Chief Austin's absence, Captains Colbert and Eade filled in to deliver the Chief's Update. Captain Colbert noted that overall calls for service in December have increased significantly over the past couple of years. While citizen generated calls for service had decreased, officer initiated calls for service had increased by almost 1,000. Captain Colbert informed the Commission that this number accounted for officer generated calls for business and city owned property checks. The question was asked if these numbers could be separated out from the other calls for service due to the conjecture that increased calls for service equated to an increase in crime. Crime Analyst Reim stated he could easily sort these numbers out for future reporting. Captain Colbert noted the increase in Attended or Unattended Death calls for service in the month of December (1 in 2024; 6 in 2025). Captain Colbert explained the difference between an attended death and an unattended death. Captain Eade stated that all of the incidents in December were investigated by the Criminal Investigation Division and there were no suspicious circumstances surrounding any of the calls. Captain Colbert noted that Custodial arrests were on par with the average of the last 3 years (62 in 2025). He also mentioned that DUI arrests were up to 15 from last year (13 in 2024), but down from 2023 (29). Captain Colbert concluded by informing the Commission that the Officer of the Year banquet is being held on Friday, January 30, 2026.

The Commission noted that the number of traffic stops were down from last year, but the number of firearms arrests were up. They asked if this was due to officers being proactive and making good quality stops, to which Captain Eade confirmed. Captain Eade informed the Commission that the holiday season was relatively uneventful. He then told the Commission that the department has been in contact, to the best of our abilities, with ICE to ask that they give the department notification when they are in town. There is a mutual understanding between the federal agency and the OCPD that they will notify when

possible, but there are some instances where they won't be able to. Captain Eade made it clear to the Commission that OCPD is not involved with ICE operations.

4. Recruiting Update: Lt. Yeager stated that 6 officers graduated the police academy on December 11, 2025. These 6 officers are currently on their Field Training period. 4 additional officers were hired in the month of December, making 5 total recruits in the current academy, which started on January 5, 2026. There are a total of 7 officers on Field Training, with 1 completing their time later this week. In December, there were 29 applicants, 14 for full-time and 15 for PSO, 18 that tested with 4 test failures, and 21 in the background stage. Lt. Yeager noted that this number has since increased with new background packets being submitted. There was a test held on December 20, 2025 for the PSO position only and another test held on January 10, 2026 for police officer and PSO positions. There were multiple recruiting trips and events throughout the month of December.

Lt. Yeager stated that at this time, there are currently 23 returning PSOs, 25 PSO applicants currently in the background stage, 10 PSO applicants that have taken the test and did their interview, but have yet to submit their background packets, and 30 applicants that have paid to take the test, but have yet to complete it. Lt. Yeager is hopeful that the department will have between 60 and 80 PSOs for the summer.

Lt. Yeager noted that the majority of police officer applicants have been local. He believes this will be beneficial for retention. Lt. Yeager then went on to say that there are currently 121 full time officers out of the budgeted 126. Of those 121 officers, there are 5 currently in the academy, 7 on field training with 1 coming off at the end of this week, 3 officers out on medical, restricted duty status, and 0 officers on FMLA. The bottom line is there are 113 available officers that can hit the road. Lt. Yeager stated that this is an increase compared to the number last month with many of the previously injured officers being cleared to come back to work. There has been an increase in lateral interest as well, and Lt. Yeager believes there will be more in the near future.

Captain Colbert asked Lt. Yeager to tell the Commission how OCPD officers did in the last academy class. Lt. Yeager informed the Commission that one of our officers was valedictorian of the class, as well as getting a firearms award. Another officer also received the firearms award, as well as the PT award. A third officer also received the firearms award.

5. Closed Session Report: Following the Open Session on January 12, 2026, the Police Commission convened into Closed Session at the Public Safety Building at 9:54 AM, as permitted under General Provision Article 3-305(b)(10) to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

Persons Present: Council President Matthew James, Council Member and Police Commission Chairman Anthony DeLuca, Mayor Richard Meehan, City Manager Terence

McGean, Department of Emergency Management Director Joseph Theobald, Heather Stansbury, Esquire, Captain Michael Colbert, Captain Dennis Eade,

No action was taken.

A motion was made by Mayor Meehan and seconded by Council President James close the Closed Session and reopen the Open Session. The vote was 3-0 with Council Member Yates absent. The report on the Closed Session included that no action was taken.

A motion was made by Council President James and seconded by Mayor Meehan to adjourn the meeting. The vote was 3-0 with Council Member Yates absent. The meeting was adjourned at 10:05 AM.

The next regular meeting of the Police Commission will be held on Monday, February 9, 2026, at 9:30 AM in the 3rd Floor Administrative Conference Room at the Public Safety Building, 6501 Coastal Highway, Ocean City, MD 21842.

Addendum: Attached is an updated Testing Cycle stat sheet to reflect the correct number of available officers.

2025-2026 Testing Statistics (December of 2025)

Month	Applicants	Full-time	PSO	Tested / Interviewed	Test Failure	Prel Background Failure	Interview Failure Full Time Seasonal	Background Stage Full Time Seasonal	Background Failure	Notes	Hired Full-time	Hired PSO
July '25	14	14	0	7	0	1	0	0	6	0	0	0
August '25	17	17	0	11	1	0	0	0	16	0	1	0
September '25	26	19	7	9	1	1	6	0	15	0	2	0
October '25	52	11	41	8	3	0	1	0	13	0	2	0
November '25	67	10	57	13	3	0	0	0	6	0	0	0
December '25	29	14	15	18	4	0	0	0	0	21	0	0
January '26	0	0	0	0	0	0	0	0	0	0	0	0
February '26	0	0	0	0	0	0	0	0	0	0	0	0
March '26	0	0	0	0	0	0	0	0	0	0	0	0
April '26	0	0	0	0	0	0	0	0	0	0	0	0
May '26	0	0	0	0	0	0	0	0	0	0	0	0
June '26	0	0	0	0	0	0	0	0	0	0	0	0
Totals	205	85	120	66	12	2	7	0	56	21	5	8
24-25 Total	244	117	133		19							1 PSO/16 RSPO
23-24 Total	133		144		49							28(SO) 45(PSA)
22-23 Total	165		165		68							42(SO)48(PSA)
21-22 Total	279		279		109							50(SO)60(PSA)

Note: 121 Full Time Officers / 126 Full Time Positions

5 Officers Currently in the Academy

7 Officer currently on Field Training

3 Officers on Medical (All RD)

1 Officer on Administrative Assignment

0 Officers on FMLA

Bottom Line - 112 Available to Hit Road

Held PSO Testing Weekend Dec 20

3 Day Recruiting trip to DE

Held PO and PSO Test on Jan 10

6 Police 0 PSO Made it through process

Next Test: Jan 31 PSO only

23 Returning PSOs

25 New PSO in background Stage

10 New PSO waiting on backgrounds

30 New PSO have paid for test but haven't completed yet

Vast Majority are local for Police - Good for retention - have stake and roots in this area

TRANSPORTATION COMMITTEE
PUBLIC WORKS ADMINISTRATION CONFERENCE ROOM
224 65th STREET, OCEAN CITY, MARYLAND
TUESDAY, JANUARY 13, 2025 @ 9:00 AM
TRANSPORTATION COMMITTEE MINUTES

Call to Order: The meeting was called to order at 9:00 am by Mayor Meehan. This is an informational meeting only; there was not a quorum present.

Present were: Mayor Rick Meehan, City Manager Terry McGean, Public Works Director Hal Adkins, Council Secretary Tony DeLuca, Transit Manager Rob Shearman, Deputy Director of Public Works Scott Wagner, Parking Manager Jon Anthony and Bethany Hooper, OC-Today Dispatch. Absent was Council Member Carol Proctor and Council Member Will Savage

A. Approval of October 14th, 2025 Transportation Committee Meeting Minutes

- **No action taken due to lack of quorum.**

B. Special Events

1. Past

a. Sunfest

- **Ridership for 2025 was up 21% over 2024; the number of riders was 24,359**

b. New Year's Eve

- **Relatively small ridership 2,136; tied to weather and day of week the Holiday fell on**

2. Upcoming

a. St. Patrick's Day

- **Ridership increased from 2024; 7,975 riders**
- **Because the Parade route consolidates Coastal Highway traffic to only the northbound side between 62nd and 45th streets, traffic flows is nearly nonexistent at the point of lane reductions. For this year we implemented a "southern loop" from South Transit Station to the Convention Center, and a "northern loop" from North Transit Station to 65th Street, with limited service in between. This allows for buses to circulate north and south of the affected area, providing overall better service than if we tried to run all buses through the consolidated portion.**

C. Recruiting Update

1. Mailing Applications

- **Working on mailing out applications to seasonal drivers who are invited back.**

2. Town of Ocean City Job Fair

- **Will be attending Town of Ocean City Job Fair on February 21st.**

3. "Mobile Hiring Bus"

- **Planning on doing mobile bus recruitment; as we have done past two years**
- **Last two years always on a Saturday; trying different days of the week February 7th, 15th and 25th at the Mason Dixon Shopping Center in Selbyville and the Pennington Square Shopping Center in Ocean Pines.**

D. Special Projects

1. Bus Stop Reduction

- **Proposing to eliminate 14 of the 125 bus stops along the Coastal Highway bus route; with the goal to speed up the travel time on the route**
- **January 13th to February 9th – reaching out to adjacent property owner/occupants for feedback**
- **February 10th – present list of stops to the Committee that staff is recommending to eliminate**
- **February 13th – March 16th – 30-day Public Notice, solicit comments and/or hearing requests**
- **April 6th – Public hearing if one is requested**
- **April 7th – April 22nd – removal of chosen bus stops**

2. Bus Fares – Mobile Payments

- **Current system is cash only and exact fare if required; not convenient; many people do not carry cash any longer**
- **Have investigated both tap-to- pay credit card systems and App based credit card systems.**
- **Tap-to-pay is set up so that each rider had to pay individually; our daytime passengers consist of usually one person paying for entire family or group**
- **Any on-board validation system will have a heavy capital outlay for implementation**
- **Staff is currently collecting information to prepare an RFP to seek proposal for an app-based payment system (similar to what is used for parking).**
- **Staff is currently drafting an RFP**
- **RFP will be advertised sometime in the Spring**
- **Proposal will be assessed as well as potential financial impact**
- **Once proposals are evaluated by Staff they will be presented to the Committee late summer / early fall**
- **If approved will be included in FY2028 budget submittal; with plans to deploy in late 2027 for testing**
- **Mayor Meehan asked if there was any chance we could get it deployed this summer. The sooner the better.**
- **City Manager McGean not sure why we have to wait until 2028; for ParkMobile the fee is on top of the rate**

when using the app. Rob Shearman stated that may be an issue with MTA/FTA guidelines to charge different rates for cash versus credit card; he will reach out to MTA/FTA to discuss.

3. MTA/FTA Annual Grant Application Timeline

- **Currently determining Capital Grant requests**
- **January 23rd to February 23rd – 30-day public notice, for comments and/or hearing request**
- **March 2nd will be the Public Hearing is one is requested; as well as the Resolution authoring application at Council Meeting**
- **March 27th submit finalized application package to MTA**

E. General Updates and "Follow-Ups"

1. Bus Division

a. Ridership and Deployments

- **For calendar year 2025 – ridership up 3.2% over 2024**
- **Carried 1,418,625 passengers; increase largely attributed to Concerts**

b. Expenses (Including Overtime)

- **Both part time salaries and overtime are tracking ahead of budgetary number; staff will work on solutions to reduce these costs**
- **Fuel and maintenance costs are tracking below projected budgetary numbers.**

c. Revenue – Farebox

- **Farebox revenue is up from budget but slightly down from last year**

d. Revenue – Advertising

- **Vendor met their revenue figure of \$200,000**
- **Tram revenue was pretty substantial in 2024**
- **Would like to invite them to the February meeting to discuss their advertising sales strategy now that they only have the buses.**

e. Fleet

- **Currently 2 pending orders for artic buses; 2 from MTA 2025 Grant and 2 from MTA 2026 grant. Anticipated delivery late 2026 and Spring 2027**
- **We will be disposing of 2 2008 artic; once the new ones arrive**
- **We also have one new Para Transit van purchase pending and will be disposing of an older once new one is received.**
- **Need to start focusing on replacing our 40' bus fleet; we have 13 2011 40" buses that have reached their useful**

life; some getting close to not financially feasible to keep making repairs to keep them on the road.

- **For the 2027 MTA grant request; we will be focusing on purchasing 40' buses**

2. Parking

a. Revenue

- **All payments for parking for the upcoming Season will be mobile app payments; cash will no longer be accepted**
- **Inlet parking lot upgrades:**
 - **Verizon small cell nodes up and running**
 - **AT&T installing their cell nodes**
 - **New light poles are currently being installed**
 - **Sewer connections for Special Events have been addressed**
 - **In approximately 3 weeks will be milling and paving the entire lot; with the completion of the work projected to be done in the middle of April**
- **Street parking revenue slightly over budget**
- **Surface lot revenue slightly below budget; partially due to lots being closed for Special Events**
- **Inlet Lot revenue slightly below budget; partially due to lot being closed for Special Events**
- **Fines slightly below budget**

F. Adjourn (next meeting Tuesday, February 10th, 2026)

- **Informational meeting ended at 9:45 am**

A **Request** for a Closed Session was made by City Manager McGean; Closed Session convened at 9:47 am. Present in closed session were City Manager Terry McGean, Public Works Director Hal Adkins, Mayor Rick Meehan, Transit Manager Rob Shearman, Council Secretary Tony DeLuca, Deputy Public Works Director Scott Wagner. Absent were Council Member Proctor and Council Member Savage.

Closed Session called to order at 9:47 am as permitted under General Provisions Article 3-305(b) (14): Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process. This exception is being evoked to discuss pending contractual matters. Closed Session ended at 10:28 am. No action was taken.



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Agenda Item # 5.B
Council Meeting January 27, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Department Activity Report
DATE: January 21, 2026

ISSUE(S): Acknowledgement of the Department Activity Report

SUMMARY: The Department Activity Report is provided monthly.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



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ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Various Departments

COORDINATED WITH: Executive Assistant Joann Landon

ATTACHMENT(S): 1. 01.2026 Department Activity Report.docx



INTEROFFICE MEMORANDUM

FROM THE OFFICE OF THE
CITY MANAGER

To: The Honorable Mayor and Members of the City Council
From: Terry J. McGean, City Manager
Re: Department Activity Report
Date: December 11, 2025 – January 14, 2026

The following information is intended to keep the Mayor and Council well-informed about ongoing issues, activities, programs, and services within the Town.

Mayor's Office

- Attended the following:
 - Council Meetings, Work Sessions, Transportation, Tourism, and Police Commission Meetings
 - 150th Anniversary Gala
 - Stop Offshore Wind Meetings
 - Met with owner of Piezano's Pizza
 - Art League Annual Luncheon
 - Met with Joseph Beck
 - Beach-Heroes Clean Up
 - Met with Delegate Wayne Hartman
 - Met with Senator Mary Beth Carozza
 - Stop Offshore Wind Public Informational Forum
- Interviewed with the following:
 - Bulldog – Radio Station 98.1
 - Mike Bradley – Radio Station 92.7
 - Bill Baker and Jessica – Radio Station 101.7
 - SU Student Emma Harris

CITY MANAGER

- Attended the following:
 - Council Meetings, Work Sessions, Budget, and Commission Meetings
 - Offshore Wind Meetings
 - 150th Anniversary Gala
 - Met with Delegate Wayne Hartman
 - Met with Senator Mary Beth Carozza
 - Stop Offshore Wind Public Informational Forum
 - On-Boarding Meet and Greet
 - Interviews with various media outlets
- Working with staff on the following:
 - MD Stadium Authority MEGA Grant Meeting
 - Sports Complex Meeting MD Stadium Authority, Cannon Design, and Sports Facility
 - CPSM Study Fire Data Report Meeting
 - Signage/Wayfinding BID Submission Review Meeting
 - OCPD Scheduling Meeting
 - Met with City Solicitor to discuss legal matters
 - Met with HR director on personnel matters

DEPUTY CITY MANAGER

- Attended the following:
 - Work Sessions Council Meetings
 - RS Council Meeting
 - Department Head Meetings
 - Planning Commission
 - BZA Hearing
 - City Managers Meeting
 - Transportation Committee Meeting

Regular Session dated Monday, February 2, 2026

- Met with Staff to discuss the following:
 - o Planning and Community Development / City Manager – STR Restrictions
 - o Planning and Community Development – Illegal Conversions Condo Row
 - o DCMA Meeting Ref: Rental inspections
 - o Park and Rec status meeting with the Director

BUDGET MANAGER

- Reviewed FY 27 budget requests for Public Works Administration, Public Works Construction, Public Works Maintenance, Recreation, Parks, Golf Course, Tourism, Special Events, and Festivals
- Updated Full-time salaries in the FY 27 budget for 1/1/26 increments
- FY 27 budget meetings for Purchasing, Garage, Vehicle Trust, Water, Wastewater, Solid Waste, Engineering, Convention Center, and Museum
- Reviewed renewal rate for Reworld contract (Covanta). Rate is tied to CPI for water, sewer, and trash, and was reduced from Reworld's request of 5.02% to 4.33 %
- October Room Tax report

GRANTS COORDINATOR

- Submitted:
 - o Recommended revisions to Grants Management Policy
 - o Quarterly reports for EMPG, SHSP, PACT, PRAR, WAAG, GVRG, BJAG, & SLCGP grants
 - Supports Emergency Services, Information Technology, Fire, and Police Departments
- Met with colleagues to discuss the following:
 - o Grants Management Policy - recommended revisions
 - o BJAG funding and required reporting for the Police Department
 - o Homeland Security funding
- Attended the following:
 - o Bicycle Friendly Community Quarterly Networking Call
 - o SharePoint for Grant Management Demo
 - o Grants training for OC staff
 - o Grant management software training for staff
 - o Funding Readiness for Major Events training
 - o MSA MEGA grants call
 - o MDOT Grant Programs Review (supports PD grants/bike lights)
 - o Bicycle Funding Meeting
 - o GPA Delmarva Chapter Meeting
 - o Bike Lane Uprising: 101 Meeting (supports PD/bike lights)

INTERNAL AUDITOR

- Monthly Procurement Card Review
- Payroll Review
- Quarterly Report 1/28/26
- Internal Audits
 - o Convention Center Daily Operations
 - o Convention Center Box Office Cash Handling
 - o Procurement Vendor Master List – research
 - o Procurement Sole Source – research
- Daily Transportation revenue review
- Timekeeping project purchase and installation (TCP) – close of the project, est. 1/30/26
- Timekeeping project - Aladtec scheduling for OCPD
- OCFD First Due project

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City Clerk

- o New Passports: 8
- o Public Information Requests: 8
- o Senior Citizen Bus Passes: 20
- o Prepaid General Bus Pass: 0
- o Caine Keys Permits: 41
- o Vintage License Plates: 10
- o Little Salisbury/Caribbean Drive Boat Ramp: 0
- Conferred with City Manager, City Solicitor and management on agenda items
- Finalized and published Mayor and Council agendas
- Attended Mayor and Council meetings
- Completed Mayor and Council minutes
- Prepared legal advertisements
- Coordinating/processing public requests for information
- Ongoing public records projects
- Coordinating Ocean City University materials and presentations
- Contracts for auctioned beach equipment franchise parcels

Emergency Management

EMERGENCY MANAGEMENT DIVISIONAL HIGHLIGHTS

- Attended a Youth Mental Health First Aid training
- Met with teachers from the Worcester Technical School to schedule another Teen CERT class
- Completed all required monitoring, planning, and operational-related items for the Town. All required reports and updates to the Maryland Department of Emergency Management (MDEM) and FEMA were completed for this operational period

COMMUNICATIONS DIVISIONAL HIGHLIGHTS

- Handled 3,603 calls for service across multiple public safety divisions
- Continued implementation and troubleshooting of new OCFD First Due software
- Met with OCFD to discuss response plan provisions related to the pending Route 50 Bridge closure

ELECTRONICS DIVISIONAL HIGHLIGHTS

- Set up used radios for new OCPD hires
- Responded to transfer switch failure at the 136th Street site.
- Responded to a request to assist with city-wide ALLCALL from dispatch
- Responded to Bosch alarm receiver failure in PSB room 242
- Discussed proposed updates to OCFD radios regarding the MED zone with Dave Tyler, Talbot County. Eastern Shore MIEMSS rep.
- Set up 9 XG25M radios for new OCPD vehicles to be upfitted.
- Updated OCFP radios
- Set up programming and training schedule for OCFD career division radio reprogram
- Assisted with licensing application for new Water meter reading project
- Attended DPW water and Concord kick-off meeting
- Issued speaker Mic to new lateral hire. For use on the front desk radio

BEACH PATROL DIVISIONAL HIGHLIGHTS

Recruiting, Testing, and Training

- Registered 11 candidates for Pre-Employment Physical Skills Evaluations for the 2026
- Registered 14 additional candidates (17 last year) for Pre-Employment Physical Skills

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Evaluations for the 2026 season (72 pre-registered candidates (87 last year) for future testing as of January 13, 2026)

- Increased Social Media presence for Recruiting
- Facility and Equipment
- Rotating all vehicles, ATVs, and Personal Watercraft in for annual service
- Continuing work on our annual end-of-season uniform, supplies, and equipment inventories, and reordering and restocking in preparation for the 2026 season
- Ordering and receiving equipment and supplies for the 2026 season

Public and Community Outreach

- Public Education Coordinator made weekly posts to several forms of social media, emphasizing safety, public awareness, and recruiting
- Began a new off-season social media campaign "Meet the Lifeguard Monday" featuring our staff to connect with our community and provide a safety message
- Created and staffed (volunteer) a Christmas train garden at Winterfest of Lights that was open to the public. We had many different safety pamphlets, signs, and other materials on site, and gave many beach safety presentations there. (Highly successful)
- Public Education Coordinator Kristin Joson designed and created a "Beach Patrol" themed Christmas Tree for the Art League's Parade of Trees at Winter Fest
- Assisted Atlantic General Hospital with planning their Penguin Swim logistics and safety for January 1st
- Hosted a Human Resources class in our HQ classroom.

Administrative

- Ongoing communication with all PSRT candidates, as well as current and past employees

Finance

- New Assistant Finance Director Brandon Terlizzi began employment on January 12th
- December quarterly utility invoices sent to customers
- Processed 47 rental licenses and 22 business licenses
- Working with City Solicitor on business license code changes
- Conferring with City Manager and MCC on R1 and MH ordinances
- Tax and Tow company renewals mailed
- January 1st, PAF's complete and benefit statements are mailed
- Processing annual W-2's and 1099's.
- Finalizing the implementation of TimeClock Plus
- Meeting with Public Works regarding the Water Meter Upgrade program
- Finalizing the property tax credit application for employees residing within the town limits

PURCHASING:

- Gov Deals Listing - \$3,777,955.90 representing 3171 transactions
 - Month of November 2025 - \$36,200.09 Items sold - 33
 - Month of December 2025 - \$24,000.01 Items sold - 14
- Current Proposal/BIDS in progress
 - B07-26 - Ocean City Boardwalk Wayfinding & Signage
 - BID Opening - Monday, January 5th, 2026 at Mayor and City Council Regular Meeting
 - BID Award Recommendation - to be determined
 - B08-26 - Winter Harbor Drive Bulkhead Replacement
 - Advertisement - Tuesday, December 30th, 2025
 - Pre-BID Meeting - Tuesday, January 13th, 2026, at 9:00 AM - Winter Harbor Drive Bulkhead
 - Last Day for Questions - Tuesday, January 27th, 2026 at 4:00 PM

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- Addendum Posting – Wednesday, January 28th, 2026 by Close of Business
- BID Submission Deadline – Tuesday, February 3rd, 2026 at 4:00 PM
- BID Opening Date – Wednesday, February 4th, 2026 at 10:00AM – Procurement Conference Room
- o B09-26 – Old Landing Road Bulkhead Replacement
 - Advertisement – Tuesday, December 30th, 2025
 - Pre-BID Meeting – Tuesday, January 13th, 2026, at 10:00 AM – Old Landing Road Bulkhead
 - Last Day for Questions – Tuesday, January 27th, 2026 at 4:00 PM
 - Addendum Posting – Wednesday, January 28th, 2026 by Close of Business
 - BID Submission Deadline – Tuesday, February 3rd, 2026 at 4:00 PM
 - BID Opening Date – Wednesday, February 4th, 2026 at 10:00AM – Procurement Conference Room
- o B10-26 – 17th Street Bulkhead Replacement
 - Advertisement – Tuesday, December 30th, 2025
 - Pre-BID Meeting – Tuesday, January 13th, 2026 at 11:00 AM – 17th Street Bulkhead
 - Last Day for Questions – Tuesday, January 27th, 2026 at 4:00 PM
 - Addendum Posting – Wednesday, January 28th, 2026 by Close of Business
 - BID Submission Deadline – Tuesday, February 3rd, 2026 at 4:00 PM
 - BID Opening Date – Wednesday, February 4th, 2026 at 10:00AM – Procurement Conference Room
- o P01-26 – Convention Center Guest-Client Network Services
 - Advertisement – Tuesday, December 30th, 2025
 - Pre-BID Meeting – Not Applicable
 - Last Day for Questions – Tuesday, January 20th, 2026 at 4:00 PM
 - Addendum Posting – Friday, January 23rd, 2026 by Close of Business
 - Proposal Submission Deadline – Thursday, February 5th, 2026 at 4:00 PM
 - Proposal Opening Date – Friday, February 6th, 2026 at 10:00AM – Procurement Conference Room
- o P02-26 – Eagles Landing Golf Course Improvements II
 - Proposal Submission Deadline – Tuesday, January 6th, 2026 at 3:00 PM
 - Proposal Opening Date – Friday, January 9th, 2026 at 10:00AM – Procurement Conference Room
- Gas and Diesel Pricing, last time we bought - Volatile market
 - o Diesel November 2025 - \$2.5601 December 2025 - \$2.2141
 - o Gas November 2025 - \$1.978 December 2025 - \$1.824
- Gas – Average Daily Pump
 - o December 2025 – Average 397.60 Gallons
 - o November 2025 – Average 381.20 Gallons
 - o October 2025 – Average 470.60 Gallons
- Diesel – Average Daily Pump
 - o December 2025 – Average 382.50 Gallons
 - o November 2025 – Average 347.80 Gallons
 - o October 2025 – Average 732.00 Gallons

Fire

- Received (2) new Pierce Engines
- Paramedic refresher course
- Response plan for Route 50 bridge closure
- Working on implementation of new software – 1st Due

Regular Session dated Monday, February 2, 2026

Fire

Today's Date	Reviewed Permits Turn Around Times (Business Days M-F)					
	Permit Category	Benchmark	M-T-D (Avg)	Y-T-D (Avg)	Y-T-D Min	Y-T-D Max
12/31/2025	Fire Protection Systems	14	13.9	4.4	0	111
	Small Permit (<\$100K)	5	7.6	2.9	0	111
Current Month	Medium Permit (\$100K-\$1M)	11	1.1	2.3	0	20
	Large Permit (>\$1M)	15	0.0	3.3	0	15
12	TOTAL PERMITS		8.3	3.2	0	111

Approved Permits Turn Around Times (Business Days M-F)					
Permit Category	Benchmark	M-T-D (Avg)	Y-T-D (Avg)	Y-T-D Min	Y-T-D Max
Fire Protection Systems	14	14.8	6.1	0	108
Small Permit (<\$100K)	5	8.8	5.4	0	134
Medium Permit (\$100K-\$1M)	11	2.7	4.5	0	21
Large Permit (>\$1M)	15	0	6.7	0	25
TOTAL PERMITS		9.5	5.4	0	134

Permits Reviewed		
Permit Category	M-T-D	Y-T-D
Fire Protection Systems	11	99
Small Permit (<\$100K)	17	136
Medium Permit (\$100K-\$1M)	7	90
Large Permit (>\$1M)	0	14
TOTAL PERMITS	35	339

December	Plan Reviews Received	Permits Received	Bonfire Permits	Special Events	Inspections/Property Checks	Field Operations CFS	Complaints & Referrals	Fire Protection Deficiencies	Public Outreach / Community Outreach
	39	4	11	4	111	46	9	68	5

Human Resources

- Developed and launched an additional onboarding module designed specifically to prepare new supervisors for employment with the Town
- Scheduled a year’s worth of Wellness Wednesday Webinars open to all employees and their families
- Applied all employee compensation and benefits changes effective 1/1/26

Information Technology

- Crown Castle site visits and coordination with various town departments for install by end of March
- Working with OCFD regarding implementation support for their new RMS
- Working with PW to assist in the implementation of their new water meters
- Installation of additional city watch cameras in the Worcester parking lot to support parking dept

Planning & Community Development/Building/Geographical Information Systems

BUILDING/INSPECTIONS

- 2025 Plan and Permit Reviews: In December, 237 building permits were issued, an increase in the 5-year monthly average of 47. The construction value for January was \$7,065,222 compared to the 5-year average of \$5,281,437
- New Residential and Residential Alteration Permits Issued (> \$100,000):
 - o 150 Old Landing Rd
 - o 13300 Ocean Drive
 - o 13214 Ocean Drive

PLANNING/ZONING/ENVIRONMENTAL/GIS

- Planning Commission (PC): The next PC meeting is on January 21 at 6:00 p.m.

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Police

CRIMINAL INVESTIGATION DIVISION

- The suspect in the December road rage murder pleaded guilty to 2nd Degree Murder. Sentencing forthcoming.
- The subject wanted for Manslaughter related to a June 2025 fatal drug overdose turned himself in at OCPD Headquarters. He is currently held at the Worcester County Detention Center pending trial.
- The Special Enforcement Unit assisted the Patrol Division in the investigation of a fraud/wanted person. SEU utilized physical and technical surveillance capabilities to locate and apprehend the suspect in this investigation.
- The Forensic Services Unit was able to link two suspects to a burglary investigation through fingerprint hits.
- The FSU Supervisor assisted the Worcester County Sheriff's Office in conducting interviews for a crime scene technician.

PATROL DIVISION

- Statistics:
 - o Calls For Service – 3,367
 - o Total Arrests – 73
 - o Firearms Seized – 50 YTD
 - o Weapons Seized (non-firearm) – 162 YTD
- Training and Special Details:
 - o Training
 - CIT Training – 5 days
 - First Line Supervisor Training – 5 days
 - K9 Recert Training Conference – 3 days
 - Bloodhound Certification – 1 month
 - Sniper/Breacher Training – 1 day
 - Year-End Commendation Board Meeting – 1 day
- Special Events
 - OC Christmas Parade
 - Shop With a Cop
 - Applicant Testing
 - Recruiting Trips

SERVICES DIVISION

- Arrest and Detention
 - o Total Prisoners Processed – 65
 - Adult – 65
 - Juvenile – 0
- Property/Evidence
 - o Total Submissions – 53
 - Evidence – 15
 - Safekeeping/To Be Destroyed – 24
 - Returned Property – 14
- Training and Recruiting
 - o Recruiting
 - 6 Recruits graduated Academy
 - Hired 4 new police officers (started Academy Jan 5, 2026)
 - Held a PSO Applicant Testing and Interview weekend (Dec 20, 2025)
 - 3 Day Recruiting Trip to Delaware
 - Recruiting in-class at high school in Accomack County, VA (Dec 4, 2025)
 - Recruited at SHHS Career Expo (Dec 12, 2025)

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- 2 day recruiting effort at Comic Con OC (Dec 13-14, 2025)
- o Training Conducted
 - Crisis Intervention Team Training (Dec 1-5)
 - Active shooter remedial training (Dec 1)
 - Bloodhound Training (entire month of December)
 - Celebrite App Training (Dec 3)
 - First Line Supervisor Training (Dec 8-12)
 - QRT Training (Dec 9)
 - K9 Training (Dec 10-11)
 - Sniper and Breacher Training (Dec 18)
 - Firearms Orientation Training (Dec 29)
 - Firearms Qualification Training (Dec 30)

RECORDS SECTION

- Case Files sent to States Attorney and other Agencies – 153
- Public Requests for reports – 29
- Digital Media Requests – 147
- Background checks – 17
- Expungement Orders Processed – 177
- NIBRS Crime Reporting (hours) – 12
- Incident Reports Processed – 149
- Parking Telephone Calls (hours) – 10
- FOIA Requests – 13
- Vehicles Towed (Police) – 14
- Vehicles Towed (Private) – 2

Public Works

ADMINISTRATION

- S. Division Street Boardwalk to Baltimore Water & Wastewater Renovations – Final Connection to Baltimore Avenue will be performed when the Gas Company retires an abandoned service.
- Caroline Street Renovations between Baltimore Avenue and the Boardwalk to begin soon.
- 210 Philadelphia Avenue Sewer Lateral relocation to occur when the Rt. 50 Bridge is closed.
- Convention Center New Emergency Generator – Existing Generator has been removed, and concrete foundation work is in progress for the new generator and Triple-Switch. The temporary generator is in operation. Interior conduit work is being performed.
- 44th Street Water Treatment Plant – “B” side of the Plant Filter Piping is complete, and Control System upgrades are in progress.
- 64th Street Wastewater Administration Temporary Office- Trailers Setup is complete, waiting for DPL to install power.
- Wastewater Treatment Plant Headworks and Influent Pump Station Improvements- Project continues in the procurement stage. Temporary Electrical power relocation for facilities powered by the existing Administration Building MCC. Installing new raceways in all buildings with SCADA connections for a major reconfiguration. Roadway conduit raceways for SCADA and Network to commence soon.
- 94th Street Water Main Upgrades: final house connections completed. Sanitary Sewer Manhole upgrades and Roadway Milling in progress. Paving is scheduled to begin January 15th, weather permitting.
- 99th Street Water Meter Vaults and services to the new facilities are in progress.
- Atlantic Blvd Storm Drain & Fire Hydrant Additions progressing.
- Sinepuxent Avenue Storm Drain Relocation between 130th and 131st to commence soon.
- Peach Tree Roadway Improvements – Patching areas of disturbance prior to repaving first section of the street.
- Nantucket Road and 133rd Street Fire Hydrant installation.

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- Gorman Avenue WTP – Electrical Renovations and all new Motor Control Centers complete, and power restored.
- Fire Hydrant Testing has been completed.
- Building Efficiency Performance Standards: 2024 submittals to MDE are complete. Will need third-party verification of 2025 submittals by June of 2026.
- Elevator Systems: Deficiencies with systems at Fire Station 3 and OCPD Downtown Substation addressed and resolved.
- Fire Alarm Systems: Migration of twenty-six systems from POTs to cellular communication completed. Proposal to replace the fire alarm panel at Fire Station 4 has been provided to the fire department.
- Fire Sprinkler Systems: N/A
- HVAC Systems: Coordinating ongoing deficiency resolution for Fire Station 3 systems. Troubleshooting of OCPD Downtown Substation systems (no heat) was addressed and resolved.
- PW Cellular Sites: Coordinating revisions to proposed modifications to AT&T 64th Street water tank site.
- Standby Generator Systems: Issues with the satellite link for the system serving the OCPD Downtown Substation were addressed and resolved.

AIRPORT

- Taxiway “A” phase 2 begins with full closure of Taxiway A/B Jan 19-April 30.
- Terminal restrooms renovation underway.
- Training new employee in Front Desk/Airport Associate position.

CONSTRUCTION

- Worth has started replacing City sidewalks on Peachtree Rd; working from south to north on the eastside of Peachtree Rd.
- Ashton Manor has started working on cleaning out the pedestrian and vehicle crossings, working from south to north, in the 92nd street area, replacing poles, sand fence where needed, and redoing the crossings.
- Water crew is working on several work orders, installing new water services, repairing or replacing small meters, and working on repairing water leaks, also cleaning out water meter pits.
- Carpenters are working on repairing life guard stands, working on several work orders daily, and replacing bad boards on the boardwalk.
- Storm drain crew is assisting the Electricians with installing new light poles in the Inlet parking lot.
- Electricians have also been working on several different work orders throughout the Town

ENGINEERING

- Convention Center Elevator, project is in Construction Phase: 80% complete, freight elevators are completed and operational, as is the North elevator (completed 1/8/26). Working on the South passenger elevator. Anticipated completion date is March 2026.
- Dredging, construction phase: Brittingham Construction has mobilized, and dredging is underway the week of 1/12/26.
- Eagles Landing Golf Course Flood Remediation, Construction Phase: NTP issued and waiting to start.
- Comfort Station: Demolition is 90% complete at both Worcester Street and Caroline Street comfort stations. MEP rough-ins and exhaust tower removal to occur in January. Project completion in April 2026.
- Northside Park Kayak Launch: Permitting Phase currently awaiting revised plan set from Sustainable Science.
- 2026 Bulkhead Projects (Winter Harbor, Old Landing Road, 17th St) pre-bid meetings held on 1/13. Bid submissions are due by 4 pm on 2/3.

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- The OC Racquet Club project is currently in the Concept Planning phase, with Fisher Architecture developing the existing conditions plan.
- Staff review of 8303/8305 Atlantic Ave as part of the TRC process.
- Staff continues to perform surveying for projects (Planning and Community Development boardwalk needs, 4th Street Post Office, etc.).
- Staff helped multiple departments with Concepts, Design, and Budgeting.
- Staff continues to issue permits and monitor the progress of those permits.

MAINTENANCE

- Christmas teardown has been completed.
- Sand and silt-fence repairs are ongoing.
- Winter projects continue, including work on beach equipment, beach barrels, boardwalk trash cans, painting, plumbing, signage, etc.
- Worcester and Caroline remain closed for renovation. **Porta-johns are available near the information area and the Firemen's Memorial.**
- On-going FY27 budget preparation/discussion meeting with Jennie and Terry on January 22nd.

SERVICE CENTER

- Sending out vehicles for Body shop needs continues
- Preparing the jeep for beach patrol
- DOT inspections continue
- Rebuilding both beach trash trucks for the upcoming season
- The last street sweeper is being rebuilt for the upcoming season
- Installing the fuel system on new PSB cars as they are delivered
- Closing job orders

SOLID WASTE

- 1 Full-Time Employee out on extended leave
- Starting winter projects
- Bulk Pick-Up is Steady
- Having Extensive Work Done on the Crane
- Funding to Repair Keyser restroom approved

TRANSPORTATION/PARKING

- We are continuing to refine our Town budget requests, both for Transit and for Parking, for FY27.
- We are starting to formulate our FY27 Annual Transportation Plan, the package that serves as our application for MTA and FTA grant funding. The Public Hearing regarding our grant funding requests (if requested), as well as our Resolution authorizing us to apply for them, is scheduled for March 2nd's Mayor and Council Meeting.
- We will be assisting Shore Transit with messaging regarding their modified service into town during the US-50 drawbridge closure.
- We are preparing an RFP for a mobile app-based bus fare payment system, to be launched this Spring at the latest, with a goal to have a system in place within 2027.
- We are beginning to contact property owners adjacent to a small number of extraneous and underutilized bus stops, each in locations which are served by other nearby stops. We will be presenting a proposed list of stops to consolidate, to both the Transportation Committee and the public, in February.
- We have an order for two additional articulating buses from FY25 funds in the works, and will add two more – plus one lift-equipped van for ADA Paratransit service – once we receive FY26 grant award packages from the MTA.
- We are beginning our recruiting efforts for 2026 Seasonal employment within both Transportation and Parking divisions.
- The next Transportation Committee meeting is scheduled for Tuesday, February 10th.

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WASTEWATER

- Work has started on Secondary Clarifier #2 drain and W.A.S. valve replacement
- Temporary Admin Offices have arrived
- Annual Fournier rotary press maintenance and overhaul will begin next week
- Maintenance team repairing rotary press sludge crossover conveyor

WATER

- On-going winter operations and projects.
- 136th St. split case booster pump replaced
- F well 28th Street pump replacement complete
- D well 141st street pump replacement complete
- radio read meter project underway

Recreation & Parks

ADMINISTRATION

- Attended proposal opening for Eagle's Landing Winter Improvements project; two qualified companies submitted proposals, work to begin early February
- Customers with a mobile-friendly way to sign up for Recreation Programs and receive

RECREATION PROGRAMS & SENIORS

- Youth Indoor Soccer League and Girls and Boys Basketball Leagues are up-and-running with games underway
- Winterfest Soccer Camp took place December 29th – 30th; the program was sold-out with 60 kids participating
- Our new one-day art program, New Year's Pre-Eve Kids Craft Day, took place at the Ocean City Center for the Arts to a sold-out group of 24 kids on December 30th
- *Splash!* edits were finalized, and the camp website has been updated with 2026 information that was made available to the public on January 1st, 2026
- The new *Splash!* guide will be in hand on January 12th
- Our new Sports Mix program for 3rd and 4th graders has eighteen kids registered; the program started with a successful session on January 9th and will continue to take place on Friday nights throughout January
- The Skate Park had extended hours over the holidays, and, despite cold weather, they had good participation and sales
- Ian Schaller was promoted to the Assistant Manager position
- Tournament registration has started for Futsal, Pickleball, and St. Pats Soccer; we are off to a slow start, but we anticipate registration throughout January
- Camp registration begins on January 31st for TOC residents for Camp Horizon and Scamper Camp; February 2nd for TOC residents for all other camps; February 10th for non-residents in-person only; and February 11th for non-residents online
- Programs staff finalized ten new camp offerings for the summer of 2026

PARKS

- Google Docs training; Emerging Leaders training; Department Sr. Staff meeting; TOC Safety Committee meeting; and Recreation & Parks Projects review meeting with City Engineer
- Continued to perform annual cutback and cleanup of plant material, leaf cleanup, weed control, and tree pruning in all areas
- Winterfest: provided evening staffing, daily cleanup, and display troubleshooting during Winterfest operations
 - Began breaking down components and packing them into trailers on Friday, January 2nd; Winterfest breakdown will remain the main focus for Parks staff over the next six-to-eight weeks
- Set up and removed soccer walls in East Gym for weekend programs

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- Completed and submitted 2025 Tree City USA application; 2025 PLANT award application; 2025 Roadside Tree Annual Report; 2026 applications for blanket Roadside Tree Care permits; and 2026 Professional Fertilizer Applicator certificate renewals
- Continued to collaborate with TOC Engineering and contractors to finalize logistics for two upcoming projects at Northside Park, as follows:
 - o Phase I of the Softball Field Lighting replacement project is scheduled to begin January 19th, 2026
 - o Phase II of the 5-to-12-year-old playground replacement project scheduled to begin February 2nd, 2026

GOLF OPERATIONS

- Booked groups and outings tee times for 2026
- Met with sales reps to place 2026 orders for purchase for resale items

GOLF MAINTENANCE

- Finalized offseason project list
- Performed extensive brush and dead tree removal in overgrown areas; completed all native area moving; completed several drainage projects; continuing to maintain course for daily play
- Currently refurbishing all golf accessories in preparation for the upcoming season
- The weather has been conducive to working outside so our maintenance staff has been very productive

Risk Management

- Participated in the Federal Transit Administration's Drug & Alcohol Training program for Drivers.
- Worked with our vendors, Clear Risk & Innovative Claim Strategies, to set up and test an EDI payment file for Workers Compensation medical bills with the goal of improving efficiency and reducing payment errors.
- Completed the Town's Maryland Motor Vehicle Administration self-insurance renewal.

Tourism & Business Development

- 2026 Media Plan for Leisure, unveiled at 1/15
- Reggae event for May slow – may need to pivot
- CC exterior lighting continues – complete by 1/19
- 50 Bridge Lighting MOU from State TBD
- Winefest promoter offered inclusion with Sunfest – awaiting decision
- Sports flooring a big hit for USA Field Hockey
- Continuing to book 2026 PAC shows
- Working on an LPGA/AJGA Legends golf event for 2027
- Met with the State on MEGA grants for concerts
- Met with Toyota for a grant renewal
- Handled Multiple meeting with BVK – pacing, SMARI Ad effectiveness, etc.
- Received proposals for new Winterfest displays for FY 2027

SPECIAL EVENTS

- IN-PROCESS: Winterfest Of Lights
 - o Winterfest stayed open until midnight on NYE. Brought in DJ from 10 pm to 12 pm. Dancing, Giveaways. The families enjoyed
 - o Three days of Coca-Cola Giveaways Scavenger Hunt
 - o Completed New Year's Eve Pier-based fireworks display & Downtown beach at midnight
 - o Enchanted Evenings – Horse and Carriage Rides were successful. One night had to be cancelled due to the weather
 - o Coordinating Teardown – Tent, Gas, Parks, Retail, Sound, Trains, Donated Sheds from Woodland
 - o Finalizing Financial Information
 - o Contracting to have seven sheds moved from Northside Park to Keyser

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- o Finalizing all the Winterfest staff terminations with HR
- o Tent invoice paid
- o Coordinating storage of event assets, décor, displays, etc. at Bishopville Storage, Tractor Trailers, Northside Park
- o Planning After Action meetings – Parks, Retail Manager, Santa Processing, Trains
- o Art League awarded the WF Tree Decorating Contest to “Dinkers and Drinkers”.
Wednesday, 1/7/26
- PLANNING: Special/Private Events
 - o Sunfest Hay Wagon repairs – have cost and assigned Fleet #3205
 - o Working with Tourism on new ideas to replace OC Beach Dance Parties
 - o Coordinating meetings with Private Event applicants to resolve issues, including Winefest, Air Show, and OC Rock & Ride.
 - o Air Show hopes to go on sale in the next 30 days.
 - o Many private events in various stages of the approval process – can provide a specific list.
- PLANNING: Springfest 2026
 - o Working on Agreement Art League agreement with Heather Stansbury for Street Painting at Springfest
 - o New expanded layout – working with Public Works on layout changes
 - o Finalizing contract between Murals of Baltimore (National 3D Artist Michael Kirby and two international artists)
 - o Layout expands to include additional commercial, craft, gourmet, and food vendors.
 - o Strong focus on art and artistic interaction
 - o Stage layout includes two outdoor stages
 - o Ticketed, headline acts booked (Tribute Concerts: Beyonce, Taylor Swift, and Michael Jackson) and will take place at the Performing Arts Center.
 - o Indoor Stage and Tent will be eliminated from the event footprint.
 - o Inlet event hours will be 10 am to 6 pm. To allow time to go to evening concerts at OCCC.
 - o Booking Free Entertainment Line Up
 - o Contracting Vendors
- COMPLETED: HOLIDAY EVENTS
 - o Holiday Character Breakfast November 29th – Sold Out
 - o Christmas Parade – Saturday, December 6th - 71 Registered Participants. About 2 hours. National Judges awarded winners, Ocean 98, and WMDT Announced. WMDT provided Facebook Live and YouTube coverage. State Highway Application approved; OCPD managed Coastal Highway rerouting; coordinated sponsorships with Gold Coast Mall, Dunkin, Food Lion, and Carousel. Santa and Mrs. Claus take photos at the Carousel after the parade.
 - o Coordinated New Year’s Eve midnight fireworks at 2 locations – Northside Park and Downtown
- UPCOMING PRIVATE EVENTS:
 - o No more Private Events for January
 - o Applications Ready for Council approval: We Build You Play Volleyball, Marlinfest, OC Jeepfest, Ocean City Running Festival
- COMPLETED PRIVATE EVENTS:
 - o Winterfest of Light Jingle Bell Run 12/7/25
 - o AGH Penguin Swim 1/1/26
 - o St George Blessing of the Waters 1/11/26



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 5.C

Council Meeting January 27, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Hal Adkins, Director of Public Works
RE: Request To Close A Portion Of An Alley Located Between 26th and 27th Streets
DATE: January 21, 2026

ISSUE(S): Closure of a portion of a “dead end alley” located between 26th and 27th Streets, ocean block, in exchange for the surrounding landowner (hereafter referred to as “the Harrisons”) improving the balance of the alley, to City Standards.

SUMMARY: The property currently known as the “Best Western/Flagship”, historically known as the Diplomat Motor Hotel, is scheduled for demolition and redevelopment. As part of the overall Site Planning/Design, the Harrisons are requesting the Towns closure of a portion of the alley that is located between 26th - 27th Street. In exchange for this closure the Harrisons have confirmed their willingness to improve the balance of the alley to City Standards at the request of the Public Works Department. It is the position of the Public Works Department that the portion (800 square feet) of the alley being requested for closure serves no Public Need and in fact not only “dead ends” into the Harrisons property it is also bordered on three sides by the Harrisons properties.

FISCAL IMPACT: None to the Town

RECOMMENDATION: Based on the fact that there appears to be no Public Need for the portion of the alley in question, it is the staffs recommendation that the MCC proceed with procedures to close the 16 feet wide by 50 feet long portion of the alley in exchange for the improvements to the balance of the alley, northerly to its point of intersection with the southside of 27th Street.



Revitalized Ocean City: Development and Redevelopment

ALTERNATIVES: Leave the alley As Is.

RESPONSIBLE STAFF: Hal O. Adkins, Director of Public Works
George Bendler, Planning Director

COORDINATED WITH: The Harrisons
Joe Moore, Attorney for the Harrisons
Russell Hammond, Surveyor
Department of Planning and Community Development Staff

ATTACHMENT(S):

1. Letter dated January 20, 2026 as authored by Joe Moore, Attorney with associated Exhibits A and B.pdf
2. A full size verision of the overall site plan depicting how the requested alley closure aligns with the proposed site development.pdf
3. Aerial view exhibit.pdf

LAW OFFICES
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3509 COASTAL HIGHWAY
OCEAN CITY, MARYLAND 21842

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MARCUS J. WILLIAMS (1923-1995)
EDWARD H. HAMMOND, JR.
(1942-2011)

OF COUNSEL
JOSEPH G. HARRISON, JR.

January 20, 2026

Mayor and City Council of Ocean City
City Hall
301 North Baltimore Avenue
Ocean City, MD 21842

Re: Closure of dead-end alley located adjacent to Lots 3 & 10 – Block 79N south of 27th Street east of Baltimore Ave.

Dear Mayor and City Council,

This letter is intended to serve as a request for consideration of closure of an area of a 16-foot-wide alley which dead-ends at the southerly line of Lots 3 & 10 in Block 79N, as shown on the plat known as “Plat of the Property of Sinepuxent Beach Company of Baltimore City”, recorded among the Land Records of Worcester County, Maryland in Plat Book O.D.C. No. 2 Folio 13. The adjacent properties are owned by Alberta Harrison and G. Hale Harrison, Trustees of the Non-Exempt QTP Residuary Trust u/w Hale Harrison, by virtue of a certain deed recorded among the aforesaid Land Records in Liber 8883 Folio 268, as to an undivided one-half interest, and owned by Karen G. Harrison, Trustee of the John H. Harrison Irrevocable Trust FBO Decedent’s #1, by deed dated November 24, 2025 and recorded among the aforesaid Land Records in Liber 9076 Folio 122 et seq.

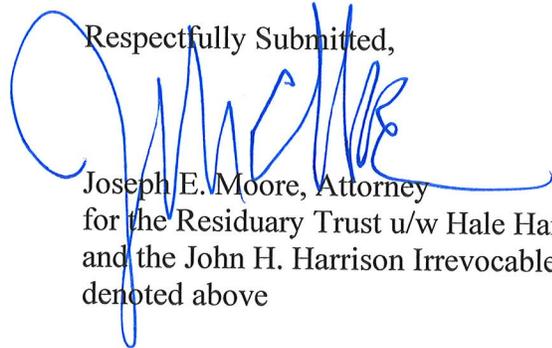
By virtue of the fact that the alley dead-ends adjacent to the hotel known as the Flagship Hotel, and goes no farther, the said alley adjacent to said Lots 3 & 10, serves no public purpose and, pursuant to Ocean City Code C-1301, and C-414 “Powers of Council” enumerated, in Paragraph (49) the Council has the power and authority set forth therein “...to convey any real or leasehold property when no longer needed for the public use, after having given at least twenty (20) days public notice of the proposed conveyance...”

There is attached hereto, as Exhibit “A” a plat showing the area of the alley in question as shown on a survey made by Russell T. Hammond, Surveying, LLC and there is attached as Exhibit “B” the legal description of the area of said alley requested to be closed and conveyed unto the Trusts which are noted above as the owners of Lots 3 & 10.

In return for the closure of the alley and as consideration therefor, the above-denoted Trusts shall, at their sole expense, improve the remaining right-of-way of the 16-foot-wide alley from the point on the northerly property line of Lots 3 & 10 northerly therefrom a distance of 100 feet to 27th Street and said alley improvement shall be in accordance with City standards.

By virtue of the lack of need for the public use of the area in question, it is respectfully requested that the Mayor and City Council of Ocean City, after having given the required public notice, agree to convey the area of the dead-end alley not publicly used (800 sq. ft.) in return for requiring the property owners to improve the remainder of the alleys north to 27th Street in accordance with City standards.

Respectfully Submitted,

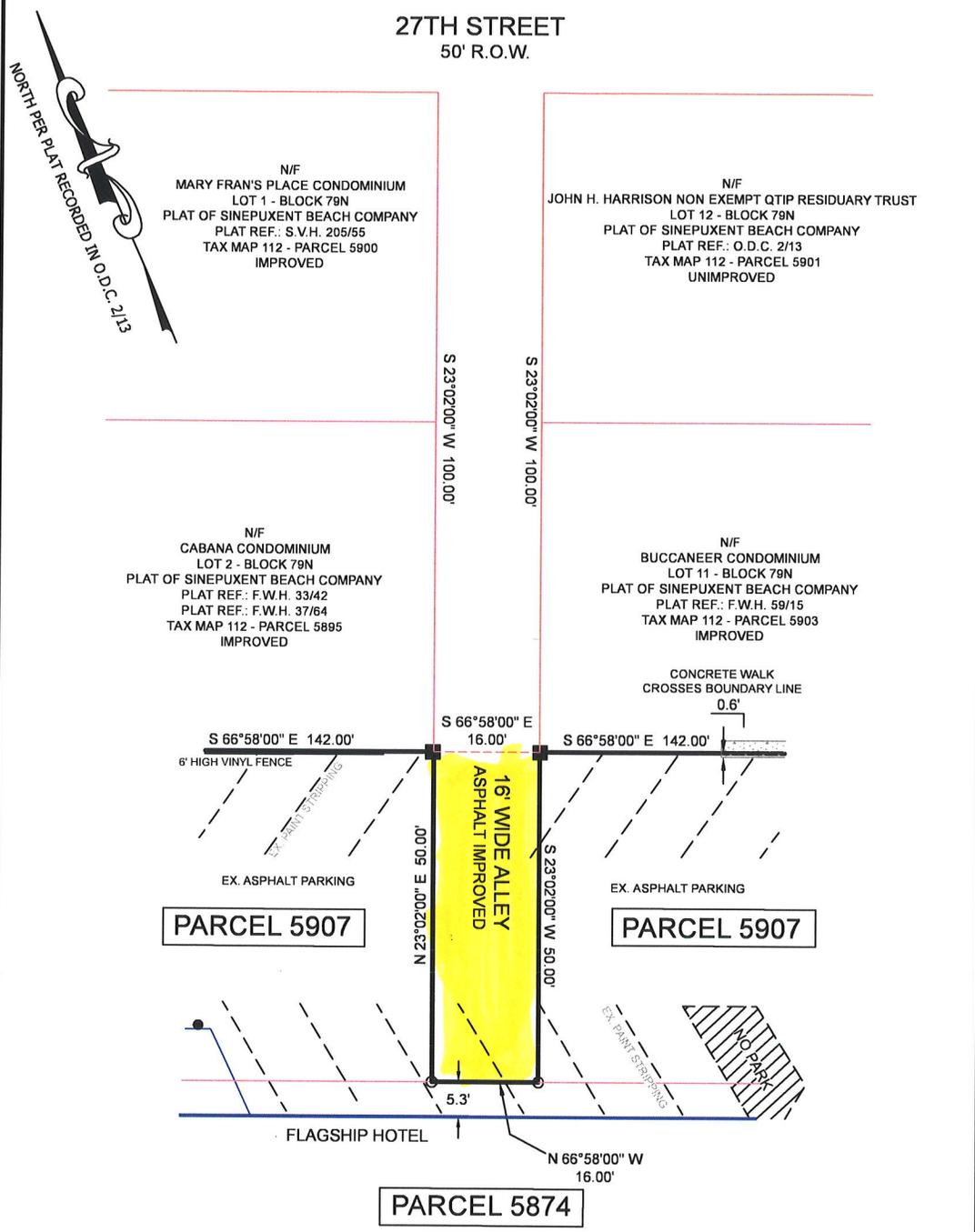


Joseph E. Moore, Attorney
for the Residuary Trust u/w Hale Harrison
and the John H. Harrison Irrevocable Trust
denoted above

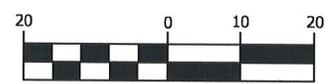
EXHIBIT "A"

RUSSELL T. HAMMOND SURVEYING L.L.C. RESERVES ITS COMMON LAW COPYRIGHT IN THESE PLANS, PLATS, OR OTHER DOCUMENTS. ANY AMENDMENTS, COPYING OR DISTRIBUTION, INCLUDING COMPUTER GENERATED AMENDMENTS, IS PROHIBITED UNLESS PERMITTED IN WRITING BY RUSSELL T. HAMMOND SURVEYING L.L.C.

NOTE: THIS PLAT REFLECTS THE DESCRIPTION OF THE LOT/PARCEL AS NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS OF WAY, WETLANDS, UTILITIES OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR STIPULATED.



**BED OF 16' WIDE ALLEY - BLOCK 79N
 PLAT OF PROPERTY OF SINEPUXENT BEACH COMPANY
 TOWN OF OCEAN CITY
 TENTH TAX DISTRICT, WORCESTER COUNTY, MARYLAND**



- DENOTES CONC. MON. FOUND
- DENOTES UNMARKED POINT

RUSSELL T. HAMMOND
Surveying, L.L.C.

SURVEYING - LAND PLANNING
 10310 Hotel Road Bishopville, MD 21813
 (410) 352-5674 - (410) 726-8076

DRAWN BY	R.T. HAMMOND
FILE NO.	2023-3475
DATE	01/15/2026

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 21328, EXPIRATION DATE: 1/08/2027.

EXHIBIT "B"

Legal Description, Area of 16 ft wide alley between Lots 3 and 10 Block 79N Plat of Property of
Sinepuxent Beach Company Ocean City, MD

Beginning for this description at a point denoted by a concrete monument which is located at the northeasterly corner of Lot No. 3, Block 79N which said point is south $86^{\circ} 58'00''$ east a distance of 142 feet from the intersection of the northwesterly corner of said Lot 3 with the easterly line of Baltimore Avenue, as shown on said Plat, and from said point of beginning running across the area of a 16 foot alley as shown on said Plat south $66^{\circ} 56'00''$ east a distance of 16 feet to a point denoted by a concrete monument at the northwesterly corner of Lot No. 10 in said Block 79N as shown on the said Plat of Sinepuxent Beach Company thence running by and with the westerly property line of said Lot No. 10 south $23^{\circ} 02'00''$ west a distance of 50 feet to a point which is the southwesterly corner of said Lot No. 10 thence running north $66^{\circ} 58'00''$ west a distance of 16 feet to a point which is the southeasterly corner of said Lot No. 3 in Block 79N thence running by and with the easterly line of said Lot No. 3 north $23^{\circ} 02'00''$ east a distance of 50 feet to the point of beginning said area containing 800 square feet of land.



Nearmap

Imagery © 2026 Nearmap, HERE

20 ft



Oblique

< Mon Feb 24 2025 >





TOWN OF OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 5.D

Council Meeting January 27, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: George Bendler, Planning and Community Development Director
RE: Driveway Apron Proposed Ordinance
DATE: January 15, 2026

ISSUE(S): Multi-family condominium housing projects (townhouse style) which propose only enclosed garage parking to meet minimum requirements for off-street parking are not adequately meeting existing zoning code requirements.

SUMMARY: On August 30, 2022, Mayor and Council held a work session to discuss a proposed Zoning Code Amendment addressing garage parking requirements for multi-family residential development. Among the provisions reviewed was a requirement that all garages include a minimum five (5)-foot-wide driveway apron in front of the garage door.

At that time, the Planning Commission requested that this provision be revisited. A public hearing was subsequently held on October 21, 2025. Based on testimony and comments received during the public hearing, the ordinance was revised and presented to the Planning Commission on November 18, 2025.

As refined, the ordinance limits the driveway apron requirement to townhouses located on lots greater than fifty (50) feet in width and allows compliance through either a five (5)-foot driveway apron or a recessed garage design within the building envelope.

FISCAL IMPACT: Proposed amendments may require alternate design solutions or reduced density for this type of residential development.

RECOMMENDATION: Approve the Planning Commission recommendation and forward for First Reading of an Ordinance.



Revitalized Ocean City: Development and Redevelopment

ALTERNATIVES: As directed by Mayor and City Council.

RESPONSIBLE STAFF: George Bendler, Director of Planning & Community Development

COORDINATED WITH: Planning Commission

ATTACHMENT(S):

1. #25-14100002 5-foot Driveway Apron_Decision Letter.pdf
2. 110_935_apron_example.pdf
3. 25-1024 ORD garage apron (004).pdf



TOWN OF OCEAN CITY

The White Marlin Capital of the World

MAYOR
Richard W. Meehan

CITY COUNCIL

Matthew M. James
President

Anthony J. DeLuca
Secretary

John F. Gehrig, Jr.
Jacob H. Mitrecic
Carol Proctor
Will Savage
Larry R. Yates

CITY MANAGER
Terence J. McGean, PE

CITY CLERK
Diana L. Chavis, MMC

Department of Planning and Community Development
301 Baltimore Avenue
Ocean City, Maryland 21842

January 20, 2026

Mayor and City Council
Town of Ocean City
301 Baltimore Avenue
Ocean City, Maryland 21842

Subject: Notice of Decision – Recommendation to amend Chapter 110, Section 110-935, entitled parking design standards, to require a 5-foot driveway apron between garage doors and interior drive aisles
PZ File: #25-14100002

Dear Mayor and City Council,

At their meeting of November 18, 2025, the Planning Commission of Ocean City held a public hearing to consider an amendment to Chapter 110, Section 110-935, entitled parking design standards, to require a 5-foot driveway apron between garage doors and interior drive aisles for residential multifamily development. This meeting was held through a public hearing as required by local and state law.

With the deliberations, public comments, and staff input considered, the Planning Commission voted for this code amendment to receive a favorable recommendation and for the drafted ordinance to be advanced to the Mayor and City Council for further consideration. This recommendation passed with a vote of (5-1-1) with Chair Joe Wilson in opposition and with Commissioner Tony Butta absent.

Attached you will find the drafted ordinance that was voted upon and available for your review. Thank you.

Sincerely,

Joseph P. Wilson
Chairman

/ Chase Phillips, Senior Zoning Analyst
CC: George Bendler, Director
Sabrina J. Hecht, Zoning Administrator
Terry McGean, City Manager
Elton "JR" Harmon, Deputy City Manager

Maureen Howarth, Commission Attorney
Heather Stansbury, City Solicitor
File #25-14100002

P.O. Box 158, Ocean City, Maryland 21843-0158 | oceancitymd.gov | City Hall: (410) 289-8221 | Fax: (410) 289-8703



TOWN OF
OCEAN CITY

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Proposed change to
Sec. 110-935 Design Standards
Presented at Public Hearing October 21, 2025

- (j) All garages shall have a minimum of a five (5) foot wide driveway apron between the garage door and the interior drive aisle.

Proposed Ordinance based on Public Hearing comments

- (j) On lots greater than fifty (50) feet wide, a garage for a townhouse shall have a minimum of a five (5) foot wide driveway apron between the garage door and the interior drive aisle. This can be satisfied by a design that recesses the front of the garage within the building envelope.

Example of Current Code

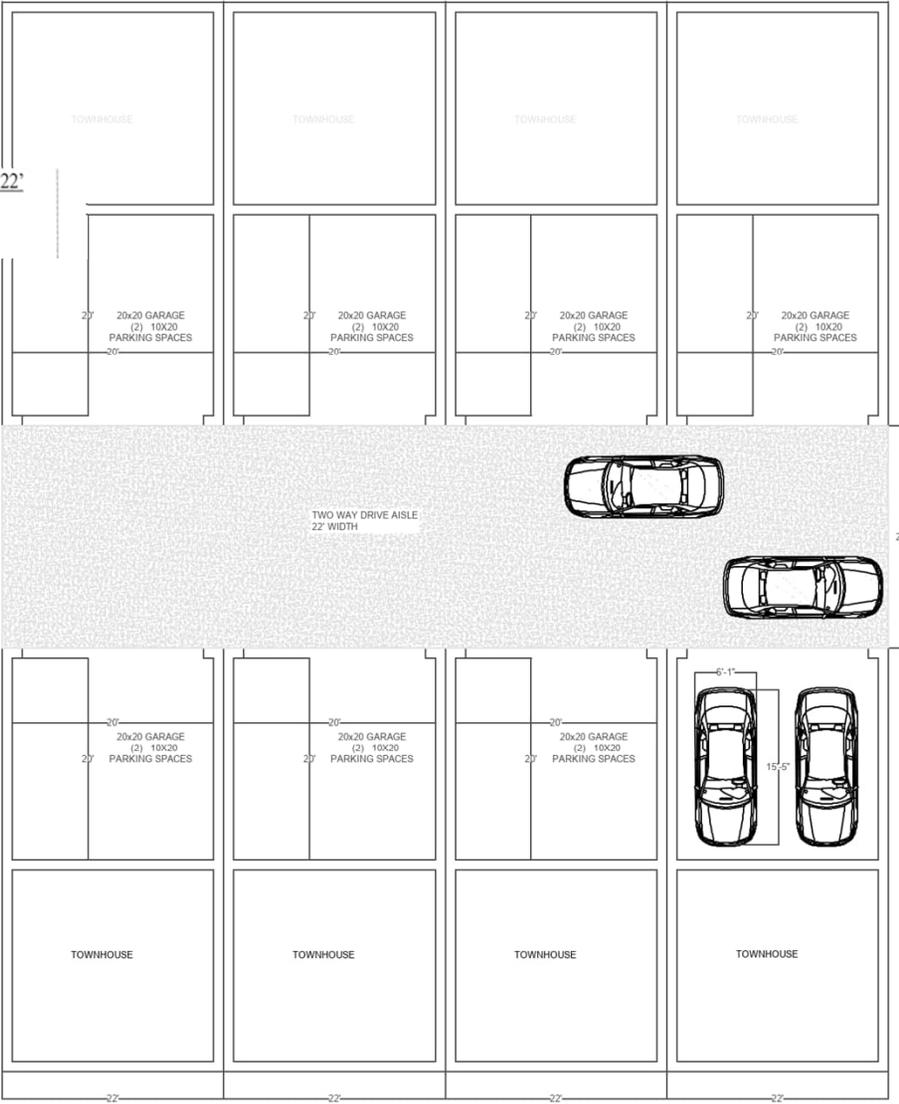


Example of Current Code Based off of:

20' x 20' with 18' clear** garage door opening

90

20' paved / 22' clear**



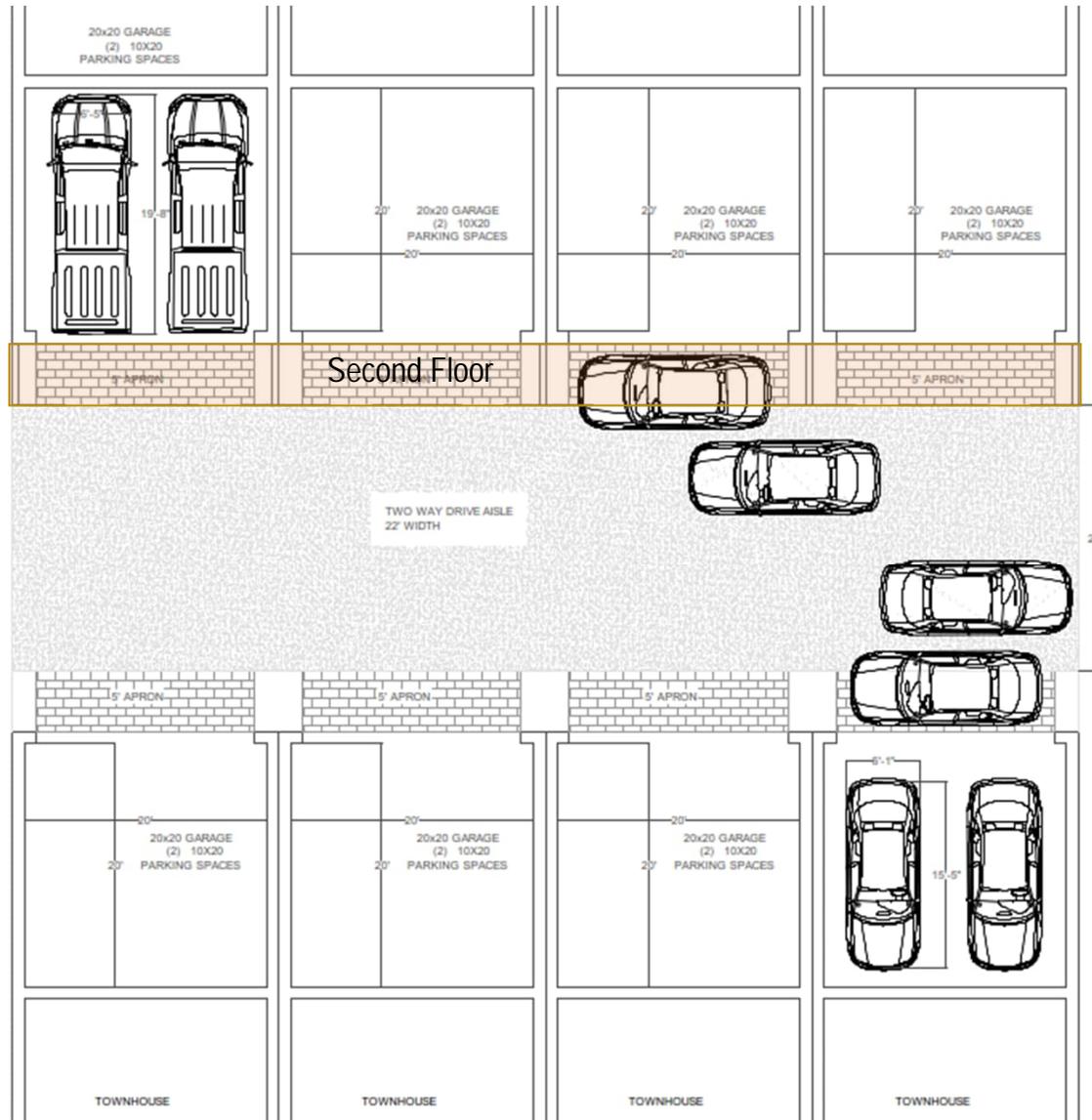
Example of Townhouse rear garage apron in various sizes:



Example of Current Code with proposed code 5' driveway apron.
 Based off of:

20'x 20' with 18' clear** garage door opening	90	20' paved / 22' clear**
-----------------------------------------------	----	-------------------------

Garage can be recessed with second floor cantilevering over allowing a 5' apron under overhang



First Reading _____

Second Reading _____

ORDINANCE 2025 - ____

AN ORDINANCE TO AMEND CHAPTER 110, ENTITLED ZONING, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY THAT CHAPTER 110, ENTITLED ZONING, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND BE, AND IT IS HEREBY, AMENDED BY AMENDING ARTICLE V, ENTITLED SUPPLEMENTAL REGULATIONS, DIVISION 3, ENTITLED OFF-STREET PARKING, SECTION 110-935, ENTITLED DESIGN STANDARDS, AS FOLLOWS:

CHAPTER 110 – ZONING

...

ARTICLE V. - SUPPLEMENTAL REGULATIONS

...

DIVISION 3. - OFF-STREET PARKING

...

Sec. 110-935. Design standards.

...

(j) On lots greater than fifty (50) feet wide, a garage for a townhouse shall have a minimum of a five (5) foot wide driveway apron between the garage door and the interior drive aisle. This can be satisfied by a design that recesses the front of the garage within the building envelope.

...

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on _____.

ADOPTED AND PASSED, by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on _____, 2025.

ATTEST:

DIANA L. CHAVIS, Clerk

RICHARD W. MEEHAN, Mayor

Approved as to form:

MATTHEW M. JAMES, President

HEATHER STANSBURY
Ayes, Jenkins, Gordy & Almand, P.A.
Office of City Solicitor

ANTHONY J. DELUCA, Secretary



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 5.E

Council Meeting January 27, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Karin Scott, Internal Auditor
RE: Q3 2025 Internal Audit Report
DATE: January 20, 2026

ISSUE(S): Q3 2025 Internal Audit Report

SUMMARY: Q3 2025 Internal Audit Report, including completed audits, audits underway, procurement card and payroll statistics.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Q3 2025 Internal Audit Report



Financially Sound Town Government

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Karin Scott, Internal Auditor

COORDINATED WITH: Various Departments

ATTACHMENT(S):

1. PowerPoint Q3 2025 Qtrly Report MCC.pptx
2. Direct Deposit Review Sept 2025.pdf
3. PRIP Applicant detail FY2025 Legal.pdf
4. PRIP_Budget_and_Reconciliation_6_30_25.pdf
5. 2025 Impound Lot - Management Response.pdf



Internal Audit Report July – September 2025

Presented By:
Karin Scott, Internal Auditor

Completed Audits

Impound Lot Audit

- Review of operations, policies, and procedures, inventory tracking, and physical controls.
- Revenues exceed expenditures for towing and impound fees.
- Recommendation to explore the use of the Police CAD system, already in operation, to streamline the process by tracking vehicles towed, impounded, stored, and released.
 - Police use the CAD system currently for towing.
 - The reporting feature will be useful to both the Impound Lot and the Police Department.

Direct Deposit Review

- Analysis of direct deposit accounts.
 - 25 inactive employees prenoted on the direct deposit register. Employees were terminated between 2016-2025
 - Inactive employees did not receive any funds from the Town.
 - Payroll Manager reset the prenote flag from "Y" to "N".
 - Payroll Manager notified the software vendor of the issue.

Primary Resident Incentive Program Spreadsheet update and review

- Reworked the PRIP spreadsheet as outlined in the initial audit for better tracking of tax rebate reimbursement, building permit maximum, required affidavit, SDAT approval date, and program budget.
- Reviewed FY 2025 program.
 - Budget \$50,000
 - Awarded \$39,623.86 in tax rebates and \$6,515.48 building permits.
 - Remaining budget \$3,860.66



Audits Underway

Audits and reviews in progress as of the end of September 2025

Convention
Center Daily
Operations

In Progress

- Review policies and procedures.
- Evaluate operational efficiency.
- Review and analyze financial information for a sampling of events.

Convention
Center Box
Office
Operations

In Progress

- Review policies and procedures and assess operational efficiency.
- Evaluate ticketing practices and recording of sales.
- Determine the timeliness of financial transactions.

Procurement Card Statistics

Quarter 3 2025

2,888
\$877,907

Transactions and
Total Spend

33
\$138,495

Purchases over
\$2,500

233

Number of
Procurement Cards

31

Follow-up

- Sales tax paid – 13
- Missing receipts – 4
- Detailed receipts missing – 9
- Warehouse Items purchased - 1
- Other (Incorrect account – 3, unknown recurring transaction – 1) – 4
- Down from 51 in the prior quarter

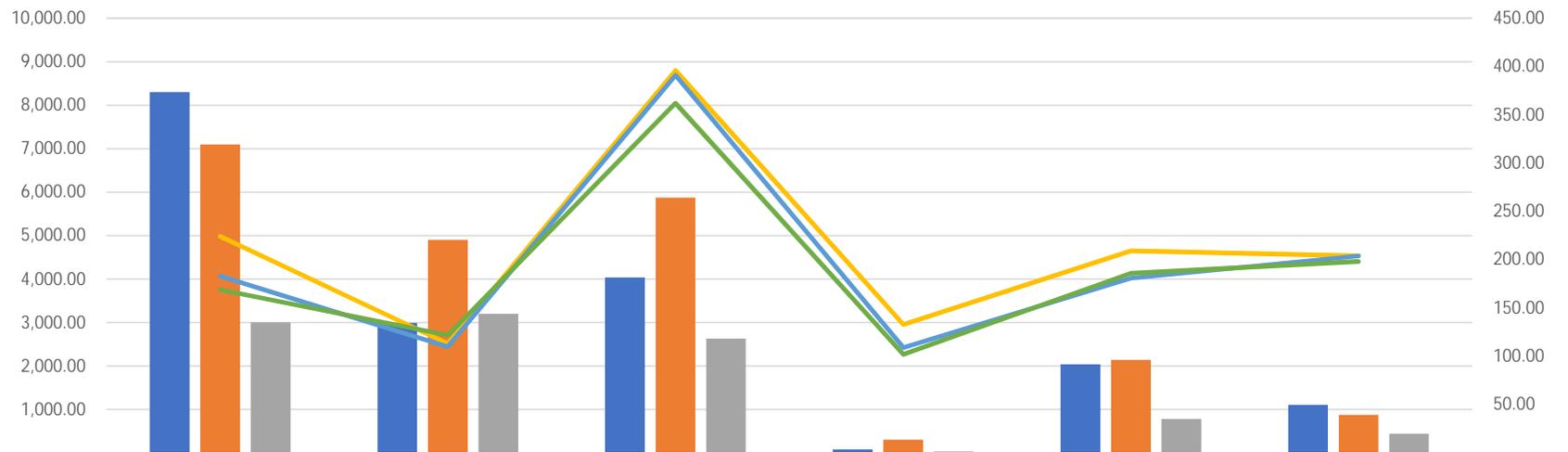
Payroll 2025

Town of Ocean City Overtime Hours vs. Total Employees Quarter 3 2025



Payroll 2024

Town of Ocean City Overtime Hours vs. Total Employees Quarter 3 2024



	Police	Fire	Public Works	Recreation	OCBP	All other departments
7/2024 Hours	8,295.50	2,988.00	4,033.75	75.50	2,038.00	1,106.25
8/2024 Hours	7,095.75	4,896.25	5,873.75	304.75	2,137.25	873.00
9/2024 Hours	3,002.25	3,198.25	2,624.75	31.50	777.75	439.50
7/2024 Employees	224.00	113.00	396.00	133.00	209.00	204.00
8/2024 Employees	183.00	110.00	391.00	109.00	181.00	204.00
9/2024 Employees	169.00	122.00	362.00	102.00	186.00	198.00

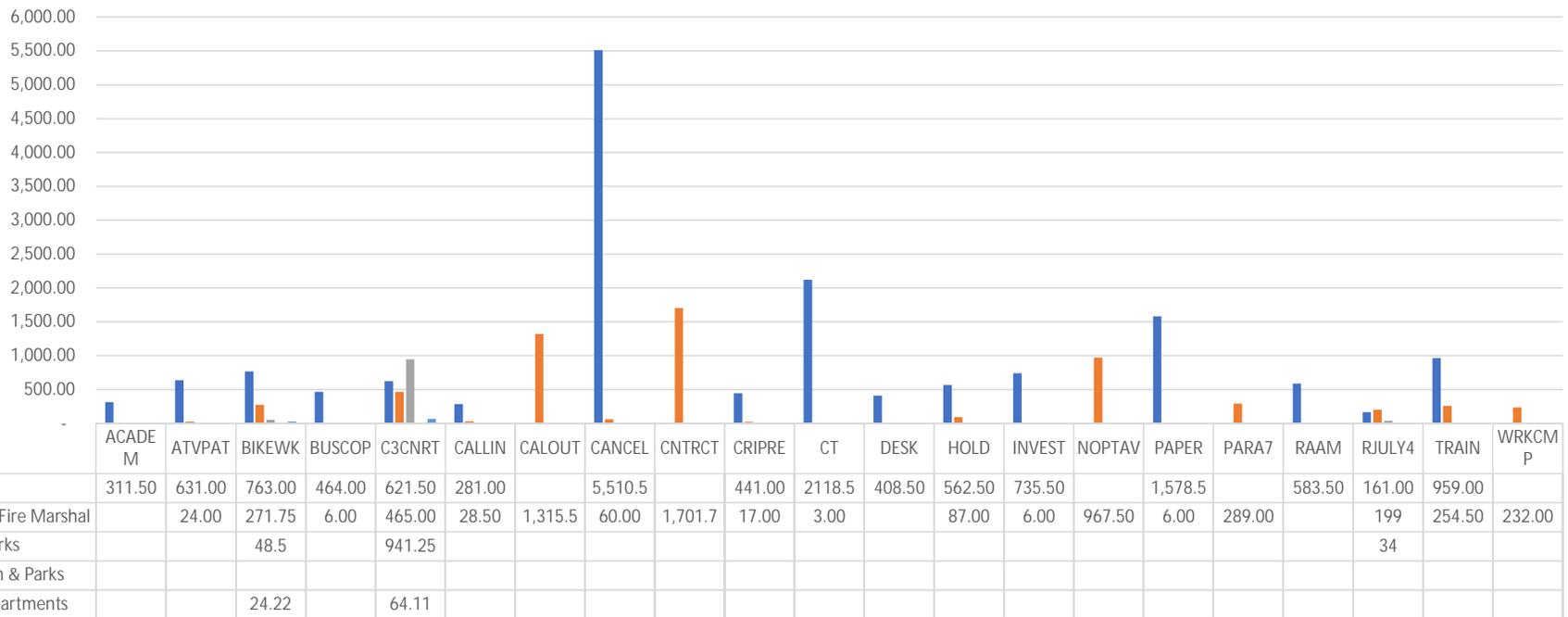


■ 7/2024 Hours
 ■ 8/2024 Hours
 ■ 9/2024 Hours
 — 7/2024 Employees
 — 8/2024 Employees
 — 9/2024 Employees

Payroll Overtime Hours Q3 2025

Highest Project Code

Overtime Hours Q3 2025
by Project Code

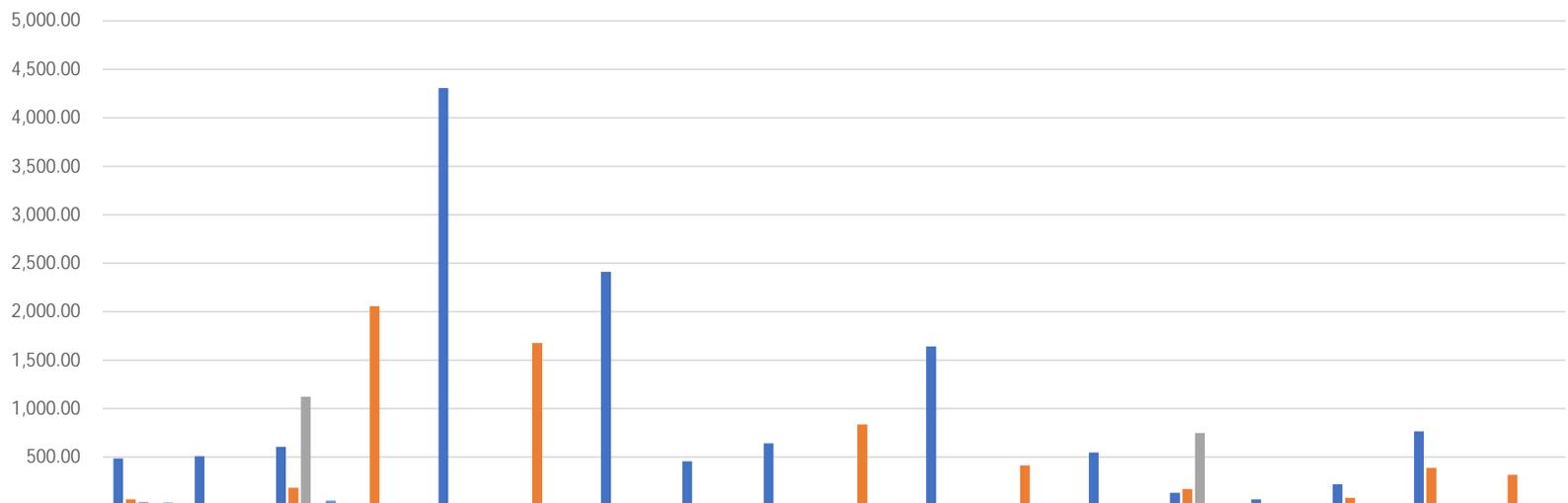


■ Police
 ■ Fire/EMS/Fire Marshal
 ■ Public Works
 ■ Recreation & Parks
 ■ Other Departments

Payroll Overtime Hours Q3 2024

Highest Project Code

Overtime Hours Q3 2024
by Project Code



Other Activities

Other

- Unemployment Quarterly Review
- Ticket and Event Pass Quarterly Review
- Risk Management Review

Pension Committee

- General Employee Representative – Quarterly Meeting



Other

- Annual Cash Counts for External Auditors
- Timekeeping System Workgroup
- OCPD Aladtec scheduling software workgroup

Other

- Comcast Franchise Quarterly Review
- Daily Review of Transportation Daily Cash
- Counterfeit Training for Winterfest Staff





Any Questions?



Report: Direct Deposit Review

Date: September 15, 2025

Purpose: Review the direct deposit register to ensure payments are correct. Verify that multiple deposits do not go to the same account, and confirm that employees are not receiving duplicate or excessive payments.

Review:

Direct Deposit Register dated 9/12/25.

- 25 inactive employees were prenoted on the direct deposit register. Employees were terminated between 2016 – 2025.
- Additional Direct Deposit Registers were reviewed from 8/29/25, 7/3/25, 1/17/25, and 10/11/24. All registers included the prenote direct deposit accounts for terminated employees.
- The inactive employees received no funds from the Town of Ocean City.

Recommendations

- The Payroll Manager was informed of the findings. Upon reviewing the payroll system, it was discovered that the flag for prenoting the direct deposit was set to “Y”. The Payroll Manager has since adjusted the direct deposit flags for all the inactive employees to prevent further prenoting.
- Central Square should be notified of the discovery, as inactive employees should not be included in the payroll processing for direct deposits.

Report submitted by: Karin Scott, Internal Auditor

Town of Ocean City, Maryland
Primary Residence Incentive Program

Application						Applicant		SDAT (Date)		Tax Rebate (FY, max \$2,500)				Building Permit Info				Building Permit (FY, max \$7,500)				Notes
#	Date	Tax Rebate	Bldg Permit	Affidavit Signed	Approved/Not Approved	Address	Date of Primary Residence	Application	Approval	2025	2026	Remaining	# Years (5 limit)	Permit #	New/Sub Improv/Re model	Vacant/Demo/Re model	Value	Total Fees	2025	2026	Remaining	
2020-01	7/28/2020	Y	Y	Y	Approved	716 N. Surf Road	4/22/2021		08/17/2021			0.00	2	20-1358	New	Vacant	295,000.00	11,414.00			-	
2020-02	7/29/2020	Y	Y	Y	Approved	706 Hurricane Road	7/24/2019		03/16/2021			0.00	1	18-2390	New	Vacant	250,706.00	11,456.00			-	
2020-03	8/5/2020	Y	Y	Y	Approved	8704 Caribbean Drive	4/28/2014		04/28/2014			760.81	3	20-1471	New	Demo	254,560.00	5,803.64			-	
2020-04	8/7/2020	Y	Y	Y	Approved	614 N. Pacific Avenue	8/4/2020		02/17/2021			0.00	1	19-1863	New	Demo	285,000.00	7,733.00			1,317.00	
2020-05	8/17/2020	Y	Y	Y	Approved	14111 Sinepuxent Ave	7/22/2021		09/21/2023			0.00	2	20-1540	New	Vacant	230,000.00	10,923.00			-	
2020-06	8/17/2020	Y	Y	Y	Approved	301 Pacific Ave	2/3/2021		02/03/2021			0.00	2	20-651	New	Vacant	236,000.00	10,500.00			-	
2020-07	8/17/2020	Y	N	Y	Approved	206 N. Heron Dr, Unit4	6/5/2020		06/05/2020			0.00	3									
NO #	8/16/2020	Y	N		Approved	142 Channel Buoy Road	12/7/2020		12/07/2020			0.00	1									
2020-08	8/17/2020	Y	N		Approved	13515 Holly Ln, Unit D	7/1/2020		08/04/2020			0.00	3									
NO #	8/16/2020	Y	N		Approved	10900 Coastal Hwy, #1310	7/1/2020					0.00	2									
2020-09	9/4/2020	Y	N		Approved	104 127th Street Unit 335	6/8/2020		12/07/2020	319.36		0.00	5									
2020-10	9/15/2020	Y	Y			14000 Fiesta Road		No application					-	20-1126	Sub Improv	Remodel	275,067.00	6,560.00			50.00	
2020-11	9/28/2020	Y	Y			118A 78th Street		No application					-	20-1807	New	Demo	350,000.00	8,817.00			-	
2020-12	11/16/2020	Y	N		Approved	3903 Atlantic Ave, Unit 103	4/28/2020		04/28/2020			0.00	2									
2020-13	11/24/2020	Y	N		Approved	107 Convention Center Dr, Unit 12	2020		01/28/2021			(82.78)	2									
2020-14	11/22/2020	Y	Y		Approved	9003 E. Biscayne Drive	4/20/2022		05/26/2022			0.00	1	20-2470	New	Demo	235,000.00	7,259.00			146.00	
2020-15	11/27/2020	Y	Y		Approved	13803 Fiesta Road	11/30/2021		08/03/2022			0.00	2	21-737	New	Vacant	245,000.00	9,123.77			-	
2020-16	12/18/2020	Y	N		Approved	203 Old Landing Road	12/21/2020		07/30/2021			0.00	1									
2020-17	8/18/2020	Y	Y		Approved	13600 Fiesta Road, Lot 27	12/21/2021		08/25/2023	2,500.00		0.00	1	20-2091	New	Vacant	375,000.00	11,409.31			-	
2020-18	8/17/2020	N	Y	N	Not Approved	13313 Ocean Dive	3/10/2011		03/10/2011				-	20-1490	Remodel	Remodel	20,000.00					
2020-19	8/14/2020	Y	Y	N	Withdrawn	154 Sunshine Lane	8/7/2020		Sold 12/22/20				-	None		Demo						
2020-20	8/17/2020	N	Y		Not Approved	4 Hidden Cove Way Unit 2B	7/1/2020		Sold 2/21/23				-									
2020-21	8/17/2020	Y	Y			172 Sunshine Lane							-									
2020-22	8/31/2020	Y	Y		Not Approved	185 Beachcomber Ave							-									
2020-23		Y		Y	Not Approved	210 Worcester St. #311	7/23/2009						-									
2020-24	11/18/2020	Y	N		Not Approved	9500 Coastal Hwy, Unit 4J		Sept 2017-Apr 2023 owned					-									
2020-25	11/24/2020	Y	Y		Not Approved	4017 Atlantic Ave			03/17/2021				-	20-2408	Remodel	Remodel	20,000.00					
2020-26	12/1/2020	Y	N		Not Approved	10340 Tudor Road			08/23/2019				-									
2020-27	12/2/2020	Y	N		Not Approved	12508 Selsey Road			11/16/2020				-									
2021-01	1/5/2021	Y	N		Approved	158 Winter Harbor Drive			02/02/2021			0.00	2									
2021-02	1/19/2021	Y	N		Approved	146 Seabreeze Drive			11/13/2023			2500.00	-	21-0157	New	Vacant	218,490.00	8,255.00				
2021-03	1/22/2021	Y	N		Approved	156 Channel Buoy Road			9/1/2020			0.00	1	19-2244	New	Demo	504,905.00	12,757.00				
2021-04	6/10/2021	Y	N		Approved	14014 Fiesta Road			10/18/2023			2500.00	-	21-1551	Sub Improv	Remodel	238,000.00	5,954.00			366.00	
2021-05	6/18/2021	Y	N		Approved	204 N Heron Drive Unit 10			7/14/2021			0.00	2									
2021-06	6/22/2021	Y	N		Approved	9000 Caribbean Drive			2/24/2023			0.00	1	21-1417	New	Demo	475,000.00	13,782.43				
2021-07		Y	N		Approved							2500.00	-									
2021-08	11/23/2021	Y	N		Approved	13906 Fiesta Road			3/16/2022			0.00	1									
2021-09	11/13/2021	Y	N		Approved	9313 Mediterranean Dr			12/21/2022	446.62		0.00	2	22-082	New		175,000.00	8,802.00				
2022-01	3/23/2022	Y	N		Approved	1921 Marlin Drive	5/2/2022		Sold to trust			0.00	2									
2022-02	6/4/2022	Y	N		Approved	9104 Caribbean Drive	12/1/2022		2/16/24	383.65		0.00	1									
2022-03	6/4/2022	Y	N		Approved	168 Sunshine Lane	3/9/2021		Sold 11/3/22			1259.54	1									
2022-04	6/7/2022	Y	N		Approved	13707 Fountain Road	2/1/2022		5/23/2024	423.17		0.00	3									

Town of Ocean City, Maryland
Primary Residence Incentive Program

Application				Applicant		SDAT (Date)		Tax Rebate (FY, max \$2,500)				Building Permit Info				Building Permit (FY, max \$7,500)				Notes				
#	Date	Tax Rebate	Bldg Permit	Affidavit Signed	Approved/Not Approved	Address	Date of Primary Residence	Application	Approval	2025	2026	Remaining	# Years (5 limit)	Permit #	New/Sub Improv/Re model	Vacant/Demo/Re model	Value	Total Fees	2025		2026	Remaining	OVER	
2022-05	6/15/2022	Y	N		Approved	609 Bayshore Dr Unit 34	11/1/2021		7/3/2024			0.00	1										Homestead pending 12 months	
2022-06	6/16/2022	Y	N		Approved	7601 Coastal Hwy Unit 303	5/18/2021		10/25/2023			0.00	2											
2022-07	6/16/2022	Y	N		Approved	601 Bayshore Dr Unit 14	5/1/2021		10/27/2023			0.00	1											
2022-08	6/20/2022	Y	N		Approved	1801 Atlantic Ave Unit 309	12/7/2020		5/6/2021			0.00	1											Homestead pending 12 months
2022-09	6/21/2022	Y	N		Approved	501 Edgewater Ave Unit 201	11/16/2021		10/25/2023	409.89		0.00	2											
2022-10	6/23/2022	Y	N		Approved	130 Jamestown Rd Unit A	6/24/2021		10/6/2021			0.00	2											
2022-11	6/24/2022	Y	N		Approved	521 Harbour Drive	9/15/2021		9/15/2021			0.00	1											
2022-12	6/28/2022	Y	N		Approved	405 Nautical Lane	4/27/2021		6/14/23			0.00	1											
2022-13	7/3/2022	Y	N		Approved	33 Fountain Drive West	5/6/2021		5/6/2021			0.00	1											
2022-14	8/9/2022	Y	N		Approved	7 51st Street, Unit 102	8/19/2020		3/27/2023			0.00	1											
2022-15	8/12/2022	Y	N		Approved	12201 Wight St, Unit 202	6/16/2021		7/19/2021			0.00	1											
2022-16	7/27/2022	Y	Y		Approved	180 Clamshell Road	1/1/2022		10/12/2023			0.00	2	21-739	New	Demo	165,000.00	4,309.33				232.33		
2022-17	7/14/2022	Y	N		Approved	106A 120th St, Unit 104			2/27/2023	798.56		0.00	3											1ST HALF 2023
2022-18	8/26/2022	Y	N		Approved	7601 Coastal Hwy Unit 210			6/9/2020			0.00	1											
2022-19	9/11/2022	Y	N		Approved	7601 Coastal Hwy Unit 311			10/20/2023			0.00	2											
2022-20	9/15/2022	Y	N		Approved	10 130th Street Unit 204S			NONE			1546.37	1											
2022-21	10/6/2022	Y	Y		Approved	142 Clam Shell Road			9/22/2022			881.09	1	21-74	New		150,000.00	5,521.37				255.37		Homestead pending NOTIFY Possible tax exempt 3.24.2023
2022-22	6/7/2022	Y	N		Approved	208 7th Street Unit 2			NONE			0.00	2											
2022-23	10/24/2022	Y	N		Approved	731 Hurricane Road			11/18/2022	577.65		0.00	3											
2022-24	11/30/2022	Y	N		Approved	11604B Shipwreck Road			6/6/2022	555.18		0.00	3											
2023-01		N	N		Not Approved	13333 Constitutional Ave			7/6/2018															Residency established prior to program
2023-02		Y	N		Approved	11204 Coastal Hwy Unit 4D			11/27/2023			0.00	2											FINAL
2023-03		Y	N		Approved	407 St. Louis Ave Unit E						1860.84	2											Pending homestead, NOTIFY
2023-04		Y	N		Approved	185 Pine Tree Road			3/16/2022			0.00	1											FINAL
2023-05		Y	N		Approved	13 131st Street Unit #107			Sold (1/26/24)			0.00	1											FINAL
2023-06	12/7/2022	Y	Y		Approved	670 94th Street			12/29/2023	1,182.77		107.73	2	21-2493			130,000.00	3,338.00				-		
2023-07	6/6/2023	Y	N		Approved	11 142nd Street Unit 423	5/18/2021		8/10/2023	1,184.84		103.55	2											
2023-08	3/24/2023	Y	N		Approved	710 Gulf Stream Drive	2/9/2021		2/9/2021			0.00	1											FINAL
2023-09	3/27/2023	Y	N		Approved	144 Clam Shell Road	8/26/2020		10/27/2020				1											FINAL
2023-10	9/15/2023	Y	N		Approved	2818 Gull Way			1/24/2023				1											FINAL
2023-11	10/19/2023	Y	Y		Approved	10625 Pine Needle Road	9/1/2024						-	23-1864			433,000.00	10,931.11				-		Pending SDAT confirmation of residency, 2024 taxes paid
2023-12	10/19/2023	Y	Y		Approved	13809 Fountain Road	12/13/2024		6/28/2024	699.75		1800.25	1	23-1372			228,000.00	5,095.00				1,447.00		Construction complete, residency established
2023-13	9/6/2023	Y	N		Approved	11400 Coastal Hwy Unit 5D			1/10/2024	1,010.01		457.16	2											
2023-14	10/16/2023	Y	N		Approved	2835 Gull Way			6/29/2023	37.42		0.00	2											FINAL
2024-01	1/15/2024	Y	N		Approved	8500 Coastal Hwy #602			2/14/2024	1,218.92		34.62	2											
2024-02	12/8/2023	Y	N		Approved	7601 Coastal Hwy #306			8/15/2024	1,008.23		0.00	2											FINAL
2024-03	9/12/2023	Y	N		Approved	730 Laurel Ave			None Approved 10/28/24				-				733,000.00	14,281.46						Pending building permit, Pending residency and taxes paid
2024-04	1/29/2024	Y	Y		Approved	900 Edgewater Ave							-	23-2393	New		1,000,000.00	15,848.00				-		Pending building permit, Pending residency and taxes paid
2024-05	2/21/2024	Y	N		Approved	121 81st Street #606			4/5/2023	409.89		0.00	2											FINAL
2024-06	2/23/2024	Y	N		Approved	13 44th Street #405			1/5/2024	378.42		573.68	2											FINAL
2024-07	3/11/2024	Y	N		Approved	216-1 N. Heron Drive			5/7/2021			0.00	1											FINAL
2024-08	1/24/2024	Y	Y		Approved	10617 Point Lookout Road	12/28/2023		2/1/2024			554.50	1	22-1745	New	Demo	827,000.00	19,835.50				-		Pending 2024 tax payment
2024-09	3/18/2024	Y	N		Approved	106A 120th Street, Unit 201	5/1/2023		5/15/2024	1,322.05		1008.96	2											

Town of Ocean City, Maryland
Primary Residence Incentive Program

Application					Applicant		SDAT (Date)		Tax Rebate (FY, max \$2,500)				Building Permit Info				Building Permit (FY, max \$7,500)				Notes			
#	Date	Tax Rebate	Bldg Permit	Affidavit Signed	Approved/Not Approved	Address	Date of Primary Residence	Application	Approval	2025	2026	Remaining	# Years (5 limit)	Permit #	New/Sub Improv/Re model	Vacant/Demo/Re model	Value	Total Fees	2025	2026		Remaining	OVER	
2024-10	5/31/2024	Y	Y		Approved	703 Harbour Drive	9/21/2023		5/22/2024	1,500.66		0.00	2	23-0078	New		198,720.00	5,213.61			216.09		FINAL	
2024-11	6/4/2024	Y	N		Approved	106A 120th Street, Unit 309			2/22/2024	1,258.17		920.18	2											
2024-12	3/25/2024	Y	Y		Approved	606 Westway Drive	5/1/2024		4/29/2024	2,018.34		0.00	2	20-2469, 24-1400	Sub Improv		225,000.00	8,230.00	1,149.00		-			FINAL
2024-13	6/6/2024	Y	N		Approved	207 Windward Drive, Unit 1E			4/8/2021			0.00	1											FINAL
2024-14	6/10/2024	Y	N		Approved	13802 Fountain Road			6/11/2024	1,241.49		623.74	2											
NO #	6/11/2024	Y	N			13510 Wight Street			12/12/2017				-											Homestead in 2017, not qualified
2024-15	6/11/2024	Y	N		Approved	156 Sandy Hill Drive			12/16/2019			0.00	1											FINAL
2024-16	6/21/2024	Y	N		Approved	143 Jamestown Road, Unit 1			12/12/2019	2,500.00		0.00	1											FINAL
2024-17	7/2/2024	Y	N		Approved	2817 Gull Way			8/28/2023	2,217.49		282.51	1											
2024-18	8/22/2024	Y	N		Approved	8407B Atlantic Ave				2,500.00		0.00	1											Homestead within 1 year
2024-19	8/19/2024	Y	N		Approved	1101 Philadelphia Ave, Unit 5				470.19		2029.81	1											Homestead within 1 year
2024-20	9/5/2024	Y	N		Approved	10 143rd Street, Unit 205	7/12/2024			899.22		1600.78	1											
2024-21	9/5/2024	Y	Y			310 Oyster Lane	Pending						-	24-1634	New	Demo	435,000.00	11,380.00			7,500.00			
2024-22	10/16/2024	Y	N		Approved	13210 Peach Tree Road	2/16/2024			1,341.08		1158.92	1											Homestead within 1 year
2024-23	10/24/2024	Y	Y		Approved	184 Sunshine Lane	7/24/2024					2500.00	-	23-2065	New		196,405.00	5,583.24	5,366.48			216.76		Homestead within 1 year, 24 tax does not include structure value
2024-24	7/8/2024	Y	N		Disqualified	200 59th Street, Unit 508	6/27/2024			-			1											DISQUALIFIED Rebate returned
2025-01	3/4/2025	Y	Y		Approved	7 43rd Street	7/21/2024			915.16		1584.84	1	24-0871			40,000.00	2,324.00			2,324.00			PARTIAL QUALIFIED/Apartment B only (60% area)
2025-02	2/28/2025	Y	N		Approved	207 Windward Drive, Unit 3E				327.23		2172.77	1											
2025-03	1/15/2025	Y	N		Approved	13601 Barge Road				1,098.23		1401.77	1											
2025-04	1/23/2025	Y	N		Approved	705 Anchor Chain Road				708.54		1791.46	1											
2025-05	3/3/2025	Y	N		Approved	106A 120th Street, Unit 107				369.08		2130.92	1											
2025-06	3/5/2025	Y	N		Approved	315 136th Street				1,997.68		502.32	1											
2025-07	3/31/2025	Y	N		Approved	13112 Atlantic Boulevard				587.78		1912.22	1	Pending	Remodel		TBD	TBD						* Primary residence in 2024
2025-08	4/22/2025	Y	N		Approved	14301 Light House Avenue				97.15		2402.85	1											
2025-09	4/22/2025	Y	N		Approved	5405 Coastal Highway, Unit 417				946.28		1553.72	1											
2025-10	4/25/2025	Y	N		Approved	9301 Atlantic Avenue, Unit 304				468.80		2031.20	1											
2025-11	6/6/2025	Y	N		Approved	500 S Surf Road	9/1/2023			1,096.76		1403.24	1											
2025-12	5/30/2025	Y	N		Approved	909 Philadelphia Avenue	5/22/2024			198.15		2301.85	1											Verify Homestead with 2025 Tax Rebate

Town of Ocean City, Maryland
 Primary Residence Incentive Program
 Budget Information

RECONCILIATION

Fiscal Year	Budget	Tax Rebate	Building Permit	Remaining	TAX REBATE AS400 BLDREB 001-0000-301.10-00	BUILDING PERMIT AS400 BLDREB 001-0000-323.31-00	Bldg Waivers remove from fees (no Project code)	Total Building Permit	If ERROR message, check Tax Rebate	If ERROR message, check Building Permit
2019	50,000.00	-	-	50,000.00						
2020	50,000.00	-	-	50,000.00						
2021	50,000.00	12,163.92	106,197.64	(68,361.56)	12,163.92	31,891.64	74,306.00	106,197.64		
2022	50,000.00	22,177.19	-	27,822.81	22,177.19			-		
2023	50,000.00	59,864.81	20,181.00	(30,045.81)	59,864.81	20,181.00		20,181.00		
2024	50,000.00	52,498.80	44,996.52	(47,495.32)	52,498.80	29,996.52	15,000.00	44,996.52		
2025	50,000.00	39,623.86	6,515.48	3,860.66	39,623.86	6,515.48		6,515.48		
2026	100,000.00	-	-	100,000.00				-		
2027	100,000.00	-	-	100,000.00				-		
2028	100,000.00	-	-	100,000.00				-		
2029	100,000.00	-	-	100,000.00				-		
2030	100,000.00	-	-	100,000.00				-		
2031	100,000.00	-	-	100,000.00				-		
2032	100,000.00	-	-	100,000.00				-		
2033	100,000.00	-	-	100,000.00				-		
2034	100,000.00	-	-	100,000.00				-		
2035	100,000.00	-	-	100,000.00				-		
2036	100,000.00	-	-	100,000.00				-		
2037	100,000.00	-	-	100,000.00				-		
2038	100,000.00	-	-	100,000.00				-		
2039	100,000.00	-	-	100,000.00				-		
2040	100,000.00	-	-	100,000.00				-		
2041	100,000.00	-	-	100,000.00				-		
2042	100,000.00	-	-	100,000.00				-		
2043	100,000.00	-	-	100,000.00				-		
2044	100,000.00	-	-	100,000.00				-		
2045	100,000.00	-	-	100,000.00				-		
2046	100,000.00	-	-	100,000.00				-		
2047	100,000.00	-	-	100,000.00				-		
2048	100,000.00	-	-	100,000.00				-		
2049	100,000.00	-	-	100,000.00				-		
2050	100,000.00	-	-	100,000.00				-		
2051	100,000.00	-	-	100,000.00				-		
2052	100,000.00	-	-	100,000.00				-		
2053	100,000.00	-	-	100,000.00				-		
2054	100,000.00	-	-	100,000.00				-		
2055	100,000.00	-	-	100,000.00				-		
2056	100,000.00	-	-	100,000.00				-		
2057	100,000.00	-	-	100,000.00				-		
2058	100,000.00	-	-	100,000.00				-		
2059	100,000.00	-	-	100,000.00				-		
2060	100,000.00	-	-	100,000.00				-		



Town of Ocean City Internal Audit Report

Audit/Task: Impound Lot Audit
Department: Public Works
Report Date: July 30, 2025
Audit Grade: Satisfactory

Prepared by Karin Scott

Audit/Task # Year – Impound Lot Audit/ 2025-01

Date of Engagement: - July 2025

Introduction

The Town of Ocean City enacted an ordinance that governs the activities and fee structures of towing companies operating within the Town. The town utilizes multiple towing companies to transport vehicles to the impound lot. Each tow company must meet certain requirements and follow specific guidelines before being added to the tow company rotation list. The towing companies are licensed yearly by the Ocean City Police Department. Tow companies are required to employ trained staff and must adhere to an established fee structure by the Town. Towing companies are selected from the rotation list in Communications for police related tows. Private towing is selected by the property owner, with the tow company's name clearly marked on the tow signs. The Ocean City Police Department handles all tow company billing and payments for impounded vehicles. The Impound Lot is available for impounds and releases 24 hours a day, 7 days a week.

The Town of Ocean City's Public Works Department includes an Impound Lot Division. This division is responsible for the impoundment of vehicles that violate traffic regulations, blocking streets and/or rights of way, illegally parked, abandoned, or confiscated by the Ocean City Police Department as part of an investigation.

The impound lot is located between 66th and 67th Streets in Ocean City. The impound lot can store 110 vehicles. When vehicles are impounded, owners have approximately two months to retrieve their vehicle; otherwise, it will be sent to auction, unless it is under law enforcement hold.

The Deputy Director of Public Works oversees Impound Lot operations, which are staffed by 2 full-time employees and 1 seasonal part-time employee, from May through October. Employees are responsible for inventory, documentation, oversight of impounded vehicles' entry and exit, verification of paperwork, and vehicle inspections.

The Ocean City Police Records Department is responsible for the administrative activities associated with vehicles that are towed and impounded. The administrative tasks include providing required notices, collecting tow and impound fees, tracking tows for payment to the towing companies, verifying ownership, and overseeing the disposition of impounded vehicles.

The Procurement Department is responsible for both auctioning and sending vehicles to salvage if they are not purchased. Auctions are held periodically on GovDeals.com, following the Records Division's advertisement of the vehicles to be auctioned. Vehicles not purchased or trailers without vehicle identification numbers are sent to the salvage yard.

Purpose

The purpose of this audit is to determine whether the Impound Lot Division has established clear internal controls for inventory tracking, asset security, and administrative policies and procedures, ensuring that daily operations are effective and efficient.

Objectives

Outlined below are the objectives of the audit:

1. Review policies and procedures.
2. Review revenues and expenditures.
3. Review inventory tracking and physical controls of assets within the Impound Lot.
4. Interview management to understand the operations.

Evaluation and Comments

The Internal Auditor performed the following procedures to accomplish the audit:

1. Reviewed and evaluated all documented policies and procedures.
2. Reviewed vehicle records relating to releases and disposals.
3. Reviewed a sampling of vehicles to confirm impound length before disposal and verified disposal method.
4. Reviewed a legal inquiry relating to vehicle title and registration before auction and completion of required forms.
5. Observed the impound lot and its inventory.
6. Interviewed management to gain an understanding of operations.

The operations of the Impound Lot Division adhere to established policies and procedures. Attendants are responsible for maintaining control of all impounded property and conduct a daily inventory. Details about the impounded vehicles are recorded in the Vehicle Impound Record. The facility is secured with a gated and locked entrance, and surveillance cameras monitor the lot for added security. Each impounded item is assigned an identification number, and it may also be designated for auction or placed under police hold.

The Ocean City Police Department Records Division adheres to established policies and procedures for managing impounded property. All payments are processed within the Police Department, and property owners receive documentation when retrieving their belongings from the Impound Lot. If property remains unclaimed, the Records Division conducts research to verify ownership, issues necessary notifications to the owner, and manages the disposition of the impounded property, which includes advertising the items for auction.

The Town's Procurement Department follows established policies and procedures for the auction process on GovDeals.com if the property remains unclaimed. If the property does not sell during the auction, Procurement coordinates the salvage of the property.

The Town's revenues exceed expenditures for towing and impound lot fees.

Fiscal Year	# Tows	Revenue (\$)	Expenditure (\$)
2023	956	426,620	282,420
2024	1070	474,772	314,710
2025	792	380,160	232,630

Proceeds from auctioned or salvaged property in the impound lot are added to the General Fund.

The Police Department currently uses a module in the CAD system for towing. The Deputy Director of Public Works and the Communications Division Manager have discussed further exploring the use of this module, which is already being utilized by the Town, in Fall 2025. This effort aims to streamline the impound lot process and would incur no additional costs for the Town.

The impound lot vehicle storage area contains 110 designated parking spots and is secured with a locked gate and surveillance cameras. This area stores not only vehicles but also other items such as ATVs, bicycles, scooters, and trailers. The impounded vehicles may have body or engine damage, which could lead to fluid leaks and pose environmental hazards. It is recommended that a procedure be established for impound lot attendants to inspect for any leaks and report their findings.

Findings and Recommendations

1. Policies and Procedures

a. Documented policies and procedures

- i. Town of Ocean City Ordinance 2020-09 and subsequent ordinance 2022-20 and 2025-07 and resolutions 2022-14 and 2022-15 address the procedures for all aspects of towing within the Town of Ocean City.
 1. Current tow rates are published on the Ocean City Police Department's website under Towed Vehicle Info. (Appendix "B")
- ii. The Impound Lot has documented policies and procedures that outline the mission, full-time and seasonal positions, property accountability, security of the impound lot, fuel depot responsibilities, and tow company procedures. (Appendix "C")
- iii. The Records Management division of the Ocean City Police Department has documented General Orders, Departmental Policy 502 Vehicle Towing, and a Records Management Procedure Manual, which outlines the department's responsibilities for handling items placed in the Impound Lot by the OCPD. Information about towing is also found on the department's website.
- iv. The Procurement Department has documented procedures for vehicles that will be sent to auction on Govdeals.com or salvaged if not sold in the auction.

b. Recommendation

- i. The current policies and procedures have been reviewed; however, no specific recommendations for change or improvement are proposed.

c. Management Response

- i. Policies and Procedures – no management response required.

2. Review of impounded vehicle records.

- a. Reviewed the impound lot listing to verify inventory.
 - i. April 2025 impound lot listing was verified against the inventory in the impound lot. All inventory was located.
- b. Reviewed and compared the impound lot listing, Police Records listing, and Police Fiscal billing.
- c. Reviewed a sampling of two vehicles impounded during April 2025 to include the impound lot listing, Police Records listing, Police fiscal billing, and public notice of auction for those vehicles.
- d. Reviewed paperwork for impounded vehicle, showing the legal inquiry for vehicle title and registration before auction. This includes police records notifying the vehicle owner about its impoundment.
- e. Recommendation
 - i. No recommendations at this time.

f. Management Response

- i. No management response is required.

3. Interviewed Management to understand operations.

a. Impound Lot

- i. Reviewed the following with the Deputy Director of Public Works and the Impound Lot Attendant:

- 1. Reviewed the procedures followed when a tow is presented for impoundment.
 - a. Physical inspection of the vehicle is performed when entering the lot.
 - b. Vehicle is assigned an inventory control number. This number is placed on the windshield.
 - c. Vehicle information is verified and entered into a tracking spreadsheet.
 - d. Vehicle information is filed.
 - e. Vehicle inventory is completed daily.
 - f. Vehicles are released once the owner pays the impound fees at the Police Department and provides the appropriate paperwork to the Impound Lot.
- 2. Reviewed the impound lot inventory log.
- 3. Walked the impound lot and compared the inventory log to the vehicles on the lot. The Deputy Director of Public Works explained the security of the Town's impound lot and the proximity of cameras.

- iii. The Deputy Director of Public Works provided written policy and procedures for the Impound Lot.
 - b. Police Records and Fiscal Divisions
 - i. Met with the Police Records Supervisor and the Police Records Technician in charge of tows and impoundment of vehicles.
 - 1. Reviewed the procedures followed as outlined by the Town Ordinance 2020-09 (Appendix "D" – beginning with page 16, previous Article was deleted from the ordinance) and Police Policy 502 (Appendix "E").
 - 2. Discussed the procedures followed for tows presented to the impound lot.
 - a. Records receives a copy of the tow summons and report from the Impound Lot or Police Front Desk.
 - b. Search of registered owner is completed. A certified letter is sent within one business day of a vehicle being towed. This letter notifies the vehicle owner that their vehicle has been impounded and will be sold at public auction after 21 days.
 - c. If the vehicle is claimed by the owner, the owner must present proof of identification. Registered owners may also give written permission for pickup of the vehicle; however, proof of identification is required for the individual permitted to claim the vehicle.
 - d. Records requests a VIN (Vehicle Identification Number) verification from Procurement.
 - e. If the vehicle is not claimed after 3 weeks, vehicles are advertised for auction. Advertisements run for 3 weeks.
 - f. A tow log is maintained by Records and shared with the Police Fiscal division to provide payment to tow companies.
 - 3. Police Fiscal verifies tow company requests for payment with the Police Records logs.
 - 4. Police Records controls and handles all cash and credit card payments for the release of impounded vehicles. Documentation of payment is provided to the registered owner to retrieve their property from the Impound Lot.
- c. Procurement
 - i. After Records completes the process of finding owners of impounded vehicles, a list of VINs is sent to Procurement.
 - ii. Once verified, the vehicles can be listed in the paper by Records for 3 consecutive weeks.

- iii. If the vehicle is not claimed, vehicles are then placed on Govdeals.com for 7 days.
- iv. If vehicles are not sold on Govdeals.com through the bid process, vehicles are sent to salvage.
- v. Any trailers without VINs are sent to salvage.
- d. Recommendation
 - i. . No recommendations at this time.
- e. **Management Response**
 - i. **No Management Response is required.**

4. Revenues vs. Expenditures

- a. Total Tow Revenues for fiscal years 2025, 2024, and 2023:

**Total Tow Revenue
Police and Private Tows (001-0000-351-10-00 & 12-00)**

	2025	2024	2023
July	83,400.00	92,635.00	75,850.00
August	53,342.50	61,210.00	61,469.98
September	29,245.00	37,480.00	46,155.00
October	26,087.50	32,615.00	32,105.00
November	7,745.00	7,005.00	13,696.00
December	10,160.00	23,595.00	20,079.00
January	6,340.00	13,450.00	11,765.00
February	13,585.00	16,315.00	13,185.00
March	9,370.53	25,255.00	14,270.00
April	30,005.00	17,331.17	29,575.00
May	44,725.00	69,995.00	43,053.00
June	66,155.00	77,886.16	65,417.62
	380,160.53	474,772.33	426,620.60

Note: 2025 fiscal year has not been closed, final June may be adjusted.

- b. Total Tow Expenditures for fiscal years 2025, 2024, and 2023:

**Total Tow Expenditures
001-2101-421-55-34**

	2025	2024	2023
July	39,490.00	51,105.00	60,840.00
August	29,503.00	30,540.00	34,120.00
September	17,605.00	20,530.00	27,680.00
October	3,420.00	35,880.00	23,820.00
November	28,085.00	21,480.00	6,155.00
December	5,210.00	10,990.00	10,625.00
January	24,700.00	9,845.00	17,795.00
February	7,305.00	5,385.00	4,675.00
March	3,305.00	11,915.00	3,280.00
April	6,670.00	7,485.00	17,555.00

May	13,625.00	21,215.00	10,305.00
June	53,712.00	88,340.00	65,570.00
	232,630.00	314,710.00	282,420.00

Note: 2025 fiscal year has not been closed, final June may be adjusted.

- c. Revenues exceeded expenditures each fiscal year for towing due to the following practices:
 - i. The Police Department ensures that towing expenditures are not paid to tow companies without verification of the tow.
 - ii. The Impound Lot does not release property without the release paperwork from the Police Department.
 - d. Govdeals.com proceeds are deposited into the general fund for impounded and police-hold vehicles. Whereas, proceeds from town-owned vehicles that are auctioned are deposited into the Vehicle Trust account.
 - i. Reviewed two auctioned vehicles from initial impound through auction.
 - 1. 2017 Mini Cooper, towed 3/17/25
 - a. Initial tow \$285, accrued storage costs \$3,900
 - b. Govdeals auction 6/5/25 proceeds \$5,800
 - 2. 2008 Toyota Camry, towed 4/3/25
 - a. Initial tow \$285, accrued storage costs \$3,100
 - b. Govdeals auction 6/5/25 proceeds \$1,150
 - ii. Fiscal year 2025 proceeds from Govdeals.com for impounded property totaled \$95,667.46.
5. CAD System Option
- a. Discussed the option of utilizing the Communications CAD system with the Deputy Director of Public Works and the Communications Division Manager for the Impound Lot.
 - i. The Communications Division Manager showed the CAD system module that is currently in use by the Police Department for towing.
 - ii. The Communications Division Manager showed how the CAD system could be utilized by the Impound Lot, streamlining the process by tracking vehicles towed, impounded, stored and released. Vehicle inventory reports can also be produced.
 - iii. The Deputy Director of Public Works is interested in pursuing this option; however, review of the option will be in the fall of 2025.
 - b. Recommendation
 - i. Review the option of transferring from a manual impound process to the electronic option offered with the CAD system already in operation.

c. **Management Response –**

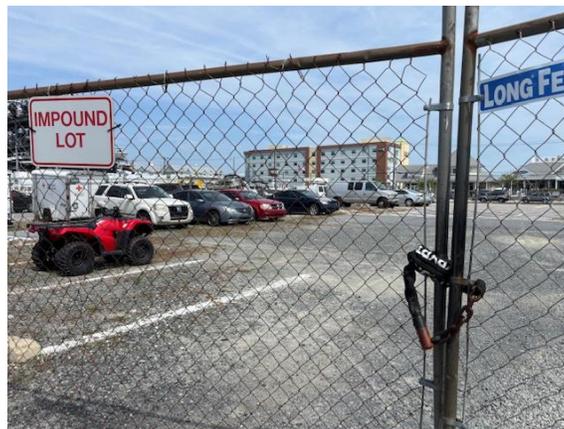
Both Jon Anthony and I met with Glen McIntyre in the spring to review the CAD system and its operation, as well as the parameters we would establish for our impound lot attendants. During our discussion, we established some parameters and requested that Jon and I have full capabilities for the program. We are now waiting for permission and the program's installation. We will contact Glen in the fall after the summer season concludes.

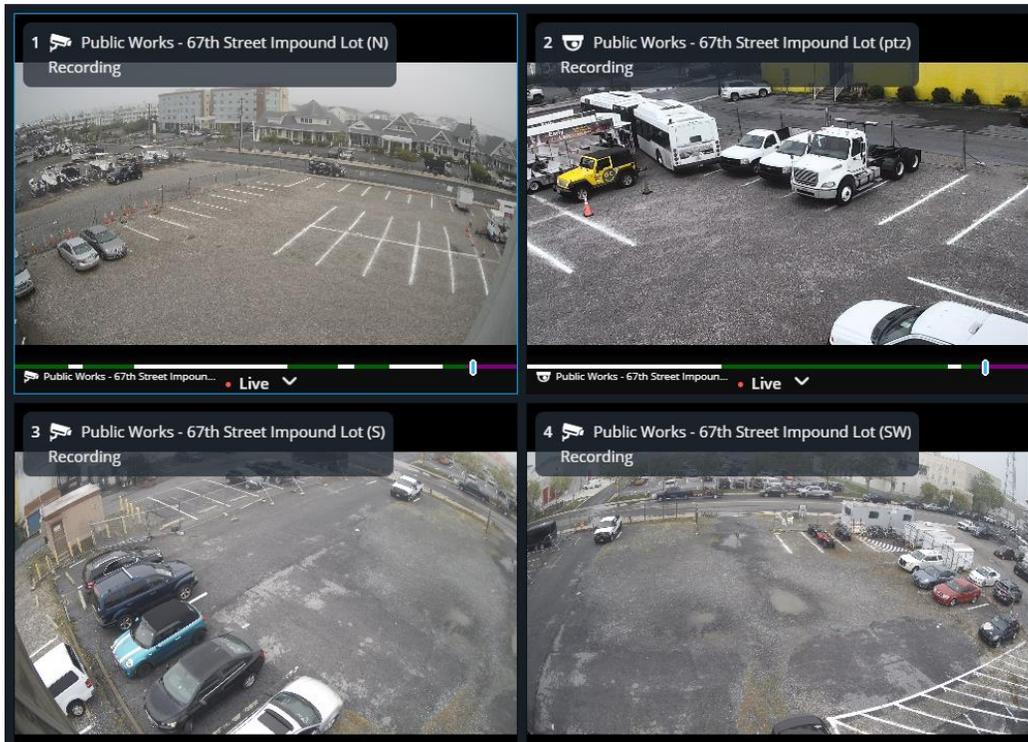
i.

6. Vehicle Storage

a. Facility

- i. Located between 66th and 67th Streets across from Police Headquarters.
- ii. Ample parking for vehicles is available in designated spots in a locked, gated lot.





iii. Vehicles include the tow log number on the windshield. An "A" on the windshield indicates Auction item, and an "H" on the windshield indicates a police department hold.



iv. Other items stored can include ATVs, bicycles, scooters, trailers, electric bicycles, etc.

b. Storage of property

- i. Property is stored within a gated, locked lot to safeguard property from theft.
 - ii. Property located in the impound lot is not protected from weather elements. Operational Support Technicians document the condition of the impounded property, including keys, damaged or broken glass, body damage, and any visible signs of property damage. Technicians do not enter any vehicle and do not close windows or sunroofs, etc.
 - iii. Impounded vehicles may have body damage and/or engine damage that is unknown to the impound lot attendants. As a result, fluids (i.e., fuel, diesel, coolant, motor oil, transmission fluid, power steering fluid, brake fluid, lubricants, etc.) could leak from impounded vehicles. Although no leaks were observed during the audit, vehicle fluid leaks could pose environmental health hazards and expose the Town to fines from the Environmental Protection Agency. Part of the impound lot attendant's inventory process should include observation of any fluid leaks.
- c. Recommendation
- i. Part of the impound lot attendant's inventory process should include observing any fluid leaks. If leaks are observed, proper containment and clean-up of the fluid should be addressed.

d. Management Response

Both Jon Anthony and I discussed on how the process would work with what we currently have in the impound lot. We currently have a log sheet where we record all our impounds coming into the lot and out going. We added another tab to the log sheet, allowing our attendants to record any leaks they find when checking the lot. We have also instructed the attendants to notify us when if they should see any high.

Conclusion

The process of impounding property involves following documented policies and procedures consistently across all departments involved in the impoundment. The Impound Lot has the potential to enhance efficiency by implementing the Computer-Aided Dispatch (CAD) system towing module. This module will provide an electronic system for processing property within the impound lot. Additionally, as part of the daily inventory assessment, the lot should evaluate vehicles for any fluid leakage.

Acknowledgments

I would like to express my gratitude to the Public Works and Impound Lot Department, Ocean City Police Records and Fiscal Divisions, Procurement, and Communications for their

cooperation and responsiveness to my requests, questions, recommendations, and suggestions throughout the audit.

Participants

Glen McIntyre, Communications Division Manager

Earl Cecil, Records Technician

Dawn Leonard, Purchasing Associate

Cathy Potter, Records Supervisor

Elizabeth Rankin, Operational Support Tech, Impound Lot

Karin Scott, Internal Auditor

Scott Wagner, Deputy Director, Public Works

Appendix "A"

Evaluation and Grading of Audits

Each audit will be evaluated or graded and will receive one of the three following ratings. Grades will be assigned based on the perceived best fit. Thus, not all attributes associated with an assigned grade may be present within a given Department or Division.

- **Satisfactory** – No significant weaknesses or operational issues were noted during the audit. If any issues were noted, they did not materially detract from the department or division's ability to deliver services or accomplish goals and objectives. Overall, systems of internal control are effective and management oversight is adequate and effective.
- **Needs Improvement** – Weaknesses or issues detrimental to operational efficiency or effectiveness existed within the audited area and were encountered frequently enough to lose the appearance of isolated. Issues noted were strongly suggestive of an impaired ability to provide services at needed levels or to accomplish goals and objectives successfully. Internal control mechanisms may not be universally in place, implemented, or actively observed. Management oversight is weak.
- **Unsatisfactory** – Material or significant issues were noted with the operations under review. Issues posed risks that were mission fatal; the department or division could not successfully acceptably deliver services. Management failed to implement appropriate internal control mechanisms. Management oversight is ineffective, absent, or willfully avoided.

Appendix "B"

TOWED VEHICLES IN OCEAN CITY

Vehicles may be towed and impounded for a variety of reasons either at the request of the police department or private property owners or managers. All vehicles towed within the corporate limits of the Town of Ocean City are taken to the impound lot located at the Police Department at 6501 Coastal Highway, Ocean City, MD 21842. Vehicles may be picked up by the registered owner 24 hours per day.

The towing fees are:

Standard Tow Fee: \$250

Accident Tow Fee: \$325

Use of a dolly: \$35

Administrative Fee: \$50

Storage: \$50/calendar day

Use of specialized Equipment \$600 additional

Cash and credit cards are accepted forms of payment.

Vehicle owners will be asked to provide a valid driver's license. Registration and proof of insurance may be required in instances where ownership of the vehicle is questioned.

For inquiries about specific vehicles, call 410-723-6608 during normal business hours Monday through Friday. After May 22, calls may be made 7 days a week. Outside of normal business hours, call 410-723-6610.

Property owners must update their tow sticker at City Hall and must have a chosen tow company posted on their blue tow sign.



Appendix "C"



TOWN OF OCEAN CITY Impound Lot

Operational Support Tech

(Updated 05/08/2025 - SAW.)

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1. INTRODUCTION

- a. Welcome to the Ocean City Impound Lot. The Impound Lot attendants (Operational Support Tech) have many duties throughout the day, along with other procedures they have to perform.
- b. The Impound lot is staffed by two full-time employees and one part-time employee, who is employed from May through October. During the summer months, we cover the impound lot from 8:00 AM until 12:00 PM, and our police department covers it from 12:00 PM until 8:00 AM. During the winter months, Monday through Thursday, 8 am until 4 PM (Our Police cover the rest of the hours), Friday, Saturday, and Sunday, we cover from 8 AM until 12 PM (Our police cover from 12 PM until 8 AM)
- c. "The Town of OC always seeks to employ the most qualified individuals for all positions; consequently, being employed for a position one season does not automatically lead to re-employment during a future season. Selection of all employees remains a departmental management responsibility".

2. MISSION STATEMENT

"Our goal is to provide efficient, secure, and transparent vehicle impound services for the Town of Ocean City, ensuring the safe storage and timely processing of vehicles in accordance with local ordinances, while prioritizing respectful and helpful interactions with vehicle owners."

3. JOB DESCRIPTION

- a. Reports to: Parking Manager
Deputy Director
- b. **Position Summary – (Operational Support Tech)**
 - Provides operational and clerical support for both the Impound Lot and Fuel Depot. Duties include inventory, documentation, oversight of the entry and exit of impounded vehicles, verification of paperwork, inspections, routine maintenance, and backup support to the purchasing associate.
- c. **POSITION DETAILS**
 - Monday and Tuesday: Off
 - Wednesday and Thursday: Day Shift – 8 a.m. - 4 p.m.
 - Friday, Saturday, and Sunday: Second Shift – 4 p.m.- 12 a.m.
- d. **ESSENTIAL DUTIES AND RESPONSIBILITIES** include the following. Other duties may be assigned.
 - Accurately logs impounded vehicles in and out.
 - Conducts and clearly documents the results of a visual inventory of items contained in impounded vehicles. Inventory only includes items visible from outside the vehicle. *Entry of impounded vehicles is not permitted.*
 - Ensures assets do not leave the impound lot without a documented court or police release.
 - Ensures accuracy of all paperwork is filled out for impounded vehicles.
 - Communicates the discovery of any paperwork errors to appropriate authorities.

- Provides operational support for the Fuel Depot, including daily meter readings and completion of associated forms.
- Ensure inspections are completed periodically throughout the day and that the Fuel Depot meets all cleanliness requirements. Reports any finding to the Supervisor immediately.
- Provides support to the supervisor with end-of-month tasks and with other duties upon request.
- Is the first point of contact for Fuel Depot issues, to include:
 - Fuel spills
 - Mechanical issues
 - Resetting pumps
 - Etc.
- Must achieve and maintain Class C certifications in the management of the Fuel Depot.
- Provides support to the Purchasing Associate regarding the disposal of items located in the Impound Lot through Asset Disposal.

QUALIFICATIONS –

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

EDUCATION and/or EXPERIENCE

High school diploma or general education degree (GED); or one (1) to three (3) months related experience and/or training; or equivalent combination of education and experience.

LANGUAGE SKILLS:

Responsible for communicating with Police Department(s) and the public

Ability to read and comprehend simple instructions, short correspondence, and memos.

Ability to write simple correspondence.

Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

MATHEMATICAL SKILLS: Ability to add and subtract and to multiply and divide. Ability to perform these operations using units of United States currency and weight measurement, volume, and distance.

REASONING ABILITY: Ability to apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Ability to diffuse difficult situations.

PHYSICAL DEMANDS: The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit and talk or hear. The employee is frequently required to sit. The employee is occasionally required to walk; use hands to finger, handle, or feel; and reach with hands and arms. The employee must occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

WORK ENVIRONMENT: The work environment characteristics described here are representative of

those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee occasionally works near moving mechanical parts and in outside weather conditions and is occasionally exposed to wet and/or humid conditions. The noise level in the work environment is unusually moderate.

4. TEMPORARY EMPLOYEES / PROBATION

- In the first Year of your employment with the Impound Lot, you are considered on a probationary period.
- During this time, you must demonstrate your ability to perform the job, accept the responsibilities of an Operational Support Tech, and develop a positive and cooperative attitude and working relationship toward your career and fellow employees.
- If at any time during this probationary period, your Supervisor believes your work habits, job performance, or attendance are not meeting acceptable standards, they may suggest areas needing improvement. Should you fail to take the necessary action to correct these shortcomings, it may become necessary to terminate your employment.
- While we fully expect you to complete your probationary period satisfactorily, please remember that if you encounter any problems or difficulties in performing your work correctly, you should discuss them with your Supervisor.
- Please be aware that at all times your employment is "at will". In other words, there are no contractual obligations between you and the Town of Ocean City regarding your employment. You may exercise an option "at will" to terminate further employment with the Town. At the same time, the Town may exercise its own choice, "at will", to terminate your further employment at any time. Be advised that one of the conditions to be considered re-hirable is that we require a two-week notice before your resignation.

5. ATTENDANCE AND WORK SCHEDULES

• Seasonal Employees

- You are expected to work your assigned workdays and be on time. Attendance is a must.
- All shifts are as required.
- You will be assigned a minimum of two days off per week. In most cases, these will be the same throughout the season. However, operational necessity may dictate a change in your days off. **All changes in your schedule must be coordinated with your Supervisor.**
- A master attendance record of days missed, sick, or late is maintained on each employee and reviewed by your Supervisor.

• Sickness

- If you are too sick to work, you must call your Manager or Director. Four hours is considered sufficient advance notice. If you know you are going to be out for more than one day, please advise when you call in. Documentation of your illness after three days will be required. Excessive absence could result in suspension or termination from employment.

a. Lateness

- All Associates are expected to report for their shift by the assigned "punch-in" time.
- The Manager will handle all of the discipline.

Any further incidents of lateness can result in your termination.

No Show

- b. Each Operational Support Tech is expected to work their assigned schedule.
- c. The Parking Manager reviews all "no shows". The first "no show" receives a verbal warning. The second "no show" is cause for more discipline.

Requested Days Off

- d. The Parking Manager approves all days off. Please keep requests to a minimum and
- e. submit requests in as much advance as possible. Taking leave between Memorial Day and Labor
- f. Day is highly discouraged.

6. WORK SCHEDULES / TIMES

- a. All employees will be given a 30-minute, unpaid break when scheduled for more than six hours. This break allows you to consume your meal. If the operational situation dictates that you do not get your break, the Parking Manager or Designee must sign the back of your time card stating that you did not get your break or were requested to work over your assigned schedule.
- b. **Our time clock automatically deducts a half-hour break once you work over six hours.**

7. UNIFORM AND GROOMING STANDARDS

- a. Take pride in your appearance. Dress is casual; however, you are required to project a good, positive, and professional image. You are to wear closed-sole shoes or tennis shoes with non-skid sole. Midriff, low-cut or belly shirts, short-shorts, shower shoes, flip-flops, high heels, or sandals are unacceptable. Your Manager is authorized to have you "punch out" if he/she feels you are in improper attire. You must then go home, change, and return to work. Failure to return to work is considered a "no show".

8. INJURED ON THE JOB

- a. If you are injured while on duty, immediately report it to the Parking Manager or on-duty Supervisor. Failure to follow this procedure may result in the denial of any claims.

9. DISCIPLINE

- a. Discipline within the Impound Lot is dependent upon the situation. For minor infractions of the rules, progressive steps in the disciplinary process may be applied:
 1. Counseling by the Parking Manager. It is the responsibility of the Parking Manager to first bring to the attention of associates minor infractions of our rules, policies, and/or procedures. It is expected of all Operational Support Tech associates to take seriously all suggestions from their supervisors.
 2. If, after counseling, the behavior/work performance continues, the following actions may be taken, with documentation being placed in the personnel file:
 - ii. Verbal Reprimand
 - iii. Written Reprimand
 - iv. Suspension from duty
 - v. Termination from employment
 - vi. 3. Employees who disagree with the action taken by the Parking Manager may request a meeting with the Deputy Director to discuss the action further. Appeal requests must be made no later than one week after the action in question. Requests may be made by contacting the office of the Parking Manager at (410) 524-5356 and requesting to schedule a meeting. The Deputy Director may uphold, overturn, or modify the action.

10. PROPERTY ACCOUNTABILITY

- a. All property belonging to the Town of Ocean City or the Impound Lot must be accounted for at all times. You are responsible for maintaining any equipment issued to you. Uniform items, keys, radios, I.D. badges, etc., must be returned to the Impound Lot when you terminate your employment, including ending your employment for the Summer Season.

11. SECURITY

- a. The importance of security in and around the Impound Lot cannot be overstated. You must be thinking of security for yourself, other employees, and Town property at all times.
- b. Security cameras are located within the Impound lot and cover the entire lot. Operational Support Techs are under surveillance at all times while inside the Impound Lot. When assisting a Tow truck driver or a person picking up their vehicles/equipment, please lock the trailer door behind you and keep the keys to the impound lot on you at all times.
- c. The cameras and these procedures are for the protection of not only the Town of Ocean City but also the employees. Just as we want our employees to be trustworthy, we also want to be able to exonerate innocent employees quickly in the event of an accounting error or other mishap in which cash goes unaccounted for. If you have questions or concerns, bring them to the attention of the Parking Manager or the Deputy Director.

12. Fuel Depot Responsibilities

THIS DOCUMENT IS TO OUTLINE THE DUTIES AND RESPONSIBILITIES OF THE IMPOUND LOT STAFF IN THE FUEL DEPOT:

1. The Impound Staff will conduct a walkthrough of the fuel depot four times per shift. This will change to three times per shift for the Spring and Winter schedules.
2. The Impound Staff will have the Impound phone with them at all times.
3. The Impound staff will ensure that the Fuel Depot is functioning, engage with customers and make sure our customers are not having issues. If issues arise, please attempt to resolve them; if unsuccessful, please contact the Supervisor.
4. Inspect the grounds for debris and other objects, and dispose of them.
5. Place Oil-Dry on any spills and sweep up any Oil-Dry that may be on the ground.
6. The Impound staff will continue to compile the data from the meters at the Fuel Depot.
7. At the end of each month, the impound staff will stick/measure the Fuel tanks. The staff will be informed of the Time and Date.
8. Please fill out the attached spreadsheet after your walk-through of the Fuel Depot

Please adhere to this policy daily. Your job performance evaluation will take this into consideration.

13. Procedures for TOW Companies

The following procedures and rules of conduct will apply to all tow companies authorized to tow vehicles within the Town of Ocean City.

These procedures are in place to ensure fairness in the tow rotation and proper procedures when bringing vehicles to the Town's impound lot.

1. All tow truck drivers must be properly licensed. It is the employer's responsibility to ensure drivers' licenses are not suspended or revoked.
2. All responses to tows requested by the Ocean City Police Department will be made by the tow company that was called. Any other company's truck that arrives on the scene will be turned away.
3. If a response cannot be made within 30 minutes, you are to notify the police dispatcher, and the next in the rotation will be called.
4. Tow truck drivers are to follow the directions of the impound lot attendant. If there is a safety issue or problem in moving the vehicle to a designated spot, please advise the lot attendant. Space is at a premium. **No one** is to enter any vehicle once it is in the lot.
5. No towed vehicle is to be parked so as to restrict the movement of other vehicles in the lot.
6. Tow trucks must have cleanup equipment on board at all times for accidents and spills.
7. Tow truck drivers are to ensure that all rules concerning private tows are followed, including obtaining a photo of the vehicle before towing and obtaining a proper signature and phone number of the person requesting the tow on the affidavit.

Failing to follow these procedures will result in removal from the police tow rotation for a period to be determined.

Please sign and return to me, indicating you have received and read this form. Thanks for your continued cooperation.

Appendix "D"

First Reading 9. 8. 20

Second Reading Emergency

ORDINANCE 2020 - 09

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 90, ENTITLED TRAFFIC AND VEHICLES, ARTICLE VI TOWING OF ABANDONED VEHICLES, AND ARTICLE VII IMPOUNDMENT OF VEHICLES ILLEGALLY ON PRIVATE PROPERTY, AND TO REPEAL CHAPTER 102, ENTITLED VEHICLES FOR HIRE, ARTICLE IV TOWING SERVICES OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY THAT CHAPTER 90, ENTITLED TRAFFIC AND VEHICLES, ARTICLE VI TOWING OF ABANDONED VEHICLES, ARTICLE VII IMPOUNDMENT OF VEHICLES ILLEGALLY ON PRIVATE PROPERTY, AND REPEAL CHAPTER 102, ENTITLED VEHICLES FOR HIRE, ARTICLE IV TOWING SERVICES OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND BE, AND IT IS HEREBY REPEALED AND REPLACED AS FOLLOWS:

Chapter 90 - TRAFFIC AND VEHICLES

~~ARTICLE VI. TOWING OF ABANDONED VEHICLES⁽⁹⁾~~

Footnotes:

~~(9)~~

~~State Law reference~~—Abandoned vehicles, Ann. Code of Md., Transportation article, § 25-201 et seq.

~~Sec. 90-221. Title.~~

~~This article shall be known as the "Ocean City Towing Ordinance."~~

(Code 1972, § 96-1)

LAW OFFICES
AYRES, JENKINS,
GORDY & ALMAND, PA.
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6200 COASTAL HIGHWAY
OCEAN CITY, MD 21842

ARTICLE VI. - TOWING OF VEHICLES

DIVISION 1.- GENERALLY

Sec. 90-221. - Title.

This Article shall be known as the "Ocean City Towing Ordinance."

Sec. 90-222. – Purpose.

The purpose of this Article is to protect the general health, safety and welfare and public interests of the citizens and visitors of the Town of Ocean City ("the Town"); safeguard the public interests against fraud, discrimination, deception and other abuses related to towing; eliminate the retarding of traffic, unnecessary street congestion, delays and traffic hazards related to vehicles and towing; regulate the practices of towing companies; establish reasonable and uniform regulations to handle such vehicles; safeguard private property from indiscriminate and illegal trespassing and utilization; and to authorize the Mayor and City Council to set maximum rates for the towing of vehicles.

Sec. 90-223. - Rules of construction.

Whenever used in any clause, the singular pronoun shall include the plural, and vice versa, and the masculine shall include the feminine and neuter, and vice versa.

Sec. 90-224. - Definitions.

The following terms, wherever used herein, shall have the respective meanings assigned to them unless a different meaning clearly appears from the context:

Impounding. The temporary storage of a vehicle that has been towed to an impound lot.

Impound Lot. Any land or building used by the Town of Ocean City to store vehicles that have been impounded.

Impound Custodian. A person or persons employed by the Town of Ocean City to oversee the daily operations of the impound lot.

Motor Vehicle Administration. The Motor Vehicle Administration of the State of Maryland.

Person. Any individual, partnership, corporation, fiduciary, association or other entity. Whenever used in any clause prescribing and imposing a penalty, the term "person" as applied to any partnership or association shall mean the partners or members thereof, and as applied to any corporation, shall include the officers thereof.

Police or Police Department. The Police Department of the Town of Ocean City, Maryland.

Private Property. Privately owned land consisting of more than three (3) spaces for vehicle parking that is intended by the owner of the land to be used solely by the owner's customers, clientele, residents, lessees or guests in the manner designated by the owner.

Property Manager. Any person (as defined above) or his/her agents who manages a property on behalf of the property owner.

Property Owner. The owner of property or any person having lawful possession or control of such property. For a condominium building, the property owner is the Council of Unit Owners or any agent designated by the Council of Unit Owners to handle parking.

Redemption Area. An area or building where a vehicle owner may redeem their vehicle.

Specialized Equipment. Equipment used by the towing company in its operations, including but not limited to blocking, airbags, ramps, sling straps, and snatch blocks.

Tow or Towing. The moving or removing, and/or the preparation thereof, of a vehicle by a tow truck for which a service charge is made to the tow truck, either directly or indirectly. A charge made indirectly refers to dues or other charges of bona fide clubs or associations which provide towing services

Towing Company. A person, partnership, corporation, fiduciary, association or other entity, licensed by the Town of Ocean City, to operate and conduct the business of disentangling, removing, moving or towing vehicles.

Tow Truck. A vehicle which has the capability to tow a vehicle and is licensed by the Town of Ocean City.

Unauthorized Vehicle. Any vehicle which a property owner has not consented to have parked on their property.

Vehicle. A vehicle as defined in §11-176, Transportation Article, Ann. Code of Md., as amended from time to time, which includes but is not limited to motor vehicles, motorcycles, and trailers.

Vehicle, Abandoned. A vehicle that:

- (1) is inoperable and/or is left unattended on public property for more than forty-eight (48) hours;
- (2) has remained illegally on public property for a period of more than forty-eight (48) hours;
- (3) has remained illegally on private property for a period of more than forty-eight (48) hours without the consent of the owner or property manager;
- (4) has remained on public property for more than forty-eight (48) hours, and (1) is not displaying currently valid registration plates, or (2) is displaying registration plates of another vehicle;
- (5) is parked or stopped on public property which poses an immediate traffic hazard or danger to the public health and safety;

(6) has remained in a garage for more than ten (10) days after the garage keeper has given the owner of the vehicle notice by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to remove the vehicle;

(7) has remained in a garage for more than ten (10) days after the period when, by contract, the vehicle was to remain in the garage;

(8) was left for more than ten (10) days in a garage by:

(i) Someone other than its registered owner; or

(ii) A person authorized to have possession of the vehicle under a contract of use, service, storage, or repair;

(9) has been left unattended on any portion of a "controlled access highway" as defined in Transportation Article Ann. Code of Md § 8-101(f) for more than twenty-four (24) hours;

(10) has been left unattended on any portion of a primary or secondary highway or controlled access highway, as defined in Transportation Article Ann. Code of Md § 8-101 and is in violation of any of the provisions of Transportation Article Ann. Code of Md § 22-408; or

(11) is not reclaimed as provided under Transportation Article Ann. Code of Md § 16-303.1.

Vehicle, Disabled. A disabled vehicle as defined in §21-1004, Transportation Article, Ann. Code of Md., as amended from time to time.

Vehicle Owner. The person or entity whose name is on the vehicle title.

Police Directed Tows. Any vehicle tow directed by a police officer or other authorized employee of the Police Department.

Secured Party. A lienholder of the vehicle.

Sec. 90-225-230. Reserved.

DIVISION 2.- LICENSES

Sec. 90-231. - License required.

All persons who wish to tow and/or operate a towing company and/or perform tow services within the Town regardless of whether a service charge is made, shall first obtain a license in accordance with this Article.

Sec. 90-232. - Application for license; fee; issuance; term.

Licenses to tow shall be obtained by filing with the Police Department an application on forms furnished by the Police Department, along with an annual license fee of \$110.00. This license fee is to be forwarded to and retained by the Mayor and City Council of Ocean City and is to cover the costs of examination and inspection of trucks, equipment, and storage facilities. Town licenses shall expire February 1 of each year and shall be renewable yearly upon completion of the Town's application and payment of the annual license fee, and shall be subject to the provisions of this Article and any other towing procedures adopted by Resolution by the Mayor and City Council. Failure to complete the necessary information on the application, provide required documentation or pay the annual license fee shall cause the license application to be denied.

Sec. 90-233. - Suspension or revocation of license.

(a) The Chief of Police is authorized to suspend the license of a towing company for a reasonable time period, or may revoke a license based on the severity of the action, for violating any provision of this Article and for any of the following actions:

- (1) The towing company, or any person associated with the towing company, has furnished or made misleading or false statements on reports, certifications, or written documents required by this Article;
- (2) A court of competent jurisdiction has found an applicant for a license or a towing company guilty of criminal activity during the preceding five (5) years directly related to the operation of the business of towing. A plea of nolo contendere shall be deemed to be the equivalent of a conviction or a guilty plea;
- (3) A court of competent jurisdiction has found a tow truck operator, employed by a towing company, guilty of a criminal act authorized by the Licensee;
- (4) A vehicle has been towed by a towing company without the request of the Police pursuant to Division 7 or the consent of the property owner or its property manager pursuant to Division 6 of this Article;
- (5) A tow truck operator has failed to comply with any law regulating the towing of vehicles;
- (6) The towing company, or any person associated with the towing company, has towed a vehicle from a property the Licensee has no current contract or authorization from which to tow under Division 6 of this Article;
- (7) The towing company has employed spotting practices as part of its towing policy;
- (8) The towing company, or any person associated with the towing company, has offered or paid any owner, agent, manager, employee or users of the parking lot to obtain business under Division 6 of this Article; or
- (9) Any other action based on the severity of which the Chief of Police believes warrants a suspension or revocation.

(b) If a license has been suspended in the previous twelve (12) months and a subsequent violation occurs, the Chief of Police shall automatically revoke the license.

(c) If a license has been suspended three times, the Chief of Police shall automatically revoke the license on the fourth offense.

(d) If a violation of this Article occurs by a towing company as determined by the Chief of Police, the Chief of Police shall send a written notice, by certified mail return receipt requested to the person authorized to receive service for the towing company stating that its authorization to operate within the Town has been suspended or revoked. The notice shall state the reasons for the suspension or revocation, including the date(s) of the violation, the length of the suspension or revocation, and the effective date of the suspension and revocation. The decision to suspend or revoke shall be at the sole discretion of the Chief of Police. The notice shall indicate the right of the towing company to appeal the decision to the Police Commission within fourteen (14) calendar days of the date on the notice. The appeal request shall be in writing to the Chief of Police.

(d) The appeal hearing on a decision to suspend or revoke a towing company's license shall be conducted by three members of the Police Commission. The hearing shall take place within forty-eight (48) hours of the request, unless the hearing requester is unable to attend within the forty-eight (48) hours and requests, in writing, a hearing at a later date, no later than seven (7) business days from date of hearing request. The towing company shall receive written notice of the hearing to include the date, time and location of the hearing and the reason for suspension or revocation. The hearing panel shall hear and consider evidence offered by any interested person to determine whether the decision of the Chief of Police was correct. The towing company may have legal counsel present. The three-member panel may uphold, reverse, or modify the suspension or revocation by a majority vote. If the towing company fails to appear, the decision of the Chief of Police stands. The three-member panel shall have ten (10) days to provide the towing company a written decision.

(e) Any further appeal is to the Circuit Court for Worcester County, Maryland within thirty (30) days of the hearing panel's written decision.

Sec. 90-235 – 90-240. Reserved.

DIVISION 3. – TOWING COMPANY REQUIREMENTS, GENERALLY

Sec. 90-241. - Towing company requirements.

(a) All towing companies shall have the identification, valid license, valid inspection and insurance as required under Maryland law.

(b) All towing companies shall file their schedule of rates for all actions, a copy of their insurance policies (as listed below), a list of all tow trucks, including their make, model, year, vehicle identification, registered owner and USDOT number, a copy of the title to each truck and a copy of insurance on each truck with the Police Department annually.

(c) All towing companies shall complete and sign annually the "Tow Company Annual License Application."

(d) All towing companies shall sign the "Procedures for Tow Companies" annually.

(e) All towing companies shall maintain insurances as required by §13-920(h) of the Transportation Article of the Annotated Code of Maryland, as amended from time to time.

(f) The insurance required must be issued by an insurance company licensed to do business in the State of Maryland having an A.M. Best Rating of "B+" or better. Evidence of insurance shall be in the form of a certificate of insurance or a true and certified copy of any policy required. The Police Department shall be notified if any of the required insurance is cancelled within 7 days of said cancellation. Failure to maintain the required insurance will invalidate the towing company's license and the towing company can no longer engage in towing in the Town.

(g) Tow trucks shall have legible markings to include company name, telephone number and USDOT number visible from a distance of fifty (50) feet, in letters no less than four inches in height, on both doors. Tow trucks shall display only the name of the company as it appears on the tow license. Magnetic signs are not permitted. A copy of the tow license shall be kept in every tow truck. The Police Department shall annually inspect all tow trucks for these requirements.

(h) All towing companies shall provide the names of their drivers, date of birth, driver's license number and CDL status. Each driver employed by a towing company shall be at least eighteen (18) years of age and shall have a valid license to operate a tow truck.

(i) All towing companies shall provide the Police Department documentation of the structure of the ownership of the business, names of persons involved, including officers, partners and directors and the address of the person authorized to accept service of behalf of the towing company.

(j) All towing companies shall comply with this Article.

Sec. 90-242. – Additional requirements for towing companies; storage; notification to Police Department of towing of vehicle.

(a) Inspections and examinations of the towing company's equipment and storage facilities shall be made by the Police Department. The towing company must provide storage, either covered or uncovered, for a minimum of ten vehicles.

(b) All towing companies shall have someone available to release vehicles twenty-four (24) hours a day, every day of the year at their storage facility.

(c) The telephone number of the individual available to release vehicles shall be clearly posted on the storage facility premises.

(d) A police officer may order a towing company to release a vehicle, or to stop attaching a vehicle, at any time, and if ordered, no fee shall be charged.

Sec. 90-243. - Filing of schedule of charges by towing companies.

Prior to the issuance of the license in Section 90-232, the towing company shall furnish the Police Department with a schedule of charges for towing and services incident to the towing of vehicles. Said schedule of charges shall not be in excess of the maximum charges permitted by the Mayor and City Council set by Resolution. This schedule of fees shall be retained by the Police Department and may, upon thirty (30) days' notice, be revised by later filing a modified schedule of charges.

Sec. 90-244. - Tow charges.

(a) The Mayor and City Council shall establish and amend from time to time, by Resolution, the maximum charges a towing company may charge for towing pursuant to this Article.

(b) A towing company shall not charge for any act not set forth by Resolution unless that act was expressly requested in writing by the vehicle owner, or charge an amount greater than authorized.

(c) Any vehicle towed to the Ocean City impound lot shall be assessed an administrative fee as established by Resolution of the Mayor and City Council and amended from time to time, in addition to the towing company charges.

Sections 90-245 - 90-250. Reserved.

DIVISION 4. - IMPOUNDMENT OF VEHICLES, GENERALLY

Sec. 90-251. - Impounding vehicles.

The Police Department may take into custody any vehicle which is towed within the Town. Such vehicle shall be towed to an impoundment lot maintained by the Town. For this purpose, the Police Department may employ its own personnel or equipment or may hire persons, equipment, and facilities for removing, preserving, and storing vehicles. The vehicle owner of any vehicle which has been towed pursuant to this Article shall reimburse the Mayor and City Council for all expenses incurred by it in the towing and storage of such vehicle, including but not limited to an administrative fee.

Sec. 90-252. - Inspection of vehicle and inventory of contents

An impound custodian or towing company lot attendant shall, prior to accepting any vehicle for impoundment, observe the exterior of said vehicle and note on an inventory sheet any obvious scratches, dents, or other damage to the vehicle. The impound custodian or towing company lot attendant shall also indicate whether or not the keys are in said vehicle and whether or not the vehicle, including the trunk, is locked or unlocked, and do an inventory of the contents of the vehicle by observation, including the contents of the trunk if the trunk is unlocked.

Sec. 90-253. - Maintenance of vehicles during impoundment.

The impound custodian or towing company lot attendant shall keep the keys to the vehicle, if same are therein, in his/her possession, at all times, while the vehicle is impounded. The impound custodian or towing company lot attendant shall keep the impounded vehicle under observation and make periodic inspections of all impounded vehicles.

Sec. 90-254. - Notification to owner by mail.

(a) If the vehicle which has been impounded is registered under Maryland law, within one (1) business day after it has been notified of such impoundment, the Police Department shall send a notice by registered mail, return receipt requested, to the last known registered owner of the vehicle and to each secured party, as shown in the records of the Motor Vehicle Administration.

(b) The notice shall:

- (1) State that the vehicle has been taken into custody for violation of the Ocean City Towing Ordinance, and state the specific violation and the location the vehicle was towed from;
- (2) State the date and time the vehicle was towed;
- (3) State the year, make, model, color, license plate number and vehicle identification number of the vehicle;
- (4) Give the location of the impound lot where the vehicle is held and the phone number;
- (5) Inform the vehicle owner of any costs that will be incurred to pay for providing notice under this section;
- (6) Inform the vehicle owner that he/she has the right to contest the validity of the towing and storage of his/her vehicle at any time within twenty-one (21) days of the date of such notice by filing a written request for a hearing with the Police Department on a the Police Department request form which shall be included with such notice;
- (7) Inform the owner and secured party of his/her right to reclaim the vehicle within twenty-one (21) days after the date of said notice on payment to the Police Department of all towing and storage charges resulting from the towing and storage of the vehicle; and
- (8) State that the failure of the owner or the secured party to exercise his/her right to reclaim the vehicle in the time provided is a waiver by him/her of all his/her right, title and interest in the vehicle and is a consent to the sale of the vehicle at public auction.

Sec. 90-255. - Notification to owner by publication.

(a) If one of the conditions described in subsection (b) of this section applies, the Police Department shall give notice by publication in at least one newspaper of general circulation in the Town. The notice by publication may contain multiple listings of

impounded vehicles, shall contain the information required by Section 90-254 above; and shall be published within fifteen (15) days of the taking into custody of the vehicle or, if the notice by publication is made because of the return as undeliverable of a prior notice by registered mail, within seven (7) days of the return of that prior written notice.

(b) This section shall apply if:

- (1) The identity of the last registered owner of an impounded vehicle cannot be determined from the records of the Motor Vehicle Administration;
- (2) The registration of the vehicle gives no address for the owner;
- (3) It is impossible to determine with reasonable certainty the identity and address of each secured party; or
- (4) The registered mail notice required by Section 90-254 of this Division is returned as undeliverable.

Sec. 90-256. - Reclaiming of vehicle; payment of charges.

(a) Unless prohibited by law or this Article, the vehicle owner or secured party of a vehicle which has been impounded may reclaim such vehicle within twenty-one (21) days of the date notice is mailed by the Police Department pursuant to Section 90-254 or 90-255 by paying to the Police Department all towing and storage charges and costs of notice incurred by the Police Department in connection with said impoundment.

(b) Any vehicles impounded at the Police Department's impound lot which cannot be legally driven or has mechanical issues preventing the vehicle from being driven, shall only be towed off the impound lot by a licensed towing company as defined in Section 90-224 and a properly inspected and approved tow truck of said licensed company.

(c) An impound lot shall be open for redemption of vehicles twenty-four (24) hours per day, seven days a week.

(d) An impound lot that is in the possession of a towed vehicle shall make the vehicle available to the owner, the owner's agent, a secured party, or the insurer of record, under the supervision of the storage site, for:

- (1) Inspection; or
- (2) Retrieval from the vehicle of personal property that is not attached to the vehicle.

(e) The impound lot shall accept full payment by cash or at least two major, nationally recognized credit cards. If cash is only accepted, there must be an operable automatic teller machine available on premises. If there is no automatic teller machine on premises and credit cards are unable to be processed, a personal check must be accepted with proper identification. A personal check may be refused if a credit card was attempted to be used for payment and the payment was declined by the credit card company.

(f) Upon receiving payment, the impound custodian shall furnish the vehicle owner a receipt on a form which includes the following:

- (1) Record the amount paid to redeem the vehicle, the actions for which the vehicle owner paid, and the date and time of the redemption;

(2) Be signed legibly by an agent of the Police Department and list the name, address and telephone number; and

(3) Briefly inform the vehicle owner if they are eligible for a hearing to dispute the validity of the tow.

(g) A towing company shall not require a vehicle owner to sign any waiver of the vehicle owner's right to receive compensation for damages to the vehicle.

Sec. 90-257. - Failure to reclaim vehicle.

If the vehicle owner or secured party fails to reclaim an impounded vehicle within twenty-one (21) days after notice is mailed, the vehicle owner or secured party is deemed to have waived all of his/her right, title and interest in the vehicle and to have consented to the sale of the vehicle at public auction.

Sec. 90-258. - Sale of vehicle; disposition of proceeds.

If a vehicle is not reclaimed as provided for in this Division, the Police Department shall sell the vehicle at public auction. The buyer of the vehicle at auction shall take title to the vehicle free and clear of any claim of ownership or lien, shall be entitled to a sales receipt from the Police Department, and shall be entitled to obtain a certificate of title of the vehicle and to register it in his own name. The sales receipt shall be sufficient title for transferring the vehicle to a scrap processor for dismantling, destroying, or scrapping, in which case only a certificate of title is not required. The Police Department shall reimburse itself from the proceeds of the sale of the vehicle for the costs of towing, preserving, and storing the vehicle and the expenses of the auction, including all notice and publication costs incurred under this Article. Any remaining proceeds of the sale shall be held for ninety (90) days for the owner of the vehicle and any entitled secured party, after which the remaining proceeds shall revert to the general fund of the Town.

Sec. 90-259. - Arrangement between Police Department and towing company regarding payment of charges.

Nothing contained herein shall prevent the Police Department from agreeing with authorized towing companies that the Police Department shall not be required to pay the towing company for services rendered by such company until such time as the Police Department shall have been paid such towing charges by the vehicle owner or the property owner, as the case may be, or until the vehicle is sold at public auction.

Sec. 90-260. Reserved.

DIVISION 5. - TOWING OF ABANDONED VEHICLES AND DISABLED VEHICLES[9]

Footnotes:

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State Law reference Abandoned vehicles, Ann. Code of Md., Transportation Article, § 25-201 et seq.; Transportation Article § 21-1004 Disabled vehicles.

Sec. 90-261. - Scope.

This Division applies additional procedures for the towing of an abandoned vehicle or a disabled vehicle.

Sec. 90-262. - Abandonment of vehicles and unattended disabled vehicles is prohibited.

It shall be unlawful for any person to abandon or cause to be abandoned a vehicle on public property or private property or to leave unattended a disabled vehicle. The last owner of record of an abandoned or disabled vehicle shall be deemed prima facie to be the owner of such vehicle at the time it was abandoned or disabled and to be the person who abandoned or caused to be abandoned said vehicle or who left disabled vehicle unattended.

Sec. 90-263. - Towing and impoundment authorized; collection of expenses.

The Police Department may take into custody any vehicle which is abandoned or disabled within the Town. Such abandoned or disabled vehicle shall be towed the Town's impoundment lot. For this purpose, the Police Department may employ its own personnel or equipment or may hire persons, a towing company, equipment, and facilities for removing, preserving, and storing abandoned and disabled vehicles. The vehicle owner of any abandoned or disabled vehicle which has been towed pursuant to this Division, shall reimburse the Mayor and City Council for all expenses incurred by it in the towing and storage of such abandoned or disabled vehicle in an amount no greater than permitted by the maximum tow charges as set forth by Resolution and amended from time to time, as well as the administrative fee.

Sec. 90-264. - Tow slip required.

(a) A towing company towing under this Division shall provide the Police Department the following information:

- (1) The address from which the vehicle was towed;
- (2) The date and time the vehicle was towed;
- (3) The make, model, year, color, license plate number of the vehicle and state on license plate;
- (4) The vehicle identification number;
- (5) The reason the vehicle was towed;
- (6) The name of the towing company and the name and signature of the tow truck operator and the person who authorized the vehicle to be towed; and
- (7) The name and phone number of the Police Department.

(b) The Tow Slip shall be legibly written and shall consist of one original and three copies. The yellow copy of which shall be securely attached to the unauthorized vehicle.

(c) Towing company and the Town's impound lot shall retain a tow slip for twelve (12) months.

Sec. 90-265. - Request for hearing; determination as to whether vehicle was properly impounded; appeals.

(a) Within twenty-one (21) days from the date notice is mailed by the Police Department pursuant to Section 90-254, the vehicle owner may request that a hearing be held to determine whether the vehicle was properly towed and impounded. The request for a hearing shall be made by filing a request-for-hearing form with the Police Department.

(b) The hearing shall be held within twenty-four (24) hours of the written request unless the hearing requester is unable to attend in the twenty-four (24) hours and requests in writing a hearing at a later time no later than seven (7) business days from the date of the hearing request.

(c) The hearing shall be before a hearing officer who shall have been appointed by the Mayor and City Council of Ocean City. Such hearing officer shall not be a member of any state or local Police Department. The Mayor and City Council shall appoint two (2) hearing officers to conduct such hearings who shall serve for terms of two (2) years, provided that the first appointments made upon the passage of this Division shall be staggered, with one term for one (1) year and the other term for two (2) years.

(d) Determination as to whether vehicle was abandoned or disabled.

(1) If it is determined at the hearing that the vehicle was not abandoned or disabled in violation of this Division, then the hearing officer shall issue an order that the vehicle be returned to the vehicle owner and that such vehicle owner is not liable for any of the towing, storage or other charges incurred by the Police Department in connection with the impoundment. If the vehicle owner has already paid such towing, storage, and other charges to the Police Department, he/she shall be entitled to receive reimbursement of all such payments from the Police Department.

(2) If the hearing officer determines that the vehicle was abandoned or disabled in violation of this Division, then the vehicle owner shall not reclaim it until he/she has paid to the Police Department all towing and storage charges and costs of notice incurred by the Police Department.

(e) Any person aggrieved by the decision of such hearing officer may, within thirty (30) days of such decision, appeal to the Circuit Court of Maryland for Worcester County. If appeal is made by the vehicle owner, then the public sale provided for in section 90-258 of this Article shall be delayed pending the disposition of said appeal, and the vehicle owner may regain possession of his vehicle by posting bond equivalent to the amount of the towing and storage charges and costs of notice incurred by the Police Department.

Secs. 90-266—90-270. - Reserved.

DIVISION 6. - TOWING OF VEHICLES ILLEGALLY ON PRIVATE PROPERTY^[10]

Footnotes:

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State Law reference— Towing or removal of vehicles from parking lots, Ann. Code of Md., Transportation Article, § 21-10A-01 et seq.

Sec. 90-271. - Scope.

(a) This Division applies additional procedures to the towing of a vehicle from private property without the consent of the vehicle owner.

(b) This Division does not apply to:

(1) Towing initiated by the vehicle owner;

(2) Towing approved or requested by a police officer or designated Town employee, in the course of removing impediments to traffic, during the course of a criminal investigation or Divisions 5 or 7 of this Article.

(3) Towing a vehicle during a repossession of the vehicle;

(4) Towing from a marked fire lane;

(5) Towing from a designated parking space for persons with disabilities when no tag is displayed;

(6) Towing from the yard or driveway of a single-family dwelling; or

(7) Towing from land immediately adjoining an electric or telephone utility building or structure that is not open to the general public and land is privately owned.

Sec. 90-272. - Parking on posted property.

It shall be unlawful for any person to park or cause to be parked, a vehicle on private property which has posted a prohibition against parking without the consent of the property owner. The vehicle owner per the files of the Motor Vehicle Administration, shall be deemed prima facie to have been the owner of such vehicle at the time it was parked and the person who parked or caused said vehicle to be parked.

Sec. 90-273. - Required signage; indemnification; duties of property owner.

Any property owner desiring to utilize the procedures provided by this Division shall obtain from the Town's City Hall, signs which shall be posted on said owner's property. The signs shall remain the property of the Mayor and City Council, but a charge, as is determined by the Mayor and City Council by Resolution, for the use of such sign shall be imposed. Before obtaining said sign or signs, a property owner shall execute an indemnification and hold harmless agreement which shall provide that the property owner shall indemnify and hold harmless the Town against any claim of damage resulting from the towing and impoundment of vehicles removed from said private property. The continued usage and posting of such sign or signs by the property owner shall be contingent upon said property owner abiding by such rules and regulations adopted by the Mayor and City Council relative to charges for towing, and other procedures necessary to properly implement and administer this Division. Any sign obtained hereunder shall be annually renewed by the property owner on May 1 of each year and said renewal sticker shall be placed on the sign. The annual renewal charge is as established by Resolution of the Mayor and City Council.

Sec. 90-274. - Contents, condition and location of signs.

(a) The content of the signs required by this Division shall state that unauthorized parking is prohibited and that vehicles parked without authorization may be towed and impounded without notice at the vehicle owner's expense. Said signs shall be posted in such a manner and in such location as to be clearly visible from the area where parking is to be prohibited.

(b) A property owner shall post a sign notifying the public of parking restrictions at least twenty-four (24) hours before towing or ordering the towing of an unauthorized vehicle.

(c) There shall be a sufficient number of signs permanently posted so that:

- (1) At least one sign is clearly visible from each parking area and each vehicle entrance to the property at all times; or
- (2) a sign shall be placed to provide at least 1 sign for every 7,500 square feet of parking space in the parking lot and each sign shall be able to be read from all affected spaces.

(d) Each sign shall:

- (1) Be at least twenty-four (24) inches high and thirty (30) inches wide;
- (2) List the name and telephone number of each towing company hired to tow unauthorized vehicles from the property and the location of said lots;
- (3) State that a vehicle owner may contact the Police Department and state the phone number;
- (4) State that vehicles shall be available for reclamation twenty-four (24) hours a day, seven (7) days a week;
- (5) State the maximum amount that the owner of the vehicle may be charged for the towing of the vehicle;
- (6) Be located so that it is able to be read by motorists in daylight and at night; and
- (7) Be maintained in a legible and unobstructed condition.

Sec. 90-275. - Complaint by property owner.

Any property owner or property manager, when a vehicle is illegally parked upon his/her private property or property he/she manages, may make a complaint to a towing company stating that he/she requests that said unauthorized vehicle be removed from his/her property. Said complaint shall contain a statement made by the property owner or property manager, under oath, that the unauthorized vehicle which he/she seeks to have removed was parked on his/her property or the property they manage without his/her consent, and that the unauthorized vehicle was parked in an area from which a sign prohibiting unauthorized parking was clearly visible.

Sec. 90-276. - Contract for towing.

All towing companies shall enter into a written contract with every owner of private property that authorizes the towing company to tow unauthorized vehicles from its property.

The towing company shall keep on file each contract that is in effect, or that was terminated within the previous twelve (12) months. The Police Department and/or the vehicle owner whose vehicle was towed by the towing company may inspect and request a copy of any contract during normal business hours.

Sec. 90-277. - Tow slip required.

(a) A towing company shall not tow a vehicle from private property unless the property owner has directly, or through the property manager, expressly authorized the towing of the particular vehicle, except as detailed in subsection (d). Authorization shall be in the form of a Tow Slip. The Tow Slip shall contain the following information:

- (1) The address from which the vehicle was towed;
- (2) The date and time the vehicle was towed;
- (3) The make, model, year, color, license plate number of the vehicle and state on license plate;
- (4) The vehicle identification number;
- (5) The reason the vehicle was towed;
- (6) The name of the towing company and the name and signature of the tow truck operator and the person who authorized the vehicle to be towed;
- (7) The name and phone number of the Police Department; and
- (8) Signature of the property owner, or the property manager, and their phone number.

(b) The Tow Slip shall be legibly written and shall consist of one original and three copies. The yellow copy of which shall be securely attached to the unauthorized vehicle.

(c) An unauthorized vehicle may be towed from private property without the express authorization of the property owner or the property manager only if the vehicle is directly blocking access to the property or to a building on the property.

(d) The towing company and the Town's impound lot shall retain a tow slip for twelve (12) months.

Sec. 90-278. - Incomplete tow.

(a) If a vehicle owner returns to an unauthorized vehicle at any time after the vehicle is attached to the tow truck but before it is towed from private property, the towing company shall release the vehicle to the vehicle owner when the vehicle owner pays the drop fee. The drop fees shall be as set forth by Resolution pursuant to Section 90-244. The towing company shall not charge any other fee for attaching or releasing the vehicle.

(b) A towing company shall not block an unauthorized vehicle with a tow truck to obtain payment from the vehicle owner before attaching the vehicle to the tow truck.

(c) The towing company shall provide a receipt that indicates the drop fee paid and the date of the incomplete tow.

(d) A police officer may order a towing company to release a vehicle, or to stop attaching a vehicle, at any time, and no fees shall be charged.

(e) This section does not:

(1) Create or imply a lien in favor of a towing company when a lien would not otherwise exist; or

(2) Create a right of any towing company to retain possession of any vehicle that it would otherwise have to return to the vehicle owner.

Sec. 90-279. - Request for hearing; determination as to whether vehicle was properly impounded; appeals.

(a) Within twenty-one (21) days from the date notice is mailed by the Police Department, the vehicle owner or secured party of a vehicle which has been impounded may request that a hearing be held to determine whether the vehicle was properly towed and impounded under the provisions of this Division. The request for a hearing shall be made by filing a request-for-hearing form with the Police Department.

(b) The hearing shall be held within twenty-four (24) hours of the written request, unless the hearing requester is unable to attend within twenty-four (24) hours and requests, in writing, a hearing at a later date, no later than seven (7) business days from the date of the hearing request.

(c) The hearing shall be held before a hearing officer who shall have been appointed by the Mayor and City Council of Ocean City. Such hearing officer shall not be a member of any state or local Police Department. The Mayor and City Council shall appoint two hearing officers to conduct such hearings who shall serve for terms of two years, provided that the first appointments made upon the passage of this Division shall be staggered, with one term for one (1) year and the other term for two (2) years.

(d) Determination as to whether vehicle was parked illegally.

(1) If it is determined at the hearing that the vehicle was not parked on private property in violation of this Division, then the hearing officer shall issue an order that the vehicle be returned to the vehicle owner and that such vehicle owner is not liable for any of the towing, storage or other charges incurred by the Police Department in connection with the impoundment. If the vehicle owner has already paid such towing, storage and other charges to the Police Department, he shall be entitled to receive reimbursement of all such payments from the Police Department, which, in turn, shall be entitled to payment of all such charges from the property owner or property manager who filed the complaint which caused the towing and impoundment of the vehicle.

(2) If the hearing officer shall determine that the vehicle was illegally parked on private property in violation of this Division, then the vehicle owner may not reclaim it until he has paid to the Police Department all towing and storage charges and costs of notice incurred by the Police Department.

(e) Any person aggrieved by the decision of such hearing officer may, within thirty (30) days of such decision, appeal to the Circuit Court of Maryland for Worcester County. If

appeal is made by the vehicle owner, then the public sale provided for in Section 90-258 shall be delayed pending the disposition of said appeal, and the vehicle owner may regain possession of his vehicle by posting bond to secure the payment of all towing and storage charges and costs of notice incurred by the Police Department.

Sec. 90-280. - Prohibited activities.

(a) It shall be unlawful to remove a vehicle illegally parked on private property unless the property owner or property owner's property manager complies with the provisions of this Division.

(b) A property owner, property manager, or any officer or employee of a towing company shall not:

- (1) Falsely state that a property owner authorized the towing of a particular vehicle when said authorization did not occur;
- (2) Record any false information about the towing of a particular vehicle; or
- (3) Sign a Tow Slip before all of the information relating to the towing of a particular vehicle is recorded on the slip.

(c) A towing company shall not pay for the services of a property manager and a towing company shall not charge a vehicle owner any fee for the services of a property manager.

(d) A towing company shall not pay or offer to pay a property owner and a property owner shall not accept payment for authorizing the towing of a vehicle from private property.

(e) A person shall not act as an agent for the property for the purpose of ordering the towing of an unauthorized vehicle unless the property owner or property manager has given express written permission to said person to act.

(f) A property owner, or a property manager, for the purpose of ordering the towing of an unauthorized vehicle, shall not:

- (1) Be employed by, or have any member of their family employed by, any towing company; or
- (2) Have any financial interest in any towing company or the towing of any unauthorized vehicle.

(g) A towing company shall not employ or otherwise compensate individuals, commonly referred to as "spotters," whose primary task is to report the presence of unauthorized vehicles for the purposes of towing or removal.

(h) A vehicle may not be towed from private property solely for a violation of failure to display a valid current registration under Section 13-411 of the Transportation Article of the Ann. Code of Md, as amended from time to time, until seventy-two (72) hours after a notice of violation is placed on the vehicle.

(i) A vehicle with a valid license plate or placard for persons with disabilities conspicuously displayed shall not be towed from private property without the consent of the vehicle owner unless:

- (1) The tow is expressly authorized by a police officer or member of the Ocean City Fire Department; or
- (2) The vehicle is blocking a clearly marked fire lane or access to another vehicle, the property, or a building; and
- (3) A warning is placed conspicuously on the vehicle either as a written warning under the wipers or a tag placed on handle for a two (2) hour period prior to towing.

Sections 90-282- 90-290. Reserved.

DIVISION 7. – POLICE DIRECTED TOWS.

Sec. 90-291. - Scope.

This Division applies additional procedures to the towing of a vehicle when deemed necessary and directed by the Police Department as a result of an accident, collision, parking violation, arrest and/or special events.

Sec. 90-292. – Procedures for police directed tows.

(a) All towing companies who wish to participate shall be placed on a rotation schedule to respond to police directed tows. The towing companies shall be available for tows that result from accidents, collision, parking violations, arrests and special events. The towing companies shall comply with the requirements and procedures set forth in Divisions 1-4, the "Procedures for Tow Companies" and the following also applies to all police directed tows:

- (1) A towing company is required to be able to respond to the scene within thirty (30) minutes and if unable to do so, must notify the dispatcher immediately.
- (2) A towing company that is dispatched must respond. Substitutions with another company's truck is not permitted and will be turned away unless approved in advance by the dispatcher after verifying with the on-scene officer during an emergency situation.
- (3) All tows made under this Division are to be towed to the Town's impound lot except for accident and collision tows. Accident and collision tows are to be towed by the towing company to its lot unless the police officer requests the vehicle to be brought to the Town's impound lot.
- (4) If a vehicle is towed to a private lot:

(i) the lot shall not be located more than fifteen (15) miles from the origin of the tow or be towed outside the State and the towing company may not

move the towed vehicle from that lot to another lot for at least seventy-two (72) hours after the vehicle has been towed;

(ii) the lot shall be brightly lit at all times;

(iii) the towed vehicle shall not be stored more than a reasonable walking distance from a redemption area;

(iv) the towed vehicle and its contents shall be secure at all times;

(v) the lot shall be identified by a sign at the entrance indicating the name and telephone number of the towing company; and

(vi) each lot shall accept full payment by cash or at least two major recognized credit cards. If cash is only accepted, there must be an operable automatic teller machine available on premises. If there is no automatic teller on premises and credit cards are unable to be processed, a personal check must be accepted with proper identification.

(b) Violations of these rules will result in removal from the call rotation.

Section 90-293 - 90-300. Reserved.

DIVISION 8. – PENALTIES AND SEVERABILITY.

Sec. 90-301. - Penalties.

(a) Any person who performs towing services within the Town without a license as herein specified shall be guilty of a municipal infraction and, upon conviction thereof, shall be subject to a fine not exceeding \$1,000.00 for each and every offense.

(b) Any person who tows a vehicle from private property in violation of Division 6 shall be liable for actual damages sustained by any person as a direct result of the violation and shall be liable to the vehicle owner, a secured party, an insurer or a successor in interest for triple the amount paid by the vehicle owner or the vehicle owner's agent to retake possession of the vehicle.

(c) Any violation of Section 90-276 by a person or a towing company or employee of a towing company shall upon conviction thereof be guilty of a misdemeanor and shall be subject to 90 days imprisonment and/or a fine of \$1,000.00 with each violation be considered a separate offense.

(d) Any other violation of the requirements of this Article by a person or a towing company or employee of a towing company shall be deemed a municipal infraction and the violator of such shall be subject to a fine not exceeding \$1,000.00. Each day a violation continues is a separate violation.

(e) The Town may take any action at law or in equity, including injunction and mandamus, to enforce the provisions of this Article.

Sec. 90-302. – Severability.

If any portion, subsection, sentence, clause or phrase of this Article is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Article. The Mayor and City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

State Law reference— Penalties for ordinance violations, Ann. Code of Md., Local Government Article § 6-101, et seq

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ARTICLE VII- RESERVED.

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CHAPTER 102—VEHICLES FOR HIRE

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ARTICLE IV.—TOWING SERVICES

~~Sec. 102-111. License required.~~

~~It shall be unlawful for any person to engage in towing disabled or abandoned vehicles, for which a service charge is made, through or from the streets of Ocean City without first obtaining a license therefor as herein provided.~~

~~(Code 1972, § 96-5)~~

~~Sec. 102-112. Application for license; fee; issuance; term.~~

~~Licenses shall be obtained by filing with the Police Department an application therefor on forms furnished by the Ocean City Police Department, along with an annual license fee of \$110.00. This license fee is to be forwarded to and retained by the Mayor and City Council of Ocean City and is to cover the costs of examination and inspection of equipment and storage facilities. Ocean City licenses shall expire February 1 of each year and shall be renewable yearly upon completion of the Ocean City application and payment of the annual license fee. The Police Department shall adopt rules and regulations pursuant to the procedures provided in this article and article VI of chapter 90 and the provisions of article VII of chapter 90 of the Code of Ocean City, Maryland, for the purposes of issuing tow licenses.~~

~~(Code 1972, § 96-6)~~

~~Sec. 102-113. Suspension or revocation.~~

- (a) ~~Any person licensed to tow or store vehicles under this article violating the provisions of this article or article VI of chapter 90 shall have his license subject to revocation and/or suspension by the Chief of Police.~~
- (b) ~~Any licensed person whose license is revoked or suspended by the Chief of Police shall have the right to petition the Mayor and City Council for reinstatement of said license or the lifting of said suspension. The Mayor and City Council shall determine if the petitioner sufficiently meets the requirements of this article and article VI of chapter 90 and may or may not reinstate said license or lift said suspension.~~

(Code 1972, § 96-21)

~~Sec. 102-114. — Penalty for performing services without license.~~

~~Any person who performs the services herein specified for which a charge is made without a license as herein specified shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding \$100.00 for each and every offense.~~

(Code 1972, § 96-22)

~~State Law reference — Penalties for ordinance violations, Ann. Code of Md. art. 23A, § 3.~~

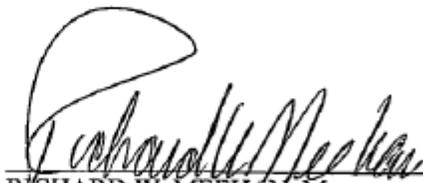
INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on September 8, 2020.

ADOPTED AND PASSED, *as an emergency ordinance,* by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on September 8, 2020.

ATTEST:

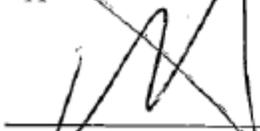


 DIANA L. CHAVIS, Clerk

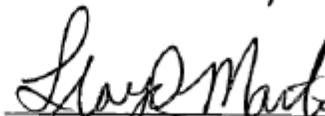


 RICHARD W. MEEHAN, Mayor

Approved as to form:



 HEATHER STANSBURY
 Ayres, Jenkins, Gordy & Almand, P.A.
 Office of City Solicitor



 LLOYD MARTIN, President



 MARY P. KNIGHT, Secretary

Appendix "E"



Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

502.2 POLICY

The Ocean City Police Department will tow vehicles when appropriate and in accordance with the law.

502.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through the Communications Center to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member.

Vehicles that are not the property of the Town should not be driven by department members.

502.4 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest. However, a vehicle should not be towed if reasonable alternatives exist. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

The following are examples of situations where a vehicle should not be towed:

- The vehicle is legally parked, left in a reasonably secure and safe location and the vehicle is not needed as evidence.
- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing and able to legally take control of the vehicle.
- The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the requestor should be informed that the Department will not be responsible for theft or damages.

Examples of when vehicles may be impounded, include but are not limited to when the vehicle is:

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- Unsafe
- A hazard
- Subject to forfeiture
- Abandoned
- Illegal (e.g. stolen, missing plates, missing or altered VIN, etc.)
- Evidence

502.5 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence. Officers should only place a "hold" on a vehicle for evidence/seizure upon approval of a supervisor. Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, so long as the vehicle is not needed for evidence.

502.6 RECORDS

Records Management members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

502.6.1 VEHICLE STORAGE REPORT

Department members towing a vehicle shall complete a vehicle tow report. The report should be submitted to the Records Management as soon as practicable after the vehicle is towed.

502.6.2 NOTICE OF TOW

Within one business day of a vehicle being towed, it shall be the responsibility of the Records Management to send a notice of tow to all registered owners and others having a recorded interest in the vehicle. Notice shall be sent to all such individuals by certified mail. The notice shall include (Md. Code TR § 25-204; Md. Code TR § 16-303.1):

- (a) A statement that the vehicle has been taken into custody.
- (b) The location of the vehicle.
- (c) A description of the vehicle, including the following:
 - (a) Color
 - (b) Manufacturer year
 - (c) Make and model
 - (d) License plate number and/or Vehicle Identification Number (VIN)
- (d) The authority and purpose for the removal of the vehicle.
- (e) An explanation of the procedure for release of the vehicle and for obtaining a vehicle tow hearing when applicable.

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- (f) Information for the owner, or others having a recorded interest in the vehicle, of the right to reclaim the vehicle within 21 days after the date of the notice, on payment of all towing, preservation and storage charges resulting from taking or placing the vehicle in custody.
 - 1. For vehicles impounded pursuant to Md. Code TR § 16-303.1, the owner or others having a recorded interest in the vehicle shall be notified that the vehicle must be reclaimed within 10 days after the date specified in the applicable court order.
- (g) A statement that the failure of the owner, or others having a recorded interest in the vehicle, to exercise this right to reclaim the vehicle in the time provided is:
 - (a) A waiver to right, title and interest in the vehicle.
 - (b) Consent to the sale of the vehicle at public auction.
 - (c) Consent by the owner, other than a lessor, to the retention of the vehicle for public purposes as provided by state law (Md. Code TR § 25-207).

If the identity or address of the last registered owner, or others having a recorded interest in the vehicle, cannot be determined or the certified notice is returned as undeliverable, the Records Section shall give notice by publication in one newspaper of general circulation within the town as provided by state law (Md. Code TR § 25-205(c)).

502.7 TOWING SERVICES

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation or other system established by the Department for tow services should be followed.

502.7.1 PUBLIC ASSISTANCE TOWING

Public assistance towing of vehicles should be distinguished from impoundment as it does not typically involve police custody of the vehicle. These vehicles will typically be removed to a commercial towing service facility. Public Assistance tows do not require personnel to conduct a vehicle inventory or complete the Police Tow Summons & Report except as described in this section when the tow may become an impound. Personnel may order, or request tows of vehicles for public assistance under the following types of circumstances:

- (a) **Aid to Motorists**
This refers to the towing of inoperable or disabled vehicles that cannot otherwise be moved and at the request of the owner/operator of the vehicle.
- (b) **Vehicle Collisions**
 - 1. The towing of vehicles from collision scenes due to disabling damage shall be considered public assistance towing and the vehicle should not be impounded unless:
 - (a) The operator or owner is unwilling or unable to take charge of the vehicle and/or its contents, and there is property in or attached to the vehicle that

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cannot be sufficiently secured at the scene or placed in the custody of a responsible third party, or

- (b) The vehicle is needed for purposes of investigation, to include processing and gathering of evidence. Such cases may, but do not necessarily involve custody of the operator.
- 2. Before ordering a tow, personnel should give the owner or operator of a vehicle involved in a collision an opportunity to park the vehicle legally if the vehicle can be safely moved.
- 3. If the vehicle cannot be moved or parked, on-scene personnel shall request Ocean City Police Communications to send the next available commercial tow service from the established tow list and shall notify Communications of any need for special equipment due to vehicle damage, size, type etc.
- 4. If the vehicle owner/operator requests a specific tow company, personnel may permit the owner/operator to contact the specific tow company if the tow company can respond and arrive at the scene in twenty (20) minutes or less.

502.8 VEHICLE INVENTORY

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the tow sheet. When reasonably practicable, photographs may be taken to assist in the inventory. If the vehicle is locked this should be noted on the tow sheet and any clearly visible items should be documented.

Members should ask the occupants whether the vehicle contains any valuables or hazardous materials. When practicable and appropriate, such items should be removed from the vehicle and given to the owner, or booked into property for safekeeping. If hazardous material is present the appropriate authority equipped to handle the hazardous material should be contacted.

A copy of the vehicle inventory will be given to the tow truck operator.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members and protecting the Department against fraudulent claims of lost, stolen or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

502.9 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

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Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to facilitate the retrieval of small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions), which are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Department in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or his/her agent to request a hearing to contest the tow.