



MAYOR AND CITY COUNCIL

REGULAR MEETING Tuesday, January 21, 2025 - 6:00 PM

AGENDA

- 1. CALL TO ORDER**
- 2. PRAYER AND PLEDGE**
- 3. CLOSED SESSION NOTICE AND REPORT**
 - A. Closed Session Notice and Report - Tuesday, January 21, 2025 - 4:30 - 6:00 PM to discuss Legal, Real Estate and Collective Bargaining Matters
- 4. ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL**
- 5. CONSENT AGENDA**
 - A. Request to Approve Minutes
 1. Regular Meeting #1 dated January 8, 2025
 - B. Acknowledgement of Standing Committee Reports
 1. Police Commission - January 13
 2. Transportation Committee - January 14
 3. Coastal Resources Legislative Committee - January 15
 - C. Private Event Approval Request for Walk MS: Ocean City, MD - April 5, 2025
 - D. Private Event Request for Beach 5 Sand Soccer - June 21, 2025
 - E. Private Event Approval Request for Ocean City Jeep Fest - August 21-24, 2025
- 6. MISCELLANEOUS REPORTS AND PRESENTATIONS**
- 7. PUBLIC HEARINGS**
- 8. ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER AND STAFF**
 - A. Further Consideration on the Petition to Rezone Areas between Philadelphia Avenue and Baltimore Avenue and 21st and 22nd Street, locally known as Phillips Plaza Shopping Center presented by Planning and Community Development Director George Bendler
- 9. ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR**
 - A. First Reading - Ordinance 2025-01 to Amend Various Articles of Chapter 14, Businesses (short-term rental regulations; occupancy and property management as reviewed at the January 14 Work Session)

- B. First Reading - Ordinance 2025-02 to Amend Chapter 110, Entitled Zoning, Article I (definition of *Family* as reviewed at the January 14 Work Session)

10. COMMENTS FROM THE PUBLIC

- A. Comments from the Public Any person who may wish to speak on any matter at the Regular Meeting may be heard during Comments from the Public for a period of five (5) 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 subject on which he or she wishes to speak.

11. COMMENTS FROM THE CITY MANAGER

- A. Comments from the City Manager
 - A. Review of January 28, 2025, draft Work Session agenda
 - B. Department Activity Report

12. COMMENTS FROM THE MAYOR AND CITY COUNCIL

- A. Comments from the Mayor and Council

13. ADJOURN



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 3.A

Council Meeting January 21, 2025

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 8, 2025

ISSUE(S): Closed Session Notice and Report

SUMMARY: A closed session is scheduled for Tuesday, January 21 2025, at 4:30 PM to discuss legal, real estate and collective bargaining matters.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



Excellent Service through a High Performing Town Organization

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S): 1. Closed Session Notice 1.21.25.doc
2. Closed Session Report 1.21.25.doc

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

DATE AND TIME: Tuesday, January 21, 2025 4:30 - 6:00 PM
 PLACE: City Hall
 SUBJECT: Legal, Real Estate and Collective Bargaining Matters
 VOTE: UNANIMOUS
 _____ OTHER: FOR: _____
 _____ AGAINST: _____
 _____ ABSTAIN: _____
 _____ ABSENT: _____

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

PURPOSES:

	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
X	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;
X	9. Conduct collective bargaining negotiations or consider matters that relate to the negotiations;
	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)3	Real property	Protect the public body's bargaining power
§3-305(b)7	Potential litigation	Attorney-client privilege
§3-305(b)9	FOP	Negotiations in progress

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

Prior to the open session of the Mayor and City Council being held on Tuesday, January 21, 2025, at 6:00 PM, a closed session was held on Tuesday, January 21, 2025, at 4:30 PM 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, Real Estate and Collective Bargaining Matters

(b) Persons present:

Mayor Rick Meehan
City Manager Terry McGean
Deputy City Manager J.R. 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:



TOWN OF
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The White Marlin Capital of the World

Agenda Item # 5.A
Council Meeting January 21, 2025

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Mayor and City Council Minutes
DATE: January 13, 2025

ISSUE(S): Request to Approve Minutes

SUMMARY: 1. Regular Meeting #1 dated January 8, 2025

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Approve minutes.



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ALTERNATIVES: Advise of necessary modifications.

RESPONSIBLE STAFF: City Clerk Diana L. Chavis, MMC

COORDINATED WITH: Deputy City Clerk Jessica D. Cropper, CMC

ATTACHMENT(S): None



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 5.B
Council Meeting January 21, 2025

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 13, 2025

ISSUE(S): Acknowledgement of Standing Committee Reports

SUMMARY:

1. Police Commission - January 13
2. Transportation Committee - January 14
3. Coastal Resources Legislative Committee (Green Team) - January 15

Green Team Recommendation:

The Committee unanimously agreed to provide the Mayor and Council with the recommendation to replace the white PVC Butt Huts with all black PVC. Staff will move forward with transitioning to all black PVC unless there is not a consensus to do so.

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. 01-13-25 Police Commission Minutes.pdf
2. 2024-01-14 Transportation Committee Minutes.pdf
- 3 . 2025-01-08 Coastal Resources Legislative Committee Minutes with Recommendation

POLICE COMMISSION MEETING MINUTES

January 13, 2025

PRESENT: Council Member and Police Commission Chairman Tony DeLuca, Council President Matthew James, Council Member Larry Yates, Mayor Richard Meehan, City Manager Terence McGean, Department of Emergency Management Director Joseph Theobald, Heather Stansbury, Esquire, Interim Chief Michael Colbert, Captain Shawn Jones, Captain Dennis Eade, Lieutenant Allen Hawk, Deputy Communications Manager Ashley Miller

1. The meeting was called to Order at 9:30 AM in the 3rd Floor Administrative Conference Room of the Public Safety Building.
2. Approval of Minutes of the December 11, 2024, Police Commission Meeting: Mayor Meehan made a motion and Council President James seconded to approve the minutes of the December 11, 2024 Police Commission Meeting. The vote was unanimous.
3. Interim Chief Colbert's Update: I/Chief Colbert stated that because of the time of the year, numbers appeared to be down compared to the busy summer months. I/Chief Colbert noted that one of the major changes was a moderate increase in Assist Citizen or Motorist calls. He then speculated that this could possibly be due to the weather or other various needs of assistance. The other area the I/Chief Colbert noted a change was in City Ordinance Violations. The number increased from 7 in 2023 to 14 in 2024. I/Chief Colbert further explained that a majority of the City Ordinance Violations stemmed from the Animal Control related calls.

I/Chief Colbert informed the Commission that the total number of arrests were down from previous years. December 2022 had the highest number of arrests with 90. There were 66 arrest in 2023 and 58 arrests in 2024.

4. 2025 Seasonal Recruiting Update: Lt. Hawk informed the Commission that as of December there was a total of 29 applicants that applied for a position within the department. Of that 29, 5 were for full-time and 24 were for the Public Safety Officer (PSO) position. In December 2 full-time officers resigned to take a position at other agencies.

Lt. Hawk stated that so far this month, there have been 17 applicants. 4 of those applicants are for full-time and 13 are for the PSO position. 1 new PSO has been hired and 2 returning PSOs have been brought back already for a total of 3 for the upcoming summer.

Lt. Hawk discussed the in-person testing that the department held on January 11, 2025. 7 applicants showed up. Of those 7, 2 failed the written test and 2 failed the preliminary background. Of the 3 that passed, 2 of the applicants were for full-time and 1 was for the PSO position. During the in-person testing, the physical agility portion was done for full-

time applicants. 2 individuals failed the physical and 14 passed and progressed in the background process. Capt. Jones noted that there will be another in-person testing date on February 22, 2025 and the 2 failures indicated that they would be coming back to retest. The Commission asked, to date, how many PSOs were hired. Capt. Jones and Lt. Hawk both answered 3. Capt. Jones went further and explained that it is still early for the PSO position. The Commission then asked if a comparison was available to how many PSAs were hired at this time last year. Lt. Hawk stated that he had a comparison for the testings that were conducted. He further went on to explain that the background process is “fluid” and is contingent upon the applicant submitting the necessary paperwork. Capt. Jones stated that there were a number of applicants who submitted an application but haven’t taken the test yet and they were reaching out to those individuals.

The Commission asked what the real number of full-time officers was. City Manager McGean stated that the department is budgeted for 130 as of January 1, 2025. Lt. Hawk stated that 111 was the current number. This included 2 currently in the academy, 1 injured, and 2 suspended. The Commission then asked if this number included the 2 officers that resigned in December, to which Lt. Hawk confirmed that it did. The Commission then asked how many candidates the department was looking to send to the next academy. Lt. Hawk stated that he was hopeful that we could get six seats in the July academy, but he would try to get more if we had the candidates to fill the spots. Capt. Jones agreed that he believed the academy would grant us extra spots as long as we had viable candidates to fill them. The current issue being faced is getting the applicants through the background process.

The Commission then asked if the pay was acceptable. The City Manager and Police Command staff deferred this question due to on-going negotiations. The City Manager did state that the PSO position did see an increase in pay.

Capt. Jones informed the Commission that the department is pushing to hire laterals. He compared the lateral process to a “free agency” and said that it is a competitive market. In terms of hiring laterals, it is dependent on who has the better package.

The Commission asked what the estimated date for the contract negotiations. City Manager McGean stated that the deadline is March 1, 2025.

5. Closed Session Report: Following the Open Session on January 13, 2025, the Police Commission convened into Closed Session at the Public Safety Building at 9:44 A.M., as permitted under General Provisions 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; (ii) the development and implementation of emergency plans.

Persons Present: Council Member and Police Commission Chairman Tony DeLuca, Council President Matthew James, Council Member Larry Yates, Mayor Richard Meehan, City Manager Terence McGean, Department of Emergency Management Director Joseph Theobald, Heather Stansbury, Esquire, Interim Chief Michael Colbert, Captain Shawn

Jones, Captain Dennis Eade, Lieutenant Allen Hawk, Deputy Communications Manager Ashley Miller

At approximately 10:18 a.m. as continuation of Closed Session everyone but the Commission Members, City Manager, Interim Chief and City Solicitor leaves the room and City Solicitor takes mins. If these minutes are ever needed the City Solicitor has them in her office.

As discussion ensued regarding a personnel matter and a vote was taken to appoint "Acting Captain" Dennis Eade to Captain (no longer "acting"). Council President James made the Motion, the Motion was seconded by the Mayor and all members voted unanimously.

A Motion to close the Closed Session was made by the Mayor, a second was made by Council President James. The vote was unanimous to close the Closed Session.

Open session resumed at approximately 10:28 a.m.

Commission President DeLuca announced that a Closed Session was held on a personnel matter pursuant to the Open Meeting Act and that in closed session a Motion was made to permanently appoint "Acting Captain" Dennis Eade to Captain (no longer "acting"), and that Council President James made the Motion, that the Motion was seconded by the Mayor and all members voted unanimously.

The Mayor made a motion to adjourn the Open Session, and Council President James seconded the Motion and all and all members voted unanimously to adjourn. The meeting ended at approximately 10:32 a.m.

The next regular meeting of the Police Commission will be held on Monday, February 10, 2025, at 9:30 AM in the 3rd Floor Administrative Conference Room at the Public Safety Building, 6501 Coastal Highway, Ocean City, MD 21842.

TRANSPORTATION COMMITTEE
PUBLIC WORKS ADMINISTRATION CONFERENCE ROOM
224 65th STREET, OCEAN CITY, MARYLAND
TUESDAY, JANUARY 14, 2024 @ 9:00 AM
TRANSPORTATION COMMITTEE MINUTES

Call to Order: The meeting was called to order at 8:55 am by Mayor Meehan

Present were: Mayor Rick Meehan, Public Works Director Hal Adkins, City Manager Terry McGean, Council Secretary Tony DeLuca, Transit Manager Rob Shearman, Operations Manager George Peake, Deputy Director Scott Wagner, Parking Manager Jon Anthony and Bethany Hooper of OC Today/Dispatch. Absent from the meeting were Council Member Carol Proctor and Council Member Will Savage. No actions were taken during this meeting; there was not a quorum to enable voting on any action items.

A. Approval of December 10th, 2024 Transportation Committee Minutes

- No motion was made to approve minutes; there was no quorum to enable voting at this meeting. December 10th, 2024 Transportation Committee Minutes will be approved at the February meeting.

B. Recruiting and Staffing Update

1. Recruiting activities planned and in progress

- Seasonal bus driver posting will go active this week, approximately 3 weeks earlier than last year. Remaining seasonal positions are expected to be posted on January 27th.
- HR completed a “teaser postcard” to previously employed CDL holders who left in good standing but did not work for us in 2024.
- Applications have been mailed out to all 2024 Seasonal Bus Drivers who ended the season in good standing. Staff is also reaching out to those Seasonal Bus Drivers that have remained on payroll to see their commitment for 2025.
- In service training information has been reviewed and schedule has been set
- Other recruitment efforts staff is working on:
 - Job Fairs – planning to attend Chamber Job Fair on March 22nd with the “Smile” parked nearby venue; and the Ocean City Job Fair once the date is set.
 - Planning to make six shopping center appearances with the “Smile” bus; currently reaching out to various places for permission; planning to include at least one location known to have a large minority population.
 - Reaching out to various service organizations and volunteer fire departments
 - Working with HR on Spanish language recruitment materials for distribution at shopping centers, recreation centers, and other locations which support significant minority populations.

- Parking Enforcement Season Employment update:
 - Lead Enforcement Officer from last half of the season is returning.
 - Four of the six enforcement officers expected to return
 - Looking to reduce number of seasonal officers from 7 to 6; with the schedule being adjusted so staff will be working more hours
 - City Manager stated that Council Member Savage asked if there was a State Bus Driver Union and if staff had reached out to them; staff is looking into this.
 - Pay rates for current year are up a minimum of 3% for seasonal staff and bus drivers and bus techs jumped up one pay grade
 - Incentives for the 2025 season have been established.
2. Year-over-year comparisons: number applied, number on-staff
- Examples of tables to be provided for year over year recruitment comparisons were shown to Committee

C. General Updates and "Follow-Ups"

1. Bus Division

a. Ridership and Deployments

- Bus deployments for calendar year 2024 were down 7.7%
- Bus ridership for calendar year 2024 was down 4.3%

b. Revenue

- FY2025 revenue figure has been revised down to \$2.1 million for Bus Division; expect to end year on track; due to music festival in October and festival scheduled for May

c. Expenses

- Deployments have been short which has resulted in a savings in part time salaries

d. Fleet update

- Requesting 3 articulating buses and 1 ADA van in grant request
- If 3 articulating buses are approved that would bring fleet of articulating buses up to 16; except 2 older articulating buses will need to be retired soon.
- 40 ft fleet is also reaching useful life and will need to start requesting replacement of them.
- Staff is still waiting for reply from State as to any articulating buses available from State for donation to Town.
- The State of Maryland has cut its share of match for the grant from 10% to 5% for FY2026; this will increase our local match for grant related purchases.

2. Parking Division

a. Summary of proposed parking changes, status updates

- Elimination of Kiosks outside of the Inlet Parking Lot status:
 - Have completed survey of existing signs

- Have completed outreach to other municipalities who have done away with kiosks and gone to mobile apps only, regarding signage; most municipalities stated that they had no major issues with conversion
- Currently working with Tourism to develop marketing and public relations campaigns regarding mobile app for parking; Mayor Meehan stated that a large outreach will be needed for a smooth transition
- Hal stated that as far as signage goes we are going to look to see best locations signs for public viewing for parking information; as well as controlling sign clutter with other existing signs
- Additional paid parking
 - Met with representatives from OCDC for their input
 - Working with Budget Director to develop revenue projections for each proposed location scenario
 - Will be putting proposed additional paid parking locations together for presentation to Mayor and City Council.
- Caine Woods Residential Permit Zone; preparing additional utilization survey times, including overnight, to ensure adequate monitoring for potential impact. Currently do not see a need for the permit zone.
- Resolution and Ordinance changes:
 - Currently working on Ordinances changes excluding 64th & 100th Street lots from shoulder season Monday through Thursday exemption
 - Working on establishing Event parking rates
 - Working on establishing Ocean block parking rates
 - Updating Exempt spaces policy
 - Continuing to discuss additional paid parking areas
 - Working with OCDC to establish additional areas South of the Rt. 50 bridge
 - Finishing out Boardwalk; N of 10th Street Ocean block
 - North End of Town
 - Working with City Solicitor on Ordinance to establish Enforcement Officers have booting and towing rights for parking violations
 - Scott has meant with all seven churches affected by parking enforcement and is establishing a policy for specific times to accommodate the needs of those churches

D. Adjourn (next meeting Tuesday, February 11th, 2025)

- Meeting was adjourned at 9:33 am; no motion made; no quorum of Council Members at meeting.



Coastal Resource Legislative Committee (Green Team)

Meeting Minutes

January 8, 2025, 11:07 – 11:32 AM
City Hall – Community Room

Attendees

George Bendler, Director of Planning & Community Development
Bill Neville, City Planner
Woody Vickers, Public Works
Joe Kurtz, Acting Town Engineer
Mike Brian, OC Surf Club
Sandi Smith, Maryland Coastal Bays
Debbi Dean, Assateague Coastal Trust
Kaylee Payne, OCHMRA
Jenelle Gerthoffer, Environmental Programs

Litter Free OC:

Adopt-Your-Beach Program: Mike Brian asked if there could be a monthly publication of information on how people can volunteer or join in the work the Green Team and associated groups do. Jenelle Gerthoffer asked each group who was looking for volunteers to provide a short write up, that will all be combined into one posting to be published each month on Town (and Tourism) social media.

Adopt-Your-Street Program: Sandi Smith noted that they are continuing to get an estimated weight for the crab pots that were collected in 2024 and will provide that number to Mrs. Gerthoffer for year end totals.

Beach Heroes OC: Leslie Eisenhower (not able to be present at the meeting) provided a photo of painted shells, which had “Do not litter” messages along with “OC Beach Heroes” written on them, which the group places in areas as they do their clean ups every Tuesday.

Spring Community Cleanup: This will be held on April 26, from 8AM to 10 AM at 100TH Street (Worcester County Library).

Dune Grass Planting Update: Mrs. Gerthoffer reported that about 3,000 square feet of secondary dune (located east of the Braemar Towers on 131ST Street), owned by the Town, will be planted with dune grass plugs this upcoming March, pending grass pick up availability. This area was cleared of invasive bamboo in the last year and has been monitored and sprayed by Parks to avoid the bamboo from reemerging. A small area will not be planted, as there are still several areas where bamboo is present and spraying is required. Volunteers will include students from Stephen Decatur High School and residents from the Braemar Towners. Mrs. Smith noted that if additional volunteers are needed, she may have a church group who look for volunteer work around that time of year.

Cigarette Butt Huts: At the November 2025 meeting, the Green Team discussed replacing the white butt huts with black PVC tubes, which can be done without the need for a grant. At this meeting the Green Team unanimously agreed to provide the Mayor and City Council with the recommendation to replace the white PVC Butt Huts with the all-black PVC. Woody Vickers let the group know that Public Works is already acquiring estimates on the PVC and planning for the replacement work.

Sustainable Maryland Action Plan: Mrs. Gerthoffer provided the committee with information on the Sustainable Maryland update that need to be completed by December 2025. The Town was first certified by Sustainable Maryland in 2015. The Town currently has a silver certification (the highest possible certification) and must recertify every three years. Examples of action plan items, including public wifi, community-based art, municipal energy audits, and stormwater management were presented to the Committee. Each participant will be getting a email with a link to the large list of potential action items, provided by Sustainable Maryland, and is task with collecting information on items their specific organization is part of. These action items, along with supporting information, can be sent to Ms. Gerthoffer.

Update from Green Team Members:

- Bill Neville updated the Green Team on the Nuisance Flood Plan, which relies on the Green Team to be an advisory group. Year four of quarterly monitoring has just ended. Criteria adopted four years ago, if we receive nuisance flooding that exceeds 10-12 events per year, that a meeting occur and recommendation be provided to the Mayor and City Council. The purpose of this was to see if there was an increase in flooding events occurring. The Town has not seen a dramatic increase in flooding events based off recent monitoring data. There have been 8 nuisance flood events, due to high tide, in the last year. A report will be provided to the State in October to update the Nuisance Flood Plan. When the Hazard Mitigation plan was updated, there were specific flooding locations for the Town to keep an eye on and Bill asked Woody if there are any new areas of concern, it would be good to include that in the report. The Nuisance Flood Plan sets the basis for grant applications.

- Bill Neville also updated the Green Team on the Comprehensive Plan update. A draft is being presented to the Planning Commission, then the Mayor and City Council, then it will be ready for public hearings in the early summer months.
- Sandi Smith noted that the updated draft for the Comprehensive Conservation Management Plan (CCMP) will be sent out to their Citizen Advisory Committee and all Partners soon.

Next Meeting March 11, 2025 – 11 to 12pm (*This is a **Tuesday***)

Executive Conference Room, City Hall, 301 Baltimore Ave



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 5.C
Council Meeting January 21, 2025

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Frank Miller, Special Events Director
RE: Walk MS: Ocean City, MD
DATE: January 13, 2025

ISSUE(S): Scott Fulmer, representing the National Multiple Sclerosis (MS) Society, requests Council approve the event, Walk MS: Ocean City, MD, tentatively scheduled for Saturday, April 5, 2025 in rows AA-D of the Inlet Lot, the concrete pad east of the Boardwalk at Worcester St., and the Boardwalk from Worcester to 19th Streets.

SUMMARY: The purpose of the 5K and 1-mile run/walk is to raise money for MS research, programs and services. Beginning on the Boardwalk at Worcester St., both the walk and run move north. The 1-mile turnaround is at 3rd St., with the 5K continuing to 19th St. and then turning around, with the finish for both on the Boardwalk at Worcester St.

Mr. Fulmer requests the following from the Town to support this event:

- * 100 safety cones
- * Restrooms open and ready for use on the Boardwalk at Worcester, Caroline, and 9th Streets
- * Ocean City Fire Dept. (OCFD) to fill the water barrels being used to weight tents (This will be coordinated directly between Mr. Fulmer and the OCFD.)

Risk Management states the minimum insurance required is \$1M/\$2M Aggregate. Also, all participants must sign a waiver of liability.

Public Works will deliver 100 cones by Friday morning and have the restrooms open and ready for use on Saturday morning.

FISCAL IMPACT: Mr. Fulmer shall provide the Town \$450 in private event fees and \$360 in asset and support fees, for a total of \$810.

RECOMMENDATION: Approve as presented.



1st Class Resort and Tourist Destination

ALTERNATIVES: No staff alternatives suggested.

RESPONSIBLE STAFF: Lisa Mitchell, Special Events Coordinator
Thomas Dy, Public Works Maintenance Manager

COORDINATED WITH: Scott Fulmer, National Multiple Sclerosis Society

ATTACHMENT(S):

1. Draft Permit
2. Processing Costs and Fees
3. Event Impact Calculation
4. April 2025 Calendar
5. Application
6. OC Site Plan
7. Event Schedule



TOWN OF OCEAN CITY

The White Marlin Capital of the World

**PRIVATE EVENT PERMIT
APPROVED BY
THE MAYOR AND CITY COUNCIL OF OCEAN CITY, MARYLAND
GRANTED TO
SCOTT FULMER FOR THE NATIONAL MS SOCIETY**

SUBJECT: WALK MS: OCEAN CITY 2025

Upon receiving approval and paying all fees, this permit defines the terms by which this event shall occur.

PURPOSE: A 1-mile walk and 5K run on the Boardwalk from Worcester to 19th Streets to raise funds for MS research, programs and services.

PLACE, DATE, TIME: Saturday, April 5 in rows AA thru D of the Inlet Lot, the concrete pad east of the Boardwalk at Worcester Street, and the Boardwalk from Worcester to 19th Streets. Registration opens at 9:00 am in the Inlet Lot. The event begins at 10:00 am and continues until 12:00 noon. The 5K begins on the Boardwalk at Worcester St., proceeds north to 19th St., turns around and finishes at Worcester St. The 1-mile walk follows on the Boardwalk at Worcester St., continues north to 3rd St., turns around, and ends at Worcester St.

SET-UP: Friday and Saturday, April 4-5

BERAKDOWN: Saturday, April 5, from 3:00-5:00 pm

RESPONSIBILITIES OF EACH PARTY:

Scott Fulmer for the National MS Society

1. Serve as event manager.
2. Coordinate the event.
3. Adhere to the Town's beverage contract.
4. Cone a section of the Inlet Lot on Friday, April 4 to use as the event footprint.
5. If any tents used are larger than 14'x14', obtain a tent permit from the Town of Ocean City's Office of the Fire Marshal.
6. Tents must not be staked or tacked into existing hard surfaces. Shall contact the Ocean City Fire Department to schedule the filling of water barrels to weight the tents.
7. Must not block fire hydrant(s) located in the event footprint and maintain a 15-foot clearance on all sides of said fire hydrant(s).
8. All participants shall pay for parking in the Inlet Lot, or any other "pay to park" locations downtown.
9. At the conclusion of the event, place cones in the northwest corner of the Inlet Lot.
10. Utilize a PA system in the Inlet Lot.
11. Provide a first-aid station in the Inlet Lot.
12. Shall not block access to the Boardwalk to persons not affiliated with the event.
13. Collect and dispose of all trash.
14. All food provided must be prepackaged and/or cooked off-site.
15. Provide the Certificate of Insurance to include coverage for personal injury in the amount of \$1M per occurrence, \$2M aggregate, and name the Mayor and City Council as additional insured and

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

certificate holder. Provided coverage shall be primary, non-contributory and without regard to the named insured's fault or lack thereof.

16. Abide by all Guidelines and Obligations listed on the Private Event Application, unless otherwise noted in this agreement.

Town of Ocean City, Maryland

1. Department of Public Works (DPW) shall provide 100 traffic cones in the northwest corner of the Inlet Lot.
2. DPW shall ensure the comfort stations on the Boardwalk at Worcester, Caroline and 9th Streets are open for event use.
3. The Private Event Coordinator shall serve as the Town's liaison for this event. The liaison can be reached at 443-235-5275, LMitchell@oceancitymd.gov, or on the city radio system at #9010.

***THE PRIVATE EVENT PERMIT IS EFFECTIVE WHEN SIGNED BELOW
AND MAY BE TERMINATED BY EITHER PARTY AT ANY TIME.***

_____ Date: _____
Scott Fulmer on Behalf of the National MS Society

_____ Date: _____
Frank C. Miller on Behalf of the Mayor and City Council of Ocean City, Maryland

Ocean City's Private Event at a Glance

EXECUTIVE SUMMARY

rev. 240415

Event Name: **Walk MS: Ocean City, MD**

Start Date: **Saturday, April 5, 2025**

Set Start: *Saturday, April 5, 2025*

Strike End: *Saturday, April 5, 2025*

Location(s): **IPL and Boardwalk**

Duration: **1** Days

Est. Ttl. Attend: **447**

Spectators: **100**

Participants: **150**

Vendors: **2**

1-mile and 5K run/walk on the Boardwalk from Worcester St. to 19th St. This event raises funds for MS research, programs and services.

ASSIGNED TIER: Tier 2

Assigned via standardized calculation

Contact: **Scott Fulmer**

Organization: **National MS Society**

New Event? **NO**

Event Type: **Fundraiser**

In-Season? **NO**

Non-Profit? **YES**

Crowd Draw: **Regional**

Annual Event? **YES**

	Internal Est. Costs:	Billable Costs:
DPW-M:	\$ 845.38	\$ 360.00
DPW-TRANS:	\$ -	
DPW-CON:	\$ -	
DPW-ELECT:	\$ -	
FIRE:	\$ -	
EMS:	\$ -	
OCPD:	\$ -	
OCBP:	\$ -	
FM:	\$ -	
PARKS:	\$ -	
P&Z:	\$ -	
Other:	\$ -	

Key Details & Other Events:

DPW will section off rows AA-D for event use.
150 spaces for participant use. They WILL pay the inlet parking fee.
OCFD to fill water barrels used to secure tents.

EVENT DETAILS

Alcohol? **NO**

Food Sales? **NO**

Parking Req? **YES**

Entry Fee? **YES**

Estimated # of Vendors: **3**

of 10x10s: **0**

#>100sf: **0**

Participant Registration Fee

Conveyed Fees:		If annual: Previous Year's Cost:
Application Fee:	\$ 50.00	\$ 590.00
Late Fee Applied:	\$ -	
Other Initial Credit/Fee:	\$ -	
Applied Assessment Fee:	\$ -	Cost/Event: \$ 760.00
Estimated Space Fee:	\$ 250.00	# of Events: 1
Estimated Vendor Fee:	\$ 150.00	TOTAL COST DUE:
Departmental Costs:	\$ -	\$ 760.00
Equipment & Labor Charges:	\$ 360.00	
IPL Lost Revenue Assessment:	\$ -	
Other Fees/Charges/Credits:	\$ -	



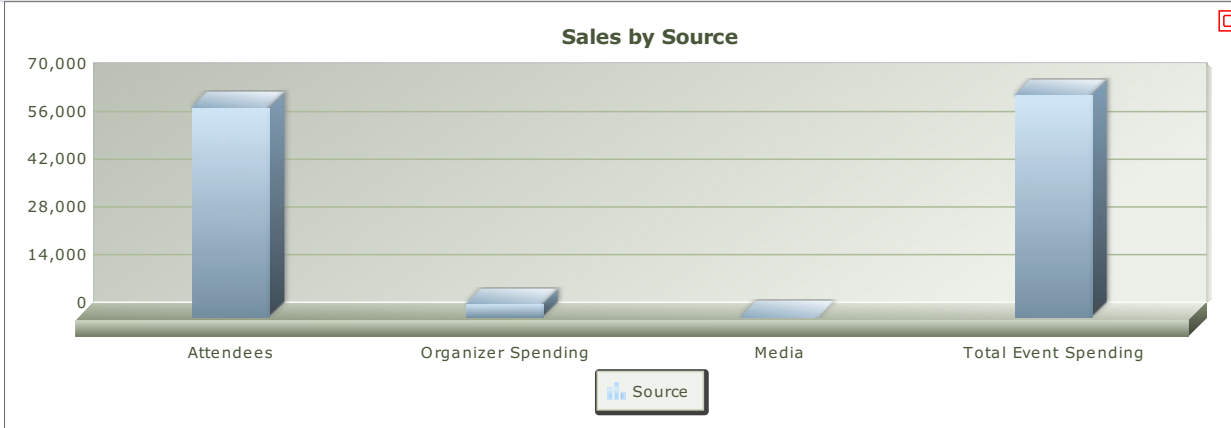
EVENT IMPACT CALCULATOR DETAIL - WALK MS: OCEAN CITY (2024) - 01/14/2025

Event Summary

Key Parameters		Key Results	
Event Name	Walk MS: Ocean City (2024)	Business Sales (Direct)	\$64,993.94
Organization	National MS Society	Business Sales (Total)	\$92,301.23
Event Type	Sports: Adult Amateur	Jobs Supported (Direct)	50
Start Date	04/05/2025	Jobs Supported (Total)	55
End Date	04/05/2025	Local Taxes (Total)	\$1,295.59
Overnight Attendees	150	Net Direct Local Tax ROI	\$1,190.41
Day Attendees	150	Est. Room Nights Demand	139

Direct Business Sales

Sales by Source			
Attendees Spending	\$61,291.39	Exhibitor Spending	\$9.06
Organizer Spending	\$3,693.48	Total Event Spending	\$64,993.94



Business Sales by Sector

Industry	Attendees	Organizer	Media/Sponsors	Total
Lodging	\$16,660.71	\$0.00*	\$0.00	\$16,660.71
Transportation	\$2,034.15	\$85.11*	\$5.79	\$2,125.05
Food & Beverage	\$18,863.45	\$1,891.00*	\$0.00	\$20,754.45
Retail	\$16,326.31	\$0.00	\$0.00	\$16,326.31
Recreation	\$7,406.77	\$0.00	\$0.00	\$7,406.77
Space Rental	\$0.00	\$734.00*	\$0.00	\$734.00
Business Services	\$0.00	\$983.38*	\$3.27	\$986.65
Totals	\$61,291.39	\$3,693.48	\$9.06	\$64,993.94

* indicates that the calculator's model defaults were used



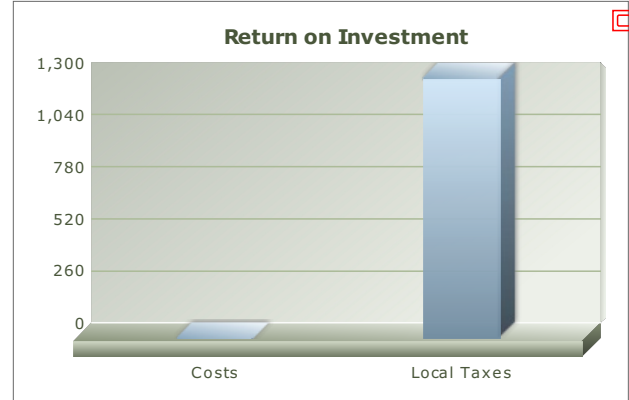
Economic Impact Details

	Direct	Indirect/Induced	Total
Business Sales	\$64,993.94	\$27,307.30	\$92,301.23
Personal Income	\$21,148.00	\$6,839.73	\$27,987.73
Jobs Supported			
Persons	50	5	55

Annual FTEs	1	0	1
Taxes And Assessments			
<u>Federal Total</u>	<u>\$5,810.05</u>	<u>\$2,207.90</u>	<u>\$8,017.96</u>
<u>State Total</u>	<u>\$4,205.25</u>	<u>\$667.63</u>	<u>\$4,872.89</u>
Sales	\$3,523.94	\$409.61	\$3,933.55
Income	\$291.87	\$94.40	\$386.26
Bed	\$0.00		\$0.00
Other	\$389.45	\$163.63	\$553.07
<u>Local Total</u>	<u>\$1,190.41</u>	<u>\$105.18</u>	<u>\$1,295.59</u>
Sales	\$0.00	\$0.00	\$0.00
Income	\$235.33	\$76.11	\$311.44
Bed	\$833.04		\$833.04
Per Room Charge	\$0.00		\$0.00
Tourism District	\$0.00		\$0.00
Restaurant	\$70.74	\$7.51	\$78.25
Other	\$51.31	\$21.56	\$72.86
Property Tax	\$1,225.49	\$321.51	\$1,547.00

Event Return On Investment (ROI)

Direct Total Tax ROI	
Direct Tax Receipts	\$1,190.41
DMO Hosting Costs	\$0.00
Direct ROI	\$1,190.41
Net Present Value	\$1,190.41
Direct ROI (%)	-
Total	
Total Local Tax Receipts	\$1,295.59
Total ROI	\$1,295.59
Net Present Value	\$1,295.59
Total ROI (%)	-



Estimated Room Demand Metrics

Room Nights Sold	139		
Room Pickup (block only)	0		
Peak Room Nights	79		
Total Visitor Days	377		

2025

CALENDAR YEAR

APRIL

CALENDAR MONTH


SUNDAY

FIRST DAY OF WEEK


Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	01	02	03	04	05 <i>PE - Walk MS - TENTATIVE</i>
06	07	08	09	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24 Springfest	25 Springfest	26 Springfest
27 Springfest PE - Cricket Center Walk - TENTATIVE	28	29	30	01	02	03
04	05	06	07	08	09	10

Private Event Permit Application

#463569

Walk MS: Ocean City, MD  Fundraiser

APPLICANT

Scott Fulmer @ scott.fulmer@nmss.org  (803) 422-6831

DATES AND TIMES

Event date and time:

04/05/2025 9:00am — 04/05/2025 12:00pm

Setup date and time:

04/05/2025 4:00am — 04/05/2025 9:00am

Breakdown date and time:

04/05/2025 12:00pm — 04/05/2025 2:00pm

FEES

Application Fee	\$50.00
Application Late Fee	\$0.00
Application Addendum Fee	\$0.00
City Space Use Fee	\$0.00
Concession Fee	\$0.00
Asset and Support Fee	\$0.00
Banner Fee	\$0.00
IPL Lost Revenue Fee	\$0.00
Miscellaneous Fee	\$0.00
Total:	\$50.00
Total paid with Master Card-6032 on 12/09/2024	-\$50.00
Due:	\$0.00

FEE SCOPING

Which type of event organization will run your event?

501(c)(3) Non-profit


GENERAL INFORMATION

Event Name

Walk MS: Ocean City, MD

Event Locations

 Boardwalk

 Inlet Parking Lot (with fire lanes)

Event Summary

Walk MS is a 3 mile and 1 mile fundraiser event featuring a team village, informational booths and inspirational program to raise funds for research, programs, and services for individuals living with MS. The walk will be held in the inlet parking lot sections AA-D which will be coned off to the public Friday and Saturday till 2pm. Tents will be professional installed. The start and finish line will be on the boardwalk in front of playland.

Participants walking in the one-mile route will proceed down the boardwalk to 3rd street and turn around. Participants walking the three-mile route will walk to 19th street which will have a rest stop available and will include a table, a couple of chairs and water available. The rest stop will be broken down when the last walker departs. There will be a DJ on site. Individual/Pre-packaged food items will be available as complimentary snacks.

Applicant Organization

National Multiple Sclerosis Society

Organization Phone

(803) 422-6831

Organization Website

<https://events.nationalmssociety.org/index.cfm?fuseaction=donorDrive.event&eventID=2270>

What type of town assets or support will you request for the event?

We are not requesting any police support. We need approximately 150 parking spaces for participants. They will pay the inlet fee. We request the use of public restrooms on the boardwalk at Worcester Street, 9th street, and Caroline Street. We are also requesting 100 cones to be delivered by 6am on Friday, April 21st to the inlet parking lot section

AA-D. We are also requesting the fire department to fill the water barrels for the tents. We will contact the fire department directly to arrange.

Who will be the beneficiary of the event?

National Multiple Sclerosis Society

Who will sponsor the event?

National Multiple Sclerosis Society

What type of marketing will be done for the event?

Online

Have you chosen a rain date?

No

Attach preliminary event schedule to illustrate event flow and proposed active use times for requested event site(s).

 [OC schedule.pdf](#)

Attach a description and map of the layout, infrastructure and hardware to be used. Provide a detailed site map/diagram/CAD drawing/rendering (all that apply).

Does your event require police support?

No

Attach a description and map of the layout, infrastructure and hardware to be used. Provide a detailed site map/diagram/CAD drawing/rendering (all that apply).

[OC Site plan.pdf](#)

Attach a description and map of the layout, infrastructure and hardware to be used. Provide a detailed site map/diagram/CAD drawing/rendering (all that apply).

[2024 Walk MS Ocean City MD - All Routes.pdf](#)

CONTACT

Contact Name

Scott Fulmer

Contact Mobile Number

(803) 422-6831

Contact Address

1 M St SE
Ste. 510
Washington, DC 20003

Contact Email

@ scott.fulmer@nmss.org

ARRIVAL AND DEPARTURE DATES

Provide the date that staff arrives onsite for the event

 Apr 4, 2025

Vendor Departure

 Apr 5, 2025

Provide the date that staff departs the event

 Apr 5, 2025

Participant/Spectator Arrival

 Apr 5, 2025

Vendor Arrival

 Apr 5, 2025

Participant/Spectator Departure

 Apr 5, 2025

ROOM BLOCKS

Will you have an HQ hotel?

No

Will you establish hotel room blocks?

No

EVENT ATTENDANCE ESTIMATES

Geographic Reach

Primarily Local

Staff Estimates

Total Staff

5

% Staying Overnight

100

% Traveling Alone

N/A

Participant Estimates

Total Participants

150

Participants Staying Overnight

30

Average Guests

3

Exhibitor Estimates

Total Exhibitors

2

Exhibitors Staying Overnight

1

Exhibitors Traveling Alone

2

Spectator Estimates

Total Spectators

100

Spectators Staying Overnight

20

Average Party Size

3

Total Overnight Guests

% Lodge in Ocean City

100

% Use Condos

N/A

% Camp

N/A

ENTERTAINMENT/OFFERINGS

Will you charge any entry fees?

Registration Fee

Free Entry

Will your event include live music?

No

Will your event have a stage or static crowd viewing area?

Yes

Where will your entertainers come from?

Primarily Local

What is your expected average ticket price?

⑆ 0.0

Will your event include fireworks/pyrotechnics, flame or other special effects or bonfires?

No

Will your event include bleachers, risers or other temporary structure accessible by the consumer?

No

Will your event include tents/temporary structures?

Yes

Select the temporary structures that are a part of your event

Tents 14x14 or smaller (under 200 sq ft)

Will your event close or alter use of streets or private parking lot space?

No

Will you sell items within the footprint of the event?

No

Will you provide sampling of products?

No

Will you serve or distribute alcohol?

No

Will you have onsite cooking or food trucks?

No

Will you provide portolets?

No

PARKING/ACCESS

Parking Information

% Utilizing Public Parking

50

% Parking at Hotels

25

% That Will Use Bus Service

N/A

% That will Use Town Lot

25

Will you have special parking requests?

No

Will you need vehicular beach access?

No

Will you need vehicular access to the Boardwalk?

No

ACKNOWLEDGEMENTS

- POINT OF CONTACT FOR THE TOWN OF OCEAN CITY: The Town's Private Event Coordinator shall be the primary contact for all communications with the Town of Ocean City. If you receive contact from another Town department or entity, it is your responsibility to make sure the Private Event Coordinator is aware of all discussions, details, modifications or approvals as a result of independent conversations. At no time shall Applicant contact other departments directly unless authorized by the Private Events Coordinator in writing.

- BEACH FRANCHISE NOTIFICATION: : If your event takes place on the beach, you must notify the appropriate beach equipment rental franchise owner(s) to advise them of the event footprint. It is the applicant's responsibility to confirm, in writing, that 1) the franchise owner(s) has been notified; 2) event logistics have been coordinated; and 3) if necessary, a reasonable financial agreement has been negotiated. Written confirmation must be provided to the Town's Private Event Coordinator. If the applicant and franchise owner(s) are unable to reach a mutually acceptable agreement, the matter shall be submitted to the Town for mediation, and the Town will decide an impartial resolution by which both parties shall abide.

- ROAD/LANE CLOSURES: A state highway permit shall be obtained for use of any state property (roads, highways, etc.) This is the responsibility of the applicant independent of the Town's private event process. Applicant shall keep the Town's Private Event Coordinator apprised of all steps and approvals related to such efforts. Non-state roads affected by the event shall be reviewed by the Town for consideration of closure or traffic modification through the private event process.

- USE OF MUNICIPAL PARKING LOTS: If a municipal lot is requested for use by the applicant for the event, whether for parking or placement of the event footprint, the Town reserves the right to review lost revenue and assign a cost to lot usage. This cost will be assigned during the private event approval process, discussed with the applicant and considered for approval by the Mayor and City Council as part of the private event approval.

INSURANCE REQUIREMENTS: The Risk Manager for the Town of Ocean City will determine insurance requirements for all private events, following the receipt of the application. Insurance requirements apply to private event vendors, amusement ride companies and fireworks producers, their contractors and subcontractors as well as the private event owner/sponsors. Requirements will depend on, including but not limited to, hazards and exposures associated with the specific private event.

Minimum required insurance shall be provided by companies licensed in the State of Maryland with a current AM Best, Inc. rating of a VII or better. The Mayor and City Council Town of Ocean City, Maryland, its employees, volunteers and officials shall be named as additional insured on all insurance policies except workers' compensation and, except for automobile liability, the The Mayor and City Council Town of Ocean City, Maryland's additional insured status shall include premises liability and products/completed operations.

Coverage's shall be primary and non-contributory with respect to any other insurance available to the Mayor and City Council Town of Ocean City, Maryland, its employees, volunteers and officials and shall include a waiver of rights of recovery or subrogation against the Mayor and City Council Town of Ocean City, Maryland, its officials, volunteers and employees without limitation for any and all claims, damages, losses, liabilities or expenses relating to, arising from, resulting from, or alleged to have arisen or resulted from, this private event.

Original copies of certificates of insurance and additional insured endorsements must be received by the Town of Ocean City, Maryland's Risk Management Office at least fifteen (15) working days prior to the event.

COCA-COLA EXCLUSIVE PRODUCT AGREEMENT DISCLOSURE: The applicant must comply with all provisions of the Town's agreement with Coca-Cola Refreshments as it pertains to the distribution or sales of beverages by the applicant on Town property. The applicant agrees to sell, dispense or serve only Coca-Cola beverages on Town premises for the duration of the permitted use. The applicant is expressly prohibited from using the beverages of other suppliers, said beverages to include soft drinks, juices, sport drinks, specified energy drinks and bottled waters. The permitted beverages include Coca-Cola, Diet Coke, Sprite, Pibb Xtra, Mello Yello, Fresca, Nestea, Arizona Tea, Honest Tea, Barqs Root Beer, Fanta, Minute Maid, Seagrams Ginger Ale, PowerAde, V-8 Juice, Fuze Juice, Monster, Tum E Yummies, Dasani and other products that Coca-Cola may provide in accordance with its agreement with the Town of Ocean City.

BEACH ACCESS: Vehicle access to and from the beach must be clearly identified on your application and is not guaranteed. If approved, applicant must complete a beach driving and safety course annually provided by OCBP at the applicants expense.

BEAUTY CONTESTS: Beauty contests are not permitted on the beach.

CITY SERVICES: Each applicant should plan on providing all the necessary cleanup, set-up, etc. without the assistance of City Services. If town services are requested, they must be clearly indicated within the Private Event Application for evaluation.

- CONCESSIONS:** No food or beverage concessions will be permitted on the beach or along the boardwalk, although such sales may be considered at other sites. Beverage sales at other sites must maintain compliance with the sponsorship restrictions noted within this application. ONLY event-related merchandise sales may be permitted on the beach upon appropriate request and approval, subject to applicable laws.

- SPONSORSHIPS:** All sponsors must be identified on the application.

- ADVERTISING:** Ocean City will not allow any type of advertising that is:
- Violence in any form
 - False, misleading or deceiving statements
 - Sexually explicit or obscene materials
 - Tobacco or tobacco products
 - Vaping or vaping products
 - Tattoos
 - Casino gambling including games of chance and skill
 - Alcohol
 - Promoting the use of marijuana
 - Other potentially objectionable marketing or advertising which may be established from time to time by the Town.

- DIAGRAM OF EVENT LAYOUT:** A detailed diagram of the event layout/set-up and location of any and all facilities is required with your application. The application will be considered incomplete without the diagram.

- INFLATABLES:** Inflatable displays may be permitted, but must be pre-approved. A photograph of the intended display and the dimensions must be included before approval can be considered. No liquor or tobacco product displays will be allowed. The Mayor and City Council reserve the right to reject any inflatable determined inappropriate.

- MUSIC AND PUBLIC ADDRESS SYSTEMS:** Must operate in accordance with the Ocean City Code 30-367 of 65 decibels.

- DOWNTOWN EVENTS (BEACH/BOARDWALK):** Events that charge participant entry fees (tournaments, festivals, etc.) and/or desire to display sponsorship banners or other promotional information, must maintain a seventy-five (75) foot buffer from the edge of the train lane to the start of the event's set up. All events must comply with the provisions of Chapter 62 of the Ocean City Code.

- PARADES:** An MDOT Highway Permit must be obtained at (410) 543-6715 for use of any state property, and a copy forwarded to the Town's Private Events Coordinator.
- FIREWORKS, TENTS, AIR SUPPORT/AIR INFLATED STRUCTURES & BONFIRES:** Application to the City Fire Marshal at (410) 289-8780 is required, with appropriate approvals forwarded to the Private Events Coordinator. Failure to comply will result in revocation of all event approvals.
- TOILET FACILITIES:** Identification of planned "comfort" provisions must be included in the application and event diagram. The Town owns a number of established public toilet stations in the downtown area that may assist in event planning.
- PRIZE STIPULATIONS:** No alcoholic beverages may be awarded as a prize on City property.
- WEST OCEAN CITY PARK AND RIDE:** A permit is required if a trailer or an oversized vehicle is parked over night at the West Ocean City Park and Ride. Please specify this request on your application.
- SAMPLING:** Sampling will be permitted on a case-by-case basis. Sizes and quantities of such must be pre-approved, as do the locations for distribution. Samples must be of a nationally recognized product available for sale at retail establishments. No prepared food samples will be permitted on the beach nor along the boardwalk. Non-alcoholic beverage samples may be permitted provided the samples are in compliance with the Town of Ocean City's exclusive beverage franchise agreement with Coca-Cola.
- RAFFLES:** Only non-profit groups may offer any form of raffle in conjunction with an event in Ocean City. These groups must apply through the Worcester County Department of Development Review and Permitting, and must submit a processing fee at the time of application. Applications are available at the Isle of Wight County Office Building on Route 90, or at the Court House in Snow Hill. A copy of the raffle permit must be forwarded to the Private Events Coordinator at least seven (7) days prior to the event. All raffles must be drawn and announced prior to the conclusion of the event.
- TRASH:** Applicant is required to clean the area of trash and transport it to the appropriate receptacle. On the beach, all trash must be placed in the appropriate street-end dumpsters. Failure to practice appropriate cleanup procedures may result in the denial of future event requests and/or appropriate billings.

✓ **ALCOHOLIC BEVERAGE SERVICE:** Groups are discouraged from the service of alcoholic beverages at their Ocean City event. However, those that desire such approval must state this clearly on their application. Permission to serve alcoholic beverages shall be granted exclusively by Mayor and City Council. It should be noted that without Council approval, open containers of alcoholic beverages on public property is illegal. Only Worcester County based non-profit groups may request to sell alcoholic beverages at an event, and must obtain a license from the Worcester County Board of License Commissioners. A “One Day Alcohol Permit” application with the Ocean City Mayor’s signature must be submitted to the County a minimum of fourteen (14) days prior to the event, along with a the permit fee. Applications are usually available in the Mayor’s office at City Hall. A copy of the approved permit must be forwarded to the Private Events Coordinator at least seven (7) days prior to the event. The original permit must be kept on site at the event and must be available to display if required.

✓ **CHANGES TO APPLICATION OR PERMIT:** Event applicants desiring to make changes to their submitted application or approved private event must complete the “Request for an Addendum to a Private Event” form (available upon request), and must submit the completed form, along with the appropriate fee, to the Private Events Coordinator. However, no changes will be accepted within 30-days prior to the event.

✓ **LOCAL ORDINANCE DISCLOSURE AND COMPLIANCE:** The applicant agrees to comply with the provisions of all applicable ordinances of the Town of Ocean City. Specifically all permitted uses on or within 75 feet of the Boardwalk are required to comply with the provisions of chapter 62 of the Code which expressly prohibits the public sale, rental or exchange for a donation of any goods, wares, merchandise, foodstuffs, refreshments or other commodities or services.

LEGAL DISCLOSURES

HOLD HARMLESS CLAUSE: Permittee (organization/ applicant) shall assume all risks incident to or in connection with the permittee activity including exposure to an infection of COVID-19 and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the permittee activity or the conduct of Permittee's operation. Permittee hereby expressly agrees to defend and hold the Town of Ocean City, its officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages, or injuries directly or indirectly arising out of or in connection with the permittee activity or conduct of its operation or resulting from the negligence or intentional acts or omissions of Permittee or its officers, agent and employees, including possible exposure to an infection from COVID-19.

PRIVATE EVENT APPLICATION COMPLIANCE REQUIREMENT: The applicant for the private event described in this application agrees to follow guidelines provided and submit a complete application including submission of all required materials. The applicant agrees to take full responsibility for all city-owned property, whether borrowed, leased or rented, and understands that necessary replacement and/or repair fees may be assessed should such property be in an unacceptable condition. The applicant agrees to abide by all provisions of the private event permit granted by the Town and agrees to pay all fees and costs assigned to the permit. The applicant further agrees to comply with all conditions of the use permit, which may be required by the Mayor and City Council of the Town.

INTELLECTUAL PROPERTY CLAUSE: Acknowledge and agree that no Town trademarks, service marks, trade names, logos, and/or other trade indicia, copyrights and, as applicable, any patents, inventions and/or other intellectual property (Intellectual Property) owned by the Mayor and City Council of the Town of Ocean City, Maryland, will be directly or indirectly used, incorporated, published or republished, without prior written consent. Unauthorized use of the Intellectual Property will result in The Town of Ocean City authorizing immediate emergency, temporary and/or permanent injunctive relief prohibiting such unauthorized use and the Town of Ocean City, Maryland may be entitled to injunctive relief because monetary damages may not be an adequate remedy; but notwithstanding, the foregoing Town of Ocean City, Maryland may seek any other legal or equitable remedies in addition to injunctive relief. To the extent the Town of Ocean City, Maryland prevails in a suit at law or in equity for the purpose of enforcing its Intellectual Property rights, the Town of Ocean City, Maryland shall be entitled to recover its reasonable attorneys' fees plus court costs and expenses.

Applicant, by checking each of the guidelines herein, accepts all responsibilities thereto. All information provided is correct and complete. The applicant agrees to maintain a complete record of the event through the Town of Ocean City's Private Event Coordinator including all required submission of materials separate from this document. Applicant further agrees that information not included in writing shall not be considered for approval and will not be an executable element of the final Private Event Permit unless submit as part of a written change order through the Private Events Coordinator for Mayor and City Council Approval. Images, videos and drawings shall be deemed as support material only and details conveyed shall be submitted in writing as part of this document or a change order. No details will be assumed by the Town, its officials or employees.



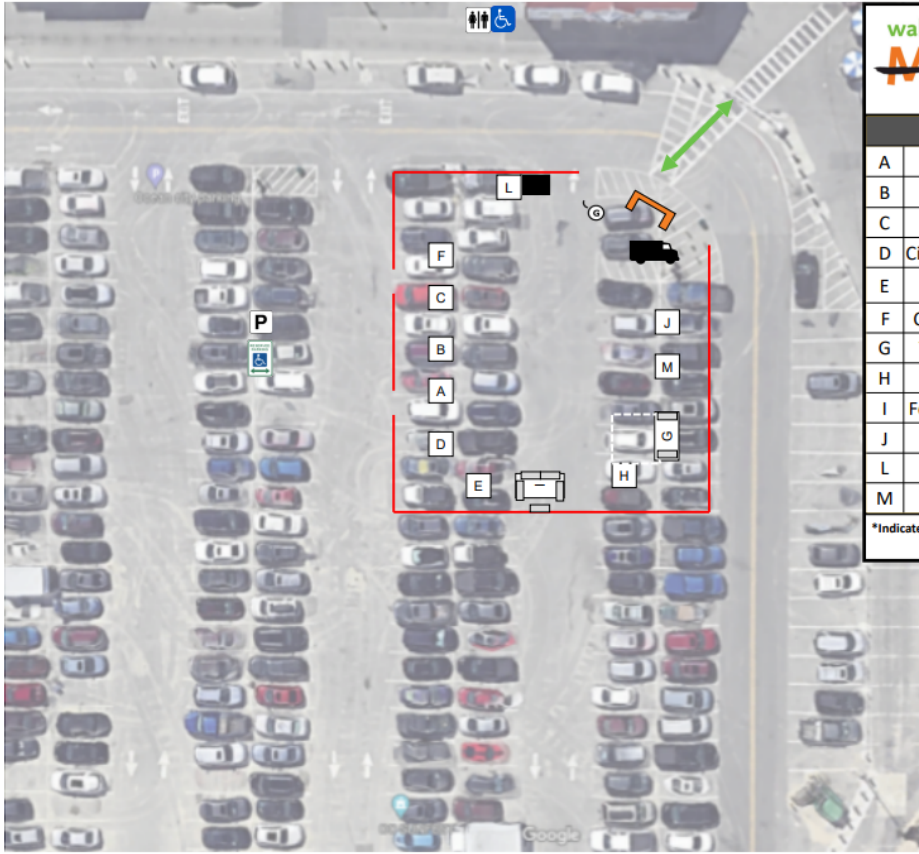
The applicant agrees to take full responsibility for all city-owned property, whether existing within the event footprint, add-ons thereto, borrowed, leased or rented. Applicant further agrees that they are responsible for the proper behavior of their crowd base and that damage or defacement caused to town or private property by vendors, participants, sub-contractors and/or spectators as a result of the execution of the event may be cause for action by the Town against applicant through additional repair or replacement fee assessment(s) or legal action to the extent of the law in the State of Maryland. The applicant agrees to abide by all provisions of the private event permit granted by the Town and agrees to pay all fees and costs assigned to the permit. The applicant further agrees to comply with all conditions and limitations of the Private Event Permit and additional conditions and tasks which may be required by the Mayor and City Council of the Town. This event must follow in accordance with all State of Maryland Directives and Orders regarding community, recreational, leisure, cultural and sporting gatherings and events.


Signature

x




The information provided in this tool is subject to final approval by staff. Permit requirements, fees, and zoning information may be altered upon subsequent staff review. If you have additional questions about your zoning determination, please contact town staff.

















2025 Ocean City MD Walk
April 5, 2025
Level: C

Inlet Parking Lot
809 S. Atlantic Avenue
Ocean City, MD 21842



N

Tents		Tbl	Chrs	Wall	Symbol Legend	
A	Registration	3	3	1		Arch
B	Volunteers	3	2	1		Rented Tent
C	Center LWMS	1*	6			Pop Up Tent
D	Circles of Support	2	2			Table
E	Why I Walk	1	2			Stage
F	Complete Circle	1	2	1		Fencing
G	Top Fundraiser	2*	40	2		Generator
H	TFA Check-In	2	2			Barricade
I	Food & Beverage	5	2			Restroom
J	Photo Area	0	0	4		Accessible RR
L	DJ	1	2			Parking
M	Royal Farms	1	2			ADA Parking
						Route

*Indicates additional tables of another size.

0

SATURDAY - APRIL 20TH 2024

Time	Task	Assigned	Notes
6:00 AM	All staff arrives on site for setup	All staff	See setup list
6:00 AM	Volunteer arrival begins	Leslie	See setup list
6:00 AM	Pickup Ice - 6 ~7-10lb bags	Christina	Exxon 12827 Ocean Gateway, Ocean City, MD 21842 (Across bridge)
8:00 AM	DJ Arrives	Ellen	
8:00 AM	Place parking instructions on meter	Ellen	
8:30 AM	Deliver hydration station supplies and setup, Deliver route turnaround signs	Jason	Bring a volunteer +1
8:30 AM	Host Arrives; Sound Check	Christina	
8:30 AM	Chick Fil A delivers TFA Food	Ellen	Chick Fil A - (410) 213-1825
9:00 AM	SITE OPENS	All staff	
9:45 AM	PROGRAM BEGINS	Christina	Anissa Pierce-Sessoms is host
10:00 AM	WALK STARTS	All staff	
10:00 AM	Remove parking instructions from meter	Ellen	
11:30 AM	Pick up hydration station supplies and route signs	Jason	
11:30 AM	Begin breakdown	All staff + Volunteers	
12:00 PM	SITE CLOSES	All staff	
12:00 PM	Vendors arrive for breakdown	Ellen	
12:00 PM	J Dog Trash Haul Pickup Trash	Ellen	
1:00 PM	Staff departs	All staff	
1:00 PM	Return truck to storage	Jason	



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 5.D
Council Meeting January 21, 2025

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Frank Miller, Special Events Director
RE: Beach 5 Sand Soccer
DATE: January 13, 2025

ISSUE(S): Angela Lewis, representing Beach 5 Sand Soccer, requests Council approve their annual Sand Soccer Tournament, tentatively scheduled for Saturday, June 21, 2025 on the beach, 8 am-7 pm, from Dorchester to 3rd Streets.

SUMMARY: This event is a family-friendly, 5 vs. 5 soccer tournament for teams aged 8 through adult.

The cleanliness of the beach must be maintained during the entire event, including set-up and teardown. Public Works will place twenty (20) 55-gallon trash cans in the event footprint. Ms. Lewis is responsible for staging the cans and supplying the liners. When the bags become full, Ms. Lewis is also responsible for moving them into the dumpsters on the street ends, and relining the cans.

Ms. Lewis has requested access to city electric on the N. Division St. beach, vehicular access to the beach and permission to park a supply trailer on the beach, next to the event tents.

Beach Patrol (OCBP) is always concerned with vehicular access to the beach, citing their staff goes through specialized training and annual recertification due to potential safety hazards vehicles can cause in crowded conditions. If Council approves, Ms. Lewis must ensure vehicles are off the beach before 8 am and not return until after 7 pm. It is also imperative that as beach events set-up, they not interfere with the normal patrolling of the beach by OCBP. Set-up must be, at minimum, 30-feet east of the concrete pad and the 30-feet around the wooden walkways perpendicular to the Boardwalk, and the southernmost field must set-up north of Dorchesters St., so the event does not interfere with emergency vehicle access to the beach. Ms. Lewis must establish east/west lanes within the event footprint, so city vehicles can move from the back of the beach to the water's edge. The easternmost fields must allow for a buffer zone between game play and beach patrons not affiliated with the event, and Ms. Lewis must take responsibility to keep these areas clear. Lastly, if OCBP clears

the beach, Ms. Lewis must ensure all involved with the event comply and not return until OCBP determines it safe.

A tent permit must be obtained from the Office of the Fire Marshal for any tents used larger than 10'x10'.

Risk Management stated minimum insurance requirement for this event is \$1M/\$2M Aggregate and \$4M Umbrella/Excess. All participants must also sign a waiver of liability.

Public Works will provide the trashcans and access to the beach, when needed. They will also ensure electric is on and available for event use at N. Division St.

FISCAL IMPACT: Ms. Lewis shall provide the Town \$3,400 in private event fees and \$360 in asset and support fees, for a total of \$3,760.

RECOMMENDATION: Approved as presented.



1st Class Resort and Tourist Destination

ALTERNATIVES: No staff alternatives suggested.

RESPONSIBLE STAFF: Lisa Mitchell, Special Events Coordinator
Thomas Dy, Public Works Maintenance Manager

COORDINATED WITH: Angela Lewis, Beach 5 Sand Soccer

ATTACHMENT(S):

1. Draft Permit
2. Processing Costs and Fees
3. Event Impact Calculation
4. June 2025 Calendar
5. Application
6. Event Footprint
7. Event Schedule



TOWN OF OCEAN CITY

The White Marlin Capital of the World

PRIVATE EVENT PERMIT
APPROVED BY
THE MAYOR AND CITY COUNCIL OF OCEAN CITY, MARYLAND
GRANTED TO
ANGELA LEWIS FOR BEACH 5 SAND SOCCER

SUBJECT: BEACH 5 SAND SOCCER TOURNAMENT 2025

Upon receiving approval and paying all fees, this permit defines the terms by which this event shall occur.

PURPOSE: 5 vs. 5 soccer tournament for all ages

PLACE, DATE, TIME: Saturday, June 21 on the beach between Dorchester and 3rd Streets, 8 am-7 pm

SET-UP: Friday, June 20 and Saturday morning, June 21

TEARDOWN: Saturday evening, June 21 and, if needed, Sunday, June 22

RESPONSIBILITIES OF EACH PARTY:

Angela Lewis for Beach 5 Sand Soccer

1. Serve as the event manager.
2. Coordinate the event.
3. Be easily accessible during the event, including set-up and breakdown.
4. Coordinate with Beach Patrol (OCBP) to complete their beach safety course, and provide a copy of each driver's record and insurance, if the opportunity to drive on the beach is desired.
5. Vehicular access to the Boardwalk may take place during set-up, event days, and breakdown in the mornings until 8 am and in the evenings after 7 pm, under controlled conditions to protect the general public. The driver shall contact Communications at 410-723-6600 10-minutes prior to arrival at North Division Street. Police (OCPD) personnel shall meet the driver to grant access to the Boardwalk. The driver will then verify if he will call again to leave the Boardwalk or if Town personnel should stay at the location for the duration of the driver's time there.
6. Will not block the Dorchester Street Ramp nor the concrete pad on the east side of the Boardwalk during set-up and breakdown.
7. Set-up event footprint, at minimum, 30-feet from the easternmost edge of the concrete tram lane, as well as the wooden walkways that run perpendicular to the Boardwalk. This includes spectator viewing areas.
8. Shall not extend the playing area any further east than the wooden walkways that are placed on the beach, perpendicular to the Boardwalk.
9. Establish east/west lanes within the event footprint for emergency access.
10. Place an event trailer within the event footprint. The trailer shall be placed during set-up and removed during breakdown. Trailer may be placed and moved before 8:00 am or after 7:00 pm.
11. Will not permit event participants/spectators to set up on the Boardwalk/concrete pad or within the areas of the beach used for emergency access.
12. Vehicles, including ATVs, used to unload/load on the beach must be off the beach by 8:00 am, and may not return until after 7:00 pm.
13. Vehicles, including ATVs, used to unload/load on the Boardwalk must be off the Boardwalk by 8:00 am and may not return until the next morning.
14. Obtain all necessary city, county and state permits, including any needed tent or air-inflated structure permits from the Town's Office of the Fire Marshal.
15. Have a certified athletic trainer on-site.
16. All Town-approved sponsors shall be kept within the event footprint.

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

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

17. May sell event specific items at a minimum distance of 75-feet east of the Boardwalk/concrete pad and within the event footprint only.
18. Utilize a PA system. Amplification will comply with Sec. 30-342 of the Ocean City Code.
19. Will not interfere with OCBP's ability to patrol the beach.
20. May use Town electric on the beach at North Division Street.
21. Notify the appropriate beach stand vendor(s) located within and next to the event footprint of the dates and times of the event, including set-up and breakdown.
22. Comply with OCBP, if they close the beach for lightning, or any other reason, and not return until OCBP declares the beach safe.
23. Maintain the cleanliness of the beach within the event footprint during the entire event, including set-up and breakdown.
24. May move the Town provided 55-gallon trash receptacles within the approved footprint during set-up and return to where they originated during breakdown.
25. Provide liners for 55-gallon trash receptacles located within the event footprint.
26. Empty trash cans within the event footprint when they become full, place them into the dumpsters at street ends, and reline the cans.
27. Control congestion along the concrete pad and within the east/west lanes within the event footprint of both the participants and spectators. If needed, provide private security to perform this duty at Beach 5 Sand Soccer's expense.
28. Keep the tram lane clear of all spectators.
29. Shall provide the Certificate of Insurance to include coverage for personal injury in the amount of \$1M per occurrence, \$2M aggregate, \$4M Umbrella/Excess, and name the Mayor and City Council as additional insured and certificate holder. Provided coverage shall be primary, non-contributory, and without regard to the named insured's fault or lack thereof.
30. Shall have all participants sign a waiver of liability.
31. Abide by all Guidelines and Obligations listed on the Private Event Application, unless otherwise noted in this permit.

Town of Ocean City, Maryland

1. Department of Public Works (DPW) shall provide 20 event trashcans within the event footprint.
2. DPW shall ensure power is on at North Division Street, and available for event use.
3. The Private Events Coordinator shall serve as the liaison for this event. Any questions regarding it should be directed to her. The liaison can be reached at 443-235-7329, LMitchell@oceancitymd.gov, or on the city radio system at #9010.

THE PRIVATE EVENT PERMIT IS EFFECTIVE WHEN SIGNED BELOW
AND MAY BE TERMINATED BY EITHER PARTY AT ANY TIME.

_____ Date: _____
Angela Lewis
On behalf of Beach 5 Sand Soccer

_____ Date: _____
Frank C. Miller
On behalf of the Mayor and City Council of Ocean City, Maryland

Ocean City's Private Event at a Glance

EXECUTIVE SUMMARY

rev. 240415

Event Name: **Beach 5 Sand Soccer**

Start Date: **Saturday, June 21, 2025**

Set Start: *Friday, June 20, 2025*

Strike End: *Sunday, June 22, 2025*

Location(s): **Beach Dorchester-3rd Sts.**

Duration: **1** Days
3 Days

Est. Ttl. Attend: **122,507**

Spectators: **2,500**

Participants: **2,000**

Vendors: **-**

1-day, family-friendly, beach soccer tournament for teams aged 8 through adult.

ASSIGNED TIER: Tier 2

Assigned via standardized calculation

Internal Est. Costs: Billable Costs:

DPW-M:	\$ 725.48	\$ 360.00
DPW-TRANS:	\$ -	
DPW-CON:	\$ -	
DPW-ELECT:	\$ -	
FIRE:	\$ -	
EMS:	\$ -	
OCPD:	\$ -	
OCBP:	\$ -	
FM:	\$ -	
PARKS:	\$ -	
P&Z:	\$ -	
Other:	\$ -	

Contact: **Angerla Lewis**

Organization: **Beach 5 Sand Soccer**

New Event? **NO**

Event Type: **Team Sports**

In-Season? **YES**

Non-Profit? **YES**

Crowd Draw: **Primarily Out of Town**

Annual Event? **YES**

Key Details & Other Events:

Request electric access on the beach.

Request vehicular access to the beach and Boardwalk.

Request permission to leave a 7'x14' trailer on the beach within the event footprint.

Requests to sell beach soccer-related items within the event footprint.

Conveyed Fees:

Application Fee:	\$ 250.00	If annual: Previous Year's Cost: \$ 3,270.00
Late Fee Applied:	\$ -	
Other Initial Credit/Fee:	\$ -	

EVENT DETAILS

Alcohol? **NO**

Food Sales? **NO**

Parking Req? **YES**

Entry Fee? **YES**

Estimated # of Vendors:

of 10x10s: **3**

#>100sf: **0**

Participant Registration Fee

Applied Assessment Fee:	\$ -	Cost/Event: \$ 3,510.00
Estimated Space Fee:	\$ 3,000.00	# of Events: 1
Estimated Vendor Fee:	\$ 150.00	TOTAL COST DUE: \$ 3,510.00
Departmental Costs:	\$ -	
Equipment & Labor Charges:	\$ 360.00	
IPL Lost Revenue Assessment:	\$ -	
Other Fees/Charges/Credits:	\$ -	



EVENT IMPACT CALCULATOR DETAIL - BEACH 5 SAND SOCCER TOURNAMENT - 01/14/2025

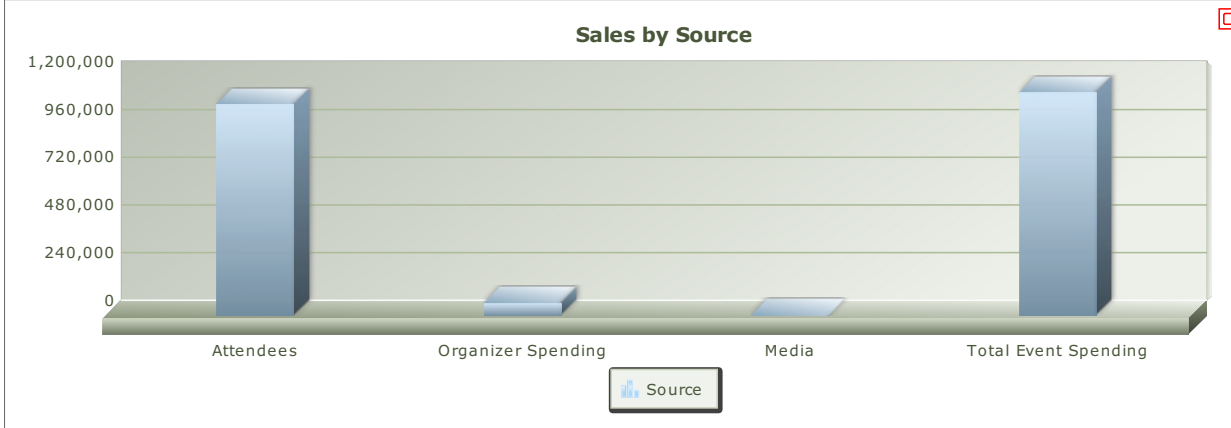
Event Summary

Key Parameters		Key Results	
Event Name	Beach 5 Sand Soccer Tournament	Business Sales (Direct)	\$1,120,379.63
Organization	Beach 5 Sand Soccer	Business Sales (Total)	\$1,583,300.13
Event Type	Sports: Youth Amateur	Jobs Supported (Direct)	843
Start Date	06/21/2025	Jobs Supported (Total)	944
End Date	06/21/2025	Local Taxes (Total)	\$27,667.39
Overnight Attendees	3000	Net Direct Local Tax ROI	\$25,822.71
Day Attendees	2000	Est. Room Nights Demand	1,577

Direct Business Sales

Sales by Source

Attendees Spending	\$1,059,555.58	Exhibitor Spending	\$151.01
Organizer Spending	\$60,673.04	Total Event Spending	\$1,120,379.63



Business Sales by Sector

Industry	Attendees	Organizer	Media/Sponsors	Total
Lodging	\$390,123.11	\$0.00*	\$0.00	\$390,123.11
Transportation	\$83,136.01	\$687.72*	\$96.54	\$83,920.27
Food & Beverage	\$335,915.12	\$31,523.00*	\$0.00	\$367,438.12
Retail	\$163,858.04	\$0.00	\$0.00	\$163,858.04
Recreation	\$86,523.29	\$0.00	\$0.00	\$86,523.29
Space Rental	\$0.00	\$12,227.00*	\$0.00	\$12,227.00
Business Services	\$0.00	\$16,235.32*	\$54.47	\$16,289.79
Totals	\$1,059,555.58	\$60,673.04	\$151.01	\$1,120,379.63

* indicates that the calculator's model defaults were used



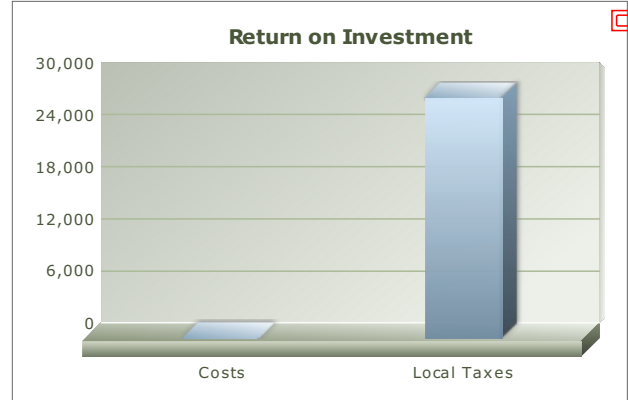
Economic Impact Details

	Direct	Indirect/Induced	Total
Business Sales	\$1,120,379.63	\$462,920.50	\$1,583,300.13
Personal Income	\$374,955.27	\$121,492.74	\$496,448.01
Jobs Supported			
Persons	843	101	944

Annual FTEs	11	1	12
Taxes And Assessments			
<u>Federal Total</u>	<u>\$101,340.76</u>	<u>\$38,060.91</u>	<u>\$139,401.67</u>
<u>State Total</u>	<u>\$72,781.11</u>	<u>\$11,394.39</u>	<u>\$84,175.49</u>
Sales	\$60,892.93	\$6,943.81	\$67,836.73
Income	\$5,174.82	\$1,676.74	\$6,851.56
Bed	\$0.00		\$0.00
Other	\$6,713.36	\$2,773.84	\$9,487.20
<u>Local Total</u>	<u>\$25,822.71</u>	<u>\$1,844.68</u>	<u>\$27,667.39</u>
Sales	\$0.00	\$0.00	\$0.00
Income	\$4,172.46	\$1,351.96	\$5,524.41
Bed	\$19,506.16		\$19,506.16
Per Room Charge	\$0.00		\$0.00
Tourism District	\$0.00		\$0.00
Restaurant	\$1,259.68	\$127.30	\$1,386.98
Other	\$884.41	\$365.42	\$1,249.83
Property Tax	\$21,125.21	\$5,411.47	\$26,536.67

Event Return On Investment (ROI)

Direct Total Tax ROI	
Direct Tax Receipts	\$25,822.71
DMO Hosting Costs	\$0.00
Direct ROI	\$25,822.71
Net Present Value	\$25,822.71
Direct ROI (%)	-
Total	
Total Local Tax Receipts	\$27,667.39
Total ROI	\$27,667.39
Net Present Value	\$27,667.39
Total ROI (%)	-



Estimated Room Demand Metrics

Room Nights Sold	1,577		
Room Pickup (block only)	0		
Peak Room Nights	1,111		
Total Visitor Days	5,758		

2025

CALENDAR YEAR

JUNE

CALENDAR MONTH

SUNDAY

FIRST DAY OF WEEK


Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
01	02	03	04	05	06	07 PE - Sand Duels Beach Soccer PE - WBYP Bolleyball
08 PE - Sand Duels Beach Soccer PE - WBYP Bolleyball	09	10	11	12	13	14 PE - Air Show
15 PE - Ar Show	16	17 <i>PE - Firemen Pipe and Drums - TENTATIVE</i>	18 <i>PE - Firemen's Parade - TENTATIVE</i>	19 <i>PE - Firemen's 5K - TENTATIVE</i>	20	21 PE - WBYP Bolleyball <i>PE - Beach 5 Sand Soccer - TENTATIVE</i> <i>PE - OC Surf Fest - TENTATIVE</i>
22 PE - WBYP Bolleyball	23	24	25	26	27	28
29	30	01	02	03	04	05
06	07	08	09	10	11	12

Private Event Permit Application

#432486

Beach 5 Sand Soccer  Team Sports

APPLICANT

Angela Lewis @ beach5sandsoccer@yahoo.com  (919) 607-0864

DATES AND TIMES

Event date and time:

06/21/2025 7:30am — 06/21/2025 5:00pm

Setup date and time:

06/20/2025 10:00am — 06/20/2025 7:00pm

Breakdown date and time:

06/21/2025 5:00pm — 06/21/2025 8:00pm

FEES

Application Fee	\$250.00
Application Late Fee	\$0.00
Application Addendum Fee	\$0.00
City Space Use Fee	\$0.00
Concession Fee	\$0.00
Asset and Support Fee	\$0.00
Banner Fee	\$0.00
IPL Lost Revenue Fee	\$0.00
Miscellaneous Fee	\$0.00
Total:	\$250.00
Total paid with Visa-2363 on 09/24/2024	-\$250.00
Due:	\$0.00

FEE SCOPING

Which type of event organization will run your event?

For-Profit

GENERAL INFORMATION

Event Name

Beach 5 Sand Soccer

Who will sponsor the event?

N/A

Event Locations

 Dorchester St. Beach

What type of marketing will be done for the event?

website / social media / e-newsletter

Event Summary

Beach Soccer event / teams from ages 8-adults.

Have you chosen a rain date?

No

Applicant Organization

Beach 5 Sand Soccer

Attach preliminary event schedule to illustrate event flow and proposed active use times for requested event site(s).

 [Field Schedule.docx](#)

Organization Phone

(919) 607-0864

Attach a description and map of the layout, infrastructure and hardware to be used. Provide a detailed site map/diagram/CAD drawing/rendering (all that apply).

Organization Website

www.beach5sandsoccer.com

What type of town assets or support will you request for the event?

we would need access to electrical pole
we would need access to drive onto boardwalk/beach to leave Beach 5 trailer (7x14)

Attach a description and map of the layout, infrastructure and hardware to be used. Provide a detailed site map/diagram/CAD drawing/rendering (all that apply).

 [Field Lay Out_MD.pdf](#)

Who will be the beneficiary of the event?

Beach 5 Sand Soccer

Does your event require police support?

No

CONTACT

Contact Name

Angela Lewis

Contact Mobile Number

(919) 607-0864

Contact Address

PO BOX 90413, Raleigh, NC 27675

Contact Email

@ beach5sandsoccer@yahoo.com

Contact Office Number

(919) 607-0864

ARRIVAL AND DEPARTURE DATES

Provide the date that staff arrives onsite for the event

 Jun 20, 2025

Vendor Departure

 Jun 21, 2024

Provide the date that staff departs the event

 Jun 21, 2025

Participant/Spectator Arrival

 Jun 21, 2025

Vendor Arrival

 Jun 21, 2024

Participant/Spectator Departure

 Jun 21, 2025

ROOM BLOCKS

Will you have an HQ hotel?

No

Hotel Location(s)

Booking company

Will you establish hotel room blocks?

Yes

EVENT ATTENDANCE ESTIMATES

Geographic Reach

Balanced

Staff Estimates

Total Staff	7
% Staying Overnight	100
% Traveling Alone	N/A

Participant Estimates

Total Participants	2000
Participants Staying Overnight	50
Average Guests	4

Exhibitor Estimates

Total Exhibitors	N/A
Exhibitors Staying Overnight	N/A
Exhibitors Traveling Alone	N/A

Spectator Estimates

Total Spectators	2500
Spectators Staying Overnight	1500
Average Party Size	4

Total Overnight Guests

% Lodge in Ocean City	35
% Use Condos	25
% Camp	5

ENTERTAINMENT/OFFERINGS

Will you charge any entry fees?

Registration Fee

Will your event include live music?

No

Will your event have a stage or static crowd viewing area?

No

Will your event include fireworks/pyrotechnics, flame or other special effects or bonfires?

No

Will your event include tents/temporary structures?

Yes

Select the temporary structures that are a part of your event

Tents 14x14 or smaller (under 200 sq ft)

Will your event close or alter use of streets or private parking lot space?

No

Will you sell items within the footprint of the event?

Yes

Please describe the items you will sell.

beach soccer balls & sand socks / beach 5 shirts

Will you provide sampling of products?

No

Will you serve or distribute alcohol?

No

Will you have onsite cooking or food trucks?

No

Will you provide portolets?

No

PARKING/ACCESS

Parking Information

% Utilizing Public Parking
35
% Parking at Hotels
55
% That Will Use Bus Service
N/A
% That will Use Town Lot
10

Will you have special parking requests?

Yes

Please explain your special parking requests

access to drive truck w/trailer onto beach/boardwalk & be able to leave trailer there overnight for event

Will you need vehicular beach access?

Yes

Will you need vehicular access to the Boardwalk?

Yes

Please explain access requirements.

access to drive truck w/trailer onto beach/boardwalk & be able to leave trailer there overnight for event

ACKNOWLEDGEMENTS



POINT OF CONTACT FOR THE TOWN OF OCEAN CITY: The Town’s Private Event Coordinator shall be the primary contact for all communications with the Town of Ocean City. If you receive contact from another Town department or entity, it is your responsibility to make sure the Private Event Coordinator is aware of all discussions, details, modifications or approvals as a result of independent conversations. At no time shall Applicant contact other departments directly unless authorized by the Private Events Coordinator in writing.



BEACH FRANCHISE NOTIFICATION: : If your event takes place on the beach, you must notify the appropriate beach equipment rental franchise owner(s) to advise them of the event footprint. It is the applicant’s responsibility to confirm, in writing, that 1) the franchise owner(s) has been notified; 2) event logistics have been coordinated; and 3) if necessary, a reasonable financial agreement has been negotiated. Written confirmation must be provided to the Town’s Private Event Coordinator. If the applicant and franchise owner(s) are unable to reach a mutually acceptable agreement, the matter shall be submitted to the Town for mediation, and the Town will decide an impartial resolution by which both parties shall abide.



ROAD/LANE CLOSURES: A state highway permit shall be obtained for use of any state property (roads, highways, etc.) This is the responsibility of the applicant independent of the Town’s private event process. Applicant shall keep the Town’s Private Event Coordinator apprised of all steps and approvals related to such efforts. Non-state roads affected by the event shall be reviewed by the Town for consideration of closure or traffic modification through the private event process.



USE OF MUNICIPAL PARKING LOTS: If a municipal lot is requested for use by the applicant for the event, whether for parking or placement of the event footprint, the Town reserves the right to review lost revenue and assign a cost to lot usage. This cost will be assigned during the private event approval process, discussed with the applicant and considered for approval by the Mayor and City Council as part of the private event approval.

INSURANCE REQUIREMENTS: The Risk Manager for the Town of Ocean City will determine insurance requirements for all private events, following the receipt of the application. Insurance requirements apply to private event vendors, amusement ride companies and fireworks producers, their contractors and subcontractors as well as the private event owner/sponsors. Requirements will depend on, including but not limited to, hazards and exposures associated with the specific private event.

Minimum required insurance shall be provided by companies licensed in the State of Maryland with a current AM Best, Inc. rating of a VII or better. The Mayor and City Council Town of Ocean City, Maryland, its employees, volunteers and officials shall be named as additional insured on all insurance policies except workers' compensation and, except for automobile liability, the The Mayor and City Council Town of Ocean City, Maryland's additional insured status shall include premises liability and products/completed operations.

Coverage's shall be primary and non-contributory with respect to any other insurance available to the Mayor and City Council Town of Ocean City, Maryland, its employees, volunteers and officials and shall include a waiver of rights of recovery or subrogation against the Mayor and City Council Town of Ocean City, Maryland, its officials, volunteers and employees without limitation for any and all claims, damages, losses, liabilities or expenses relating to, arising from, resulting from, or alleged to have arisen or resulted from, this private event.

Original copies of certificates of insurance and additional insured endorsements must be received by the Town of Ocean City, Maryland's Risk Management Office at least fifteen (15) working days prior to the event.

COCA-COLA EXCLUSIVE PRODUCT AGREEMENT DISCLOSURE: The applicant must comply with all provisions of the Town's agreement with Coca-Cola Refreshments as it pertains to the distribution or sales of beverages by the applicant on Town property. The applicant agrees to sell, dispense or serve only Coca-Cola beverages on Town premises for the duration of the permitted use. The applicant is expressly prohibited from using the beverages of other suppliers, said beverages to include soft drinks, juices, sport drinks, specified energy drinks and bottled waters. The permitted beverages include Coca-Cola, Diet Coke, Sprite, Pibb Xtra, Mello Yello, Fresca, Nestea, Arizona Tea, Honest Tea, Barqs Root Beer, Fanta, Minute Maid, Seagrams Ginger Ale, PowerAde, V-8 Juice, Fuze Juice, Monster, Tum E Yummies, Dasani and other products that Coca-Cola may provide in accordance with its agreement with the Town of Ocean City.

BEACH ACCESS: Vehicle access to and from the beach must be clearly identified on your application and is not guaranteed. If approved, applicant must complete a beach driving and safety course annually provided by OCBP at the applicants expense.

BEAUTY CONTESTS: Beauty contests are not permitted on the beach.

CITY SERVICES: Each applicant should plan on providing all the necessary cleanup, set-up, etc. without the assistance of City Services. If town services are requested, they must be clearly indicated within the Private Event Application for evaluation.

✓ CONCESSIONS: No food or beverage concessions will be permitted on the beach or along the boardwalk, although such sales may be considered at other sites. Beverage sales at other sites must maintain compliance with the sponsorship restrictions noted within this application. ONLY event-related merchandise sales may be permitted on the beach upon appropriate request and approval, subject to applicable laws.

✓ SPONSORSHIPS: All sponsors must be identified on the application.

✓ ADVERTISING: Ocean City will not allow any type of advertising that is:

- Violence in any form
- False, misleading or deceiving statements
- Sexually explicit or obscene materials
- Tobacco or tobacco products
- Vaping or vaping products
- Tattoos
- Casino gambling including games of chance and skill
- Alcohol
- Promoting the use of marijuana
- Other potentially objectionable marketing or advertising which may be established from time to time by the Town.

✓ DIAGRAM OF EVENT LAYOUT: A detailed diagram of the event layout/set-up and location of any and all facilities is required with your application. The application will be considered incomplete without the diagram.

✓ INFLATABLES: Inflatable displays may be permitted, but must be pre-approved. A photograph of the intended display and the dimensions must be included before approval can be considered. No liquor or tobacco product displays will be allowed. The Mayor and City Council reserve the right to reject any inflatable determined inappropriate.

✓ MUSIC AND PUBLIC ADDRESS SYSTEMS: Must operate in accordance with the Ocean City Code 30-367 of 65 decibels.

✓ DOWNTOWN EVENTS (BEACH/BOARDWALK): Events that charge participant entry fees (tournaments, festivals, etc.) and/or desire to display sponsorship banners or other promotional information, must maintain a seventy-five (75) foot buffer from the edge of the train lane to the start of the event's set up. All events must comply with the provisions of Chapter 62 of the Ocean City Code.

✓ **PARADES:** An MDOT Highway Permit must be obtained at (410) 543-6715 for use of any state property, and a copy forwarded to the Town’s Private Events Coordinator.

✓ **FIREWORKS, TENTS, AIR SUPPORT/AIR INFLATED STRUCTURES & BONFIRES:** Application to the City Fire Marshal at (410) 289-8780 is required, with appropriate approvals forwarded to the Private Events Coordinator. Failure to comply will result in revocation of all event approvals.

✓ **TOILET FACILITIES:** Identification of planned “comfort” provisions must be included in the application and event diagram. The Town owns a number of established public toilet stations in the downtown area that may assist in event planning.

✓ **PRIZE STIPULATIONS:** No alcoholic beverages may be awarded as a prize on City property.

✓ **WEST OCEAN CITY PARK AND RIDE:** A permit is required if a trailer or an oversized vehicle is parked over night at the West Ocean City Park and Ride. Please specify this request on your application.

✓ **SAMPLING:** Sampling will be permitted on a case-by-case basis. Sizes and quantities of such must be pre-approved, as do the locations for distribution. Samples must be of a nationally recognized product available for sale at retail establishments. No prepared food samples will be permitted on the beach nor along the boardwalk. Non-alcoholic beverage samples may be permitted provided the samples are in compliance with the Town of Ocean City’s exclusive beverage franchise agreement with Coca-Cola.

✓ **RAFFLES:** Only non-profit groups may offer any form of raffle in conjunction with an event in Ocean City. These groups must apply through the Worcester County Department of Development Review and Permitting, and must submit a processing fee at the time of application. Applications are available at the Isle of Wight County Office Building on Route 90, or at the Court House in Snow Hill. A copy of the raffle permit must be forwarded to the Private Events Coordinator at least seven (7) days prior to the event. All raffles must be drawn and announced prior to the conclusion of the event.

✓ **TRASH:** Applicant is required to clean the area of trash and transport it to the appropriate receptacle. On the beach, all trash must be placed in the appropriate street-end dumpsters. Failure to practice appropriate cleanup procedures may result in the denial of future event requests and/or appropriate billings.

- ✓ **ALCOHOLIC BEVERAGE SERVICE:** Groups are discouraged from the service of alcoholic beverages at their Ocean City event. However, those that desire such approval must state this clearly on their application. Permission to serve alcoholic beverages shall be granted exclusively by Mayor and City Council. It should be noted that without Council approval, open containers of alcoholic beverages on public property is illegal. Only Worcester County based non-profit groups may request to sell alcoholic beverages at an event, and must obtain a license from the Worcester County Board of License Commissioners. A “One Day Alcohol Permit” application with the Ocean City Mayor’s signature must be submitted to the County a minimum of fourteen (14) days prior to the event, along with a the permit fee. Applications are usually available in the Mayor’s office at City Hall. A copy of the approved permit must be forwarded to the Private Events Coordinator at least seven (7) days prior to the event. The original permit must be kept on site at the event and must be available to display if required.

- ✓ **CHANGES TO APPLICATION OR PERMIT:** Event applicants desiring to make changes to their submitted application or approved private event must complete the “Request for an Addendum to a Private Event” form (available upon request), and must submit the completed form, along with the appropriate fee, to the Private Events Coordinator. However, no changes will be accepted within 30-days prior to the event.

- ✓ **LOCAL ORDINANCE DISCLOSURE AND COMPLIANCE:** The applicant agrees to comply with the provisions of all applicable ordinances of the Town of Ocean City. Specifically all permitted uses on or within 75 feet of the Boardwalk are required to comply with the provisions of chapter 62 of the Code which expressly prohibits the public sale, rental or exchange for a donation of any goods, wares, merchandise, foodstuffs, refreshments or other commodities or services.

LEGAL DISCLOSURES

- HOLD HARMLESS CLAUSE:** Permittee (organization/ applicant) shall assume all risks incident to or in connection with the permittee activity including exposure to an infection of COVID-19 and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the permittee activity or the conduct of Permittee's operation. Permittee hereby expressly agrees to defend and hold the Town of Ocean City, its officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages, or injuries directly or indirectly arising out of or in connection with the permittee activity or conduct of its operation or resulting from the negligence or intentional acts or omissions of Permittee or its officers, agent and employees, including possible exposure to an infection from COVID-19.

- PRIVATE EVENT APPLICATION COMPLIANCE REQUIREMENT:** The applicant for the private event described in this application agrees to follow guidelines provided and submit a complete application including submission of all required materials. The applicant agrees to take full responsibility for all city-owned property, whether borrowed, leased or rented, and understands that necessary replacement and/or repair fees may be assessed should such property be in an unacceptable condition. The applicant agrees to abide by all provisions of the private event permit granted by the Town and agrees to pay all fees and costs assigned to the permit. The applicant further agrees to comply with all conditions of the use permit, which may be required by the Mayor and City Council of the Town.

- INTELLECTUAL PROPERTY CLAUSE:** Acknowledge and agree that no Town trademarks, service marks, trade names, logos, and/or other trade indicia, copyrights and, as applicable, any patents, inventions and/or other intellectual property (Intellectual Property) owned by the Mayor and City Council of the Town of Ocean City, Maryland, will be directly or indirectly used, incorporated, published or republished, without prior written consent. Unauthorized use of the Intellectual Property will result in The Town of Ocean City authorizing immediate emergency, temporary and/or permanent injunctive relief prohibiting such unauthorized use and the Town of Ocean City, Maryland may be entitled to injunctive relief because monetary damages may not be an adequate remedy; but notwithstanding, the foregoing Town of Ocean City, Maryland may seek any other legal or equitable remedies in addition to injunctive relief. To the extent the Town of Ocean City, Maryland prevails in a suit at law or in equity for the purpose of enforcing its Intellectual Property rights, the Town of Ocean City, Maryland shall be entitled to recover its reasonable attorneys' fees plus court costs and expenses.

Applicant, by checking each of the guidelines herein, accepts all responsibilities thereto. All information provided is correct and complete. The applicant agrees to maintain a complete record of the event through the Town of Ocean City's Private Event Coordinator including all required submission of materials separate from this document. Applicant further agrees that information not included in writing shall not be considered for approval and will not be an executable element of the final Private Event Permit unless submit as part of a written change order through the Private Events Coordinator for Mayor and City Council Approval. Images, videos and drawings shall be deemed as support material only and details conveyed shall be submitted in writing as part of this document or a change order. No details will be assumed by the Town, its officials or employees.

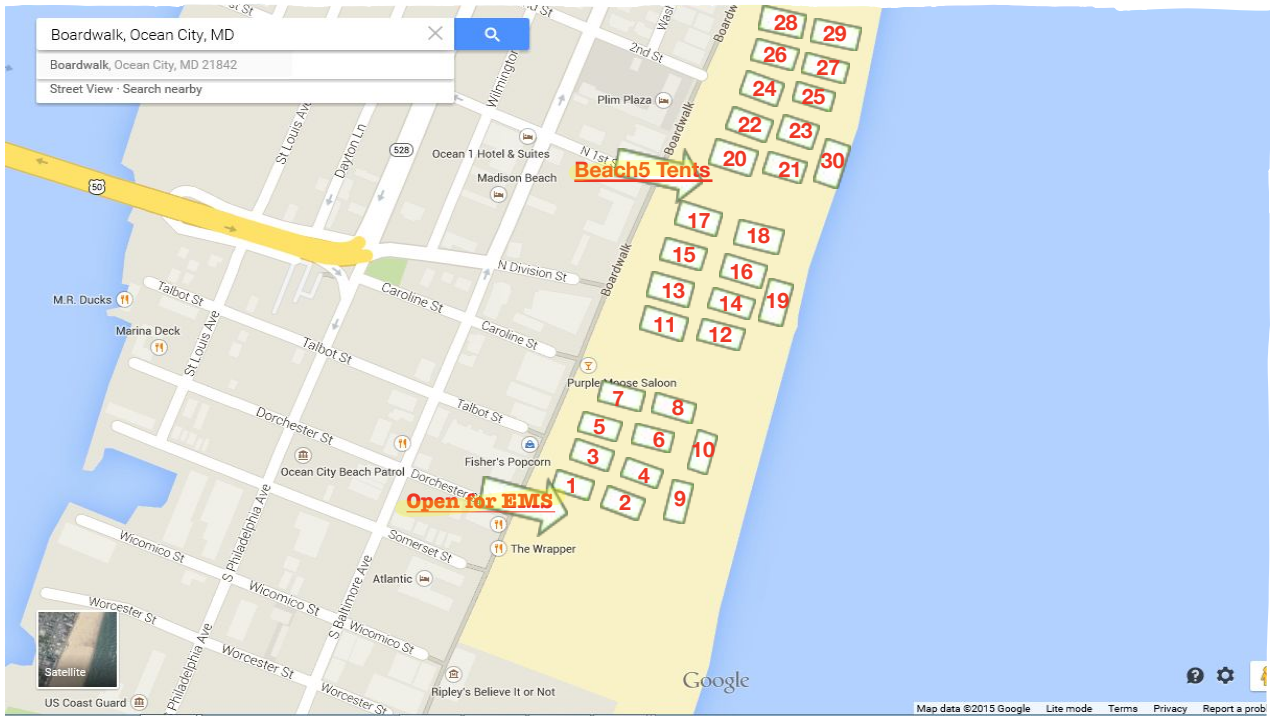


The applicant agrees to take full responsibility for all city-owned property, whether existing within the event footprint, add-ons thereto, borrowed, leased or rented. Applicant further agrees that they are responsible for the proper behavior of their crowd base and that damage or defacement caused to town or private property by vendors, participants, sub-contractors and/or spectators as a result of the execution of the event may be cause for action by the Town against applicant through additional repair or replacement fee assessment(s) or legal action to the extent of the law in the State of Maryland. The applicant agrees to abide by all provisions of the private event permit granted by the Town and agrees to pay all fees and costs assigned to the permit. The applicant further agrees to comply with all conditions and limitations of the Private Event Permit and additional conditions and tasks which may be required by the Mayor and City Council of the Town. This event must follow in accordance with all State of Maryland Directives and Orders regarding community, recreational, leisure, cultural and sporting gatherings and events.

Signature

x 

The information provided in this tool is subject to final approval by staff. Permit requirements, fees, and zoning information may be altered upon subsequent staff review. If you have additional questions about your zoning determination, please contact town staff.



Friday arrival:

- Field Set up to include required fields for teams
- Tent Set up
 - Tent for Staff
 - Tent for Medic
 - Tent for Refs
- Should be completed by 7-8pm Friday.

Saturday arrival:

- Tournament games begin @ 8am
- Tournament games typically end @ 5pm-5:30pm
- After tournament is completed Field & Tents are broken down
- Should be completed by 7-8pm Saturday



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 5.E
Council Meeting January 21, 2025

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Frank Miller, Special Events Director
RE: Ocean City Jeep Fest
DATE: January 13, 2025

ISSUE(S): Brad Hoffman, representing Live Wire Media, requests Council approve the Ocean City Jeep Fest, tentatively scheduled Thursday-Sunday, August 21-24, 2025.

SUMMARY: This event is twofold:

1. Parade of no more than 400 Jeeps daily, Thursday-Sunday, 7:45-10 am on the beach from the Inlet to 30th Street.
2. Jeep beach course north of the pier, between Wicomico and Dorchester Streets daily, Thursday-Sunday. There are three (3) shifts Thursday-Saturday: (1) 10 am-12 pm, (2) 1-3 pm, and (3) 3:30-5:30 pm. There is one (1) shift Sunday: 10 am-12 pm. Each shift will have no more than 150 Jeeps participating.

Mr. Hoffman requests the following from the Town:

1. Beach Patrol (OCBP) support for the daily parades
2. Rows AA-A in the Inlet Lot for event use
3. Parking codes for event staff
4. Parking codes for beach course participants, with time allotted for no more than 3-1/2 hours
5. 100 parking cones

Mr. Hoffman is responsible for creating, maintaining and securing the closed beach course, as well as inspecting all participating Jeeps in both events for fluid leaks, and not allowing Jeep access to the beach if a leak is detected. Mr. Hoffman must also place signs, educating the public to the events at each affected beach entrance, as well as making the affected beach franchise vendor aware of the events. Lastly, Mr. Hoffman is responsible for confirming pier clearance for Jeep access.

OCBP stated Mr. Hoffman must ensure participants do not throw anything from their vehicles during the events. He must also maintain a driving lane with barriers and a monitor as the Jeeps move between the Inlet Lot and the obstacle course, including releasing the Jeeps in groups to enter and exit the beach. There is not to be a constant flow of vehicles on the beach throughout the entire event. Mr. Hoffman also must

provide adequate safety and security for beach patrons, which include strong barriers in case a vehicle loses control on the course.

Risk Management stated minimum required insurance is \$1M/\$2M General Liability, with an Excess Umbrella of \$5M. Mayor and City Council must be named Additional Insured on both policies. Lastly, all participants must sign a waiver of liability.

Public Works will provide cones for event use.

FISCAL IMPACT: Mr. Hoffman shall pay the Town \$4,400 in private event fees and \$1,440 in asset and support fees, for a total of \$5,840.

RECOMMENDATION: Approve as presented.



1st Class Resort and Tourist Destination

ALTERNATIVES: No staff alternatives suggested.

RESPONSIBLE STAFF: Lisa Mitchell, Special Events Coordinator
Thomas Dy, Public Works Maintenance Manager

COORDINATED WITH: Brad Hoffman, Live Wire Media and Events

ATTACHMENT(S):

1. Draft Permit
2. Processing Costs and Fees
3. Event Impact Calculation
4. August 2025 Calendar
5. Application
6. Event Timeline
7. Sand Course Design



TOWN OF OCEAN CITY

The White Marlin Capital of the World

**PRIVATE EVENT PERMIT
APPROVED BY
THE MAYOR AND CITY COUNCIL OF OCEAN CITY, MARYLAND
GRANTED TO
BRAD HOFFMAN FOR LIVE WIRE MEDIA**

SUBJECT: OCEAN CITY JEEP FEST 2025

Having received approval and having paid all fees, this permit defines the terms by which this event shall occur.

PURPOSE: Daily beach parade of Jeeps and a Jeep beach course

PLACE, DATE, TIME:

Parade: Thursday through Sunday, August 21-24, from 7:45-9:30 am on the beach between the trashcans and beach patrol stands, from the Inlet to 30th Street, staging in the northeast section of the Inlet Lot (Rows AA-A). No more than 400 jeeps per day.

Beach Course: Thursday through Sunday, August 21-24, on the beach, north of the pier, between Wicomico and Dorchester Streets. Thursday through Saturday there are three (3) shifts of no more than 150 jeeps each daily; the first from 10 am-12 pm, the second from 1-3 pm, and the third from 3:30-5:30 pm. On Sunday there is one (1) shift of no more than 150 jeeps from 10 am-12 pm.

SET-UP: Parade: 7:00 am daily
Obstacle Course: Tuesday and Wednesday, August 18-20

BREAKDOWN:Parade: Immediately following each event
Obstacle Course: Sunday, August 24 beginning at 1 pm

RESPONSIBILITIES OF EACH PARTY:

Brad Hoffman for Live Wire Media

1. Serve as events manager.
2. Coordinate the events.
3. Participating Jeeps must not throw anything out of their vehicles to spectators in either sub-event.
4. Ensure each participating Jeep has valid insurance coverage.
5. Ensure clearance is high enough that all participants can traverse under the pier.
6. Post informational signs at each beach entrance of the parade route 24-hours in advance of the event.
7. Create, maintain and secure a Jeep beach course.
8. Design the beach course with the safety of the drivers and the public as primary design factors.
9. Return the beach to the same condition it was provided, prior to the creation of the beach course, and the inflation/deflation and Jeep inspection area.
10. Ensure the area around “Wally Whale” is monitored and kept clear to prevent damage to the structure during staging for the sand course as well as the actual events.
11. Inspect all Jeeps participating for fluid leaks, and not allowing them access to the beach if one is found.
12. Provide a hazardous spill procedure to the Town’s Private Event Coordinator.

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

13. Work closely with the Town in regard to the sand course, and make any necessary safety modifications the Town deems necessary.
14. Contact the affected Beach Stand Operators twice, advising about the event: Once after the event is approved by Council and a second time one (1) week prior to the event.
15. Mark the entire beach drive path for the Sand Course.
16. Have dedicated staff monitor the entire beach drive path and the Sand Course for the entirety of the events.
17. Release Jeeps in the Sand Course in groups to both enter and exit the beach. There is not to be a constant flow of vehicles on the beach.
18. If the beach is cleared, event staff, participants and spectators must leave the beach until Beach Patrol (OCBP) deems it safe to return.
Minimum insurance coverage required is \$1M/\$2M and Excess Umbrella \$5M. Mayor and City Council must be named Additional insured and certificate holder. Provided coverage shall be primary, non-contributory, and without regard to the named insured's fault or lack thereof. Lastly, all participants must sign a waiver of liability.
19. Abide by all Guidelines and Obligations listed on the Private Event Application, unless otherwise noted in this permit.

The Town of Ocean City, Maryland

1. OCBP shall provide personnel on ATVs spaced within the participants to ensure no Jeeps leave the parade route, as well as two (2) members in SUVs to lead and follow each parade.
2. Public Works (DPW) shall block off rows AA and A in the Inlet Lot. This area is designated for Jeep tire inflation with the beach course.
3. DPW shall provide 100 parking cones for event use. Delivery shall be coordinated with the event promoter no later than Tuesday, August 12.
4. Approve the beach course prior to it being open to participating Jeeps.
5. Provide daily Inlet Lot parking pass codes to the event promoter for event staff and Jeep sand course participant use.
6. The Private Event Coordinator, shall serve as the liaison for this event. Any questions regarding it should be directed to her. The liaison can be reached at 443-235-7329, LMitchell@oceancitymd.gov, or on the city radio system at #9010.

**THIS PRIVATE EVENT PERMIT IS EFFECTIVE WHEN SIGNED BELOW
AND MAY BE TERMINATED BY EITHER PARTY AT ANY TIME.**

Brad Hoffman
On Behalf of Live Wire Media

Date: _____

Frank C. Miller
On Behalf of the Mayor and City Council of Ocean City, Maryland

Date: _____

Ocean City's Private Event at a Glance

EXECUTIVE SUMMARY

rev. 240415

Event Name: **Ocean City Jeep Fest**

Start Date: **Thursday, August 21, 2025**

Set Start: *Monday, August 18, 2025*

Strike End: *Monday, August 25, 2025*

Location(s): **Beach Inlet to 30th St.**
IPL rows AA-A

Duration: **4** Days
8 Days

Est. Ttl. Attend: **103,350**

Spectators: **6,000**

Participants: **1,800**

Vendors: **60**

This event is twofold:
 First, it is a daily parade of NO MORE THAN 300 Jeeps on the beach from the Inlet to 30th St., Thursday through Sunday, 8-9:30 am.
 Secondly, it is a Jeep beach obstacle course north of the pier, between Wicomico and Dorchester Streets:
 * Thursday through Saturday 9:30 am-5:30 pm - 3 shifts of no more than 150 Jeeps each
 * Sunday, 10 am-1 pm - 1 shift of no more than 150 Jeeps.

ASSIGNED TIER: Tier 2
Assigned via standardized calculation

Contact: **Brad Hoffman**

Organization: **Live Wire Media**

New Event? **NO**

Event Type: **Vehicular**

In-Season? **YES**

Non-Profit? **YES**

Crowd Draw: **Primarily Out of Town**

Annual Event? **YES**

	Internal Est. Costs:	Billable Costs:
DPW-M:	\$ 3,656.31	\$ 1,440.00
DPW-TRANS:	\$ -	
DPW-CON:	\$ -	
DPW-ELECT:	\$ -	
FIRE:	\$ -	
EMS:	\$ -	
OCPD:	\$ -	
OCBP:	\$ -	
FM:	\$ -	
PARKS:	\$ -	
P&Z:	\$ -	
Other:	\$ -	

Key Details & Other Events:

<i>Only requested assets from the Town are 100 cones.</i>
<i>Requests Beach Patrol support for the beach parades.</i>

Conveyed Fees:		If annual: Previous Year's Cost:
Application Fee:	\$ 250.00	\$ 8,455.00
Late Fee Applied:	\$ -	
Other Initial Credit/Fee:	\$ -	
Applied Assessment Fee:	\$ -	Cost/Event: \$ 5,590.00
Estimated Space Fee:	\$ 4,000.00	# of Events: 1
Estimated Vendor Fee:	\$ 150.00	TOTAL COST DUE:
Departmental Costs:	\$ -	\$ 5,590.00
Equipment & Labor Charges:	\$ 1,440.00	
IPL Lost Revenue Assessment:	\$ -	
Other Fees/Charges/Credits:	\$ -	

EVENT DETAILS

Alcohol? **NO**

Food Sales? **NO**

Parking Req? **YES**

Entry Fee? **YES**

Estimated # of Vendors:

of 10x10s: **5**

#>100sf: **0**

Participant Registration Fee



EVENT IMPACT CALCULATOR DETAIL - JEEP FEST - 01/15/2025

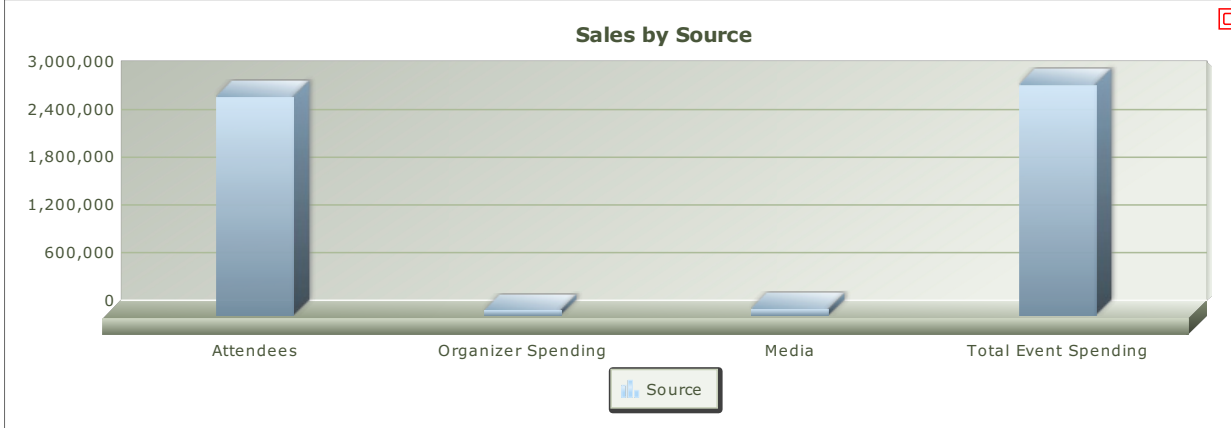
Event Summary

Key Parameters		Key Results	
Event Name	Jeep Fest	Business Sales (Direct)	\$2,884,353.32
Organization	Live Wire Media	Business Sales (Total)	\$3,972,880.85
Event Type	FCE: Performing arts	Jobs Supported (Direct)	669
Start Date	08/21/2025	Jobs Supported (Total)	813
End Date	08/24/2025	Local Taxes (Total)	\$117,924.46
Overnight Attendees	4009	Net Direct Local Tax ROI	\$113,034.21
Day Attendees	2672	Est. Room Nights Demand	6,594

Direct Business Sales

Sales by Source

Attendees Spending	\$2,740,660.35	Exhibitor Spending	\$81,675.24
Organizer Spending	\$62,017.73	Total Event Spending	\$2,884,353.32



Business Sales by Sector

Industry	Attendees	Organizer	Media/Sponsors	Total
Lodging	\$1,993,259.39	\$4,803.42*	\$0.00	\$1,998,062.81
Transportation	\$110,826.44	\$1,601.14*	\$361.22	\$112,788.80
Food & Beverage	\$376,561.80	\$6,375.00*	\$0.00	\$382,936.80
Retail	\$187,424.03	\$0.00	\$0.00	\$187,424.03
Recreation	\$72,588.70	\$0.00	\$0.00	\$72,588.70
Space Rental	\$0.00	\$12,058.00*	\$1,018.97	\$13,076.97
Business Services	\$0.00	\$37,180.17*	\$80,295.05	\$117,475.22
Totals	\$2,740,660.35	\$62,017.73	\$81,675.24	\$2,884,353.32

* indicates that the calculator's model defaults were used



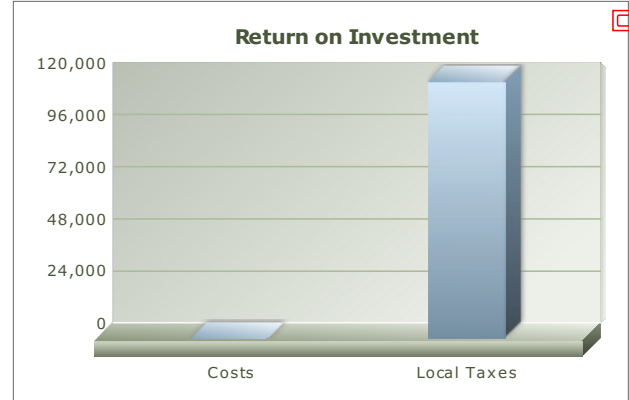
Economic Impact Details

	Direct	Indirect/Induced	Total
Business Sales	\$2,884,353.32	\$1,088,527.53	\$3,972,880.85
Personal Income	\$870,090.84	\$335,340.61	\$1,205,431.45
Jobs Supported			
Persons	669	143	813

Annual FTEs	22	5	27
Taxes And Assessments			
<u>Federal Total</u>	<u>\$250,042.03</u>	<u>\$95,158.82</u>	<u>\$345,200.85</u>
<u>State Total</u>	<u>\$186,686.17</u>	<u>\$27,478.51</u>	<u>\$214,164.68</u>
Sales	\$157,394.74	\$16,327.91	\$173,722.66
Income	\$12,008.27	\$4,628.09	\$16,636.36
Bed	\$0.00		\$0.00
Other	\$17,283.16	\$6,522.50	\$23,805.66
<u>Local Total</u>	<u>\$113,034.21</u>	<u>\$4,890.24</u>	<u>\$117,924.46</u>
Sales	\$0.00	\$0.00	\$0.00
Income	\$9,682.27	\$3,731.63	\$13,413.90
Bed	\$99,662.97		\$99,662.97
Per Room Charge	\$0.00		\$0.00
Tourism District	\$0.00		\$0.00
Restaurant	\$1,412.11	\$299.35	\$1,711.45
Other	\$2,276.87	\$859.27	\$3,136.14
Property Tax	\$54,385.64	\$12,201.26	\$66,586.90

Event Return On Investment (ROI)

Direct Total Tax ROI	
Direct Tax Receipts	\$113,034.21
DMO Hosting Costs	\$0.00
Direct ROI	\$113,034.21
Net Present Value	\$113,034.21
Direct ROI (%)	-
Total	
Total Local Tax Receipts	\$117,924.46
Total ROI	\$117,924.46
Net Present Value	\$117,924.46
Total ROI (%)	-



Estimated Room Demand Metrics

Room Nights Sold	6,594		
Room Pickup (block only)	0		
Peak Room Nights	2,358		
Total Visitor Days	13,214		

2025

CALENDAR YEAR

AUGUST

CALENDAR MONTH

SUNDAY

FIRST DAY OF WEEK

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	01	02 <i>PE - Beach 5 Sand Soccer - TENTATIVE</i>
03	04 <i>PE - Marlin Fest - TENTATIVE</i>	05 <i>PE - Marlin Fest - TENTATIVE</i>	06 <i>PE - Marlin Fest - TENTATIVE</i>	07 <i>PE - Marlin Fest - TENTATIVE</i>	08 <i>PE - Marlin Fest - TENTATIVE</i>	09
10	11	12	13	14	15	16
17	18	19	20	21 <i>PE - JeepFEST - TENTATIVE</i>	22 <i>PE - JeepFEST - TENTATIVE</i>	23 <i>PE - JeepFEST - TENTATIVE</i>
24 <i>PE - JeepFEST - TENTATIVE</i>	25	26	27	28	29	30
31	01	02	03	04	05	06

Private Event Permit Application

#454647

Ocean City Jeep Fest  Vehicle

APPLICANT

Brad Hoffman @ livewiremediaevents@gmail.com  (443) 366-5944

DATES AND TIMES

Event date and time:

08/21/2025 6:00am — 08/24/2025 5:00pm

Setup date and time:

08/18/2025 6:00am — 08/20/2025 8:00pm

Breakdown date and time:

08/24/2025 5:00pm — 08/25/2025 1:00pm

FEES

Application Fee	\$250.00
Application Late Fee	\$0.00
Application Addendum Fee	\$0.00
City Space Use Fee	\$0.00
Concession Fee	\$0.00
Asset and Support Fee	\$0.00
Banner Fee	\$0.00
IPL Lost Revenue Fee	\$0.00
Miscellaneous Fee	\$0.00
Total:	\$250.00
Total paid with Visa-3522 on 11/14/2024	-\$250.00
Due:	\$0.00

FEE SCOPING

Which type of event organization will run your event?

For-Profit

GENERAL INFORMATION

Event Name

Ocean City Jeep Fest

Event Locations

- Dorchester St. Beach
- Wicomico St. Beach
- Somerset St. Beach

Event Summary

We have been producing this event for 12 years. We build a sand course for our Jeep participants. It is built by Delmarva Jeep Events / OC Jeep Fest. We have a proven track record of safety and success.

Applicant Organization

Live Wire Media

Organization Phone

(443) 366-5944

Organization Website

oceancityjeepfest.com

What type of town assets or support will you request for the event?

As in the past we stage the Jeeps in rows AA & A. We also do a morning beach crawl, starting at the inlet parking lot, and head North to 30th street beach exit. We request beach patrol support for the beach crawl. We do not utilize any police traffic support. We need 100 traffic cones in the inlet parking lot.

Who will be the beneficiary of the event?

Ocean City Jeep Fest / Live Wire Media

Who will sponsor the event?

KICKER, IG Burton, Audio Works, BWT, Joes Jeep Jungle, Quake LED, WBOC, Wild Child, Marines, Army, Trail 7, Fan Fam, Vision Wheel, Crawl Works, Oasis Trail Gear, Ruc Rak, Delmarva Jeep Events, Ocean City Jeep Club, 717 Apparel, EZ 4x4, Patriot Firearms, Rubber Ducky.

What type of marketing will be done for the event?

Online digital marketing, social media marketing, radio, TV, print, website, digital online partners, billboards, we also go to other jeep events in other states and distribute marketing cards directly to Jeep enthusiasts, regional posters, live remotes, instagram and Facebook influencers.

Have you chosen a rain date?

No

Attach preliminary event schedule to illustrate event flow and proposed active use times for requested event site(s).

 [OC Jeep Fest Timeline 2025.docx](#)

Attach a description and map of the layout, infrastructure and hardware to be used. Provide a detailed site map/diagram/CAD drawing/rendering (all that apply).

Attach a description and map of the layout, infrastructure and hardware to be used. Provide a detailed site map/diagram/CAD drawing/rendering (all that apply).

 [Sand Course Design_.png](#)

Does your event require police support?

No

CONTACT

Contact Name

Brad Hoffman

Contact Mobile Number

(443) 366-5944

Contact Address

510 146th St, Suite 3, Ocean City, MD 21842

Contact Email

@ brad@live-wire-media.com

Contact Office Number

(443) 366-5944

ARRIVAL AND DEPARTURE DATES

Provide the date that staff arrives onsite for the event
 Aug 18, 2025

Vendor Departure
 Aug 25, 2025

Provide the date that staff departs the event
 Aug 25, 2025

Participant/Spectator Arrival
 Aug 19, 2025

Vendor Arrival
 Aug 19, 2025

Participant/Spectator Departure
 Aug 24, 2025

ROOM BLOCKS

Will you have an HQ hotel?

Yes

Hotel Location(s)

North Ocean City, Midtown & Downtown.

Hotel name

Hotel name
Carousel Group, Beach Bum Hotel, Harrison Group, Atlantic Hotel.

Block Size/Occupants per Room

We utilize several different size hotel blocks from 50 to 100 rooms per block. We notice online bookings to be the norm. With over 1400 to 3000 participant and 200 vendors we are occupying over 4,000 hotel room nights. This event annually is a significant positive economic impact on hotels and restaurants.

Will you establish hotel room blocks?

Yes

EVENT ATTENDANCE ESTIMATES

Geographic Reach

Primarily Out of Town

Staff Estimates

Total Staff	60
% Staying Overnight	100
% Traveling Alone	5

Participant Estimates

Total Participants	1800
Participants Staying Overnight	1800
Average Guests	6000

Exhibitor Estimates

Total Exhibitors	60
Exhibitors Staying Overnight	60
Exhibitors Traveling Alone	N/A

Spectator Estimates

Total Spectators	6000
Spectators Staying Overnight	5000
Average Party Size	3

Total Overnight Guests

% Lodge in Ocean City	90
% Use Condos	20
% Camp	5

ENTERTAINMENT/OFFERINGS

Will you charge any entry fees?

Registration Fee

Vendor Fee

Will your event include live music?

No

Will your event have a stage or static crowd viewing area?

Yes

Where will your entertainers come from?

Primarily Out of Town

What is your expected average ticket price?

Ⓢ 20.0

Will your event include fireworks/pyrotechnics, flame or other special effects or bonfires?

No

Will your event include bleachers, risers or other temporary structure accessible by the consumer?

No

Will your event include tents/temporary structures?

Yes

Select the temporary structures that are a part of your event

Tents 14x14 or smaller (under 200 sq ft)

Will your event close or alter use of streets or private parking lot space?

No

Will you sell items within the footprint of the event?

No

Will you provide sampling of products?

No

Will you serve or distribute alcohol?

No

Will you have onsite cooking or food trucks?

No

Will you provide portolets?

No

PARKING/ACCESS

Parking Information

% Utilizing Public Parking

30

% Parking at Hotels

70

% That Will Use Bus Service

25

% That will Use Town Lot

30

Will you have special parking requests?

No

Will you need vehicular beach access?

Yes

Will you need vehicular access to the Boardwalk?

No

Please explain access requirements.

We utilize the beach to access the sand course and for the beach crawl in the morning.

ACKNOWLEDGEMENTS

- POINT OF CONTACT FOR THE TOWN OF OCEAN CITY:** The Town's Private Event Coordinator shall be the primary contact for all communications with the Town of Ocean City. If you receive contact from another Town department or entity, it is your responsibility to make sure the Private Event Coordinator is aware of all discussions, details, modifications or approvals as a result of independent conversations. At no time shall Applicant contact other departments directly unless authorized by the Private Events Coordinator in writing.

- BEACH FRANCHISE NOTIFICATION:** : If your event takes place on the beach, you must notify the appropriate beach equipment rental franchise owner(s) to advise them of the event footprint. It is the applicant's responsibility to confirm, in writing, that 1) the franchise owner(s) has been notified; 2) event logistics have been coordinated; and 3) if necessary, a reasonable financial agreement has been negotiated. Written confirmation must be provided to the Town's Private Event Coordinator. If the applicant and franchise owner(s) are unable to reach a mutually acceptable agreement, the matter shall be submitted to the Town for mediation, and the Town will decide an impartial resolution by which both parties shall abide.

- ROAD/LANE CLOSURES:** A state highway permit shall be obtained for use of any state property (roads, highways, etc.) This is the responsibility of the applicant independent of the Town's private event process. Applicant shall keep the Town's Private Event Coordinator apprised of all steps and approvals related to such efforts. Non-state roads affected by the event shall be reviewed by the Town for consideration of closure or traffic modification through the private event process.

- USE OF MUNICIPAL PARKING LOTS:** If a municipal lot is requested for use by the applicant for the event, whether for parking or placement of the event footprint, the Town reserves the right to review lost revenue and assign a cost to lot usage. This cost will be assigned during the private event approval process, discussed with the applicant and considered for approval by the Mayor and City Council as part of the private event approval.

INSURANCE REQUIREMENTS: The Risk Manager for the Town of Ocean City will determine insurance requirements for all private events, following the receipt of the application. Insurance requirements apply to private event vendors, amusement ride companies and fireworks producers, their contractors and subcontractors as well as the private event owner/sponsors. Requirements will depend on, including but not limited to, hazards and exposures associated with the specific private event.

Minimum required insurance shall be provided by companies licensed in the State of Maryland with a current AM Best, Inc. rating of a VII or better. The Mayor and City Council Town of Ocean City, Maryland, its employees, volunteers and officials shall be named as additional insured on all insurance policies except workers' compensation and, except for automobile liability, the The Mayor and City Council Town of Ocean City, Maryland's additional insured status shall include premises liability and products/completed operations.

Coverage's shall be primary and non-contributory with respect to any other insurance available to the Mayor and City Council Town of Ocean City, Maryland, its employees, volunteers and officials and shall include a waiver of rights of recovery or subrogation against the Mayor and City Council Town of Ocean City, Maryland, its officials, volunteers and employees without limitation for any and all claims, damages, losses, liabilities or expenses relating to, arising from, resulting from, or alleged to have arisen or resulted from, this private event.

Original copies of certificates of insurance and additional insured endorsements must be received by the Town of Ocean City, Maryland's Risk Management Office at least fifteen (15) working days prior to the event.

COCA-COLA EXCLUSIVE PRODUCT AGREEMENT DISCLOSURE: The applicant must comply with all provisions of the Town's agreement with Coca-Cola Refreshments as it pertains to the distribution or sales of beverages by the applicant on Town property. The applicant agrees to sell, dispense or serve only Coca-Cola beverages on Town premises for the duration of the permitted use. The applicant is expressly prohibited from using the beverages of other suppliers, said beverages to include soft drinks, juices, sport drinks, specified energy drinks and bottled waters. The permitted beverages include Coca-Cola, Diet Coke, Sprite, Pibb Xtra, Mello Yello, Fresca, Nestea, Arizona Tea, Honest Tea, Barqs Root Beer, Fanta, Minute Maid, Seagrams Ginger Ale, PowerAde, V-8 Juice, Fuze Juice, Monster, Tum E Yummies, Dasani and other products that Coca-Cola may provide in accordance with its agreement with the Town of Ocean City.

BEACH ACCESS: Vehicle access to and from the beach must be clearly identified on your application and is not guaranteed. If approved, applicant must complete a beach driving and safety course annually provided by OCBP at the applicants expense.

BEAUTY CONTESTS: Beauty contests are not permitted on the beach.

CITY SERVICES: Each applicant should plan on providing all the necessary cleanup, set-up, etc. without the assistance of City Services. If town services are requested, they must be clearly indicated within the Private Event Application for evaluation.

- CONCESSIONS:** No food or beverage concessions will be permitted on the beach or along the boardwalk, although such sales may be considered at other sites. Beverage sales at other sites must maintain compliance with the sponsorship restrictions noted within this application. ONLY event-related merchandise sales may be permitted on the beach upon appropriate request and approval, subject to applicable laws.

- SPONSORSHIPS:** All sponsors must be identified on the application.

- ADVERTISING:** Ocean City will not allow any type of advertising that is:
- Violence in any form
 - False, misleading or deceiving statements
 - Sexually explicit or obscene materials
 - Tobacco or tobacco products
 - Vaping or vaping products
 - Tattoos
 - Casino gambling including games of chance and skill
 - Alcohol
 - Promoting the use of marijuana
 - Other potentially objectionable marketing or advertising which may be established from time to time by the Town.

- DIAGRAM OF EVENT LAYOUT:** A detailed diagram of the event layout/set-up and location of any and all facilities is required with your application. The application will be considered incomplete without the diagram.

- INFLATABLES:** Inflatable displays may be permitted, but must be pre-approved. A photograph of the intended display and the dimensions must be included before approval can be considered. No liquor or tobacco product displays will be allowed. The Mayor and City Council reserve the right to reject any inflatable determined inappropriate.

- MUSIC AND PUBLIC ADDRESS SYSTEMS:** Must operate in accordance with the Ocean City Code 30-367 of 65 decibels.

- DOWNTOWN EVENTS (BEACH/BOARDWALK):** Events that charge participant entry fees (tournaments, festivals, etc.) and/or desire to display sponsorship banners or other promotional information, must maintain a seventy-five (75) foot buffer from the edge of the train lane to the start of the event's set up. All events must comply with the provisions of Chapter 62 of the Ocean City Code.

- PARADES:** An MDOT Highway Permit must be obtained at (410) 543-6715 for use of any state property, and a copy forwarded to the Town's Private Events Coordinator.
- FIREWORKS, TENTS, AIR SUPPORT/AIR INFLATED STRUCTURES & BONFIRES:** Application to the City Fire Marshal at (410) 289-8780 is required, with appropriate approvals forwarded to the Private Events Coordinator. Failure to comply will result in revocation of all event approvals.
- TOILET FACILITIES:** Identification of planned "comfort" provisions must be included in the application and event diagram. The Town owns a number of established public toilet stations in the downtown area that may assist in event planning.
- PRIZE STIPULATIONS:** No alcoholic beverages may be awarded as a prize on City property.
- WEST OCEAN CITY PARK AND RIDE:** A permit is required if a trailer or an oversized vehicle is parked over night at the West Ocean City Park and Ride. Please specify this request on your application.
- SAMPLING:** Sampling will be permitted on a case-by-case basis. Sizes and quantities of such must be pre-approved, as do the locations for distribution. Samples must be of a nationally recognized product available for sale at retail establishments. No prepared food samples will be permitted on the beach nor along the boardwalk. Non-alcoholic beverage samples may be permitted provided the samples are in compliance with the Town of Ocean City's exclusive beverage franchise agreement with Coca-Cola.
- RAFFLES:** Only non-profit groups may offer any form of raffle in conjunction with an event in Ocean City. These groups must apply through the Worcester County Department of Development Review and Permitting, and must submit a processing fee at the time of application. Applications are available at the Isle of Wight County Office Building on Route 90, or at the Court House in Snow Hill. A copy of the raffle permit must be forwarded to the Private Events Coordinator at least seven (7) days prior to the event. All raffles must be drawn and announced prior to the conclusion of the event.
- TRASH:** Applicant is required to clean the area of trash and transport it to the appropriate receptacle. On the beach, all trash must be placed in the appropriate street-end dumpsters. Failure to practice appropriate cleanup procedures may result in the denial of future event requests and/or appropriate billings.

ALCOHOLIC BEVERAGE SERVICE: Groups are discouraged from the service of alcoholic beverages at their Ocean City event. However, those that desire such approval must state this clearly on their application. Permission to serve alcoholic beverages shall be granted exclusively by Mayor and City Council. It should be noted that without Council approval, open containers of alcoholic beverages on public property is illegal. Only Worcester County based non-profit groups may request to sell alcoholic beverages at an event, and must obtain a license from the Worcester County Board of License Commissioners. A “One Day Alcohol Permit” application with the Ocean City Mayor’s signature must be submitted to the County a minimum of fourteen (14) days prior to the event, along with a the permit fee. Applications are usually available in the Mayor’s office at City Hall. A copy of the approved permit must be forwarded to the Private Events Coordinator at least seven (7) days prior to the event. The original permit must be kept on site at the event and must be available to display if required.

CHANGES TO APPLICATION OR PERMIT: Event applicants desiring to make changes to their submitted application or approved private event must complete the “Request for an Addendum to a Private Event” form (available upon request), and must submit the completed form, along with the appropriate fee, to the Private Events Coordinator. However, no changes will be accepted within 30-days prior to the event.

LOCAL ORDINANCE DISCLOSURE AND COMPLIANCE: The applicant agrees to comply with the provisions of all applicable ordinances of the Town of Ocean City. Specifically all permitted uses on or within 75 feet of the Boardwalk are required to comply with the provisions of chapter 62 of the Code which expressly prohibits the public sale, rental or exchange for a donation of any goods, wares, merchandise, foodstuffs, refreshments or other commodities or services.

LEGAL DISCLOSURES

- HOLD HARMLESS CLAUSE:** Permittee (organization/ applicant) shall assume all risks incident to or in connection with the permittee activity including exposure to an infection of COVID-19 and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the permittee activity or the conduct of Permittee's operation. Permittee hereby expressly agrees to defend and hold the Town of Ocean City, its officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages, or injuries directly or indirectly arising out of or in connection with the permittee activity or conduct of its operation or resulting from the negligence or intentional acts or omissions of Permittee or its officers, agent and employees, including possible exposure to an infection from COVID-19.

- PRIVATE EVENT APPLICATION COMPLIANCE REQUIREMENT:** The applicant for the private event described in this application agrees to follow guidelines provided and submit a complete application including submission of all required materials. The applicant agrees to take full responsibility for all city-owned property, whether borrowed, leased or rented, and understands that necessary replacement and/or repair fees may be assessed should such property be in an unacceptable condition. The applicant agrees to abide by all provisions of the private event permit granted by the Town and agrees to pay all fees and costs assigned to the permit. The applicant further agrees to comply with all conditions of the use permit, which may be required by the Mayor and City Council of the Town.

- INTELLECTUAL PROPERTY CLAUSE:** Acknowledge and agree that no Town trademarks, service marks, trade names, logos, and/or other trade indicia, copyrights and, as applicable, any patents, inventions and/or other intellectual property (Intellectual Property) owned by the Mayor and City Council of the Town of Ocean City, Maryland, will be directly or indirectly used, incorporated, published or republished, without prior written consent. Unauthorized use of the Intellectual Property will result in The Town of Ocean City authorizing immediate emergency, temporary and/or permanent injunctive relief prohibiting such unauthorized use and the Town of Ocean City, Maryland may be entitled to injunctive relief because monetary damages may not be an adequate remedy; but notwithstanding, the foregoing Town of Ocean City, Maryland may seek any other legal or equitable remedies in addition to injunctive relief. To the extent the Town of Ocean City, Maryland prevails in a suit at law or in equity for the purpose of enforcing its Intellectual Property rights, the Town of Ocean City, Maryland shall be entitled to recover its reasonable attorneys' fees plus court costs and expenses.

Applicant, by checking each of the guidelines herein, accepts all responsibilities thereto. All information provided is correct and complete. The applicant agrees to maintain a complete record of the event through the Town of Ocean City's Private Event Coordinator including all required submission of materials separate from this document. Applicant further agrees that information not included in writing shall not be considered for approval and will not be an executable element of the final Private Event Permit unless submit as part of a written change order through the Private Events Coordinator for Mayor and City Council Approval. Images, videos and drawings shall be deemed as support material only and details conveyed shall be submitted in writing as part of this document or a change order. No details will be assumed by the Town, its officials or employees.



The applicant agrees to take full responsibility for all city-owned property, whether existing within the event footprint, add-ons thereto, borrowed, leased or rented. Applicant further agrees that they are responsible for the proper behavior of their crowd base and that damage or defacement caused to town or private property by vendors, participants, sub-contractors and/or spectators as a result of the execution of the event may be cause for action by the Town against applicant through additional repair or replacement fee assessment(s) or legal action to the extent of the law in the State of Maryland. The applicant agrees to abide by all provisions of the private event permit granted by the Town and agrees to pay all fees and costs assigned to the permit. The applicant further agrees to comply with all conditions and limitations of the Private Event Permit and additional conditions and tasks which may be required by the Mayor and City Council of the Town. This event must follow in accordance with all State of Maryland Directives and Orders regarding community, recreational, leisure, cultural and sporting gatherings and events.

Signature

Brian Hartman

x

The information provided in this tool is subject to final approval by staff. Permit requirements, fees, and zoning information may be altered upon subsequent staff review. If you have additional questions about your zoning determination, please contact town staff.

OC Jeep Fest Timeline 2025

Thursday Aug 21

Beach crawl 7:30 am - 9 45 am

Sand course 10 am - 5 pm

Convention center 10 am - 5 pm

Friday Aug 22

Beach crawl 7:30 am - 9 45 am

Sand course 10 am - 5 pm

Convention center 10 am - 5 pm

Saturday Aug 23

Beach crawl 7:30 am - 9 45 am

Sand course 10 am - 5 pm

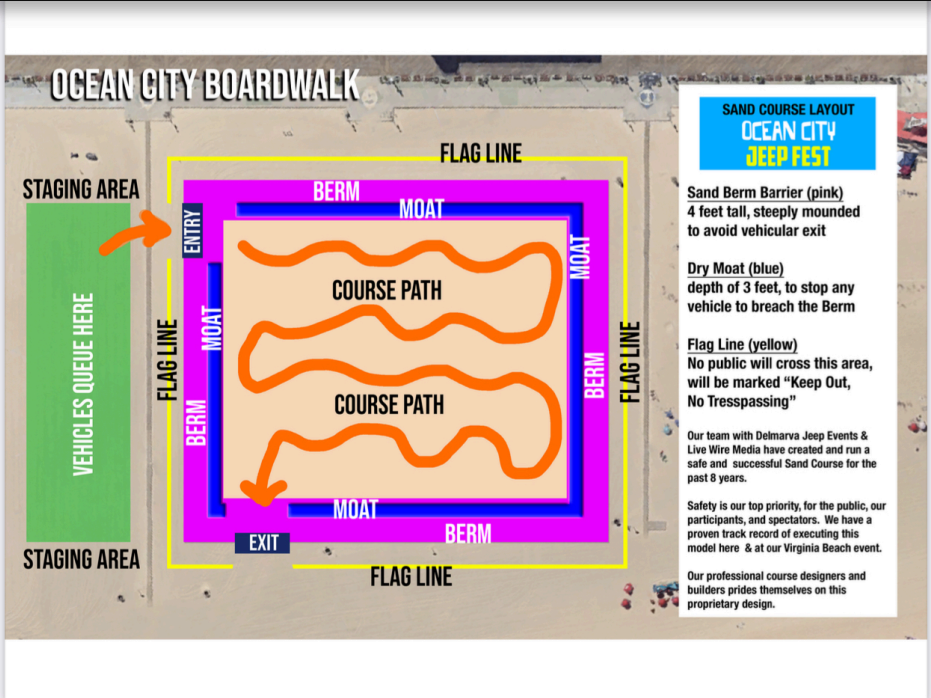
Convention center 10 am - 5 pm

Sunday Aug 24

Beach crawl 7:30 am - 9 45 am

Sand course 10 am - 5 pm

Convention center 10 am - 3 pm





TOWN OF OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 8.A

Council Meeting January 21, 2025

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: Rezoning Application - JAMB, LLC [Phillips Plaza, 2100 Philadelphia Avenue]
DATE: January 14, 2025

ISSUE(S): JAMB, LLC, as property owner of the block between Baltimore Avenue and Philadelphia Avenue, south side of 22nd Street and north side of 21st Street, requests to rezone the eastern 1/2 from R-3, General Residential Zoning District, to LC-1, Local Commercial Zoning District.

SUMMARY: A business zoning district was established along Philadelphia Avenue with adoption of the 1946 Town of Ocean City zoning map and extending 100 feet into the subject property. Residential zoning was established both east and west of Baltimore Avenue at the same time.

The Phillips Restaurant block located south of 21st Street was entirely rezoned for business use by the Mayor and City Council on May 6, 1974. The current application for zoning map amendment proposes that the Phillips Plaza block located north of 21st Street should also be zoned entirely for business use based on the continuous and coordinated site development of the two blocks over the years.

The Planning and Zoning Commission presented to the Mayor and City Council a favorable recommendation of the zoning map amendment rezoning the block from R-3 to LC-1, based on a mistake, on November 18, 2024. Following discussion, a motion to approve failed. A second motion passed to remand the application back to the Planning Commission for reconsideration of whether the recommendation and findings of fact should be based on a substantial change in the character of the neighborhood.

The item was placed on the Planning Commission's December 17, 2024 agenda. Based on facts and statements offered with this discussion, the Planning Commission was able to determine that this application should be forwarded to the Mayor and City Council with a favorable recommendation based on the substantial change in the character of the neighborhood. Draft findings of fact are attached.

FISCAL IMPACT: Expansion of the business use district may allow site

redevelopment.

RECOMMENDATION: Approve map amendment/rezoning application to rezone the eastern 1/2 of Tax Map 111, Parcel 4234, Block 7 as LC-1, Local Commercial Zoning District. Block 7 in its entirety will be zoned LC-1, and adopt the draft findings of fact.



Revitalized Ocean City: Development and Redevelopment

ALTERNATIVES: None suggested.

RESPONSIBLE STAFF: George M. Bendler, AICP, Director - Planning & Community Development
William W. Neville, AICP, City Planner
Karen J. (Kay) Gordy, Zoning Administrator

COORDINATED WITH: City Solicitor's office

ATTACHMENT(S):

1. PZRectoMCC1-13-2025.pdf
2. Signed PZC FofF1-07-2025.pdf
3. 241217OCPZ24-14100004.pdf
4. Complete rezoning recon 12-17-2024.pdf
5. MCCFofF 1-21-2025.pdf



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Reply to: Planning and Community Development
P.O. Box 158
Ocean City, MD 21843
410-289-8855

January 13, 2025

Hugh Cropper, IV, Esquire
Booth, Cropper & Marriner, P.C.
9927 Stephen Decatur Hwy F-12
Ocean City MD 21842

for

JAMB, LLC
Maxine F. Rosen, Member
Judith M. Garfield, Member

Dear Mr. Cropper:

Re: Request to rezone the eastern ½ of Tax Map 111, Parcel 4234, Block 7, specifically Lots 7, 8, 9, 10, 11 and 12, from R-3, General Residential zoning district to LC-1, Local Commercial zoning district. The entire property, described as Tax Map 111, Parcel 4234, Block 7, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, is located between Philadelphia Avenue and Baltimore Avenue and 21st and 22nd Streets, and locally known as Phillips Plaza Shopping Center, master address being 2100 Philadelphia Avenue and associated parking, in the Town of Ocean City, Maryland. **(PZ File #24-1410004)**

The Mayor and City Council met on November 18, 2024 and received the Planning Commission recommendation regarding the above referenced zoning map amendment application. Following discussion, a motion to approve failed. A second motion passed to remand the application back to the Planning Commission for the Commission to consider whether the recommendation and findings of fact should be based on a substantial change in the character of the neighborhood.

At Council's direction, the application was placed on the December 17, 2024, Planning Commission agenda. Based on facts and statements offered with this discussion, the Planning Commission was able to determine that this application should be forwarded to the Mayor and City Council with a favorable recommendation based on the substantial change in the character of the neighborhood.

By copy of this letter, the Mayor and City Council will be notified of the Commission's recommendation. You are now scheduled to appear before a regular session of the Mayor and City Council at 6:00 PM on Tuesday, January 21, 2025 in the Council Chambers of City Hall located at 3rd Street and Baltimore Avenue in the Town of Ocean City, Maryland.

If we may be of assistance to you in the meantime, please contact the office of Planning and Community Development at 410-289-8855.

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

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

Hugh Cropper, IV, Esquire for JAMB, LLC
Booth, Cropper & Marriner, P.C.
9927 Stephen Decatur Hwy F-12
Ocean City MD 21842

Sincerely,
Planning and Zoning Commission



Joseph P. Wilson, Chairman

cc: Mayor and City Council
Terry McGean, City Manager
Elton "Jr" Harmon, Deputy City Manager
Heather Stansbury, City Solicitor
All Planning and Zoning Commission Members
Maureen Howarth, Attorney for Commission
George Bendler, Director/Planning & Development
Kay Gordy, Zoning Administrator
File #24-14100004
Electronic file - Correspondence '25

FINDINGS OF FACT

ZONING MAP AMENDMENT/REZONING APPLICATION #24-14100004

APPLICANT: JAMB, LLC, by Hugh Cropper IV, Esquire

MAP AMENDMENT/REZONING APPLICATION to rezone the eastern ½ of Tax Map 111, Parcel 4234, Block 7, specifically Lots 7, 8, 9, 10, 11 and 12, from R-3, General Residential zoning district to LC-1, Local Commercial zoning district. The entire property, described as Tax Map 111, Parcel 4234, Block 7, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, is located between Philadelphia Avenue and Baltimore Avenue and 21st and 22nd Streets, and locally known as Phillips Plaza Shopping Center, master address being 2100 Philadelphia Avenue and associated parking, in the Town of Ocean City, Maryland.

December 17, 2024

The Planning Commission held an advertised public hearing on the above referenced application on October 8, 2024. Lisa Garfield, a representative of the property owner, Frank G. Lynch, Jr., a Registered Professional Surveyor in the State of Maryland, and Mike Ramadan, the adjoining landowner and lessee, all testified in favor of the application. There were no opponents. Numerous exhibits were accepted into evidence. The Planning Commission held further deliberation at its Work Session on October 22, 2024 and forwarded a favorable recommendation to the Mayor and City Council including draft Findings of Fact based on a mistake in the last comprehensive rezoning..

Upon remand from the Mayor and City Council, the Planning Commission held further deliberation on December 17, 2024, to consider whether there has been a substantial change in the character of the neighborhood that would support the rezoning request. The Planning Commission reviewed a revised staff report dated December 13, 2024, along with the public record and transcript from previous meetings and found that there had been substantial change in the character of the neighborhood that would support the proposed zoning map amendment.

Upon a motion made by Palmer Gillis to support the substantial change in the character of the neighborhood standard based on the staff exhibit illustrating the proposed neighborhood and the findings based on Commissioner discussion and comments, seconded by Joel Brous and carried by a vote of five (5), zero (0), one (1) with Kevin Rohe absent, the Planning Commission hereby forwards a favorable recommendation of the petition for change in the zoning district classification from R-3, General Residential District, to LC-1, Local Commercial District, based on substantial change in the neighborhood, for rezoning application #24-14100004, specifically for rezoning the eastern ½ of Tax Map 111, Parcel 4234, Block 7 so the entirety of the Block 7 is LC-1. Based on the

evidence presented at the public hearing held on October 8, 2024, and upon further deliberation on October 22, 2024, and December 17, 2024, the Planning Commission offers the following recommended findings:

Phillips Crabhouse was an iconic Ocean City landmark, dating back to the 1950's, and located immediately adjacent to the subject property to the south. Phillips Crabhouse and Phillips Plaza were a unified mixed-use development. Phillips Crabhouse is closed and is now apartments.

The Planning Commission finds that the easterly half of the subject property and Phillips Crabhouse were zoned residential dating back to the original zoning maps in 1946. This residential zoning was carried forward in the 1970 Comprehensive Rezoning. In 1974, the easterly one-half of Phillips Crabhouse was rezoned LC-1, Local Commercial District, by virtue of an application filed by the property owner, but the subject property was not part of that rezoning.

Applicant proposed a defined "neighborhood" and after review the Planning Commission defines the neighborhood as the areas immediately surrounding the subject property including, but not limited to, the former Phillips Crabhouse property, Calvin B. Taylor Bank, the Grand Hotel located immediately east of the subject property, the Days Inn parking and former Mario's property located north of the subject property, and Nick's Golf and other commercial uses located immediately west, across Coastal Highway, from the subject property as shown on the attached Exhibit A.

The substantial changes in the character of the neighborhood include: a) discontinuation of Phillips Crabhouse is a significant change to the character of the neighborhood; b) approval of the Grand Hotel, immediately east of the subject property, as a Planned Overlay District; (c) parking immediately north of the subject property was listed as vacant, but is now part of the Days Inn parking; d) Mario's Restaurant, another Ocean City landmark, has also closed; e) the English Diner located directly across the street no longer exists as it was developed into the condominium Mariner's Watch; f) Nick's Mini-Golf, immediately west of the property was recently built; and g) increase in visitors to the area need the commercial services that have been lost in this area.

That LC-1, Local Commercial District, is more desirable under the terms and conditions of the Comprehensive Plan. On page 3-7 of the Comprehensive Plan, it refers to "an increase of interim surface parking lots" in the downtown area. The Planning Commission found from an aerial photograph admitted into evidence, that the majority of the subject property, as well as the majority of the two blocks going north, are surface asphalt parking lots.

The Comprehensive Plan on page 3-1 encourages mixed-use development, which will be permitted by the rezoning.

The Comprehensive Plan on page 3-2 does "Encourage new development and re-development to minimize the impacts of strip commercial development... ", again which would be promoted by the rezoning.

The Comprehensive Plan encourages a full array of commercial services that meet the needs of the Town and its residents and visitors, and the Planning Commission finds that as a matter of fact that given the proliferation of condominiums and hotel rooms, more commercial use is needed in this area.

The Comprehensive Plan also recognizes "additional free-standing commercial zoning and uses" in selective locations on the oceanside to reduce vehicle trips and encourage pedestrian safety. The rezoning of this property will allow such uses.

On page 9-6, the Comprehensive Plan states that the Town of Ocean City should establish measures to preclude displacement of basic commercial retail uses by condominium development, which is exactly what the Planning Commission intends to prevent by virtue of this rezoning.

Finally, on page 3-28, the Comprehensive Plan recognizes Zoning Map amendments in appropriate locations in this area. Having defined the neighborhood, and having found substantial change in the character of the neighborhood, and having found that the proposed commercial rezoning is more consistent with the terms and objectives of the Comprehensive Plan, the Planning Commission offers the following specific Findings of Fact:

1. Population Change:

No impact to population change is anticipated.

2. Availability of Public Facilities:

The site is adequately served by public facilities for the existing land use, and there is no indication facilities will not be available for a use allowed in the proposed zone. Consideration of future development will be subject to Town Code requirements for site plan review and building permit approval.

3. Present and Future Transportation Patterns:

Existing site conditions and commercial uses are not changing as part of this petition for zoning map amendment. The existing businesses are adequately

served by on-site parking and internal traffic flow. No change to vehicular or pedestrian access to Baltimore Avenue, 21st or 22nd Street is proposed.

Expansion of permitted uses in the LC-1 zoning district will be subject to Town Code requirements for site plan review and building permit approval.

4. Compatibility with Existing and Proposed Development for the Area:

The requested zoning map amendment is supported by the unique pattern of ownership and shared development of the Phillips Restaurant [Block 6] and Phillips Plaza Shopping Center [Block 7]. The subject parcel is currently split zoned as Local Commercial (LC-1) for a depth of 100 feet east of Philadelphia Avenue and General Residential (R-3) for the remainder of the site to the west of Baltimore Avenue matching the historic zoning boundaries to the north. The subject parcel has been used commercially for over 50 years under the original Local Business (B-1) zoning classification for that portion of the property with the residentially zoned portion restricted as parking for Phillips Restaurant.

Rezoning the site to LC-1 would be compatible with the existing neighborhood as defined by the attached staff exhibit and would allow for redevelopment of the Phillips Plaza to bring service uses and restaurants back to the neighborhood to replace former uses such as English's Diner and Mario's Restaurant. Substantial changes in the defined neighborhood include: Phillips Crab House closure and conversion to apartments to the south; parking lots to the north used in support of Days Inn and Fish Tails Bar and Grill, Nicks Mini Golf constructed on former Phillips parking lot to the west, Grand Hotel POD

constructed to the east, and English's Family Restaurant redeveloped as Mariners Watch condominium.

5. Relationship to the Comprehensive Plan:

The Comprehensive Plan recognizes Coastal Highway and Philadelphia Avenue as the preferred location for commercial development within Ocean City generally serving higher density residential use in the Ocean Block and lower density residential use on the Bayside.

Exhibits presented by the applicant, including selections from the 2017 Comprehensive Plan update (adopted March 5, 2018), support the requested zoning map amendment with the following statements:

Chapter 3 – Land Use & Community Character

Objective 3.5 Economic Development – “Encourage infill and redevelopment of existing vacant or underutilized sites.”

Objective 3.7 Commercial – “Encourage a full array of commercial services that meet the needs of the Town and its residents and visitors.”

Objective 3.8 Commercial – “Encourage new development and re-development to minimize the impacts of strip commercial development by encouraging clustering of commercial uses and activity at optimal locations. Study the potential for additional free-standing commercial zoning and uses in selected locations on the Oceanside to reduce vehicle trips and encourage pedestrian safety.”


Chapter 3 - Recommendations

23) “Pockets of Local Commercial land uses should be evaluated by conditional use permit or zoning map amendment in appropriate locations, based on adopted performance and separation criteria, on the Oceanside of Coastal Highway and Philadelphia Avenue. The preparation of a small area land use plan is recommended prior to any significant land use change.”

Chapter 9 - Implementation

Zoning - "Develop incentives to encourage a healthy mix and distribution of commercial restaurant, retail, and service uses throughout the Town and promote mixed-use development which includes a workforce housing component and to minimize dependence on automobile use."

Therefore, by virtue of the requirements of Section 110-143 of the Code of Ocean City, Maryland, the Planning Commission held a public hearing on October 8, 2024, and hereby presents a recommendation for approval with findings of fact in support of the proposed rezoning based on a substantial change in the neighborhood, the meeting transcript, and other supporting documents as the required report for this rezoning request to the Mayor and City Council.

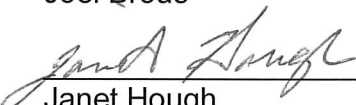


Joe Wilson, Chairperson

Palmer Gillis, Secretary



Joel Brous

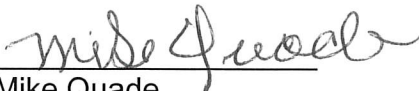


Janet Hough

Kevin Rohe



Pam Robertson



Mike Quade

1

1 TOWN OF OCEAN CITY
 2 PLANNING AND ZONING COMMISSION
 3
 4 APPLICANT:
 5 Hugh Cropper, IV, Esquire
 6 PZ File No. 24-14100004
 7
 8 Tuesday, December 17, 2024
 9 7:00 p.m.
 10 Council Chambers
 11 301 Baltimore Avenue
 12 Ocean City, Maryland
 13
 14
 15 COUNCIL MEMBERS:
 16 JOE WILSON, Chairperson
 17 PALMER GILLIS
 18 PAMELA ROBERTSON
 19 JOEL BROUS
 20 JANET HOUGH
 21 MICHAEL OUADE
 MAUREEN HOWARTH, Attorney
 Reported by
 Kathy A. Zeve, RPR

3

1 Baltimore Avenue and 21st and 22nd Streets, and
 2 locally known as Phillips Plaza Shopping Center,
 3 master address being 2100 Philadelphia Avenue and
 4 associated parking, in the Town of Ocean City,
 5 Maryland. Applicant, Hugh Cropper, IV, Esquire,
 6 attorney for JAMB, LLC. PZ file number 24-14100004.
 7 Bill.
 8 MR. NEVILLE: Mr. Chairman, members of
 9 the Commission, thank you for considering this this
 10 evening.
 11 We had updated the staff report that we
 12 presented to the Planning Commission with just a
 13 brief process that you may want to consider in
 14 reconsidering the application and the support for
 15 it.
 16 Again, you've already summarized what the
 17 Council action was. What didn't get described in
 18 the Council minutes was that I think the purpose
 19 behind their initial rejection of the motion to
 20 approve was just the sense that they didn't -- there
 21 were two things.

2

1 TRANSCRIPT OF PROCEEDINGS
 2 MR. WILSON: Up next on our agenda,
 3 remanded from Mayor and City Council. The Mayor and
 4 City Council rejected the findings of fact from the
 5 Planning Commission that this zoning be approved on
 6 the basis of mistake. The Mayor and City Council
 7 remanded the issue back to the Planning Commission
 8 to see if it would be better presented to them based
 9 on the substantial change in the character of the
 10 neighborhood standard.
 11 Pursuant to the provisions of Chapter 110,
 12 Division 6, Changes and Amendments, Section 110-143.
 13 Procedure for map amendments of the Code of the Town
 14 of Ocean City, an application has been filed to
 15 rezone the eastern half of Tax Map 111, Parcel 4234,
 16 Block 7, specifically Lots 7, 8, 9, 10 11 and 12,
 17 from R-3, General Residential zoning district to
 18 LC-1, Local Commercial zoning district. The entire
 19 property, described as Tax Map 111, Parcel 4234,
 20 Block 7, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and
 21 12, is located between Philadelphia Avenue and

4

1 One, they weren't convinced that the
 2 mistake as a criteria for recommending the zoning
 3 change, whether that was supported by the
 4 application materials, the Planning Commission's
 5 draft findings.
 6 And secondly, I guess there was this idea
 7 that perhaps it could be supported with the change
 8 of the neighborhood.
 9 And so I think unless you want to talk
 10 about the mistake criteria, I would just remind the
 11 Commission at this point that our legal counsel
 12 advises that we just consider -- or reconsider
 13 what's contained in the transcript from the hearing
 14 and the application materials that you have
 15 reviewed.
 16 So moving through this process I want to
 17 make sure I don't exceed the amount of information
 18 that you've already been asked to consider.
 19 With that said, I think the benefit of the
 20 transcript was to provide you with a review that
 21 there were both criteria mentioned. There was a set

5

1 of criteria for the mistake test, but there were
 2 also those that were set up for the change of the
 3 character of the neighborhood.
 4 And so if I might just briefly say, I had
 5 pointed you to a couple pages of the transcript.
 6 Let me just go ahead and outline what I found were
 7 six different points that the applicant had
 8 presented and we find in the transcript that support
 9 the change of the neighborhood as being a criteria
 10 that would support the consideration of the
 11 rezoning.
 12 The first was that Phillips Restaurant in
 13 the Phillips Plaza had been established as a unified
 14 mixed use development for many years. That was
 15 outlined on page 28 and page 52 of the transcript.
 16 The second was that Phillips Crab House to
 17 the south had been -- has closed and is now a
 18 dormitory. There's a lot that can go into that
 19 small statement, but that's mentioned on page 29 and
 20 51.
 21 The third case that was presented was that

7

1 I just described that you can find in the Public
 2 Hearing testimony. To the east is the Grand Hotel
 3 that's approved as a POD. And this hotel site, this
 4 is the parking garage that was approved with it. To
 5 the north is the half block that's similarly located
 6 to the subject site. That's what's been designated
 7 for parking for the hotel to the east. And I would
 8 note that this similarly located LC-1 on that block
 9 to the north, that parking is also allocated for
 10 uses to the west.
 11 And then looking to the west, this is the
 12 former parking area for the Phillips Restaurant
 13 that's been converted into the mini golf, Nick's
 14 Golf. So we see the change of use with the
 15 restaurant freed up, if you will, this parcel, for
 16 future development. And really the restaurant site
 17 to the south is one of the main sources of change
 18 for your consideration.
 19 So with that as an orientation, I think
 20 what the Planning Commission is asked to do is to
 21 evaluate whether or not you could forward a

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1 the parking lot to the north has been improved as
 2 the Days Inn parking lot. And I'll come back and
 3 speak to that. That's on page 30 and 51.
 4 The fourth item is that Nick's Golf has
 5 been approved and built to the west of the property.
 6 That's mentioned on page 30.
 7 The fifth was that the Grand Hotel planned
 8 overlay district was approved and built to the east
 9 of the property. That was mentioned on page 36 and
 10 50.
 11 And finally, the neighborhood established
 12 by the unified parcels north and south of 21st
 13 Street pass the test of looking around, standing in
 14 the middle of the property, defining the
 15 neighborhood as what you see when you look around in
 16 all directions. And I think the staff had suggested
 17 in the staff report that that was appropriate, to
 18 look at the adjoining parcels to the one under
 19 consideration.
 20 I just wanted to include one graphic, if I
 21 could put it on the camera, just to illustrate what

8

1 recommendation to the Mayor and City Council with
 2 enough information that had been presented during
 3 the Public Hearing for you to come to the conclusion
 4 that there had been a change in the character of the
 5 neighborhood.
 6 And what we also included in your report
 7 is a reference back to the test. So to evaluate
 8 whether a change has occurred that would qualify.
 9 The applicant for the rezoning has the burden of
 10 showing; one, the area constituting the neighborhood
 11 surrounding his property; and two, all changes
 12 occurring in the neighborhood since the last
 13 comprehensive zoning effecting the property; and
 14 three, a resulting change in the character of that
 15 neighborhood; so that three-part test for
 16 determining a change.
 17 Also should address whether there's --
 18 what's listed above that is a legal standard that
 19 there was strong evidence of a significant change in
 20 a reasonably defined area surrounding the property.
 21 So those are the criteria that in a

1 nutshell the Mayor and City Council asked the
 2 Commission to reconsider and provide detailed
 3 support, if you will.
 4 So I think at this point what would be
 5 great is if the Commissioners could discuss those in
 6 a way that would lead toward revising the draft
 7 findings that were presented, and those would focus
 8 on those six points that are also included in the
 9 first page of your staff report.
 10 I'll be glad to answer any questions at
 11 this point, but we wanted to bring you up to speed
 12 on why we're back with the application, and I think
 13 perhaps what the intent of the Council was, to allow
 14 this further consideration of this zoning
 15 application.
 16 MR. GILLIS: I saw this as an either or
 17 the night of the presentation. And I think we just
 18 put the wrong fork in the road, and I would change
 19 it based on the change of the character in the
 20 neighborhood -- based on a substantial change in the
 21 character of the neighborhood standard.

1 MR. GILLIS: That's the proposed
 2 neighbor.
 3 MR. WILSON: I mean, that seems
 4 reasonable to us, so can we run with that?
 5 MS. HOWARTH: If you agree that that is
 6 the neighborhood for the property in question that
 7 Bill's highlighted in blue?
 8 MR. GILLIS: Yes.
 9 MS. HOWARTH: That's completely fine if
 10 everybody agrees that to be the neighborhood for
 11 this project -- or this property.
 12 MR. WILSON: That works.
 13 MR. GILLIS: So we're in agreement
 14 that's the proposed neighbor.
 15 MR. WILSON: Yes.
 16 MR. NEVILLE: And of course the
 17 importance of that is just, you know, moving forward
 18 five years, ten years from now if there's ever any
 19 question about it, it's good to have confirmed that
 20 this isn't a broader neighborhood. That your intent
 21 was not to include residential communities even

1 MS. HOWARTH: I'll just tag on to what
 2 Bill said. Your first step is to define the
 3 neighborhood because the staff will have to put in
 4 the findings for the neighborhood. So looking at
 5 Bill's map, what is the neighborhood, we have to be
 6 very precise about that, and then you can go to, has
 7 there been a substantial change and why.
 8 Mr. Gillis has already expressed that he
 9 supports that, but start with defining what our
 10 actual neighborhood is.
 11 MR. WILSON: So I guess I would -- can
 12 you bring the map back up for us?
 13 I think really if you look at pretty much
 14 the surrounding parcels, I think one of the ones
 15 that wasn't discussed but I think probably would be
 16 relevant to is English's Diner now being Mariner's
 17 Watch. But I mean, the ones that were mentioned
 18 that I think --
 19 MS. HOUGH: And Mario's Restaurant.
 20 MR. WILSON: What's kind of, like,
 21 ticked off here, does that seem --

1 further to the west or same to the north and south.
 2 MS. ROBERTSON: How could that impact
 3 spreading other parcels and neighboring parcels? I
 4 thought that's what we were concerned about, not
 5 impacting other ones applying for the change in use
 6 based on the change to the neighborhood as opposed
 7 to a mistake.
 8 MS. HOWARTH: So what I can say is every
 9 zoning is based on the facts of that rezoning. It's
 10 about the specific parcel and that specific parcel
 11 whether there's a mistake or substantial change in
 12 the character of the neighborhood. And every
 13 neighborhood's different. Just because this is the
 14 neighborhood for this one, ten blocks up, we're in
 15 Ocean City, that's a different neighborhood,
 16 different facts, different analysis.
 17 MR. GILLIS: So we're accepting that as
 18 the neighborhood. Another person may come and say
 19 the neighborhood is bigger or smaller, but this is
 20 what we're saying for the record.
 21 MS. ROBERTSON: So the other parcels in

1 there that may be zoned similar to the subject may
2 have the same argument.

3 MR. GILLIS: Well, each request for
4 change of zoning would come on its basis. In other
5 words, change the neighborhood or change -- or a
6 mistake.

7 So all we're doing for the purposes of
8 this exercise -- I'm not trying to step on
9 Maureen -- is to identify the neighborhood, and then
10 we can make the case for change in the zoning based
11 on the character -- based on the change in the
12 character of the neighborhood. We've got to define
13 the neighborhood first, right, Maureen?

14 MS. HOWARTH: Defining the neighborhood
15 comes first.

16 MR. GILLIS: Right. We just did, right?

17 MS. HOUGH: We all agree that they are
18 defined by the blue hash marks defines the neighbor.

19 MR. GILLIS: Yes.

20 MR. WILSON: Do you want us to run
21 through, then, under Section 4 kind of each -- like,

1 neighborhood?

2 MS. HOUGH: I believe half of the
3 Mario's -- half of Mario's.

4 MR. GILLIS: This building right here?

5 MR. WILSON: That's correct.

6 MR. GILLIS: That's even better.

7 MR. WILSON: So it's directly across the
8 street.

9 MS. HOUGH: We've lost services --
10 visitor services in that neighborhood. Most of them
11 in restaurants. But in allowing this change and
12 bringing more retail that the developer wants to
13 propose, bring services back to the neighborhood, my
14 feeling.

15 MR. WILSON: I agree.

16 MR. GILLIS: So, Maureen, with your
17 blessing, can we make a motion to support the --

18 MS. HOWARTH: Then I think you need to
19 go to the six findings.

20 MR. WILSON: So population change, I
21 think it's a negligible population change. It's not

1 the population change, availability of the public
2 facilities; is that the next step for us?

3 MS. HOWARTH: The next step is to
4 discuss whether you think there's been a substantial
5 change in the character of the neighborhood and why.

6 So Palmer says there has. Now comes the
7 why, because we need that information to put in the
8 findings. So why do you think that hashed
9 neighborhood has changed since the last
10 comprehensive rezoning?

11 MR. WILSON: If you want to run through
12 them.

13 MR. GILLIS: Well, Bill had six items.

14 MR. WILSON: Yeah. So Phillips Crab
15 House being converted to a dorm, the parking lot to
16 the north being utilized for the Days Inn as well as
17 for Fish Tales, Nick's Mini Golf being constructed,
18 the Grand Hotel POD. I'm going to throw in
19 English's Diner being converted to Mariner's Watch.
20 Did I miss anything?

21 MR. GILLIS: Is that in the

1 going to have any negative impact on the
2 availability of the public facilities. I don't
3 think it will have any real impact on present and
4 future transportation patterns. I do think it is
5 compatible with the existing and proposed
6 development for the area, just kind of touching on
7 what Janet said.

8 MS. HOWARTH: Yeah. So I would add to
9 that, what's your why. Give the staff your why so
10 they can add that.

11 MR. WILSON: I think what Janet just
12 stated is probably the why for at least for the
13 compatibility with the existing and proposed
14 development for the area. I mean, it's an
15 opportunity to bring services back to that
16 neighborhood.

17 And then do you want us to -- I guess the
18 other one would be the comprehensive plan.

19 Bill, maybe you can help me out. I know
20 at one point in time the comprehensive plan
21 referenced trying to eliminate surface parking along

1 the Baltimore Avenue corridor I believe. I'm trying
2 to refresh my memory of that.

3 MS. HOUGH: Wasn't it changing the
4 visual of having all surface parking along that
5 corridor?

6 MR. NEVILLE: There's that. What we can
7 do is refer to the exhibits that Mr. Cropper had
8 submitted with the Public Hearing. Those included
9 pages from the comprehensive plan, and they included
10 those topics plus the idea that we support mixed use
11 development and supporting the clustering of
12 commercial uses. So those were a couple of the
13 sections that he referenced.

14 I don't believe at staff level we had
15 recommended any other ones. So we could just build
16 on that if that's acceptable.

17 I think what we didn't do in the findings
18 was -- that were sent to the Council was to say, you
19 know, relationship to the comp plan, we didn't
20 reference those exhibits. So we certainly can and
21 outline those.

1 MR. BROUS: I'll second.

2 MR. WILSON: Second from Joel. Any
3 further discussion? All those in favor? All right.
4 Very good. Thank you.

5 (Whereupon, the Public Hearing concluded.)
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1 MR. WILSON: Okay. Perfect.

2 MR. GILLIS: Is there anything else we
3 need to get into the record, Maureen?

4 MS. HOWARTH: No. You covered -- I
5 think the motion should include, one, you've had a
6 discussion, but reiterate what you define the
7 neighborhood to be, which could be the staff exhibit
8 presented tonight that I can attach as an exhibit.
9 That your entirety of your discussion that you just
10 had, or your reasons for there to be a substantial
11 change in the character of the neighborhood. And if
12 everybody agrees with Joe's rundown of the six areas
13 in which you're supposed to make findings, include
14 that in your motion as well.

15 MR. GILLIS: So I would like to make a
16 motion, then, to support the substantial change in
17 the character of the neighborhood standard based on
18 the staff exhibit of the proposed neighborhood for
19 the reasons stated by Commission members for the six
20 areas of findings of fact that Joe Wilson stated.
21 Do you think that will work?

1 CERTIFICATE OF TRANSCRIBER

2 I, Kathy A. Zeve, a Notary Public and
3 Registered Professional Reporter, do certify that
4 the foregoing transcript is a true and correct
5 record of the recorded proceedings; that said
6 proceedings were transcribed to the best of my
7 ability from the audio recording as provided; and
8 that I am neither counsel for, related to, nor
9 employed by any of the parties to this case and have
10 no interest, financial or otherwise, in its outcome.
11

12
13 
14 Kathy A. Zeve, RPR

15
16
17
18 My commission expires January 9, 2028
19
20
21



MEMORANDUM

DATE: December 17, 2024

TO: Planning and Zoning Commission

FROM: George Bendler, Director of Planning and Community Development
Kay Gordy, Zoning Administrator
Bill Neville, City Planner

RE: PZC #24-14100004 Phillips Plaza Inc.
2100 Philadelphia Avenue
Zoning Map Amendment

The Mayor and City Council met on November 18, 2024 and received the Planning Commission recommendation regarding the above referenced zoning map amendment application. Following discussion, a motion to approve failed. A second motion passed to remand the application back to the Planning Commission for the Commission to consider whether the recommendation and findings of fact should be based on a substantial change in the character of the neighborhood. Minutes from the meeting are attached and the meeting may be viewed here: <https://oceancitymd.gov/oc/meeting-portal/> in the Mayor and City Council archives.

Planning Commission's review and recommendation, must be based primarily on a review of the public hearing record (Transcript) and application materials presented during the public comment period. Staff recommends the following process for reconsideration:

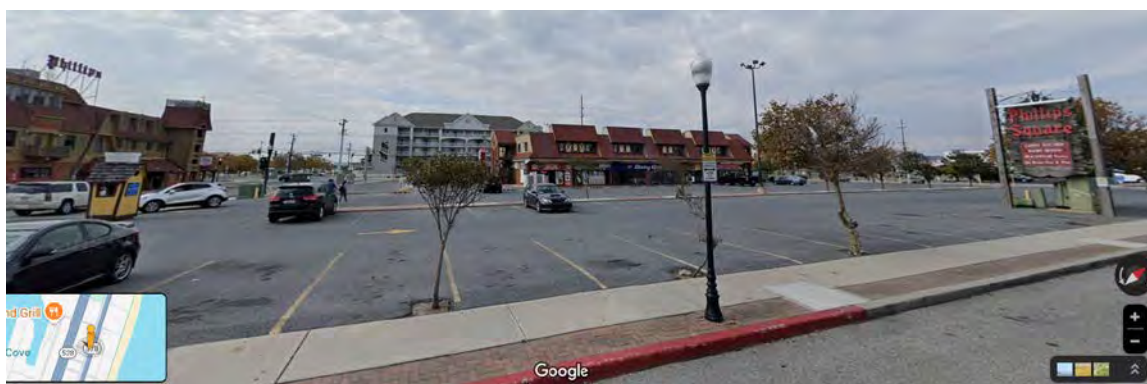
- 1) For **'change'** to apply, there must be strong evidence presented on the record of significant change in a reasonably defined area surrounding the property since the most recent comprehensive zoning affecting the property.
- 2) Define the relevant neighborhood
- 3) For legal standards, please refer to the staff report page 5 below
- 4) Incorporate deciding factors into each of the 6 required draft findings
 - Population change
 - Availability of public facilities
 - Present and future transportation patterns
 - Compatibility with existing and proposed development for the area
 - The recommendation of the Planning Commission
 - The relationship of such proposed amendment to the Comprehensive Plan
- 5) Revise the Planning Commission recommendation, and forward to the Mayor and City Council

For easy reference, the applicant did present a case for either a 'mistake' or 'change in the neighborhood' that was summarized beginning on page 27 of the Transcript and continuing on page 29. At the request of the Mayor and City Council, the Planning Commission should review the public record and reconsider the draft findings of fact.

Copy of previous staff report attached for reference:

Site Description

The existing city block north of 21st Street is improved by a 15,372 square foot shopping center, second floor office (and workforce housing), and associated off-street parking facing Philadelphia Avenue and located within the LC-1 zoning district. The remainder of the block facing Baltimore Avenue is improved with a paved off-street parking lot formerly serving the Phillips Restaurant and located in the R-3 zoning district.



Land and property ownership in this location is divided between JAMB, LLC (owners of the land and long-term lease or lessor), and Phillips Plaza, Inc. (owner of the property improvements, lessee and tax payer per SDAT records). The applicant has indicated that a 50-year lease condition established

in 1968 (Db240/Pg90) and currently renewed, limits residential use of the entire property and supports the request for a commercial zoning district. Deed records also indicate that the land is also subject to covenants, restrictions and conditions contained in an earlier 1946 document.

The zoning map amendment request proposes to extend the LC-1 zoning district eastward to Baltimore Avenue to coincide with the district boundary south of 21st Street. No additional information regarding future site development plans has been provided at this time.

Staff Analysis:

A zoning map amendment application follows the process that is established in Town Code, beginning with Sec. 110-143. Established planning practices for consideration of a property 'rezoning' also include several boundaries:

- Conformance with the adopted Comprehensive Land Use Plan

Zoning district boundaries in this location conform with the Future Land Use map of the Town of Ocean City, MD Comprehensive Plan. Location of business use along the Philadelphia Avenue corridor was established by the Mayor and City Council over 50 years ago and was specifically dimensioned at 100 feet east of the street right of way. An exception to this zoning district is located south of 21st Street at the site of the Phillips Restaurant, constructed in 1950 according to SDAT records. Any proposed application for change to this long-established business use corridor zoning district must be preceded or accompanied by a request for change to the Comprehensive Plan.

Sec. 110-7. - Purpose of regulations and districts.

*The zoning regulations and districts, as herein established, are intended to promote the health, safety and general welfare of the residents and tourists of Ocean City by **implementing Ocean City's comprehensive plan** to serve the following purposes: to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, parks, and other public requirements; to conserve the value of buildings and other structures; to encourage the most appropriate use of land throughout Ocean City; and to divide Ocean City into zoning districts of such character, number, shape, and area as are best suited to effect the foregoing purposes.*

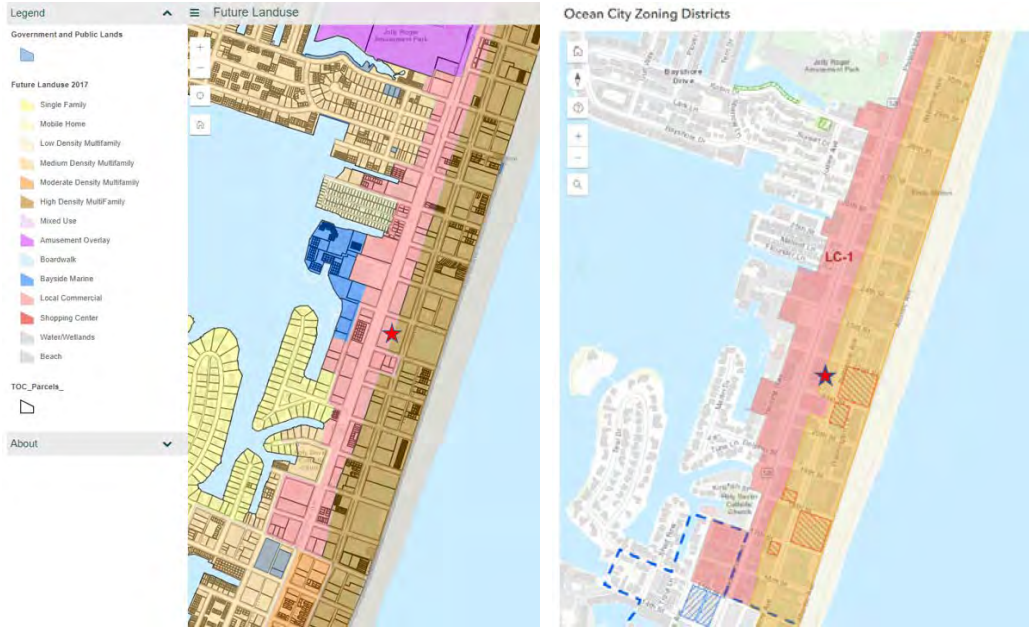
Sec. 110-143. – Procedure for map amendments

(c) Findings. Where the purpose and effect of the proposed amendment is to change the zoning classification, the Mayor and Council shall make findings of fact in each specific case, including, but not limited to, the following matters:

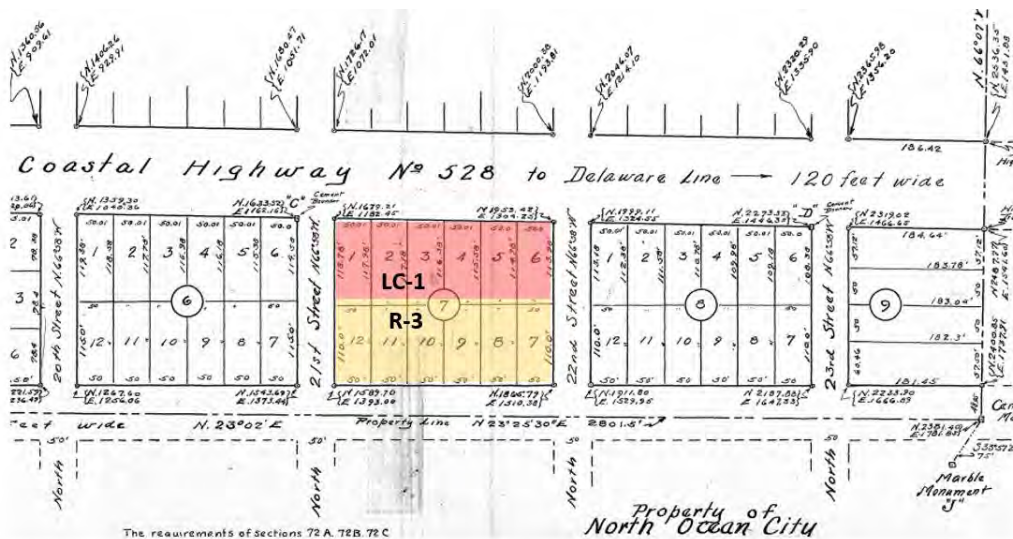
- (1) Population change.*
- (2) Availability of public facilities.*
- (3) Present and future transportation patterns.*
- (4) Compatibility with existing and proposed development for the area.*
- (5) The recommendation of the planning commission.*

(6) The relationship of such proposed amendment to the comprehensive plan.

*The Mayor and Council may grant the reclassification based on a finding that there has been a substantial change in the character of the neighborhood where the property is located or that there is (was) a mistake in the existing zoning classification. **In addition, the Mayor and Council may change the zoning classification as a revision to the comprehensive plan pursuant to [section 110-224](#).***



In addition to purposefully limiting the Philadelphia Avenue/Coastal Highway corridor to commercial use, the Baltimore Avenue corridor has consistently been designated for residential use to the east in the ocean block and to the west for half a block. The original mapping of the districts followed the general practice of recognizing lot boundaries, and extending zones the street centerlines. In this case, the original subdivision of Block 6 divided lots with frontage on streets to the east and west with a clear division down the middle.



Property Map from 1945 – now considered as one parcel for tax purposes

- Avoid 'spot zoning'

Consideration of the zoning map amendment application should evaluate the following description of "spot zoning" in order to recognize established legal precedents:

"Spot zoning occurs when a small area in a district is placed in a different zoning classification than the surrounding property. (Citations omitted.) Spot zoning is not valid per se. Rather, its validity depends on the facts of each individual case. (Citation omitted.) While spot zoning is illegal if it is inconsistent with an

established comprehensive plan and is made solely for the benefit of a private interest, it is a valid exercise of the police power where the zoning is in harmony with the comprehensive plan and bears a substantial relationship to the public health, safety, and general welfare.”

- Follow the Maryland ‘mistake or change’ test

Maryland Land Use Article - Section 4-204 sets forth the criteria that local jurisdictions must follow to consider a zoning map amendment, including the rule regarding a determination of ‘mistake or change’. Discussion of this issue has been provided by the City Solicitor’s office.

Legal Standard:

General - In all individual applications for reclassification, there must first be a finding of substantial change in the character of the neighborhood or mistake in the comprehensive plan. Yet this finding merely permits the legislative body to grant the requested rezoning but does not require it to do so.

*Change or Mistake- There must be strong evidence of significant **change** in a reasonably defined area surrounding the property since the most recent of the original or last comprehensive zoning affecting the property; or a strong showing that the underlying assumptions or premises relied upon by the legislative body in the last comprehensive zoning were incorrect as a **mistake** in fact (or law) rather than a mere mistake in judgment.*

Mistake- In order to find mistake, there must be evidence that assumptions or premises relied upon by the [city] council at the time of zoning were invalid. It is more than the exercise of bad judgment based on complete and accurate information.

The burden is upon the applicant to show the conditions that made the comprehensive zoning incorrect, and the failure of the council to consider those conditions. Hardship, economic disadvantage and consistency with the master plan are insufficient. There must be a showing that the owner is deprived of all reasonable use of his property.

The finding of mistake merely permits the grant of requested zoning, but does not compel or require rezoning as a matter of law unless the existing zoning classification unconstitutionally deprives the owner of any reasonable use of the property.

The burden of showing mistake or error in zoning is to show both:

(1) The then existing facts and conditions that allegedly made the comprehensive zoning incorrect; and also

(2) The literal failure of the council to have considered those facts and conditions

Change – The applicant for a rezoning has the burden of showing: 1) the area constituting the ‘neighborhood’ surrounding his property; 2) all changes occurring in this neighborhood since the last comprehensive zoning affecting the property; and 3) a resulting change in the character of that neighborhood.

- Hold a public hearing with proper advertising to hear public testimony

Maryland Land Use Article Section 4-203, and Town Code Sec. 110-161 establish the requirements for public notice of the zoning map amendment hearing. The Planning Commission should evaluate the need for additional notice and public comment to recommend a concurrent comprehensive plan amendment.

- Provide a recommendation to Mayor and City Council with sufficient information to establish findings.

The application does not include information regarding proposed site development plans that would support the need for a zoning map amendment, or allow for a full review of the necessary findings in support of the request.

The current R-3 zoning district allows for a variety of uses including residential, hotel, limited commercial and off-street parking.

DIVISION 6. - R-3 GENERAL RESIDENTIAL DISTRICT

Sec. 110-391. - Purpose.

The purpose of this district is to encourage a durable and attractive vacation-living environment which includes variety in housing types at relatively high densities, and new development of buildings over five stories in height subject to special regulations, as well as a number of commercial services.
(Code 1999, § 110-391; Ord. No. 1993-1, § 105-10.1, 1-19-1993)

Sec. 110-392. - Permitted uses.

A building or land in the R-3 general residential district shall be used only for the following purposes:
(1) Any use permitted in the R-1 single-family residential district or the R-2 medium residential district.
(2) Banks, building and loan associations and trust companies.
(3) Offices, business and professional, including, but not limited to, physicians, dentists, lawyers, engineers, architects, accountants, salesmen, real estate agents, insurance agents or other similar occupations.
(4) **Off-street parking lots and garages (commercial) for passenger automobiles and trucks up to three-fourths ton only, constructed in accordance with the design standards of [section 110-935](#).**
(5) Private clubs.

DIVISION 10. LC-1 LOCAL COMMERCIAL DISTRICT

Sec. 110-511. Purpose.

The purpose of this district is to provide primarily for retail shopping, personal service uses, and recreational activities to meet the daily needs of residents and vacationers and to provide sufficient space in appropriate locations by conditional use to permit a variety of commercial and miscellaneous amusement and service activities which are considered to be of a more intensified use or which might adversely impact neighboring properties. To enhance the general character of the district and its compatibility with its residential surroundings, signs are limited to those accessory to business conducted on the premises and authorized directional signs.
(Code 1999, § 110-511; Ord. No. 1993-1, § 105-14.1, 1-19-1993)

Sec. 110-512. Permitted uses.

A building or land in the LC-1 local commercial district shall be used only for the following purposes, provided all business, processing, repair work and fabrication activities shall be conducted wholly within completely enclosed buildings, except for the retail sale of fuels and lubricants and incidental services at service stations and marinas, and the sale of nursery products and produce. Storage shall be within completely enclosed buildings or screened on all sides from adjacent properties and public road rights-of-way by a solid wall, fence or dense landscaping, except as otherwise provided in this chapter.

- (1) Any use permitted in the R-3 general residential district.
- (2) Individual business and neighborhood shopping centers, not to exceed 40,000 square feet in gross floor area, including:
 - a. Bakeries, provided that all products produced on the premises shall be sold at retail on the premises.
 - b. Barbershops or beauty salons.
 - c. Bicycle sales, indoor/outdoor rental, and repair shops.
 - d. Bowling alleys.
 - e. Billiard parlors.
 - f. Catering or delicatessen businesses.
 - g. Day care facility.
 - h. Self-service laundromats.
 - i. Flower shops.
 - j. Restaurants, cocktail lounges, taverns or nightclubs, including outdoor cafe dining.
 - k. Shoe repair shops.
 - l. Shops for sale, service or repair of home appliances, office machines and electrical, television and radio equipment.

-
- m. *Stores or shops for the conduct of a retail business, including the sale of accessories, antiques, appliances, beverages, carpets, drugs, fabrics, food, furniture, hardware, garden supplies, hobby supplies, office supplies, paint, sporting goods, stationary and similar stores and shops.*
 - n. *Studios for artists, photographers, teachers, sculptors or musicians.*
 - o. *Sexually oriented businesses, provided that:*
 - i. *There shall be a separation of at least 600 feet, measured from the property line of the facilities identified below that exist on the date of the adoption of the ordinance from which this article is derived, to the nearest point of the sexually oriented business.*
 - A. *A church, synagogue, mosque, temple or building that is used primarily for religious worship and related religious activities.*
 - B. *A public or private educational facility, including, but not limited to, child day care facilities, nursery schools, preschools, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, special education schools, junior colleges, and universities; school includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.*
 - C. *A public park or recreational area which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trails, public swimming pool, athletic field, basketball or tennis courts, pedestrian/bicycle paths, skateboard park, or other similar public land within the city which is under the control, operation, or management of the city's recreation and parks department.*
 - D. *An entertainment business which is oriented primarily towards children or family entertainment, including, but not limited to, miniature golf courses, amusement arcades, amusement parks, movie theaters, and bowling alleys.*
 - E. *A dry nightclub.*
 - F. *A public oceanfront (Atlantic Avenue) or bayside boardwalk.*
 - G. *A public beach.*
 - ii. *There shall be a separation of at least 600 feet between any two sexually oriented businesses, measured from the nearest points of each business.*
 - iii. *There shall be a separation of at least 300 feet between any sexually oriented business and any dwelling, including mobile homes and manufactured housing, measured from the property line of the residence to the nearest point of the sexually oriented business.*
 - iv. *The hours of operation shall not exceed 10:00 a.m. to 12:00 midnight, with the exception of adult motels, which may operate at all hours.*
 - v. *Patrons shall not be younger than 18 years of age.*
 - vi. *The business must take place completely inside an enclosed building.*
 - vii. *There shall be no outside amplification of any sound.*
 - viii. *There shall be no outside hawking, soliciting of customers, electronic displays, or dissemination of promotional materials.*
 - ix. *There shall be no activity outside the building other than customer parking, ingress and egress.*
 - x. *Signs shall be regulated by chapter 66, with the additional requirement that signs shall not display sexually explicit images or messages.*
 - xi. *Window displays visible from the outside shall not include sexually explicit materials, products, displays or messages.*
 - xii. *A valid business license must be obtained prior to operating the business. Conduct of the business is subject to all regulations of the business license.*
 - (3) *Employee housing, accessory and non-accessory housing 16 or fewer residents per building or property, subject to the provisions of section 110-886.*
 - (4) *Employee housing, accessory and non-accessory housing between 17 and 60 residents per building or property, subject to the provisions of section 110-886.*

(Code 1999, § 110-512; Ord. No. 1993-1, § 105-14.2, 1-19-1993; Ord. No. 1994-10, 5-16-1994; Ord. No. 2008-2, 2-19-2008; Ord. No. 2023-12, 7-17-2023)

The applicant indicated that additional information will be provided at the public hearing.

Update – October 18, 2024

The Planning and Zoning Commission held a public hearing on October 8, 2024 for PZC application #24-14100004 to consider a zoning map amendment from the R-3 district to the LC-1 district. In addition to a staff presentation, the applicant JAMB, LLC represented by Hugh Cropper, Esq. presented Exhibits 1-12 along with testimony in support of both criteria for approval:

- Mistake in the existing zoning classification due to a mapping error, and / or
- Substantial change in the character of the neighborhood where the property is located

No other public comment was offered beyond the applicant's presentation, and the public hearing was closed. Planning Commission requested that the application be scheduled for the next meeting on October 22, 2024 to allow discussion and consideration of the additional information presented by Mr. Cropper at the hearing.

Staff Recommendation

Planning Commissioners should discuss and consider whether the public hearing testimony and the applicant's public hearing exhibits meet the burden of proof required for a zoning map amendment under either the Mistake or Change rule. A recommendation to the Mayor and City Council should be specific to this point so that a finding can be made for the zoning reclassification.

Mistake – Not recommended

Change – Supported by new application materials presented at the public hearing

In support of forwarding a recommendation to the Mayor and City Council within 90 days after the public hearing, the Planning Commission may provide comment or recommendations regarding the required findings outlined in Town Code Section 110-143(c):

Findings.

Where the purpose and effect of the proposed amendment is to change the zoning classification, the Mayor and Council shall make findings of fact in each specific case, including, but not limited to, the following matters:

- (1) *Population change.*
- (2) *Availability of public facilities.*
- (3) *Present and future transportation patterns.*
- (4) *Compatibility with existing and proposed development for the area.*

-
- (5) *The recommendation of the planning commission.*
 - (6) *The relationship of such proposed amendment to the comprehensive plan.*

Staff also recommends that the Planning Commission consider specifically limiting any finding in support of a 'change in neighborhood' to a very localized boundary so that this map amendment would not set a precedent for all similar properties along the Baltimore Avenue and Philadelphia Avenue corridors. Each application for zoning map amendment must be reviewed and approved based on its unique characteristics.



Monday, November 18, 2024
 Mayor and City Council Regular Meeting
 Town of Ocean City, Maryland

1) CALL TO ORDER

THE HONORABLE MAYOR AND CITY COUNCIL PRESIDING

Attendee Name	Status
Matthew M. James, Council President	Present
Tony DeLuca, Council Secretary	Present
John F. Gehrig Jr., Council Member	Present
Carol L. Proctor, Council Member	Present
William C. Savage III, Council Member	Present
Larry R. Yates, Council Member	Present
Jake Mitrecic, Council Member	Present
Richard W. Meehan, Mayor	Present

STAFF IN ATTENDANCE: City Manager Terry McGean, Deputy City Manager Elton J.R. Harmon, City Clerk Diana Chavis, City Attorney Heather Stansbury, Finance Director Chuck Bireley, Fire Marshal/Deputy Chief Josh Bunting, Recreation/Parks Director Susan Petito, Planning and Community Development Director George Bendler, Members of the Press and Interested Parties.

Council President James called this meeting to order at 6:00 PM in the City Hall Council Chambers, 301 N. Baltimore Avenue, Ocean City, MD 21842.

2) PRAYER AND PLEDGE

Council Member Yates led the prayer and Pledge of Allegiance to the United States of America.

3) ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL

4) CONSENT AGENDA

Motion to approve Consent Agenda Items A-E.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tony DeLuca, Council Secretary
SECONDER:	Larry R. Yates, Council Member
AYES:	Matthew M. James, Council President, Tony DeLuca, Council Secretary, John F. Gehrig Jr., Council Member, Carol L. Proctor, Council Member, William C. Savage III, Council Member, Larry R. Yates, Council Member, Jake Mitrecic, Council Member

- A) Request to Approve Minutes
 - 1. Work Session dated October 29, 2024
 - 2. Regular Meeting #17 dated November 4, 2024
- B) Acknowledgement of Standing Committee Draft Agenda
 - 1. Pension Committee - November 20
- C) Acknowledgement of Standing Committee Reports
 - 1. Police Commission - November 13 - Canceled
 - 2. Recreation and Parks Committee - November 7
 - 3. Coastal Resources Legislative Committee - November 13

- D) Private Event Approval Request for Winterfest of Lights 5K - December 8, 2024
- E) Private Event Approval Request for Christmas Eve Service on the Boardwalk - December 24, 2024

5) **MISCELLANEOUS REPORTS AND PRESENTATIONS**

- A) Further Consideration to Modify Sunset Park to Establish a Fire Lane presented by KYMA Hotel Developer Christos Sarantis and Counsel Hugh Cropper

George Stoll, Dorthheann Sadusky, Scott Houston, Tammi Jester, Linda Deaton, Karen Nelsen, Denis Jenkins, Scott Chismar, Rick Rawl and Brian Teague expressed objections to the project in general and to the proposed use of Sunset Park.

Attorney Hugh Cropper, Iott Architecture President Keith Iott and Developer Christos Sarantis attended to review the request to modify a portion of Sunset Park and use that portion of the Park as the fire lane to access the north side of their new hotel. As to the bayside boardwalk, Mr. Cropper informed the Mayor and Council the developer will open the bayside boardwalk when the hotel opens for business and will provide the Mayor and Council a perpetual easement. The developer requested the Mayor and Council write a letter to the Worcester County Liquor Control Board to support the serving of alcohol beverages on the beach over the bayside boardwalk.

Motion to approve that Sunset Park be used as the formal fire lane for the Kyma development under the condition that in order to offset the loss of flexibility for the use and/or improvements to the Park, the Developer provides the city a recorded easement and through an executed Use Agreement to allow permanent public access to a bayside boardwalk along the west side of the Kyma property as proposed and refer this matter to City Staff and the City Solicitor to prepare/modify the Easement and the Use Agreement and direct staff if approved, to write a letter to the Worcester County Liquor Control Board in support of alcoholic beverage service on the beach over the bayside boardwalk.

RESULT:	APPROVED
MOVER:	William C. Savage III, Council Member
SECONDER:	Larry R. Yates, Council Member
AYES:	Matthew M. James, Council President, Tony DeLuca, Council Secretary, John F. Gehrig Jr., Council Member, William C. Savage III, Council Member, Larry R. Yates, Council Member, Jake Mitrecic, Council Member
NAYS:	Carol L. Proctor, Council Member

- B) Request to Rezone Areas between Philadelphia Avenue and Baltimore Avenue and 21st and 22nd Streets, locally known as Phillips Plaza Shopping Center, 2100 Philadelphia Avenue presented by Planning and Community Development Director George Bendler

JAMB, LLC, property owner of the block between Baltimore Ave and north of 21st Street, requested to rezone the eastern Residential District to LC-1 Local Commercial District. Attorney Hugh Cropper explained the Phillips Restaurant block located south of 21st Street was entirely rezoned for business use by the Mayor and City Council on May 6, 1974. The current application for zoning map amendment proposes the Phillips Plaza block located north of 21st Street should also be zoned entirely for business use based on the continuous and coordinated site development of the two blocks over the years. The Planning and Zoning Commission held a public hearing on October 8, 2024, and upon further deliberation on October 22, 2024, forwarded a favorable recommendation of the zoning map amendment from R-3, General Residential District, to LC-1, Local Commercial District, and submitted the Findings of Fact. The Mayor and Council, however, requested further clarification as to whether the recommendation of reclassification was based on a finding that there has been a substantial change in the character of the neighborhood where the property is located or that it was based on a mistake in zoning classification. Reference Town Code Sec. 110-143(c).

Motion to approve map amendment/rezoning application to rezone the eastern 1/2 of Tax Map 111, Parcel 4234, Block 7 as LC-1, Local Commercial Zoning District. Block 7 in its entirety will be zoned LC-1, and adopt the draft Findings of Fact.

RESULT:	FAILED
MOVER:	John F. Gehrig Jr., Council Member
SECONDER:	Carol L. Proctor, Council Member
AYES:	John F. Gehrig Jr., Council Member, Carol L. Proctor, Council Member
NAYS:	Matthew M. James, Council President, Tony DeLuca, Council Secretary, William C. Savage III, Council Member, Larry R. Yates, Council Member, Jake Mitrecic, Council Member

Motion to reject the Planning Commissions Findings of Fact as presented and remand the issue back to the Planning Commission to clarify reason for the rezoning recommendation as to whether it was based on a change in the character of the neighborhood or whether it was based on a zoning mistake.

RESULT:	APPROVED
MOVER:	William C. Savage III, Council Member
SECONDER:	Larry R. Yates, Council Member
AYES:	Matthew M. James, Council President, John F. Gehrig Jr., Council Member, Carol L. Proctor, Council Member, William C. Savage III, Council Member, Larry R. Yates, Council Member, Jake Mitrecic, Council Member
NAYS:	Tony DeLuca, Council Secretary

6) **PUBLIC HEARINGS**

7) **ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER AND STAFF**

8) **ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR**

A) Resolution 2024-17 to Authorize the Disposition of Surplus Personal Property

Motion to adopt Resolution 2024-17.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tony DeLuca, Council Secretary
SECONDER:	William C. Savage III, Council Member
AYES:	Matthew M. James, Council President, Tony DeLuca, Council Secretary, John F. Gehrig Jr., Council Member, Carol L. Proctor, Council Member, William C. Savage III, Council Member, Larry R. Yates, Council Member, Jake Mitrecic, Council Member

9) **COMMENTS FROM THE PUBLIC**

Kevin Renninger commented on LED lights on town businesses. Scott Chismar asked that tram service be reinstated.

10) **COMMENTS FROM THE CITY MANAGER**

- A) Comments from the City Manager
A. Review of the November 26, 2024, draft Work Session agenda
B. Department Activity Report

11) **COMMENTS FROM THE MAYOR AND CITY COUNCIL**

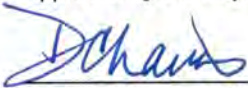
Council Member Gehrig requested that a review of mayor, council and city manager duties and responsibilities be scheduled for an upcoming work session.

12) **ADJOURN**

Motion to adjourn at 8:16 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tony DeLuca, Council Secretary
SECONDER:	Larry R. Yates, Council Member
AYES:	Matthew M. James, Council President, Tony DeLuca, Council Secretary, John F. Gehrig Jr., Council Member, Carol L. Proctor, Council Member, William C. Savage III, Council Member, Larry R. Yates, Council Member, Jake Mitrecic, Council Member

Approved by the Mayor and City Council on this 2nd day of December, 2024



Diana L. Chavis, MMC
City Clerk

MAYOR AND CITY COUNCIL OF OCEAN CITY, MARYLAND

FINDINGS OF FACT

ZONING MAP AMENDMENT/REZONING APPLICATION #24-14100004

APPLICANT: JAMB, LLC, BY Hugh Cropper, IV, Esquire

JANUARY 21, 2025

MAP AMENDMENT/REZONING APPLICATION to rezone the eastern ½ of Tax Map 111, Parcel 4234, Block 7, specifically Lots 7, 8, 9, 10, 11 and 12, from R-3, General Residential Zoning District to LC-1, Local Commercial Zoning District. The entire property, described as Tax Map 111, Parcel 4234, Block 7, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, is located between Philadelphia Avenue and Baltimore Avenue and 21st and 22nd Streets, and locally known as Phillips Plaza Shopping Center, master address being 2100 Philadelphia Avenue and associated parking, in the Town of Ocean City, Maryland.

Upon a motion made by _____, seconded by _____

and carried by a vote of _____, the Mayor and City Council hereby approves, subject to written agreement, the favorable recommendation of the petition for change in the zoning district classification from R-3, General Residential District, to LC- 1, Local Commercial District, based on substantial change in the character of the neighborhood, for rezoning application #24- 14100004, specifically for rezoning the eastern ½ of Tax Map 111, Parcel 4234, Block 7 so the entirety of the Block 7 is LC-1.

1. Population Change:

No impact to population change is anticipated.

2. Availability of Public Facilities:

The site is adequately served by public facilities for the existing land use, and there is no indication facilities will not be available for a use allowed in the proposed

Mayor and City Council
Findings of Fact for
JAMB, LLC, BY Hugh Cropper, IV, Esquire
2100 Philadelphia Avenue
Rezoning Application PZ #24-14100004

zone. Consideration of future development will be subject to Town Code requirements for site plan review and building permit approval.

3. Present and Future Transportation Patterns:

Existing site conditions and commercial uses are not changing as part of this petition for zoning map amendment. The existing businesses are adequately served by on-site parking and internal traffic flow. No change to vehicular or pedestrian access to Baltimore Avenue, 21st and 22nd Street are proposed. Expansion of permitted uses in the LC-1 zoning district will be subject to Town Code requirements for site plan review and building permit approval.

4. Compatibility with Existing and Proposed Development for the Area:

The requested zoning map amendment is supported by the unique pattern of ownership and shared development of the Phillips Restaurant [Block 6] and Phillips Plaza shopping center [Block 7]. The subject parcel is currently split zoned as Local Commercial (LC-1) for a depth of 100 east of Philadelphia Avenue and General Residential (R-3) for the remainder of the site to the west of Baltimore Avenue matching the historic zoning boundaries to the north. The subject parcel has been used commercially for over 50 years under the original Local Business (B-1) zoning classification for that portion of the property with the residentially zoned portion restricted as parking for Phillips Restaurant. Rezoning the site to LC-1 would be compatible with the existing neighborhood as defined by the attached staff exhibit and would allow for redevelopment of the Phillips Plaza to bring service uses and restaurants back to the neighborhood to replace former uses such as English's Diner and Mario's Restaurant.

Mayor and City Council
Findings of Fact for
JAMB, LLC, BY Hugh Cropper, IV, Esquire
2100 Philadelphia Avenue
Rezoning Application PZ #24-14100004

Substantial changes in the defined neighborhood include: Phillips Crab House closure and conversion to apartments to the south; parking lots to the north used in support of Days Inn and Fish Tails Bar and Grill; Nick's Mini-Golf constructed on former Phillips parking lot to the west; Grand Hotel POD constructed to the east; and English's Family Restaurant (Diner) developed as Mariner's Watch residential condominium.

5. Relationship to the Comprehensive Plan:

The Comprehensive Plan recognizes Coastal Highway and Philadelphia Avenue as the preferred location for commercial development within Ocean City generally serving higher density residential use in the Ocean Block and lower density residential use on the Bayside.

Exhibits presented by the applicant, including selections from the 2017 Comprehensive Plan update (adopted March 5, 2018), support the requested zoning map amendment with the following statements:

Chapter 3 - Land Use & Community Character

Objective 3.5 Economic Development - "Encourage infill and redevelopment of existing vacant or underutilized sites."

Objective 3.7 Commercial - "Encourage a full array of commercial services that meet the needs of the Town and its residents and visitors."

Objective 3.8 Commercial - "Encourage new development and re-development to minimize the impacts of strip commercial development by encouraging clustering of commercial uses and activity at optimal locations. Study the potential for additional free-standing commercial zoning and uses in selected locations on the Oceanside to reduce vehicle trips and encourage pedestrian safety"

Chapter 3 - Recommendations

23) "Pockets of Local Commercial land uses should be evaluated by conditional use permit or zoning map amendment in appropriate locations, based on adopted

Mayor and City Council
Findings of Fact for
JAMB, LLC, BY Hugh Cropper, IV, Esquire
2100 Philadelphia Avenue
Rezoning Application PZ #24-14100004

performance and separation criteria, on the Oceanside of Coastal Highway and Philadelphia Avenue. The preparation of a small area land use plan is recommended prior to any significant land use change."

Chapter 9 - Implementation

Zoning - "Develop incentives to encourage a healthy mix and distribution of commercial restaurant, retail, and service uses throughout the Town and promote mixed-use development which includes a workforce housing component and to minimize dependence on automobile use."

Therefore, by virtue of the requirements of Section 110-143 of the Code of Ocean City, Maryland, the Mayor and City Council found that the above findings support the Planning and Zoning Commission's favorable recommendation to rezone the entirety of Block 7 to be LC-1, Local Commercial Zoning District, and staff hereby presents these recommended findings, the meeting transcript, and other supporting documents as the required report for this rezoning request to the Mayor and City Council.

Matthew M. James, President

Will Savage

Anthony J. DeLuca, Secretary

Larry R. Yates

John F. Gehrig, Jr.

Jacob H. Mitrecic

Carol Proctor



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 9.A
Council Meeting January 21, 2025

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: First Reading - Ordinance 2025-01, Short-term Rentals, Occupancy and Administration
DATE: January 8, 2025

ISSUE(S): First Reading - Ordinance 2025-01 amends various Articles of Chapter 14, Entitled Businesses, in regards to occupancy, property management and administration of short-term rentals as approved at the January 14 Work Session.

SUMMARY: At the August 27, 2024 Mayor Council work session, a discussion was held regarding proposed short-term rental regulations. The proposed regulations discussed included:

- Restricting occupancy to 2 people per bedroom, plus 2 additional people under the age of 6, who would not be counted in the total occupancy;
- Defining overnight accommodations as the period between 11:00 PM and 8:00 AM;
- Requiring short-term rental properties to have a local property management company or a designated local manager

The Planning Commission held a public hearing on the draft rental ordinance. In response to public feedback, the Commission recommended the following changes be forwarded to the Mayor and Council:

- **Replaced** "local property management" with "a person qualified and legally authorized by the owner."
- **Added** that property owners may not advertise rental units as having more bedrooms than those specified on the approved building permit plans.
- **Added** that no room, attic, habitable attic, or garage can be converted into a bedroom without complying with all Town requirements and permitting processes.
- **Adjusted** the overnight accommodation period from 11:00 PM–8:00 AM to 12:00 midnight–7:00 AM to align with the adopted noise ordinance. The remainder of the ordinance stayed the same.

The remainder of the ordinance stayed the same.

FISCAL IMPACT: The proposed changes will be offset by an increase in the Rental License fee.

RECOMMENDATION: Approve Ordinance 2025-01 on first reading.



More Livable Community for Residents

ALTERNATIVES: None suggested.

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

COORDINATED WITH: Elton Harmon, Deputy City Manager, Josh Bunting Fire Marshal, Lori Calloway License Inspector

ATTACHMENT(S):
1 . ORD 2025 Amend Chapter 14, Length of Stay, Occupancy.pdf
2. PZ Recommendation to MCC 1.8.25.pdf

First Reading _____

Second Reading _____

ORDINANCE 2025 - ____

AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE II, ENTITLED LICENSED OCCUPATIONS, SECTION 14-38, ENTITLED SUSPENSION AND REVOCATION; AND ARTICLE V, ENTITLED RENTAL HOUSING, SECTION 14-173, ENTITLED ENFORCEMENT; SECTION 14-174, ENTITLED LICENSE; INSPECTION OF PREMISES; RECORDS; SECTION 14-175, ENTITLED VIOLATION; SECTION 14-176, ENTITLED ENFORCEMENT; AND SECTION 14-177, ENTITLED PREMISES FOR HABITATION/RENTAL HOUSING UNITS IN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND MH MOBILE HOME RESIDENTIAL DISTRICT - OCCUPANY, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND

WHEREAS, the Mayor and City Council desires to protect and preserve the Town's primary residential neighborhoods, to include year-round residents, from the impacts of rental units, and provide safe residential neighborhoods; and

WHEREAS, Charter Sections 801-803 state the Mayor and City Council of Ocean City shall have the power to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes; and within the individual zoning districts the Mayor and Council may regulate and restrict the use of buildings, structures or land; and

WHEREAS, the Mayor and City Council has considered the character of the districts and their suitability for particular uses, and with a view to conserving the value of neighborhoods and encouraging the most appropriate use of land throughout the Town, they desire to prevent overcrowding of land and avoid undue concentration of population in the wrong zones caused by rental properties, to protect against noise and other disturbances; and

WHEREAS, that in order to promote and protect the public's health, safety and welfare, it is necessary and reasonable to amend the Code of the Town of Ocean City to update the rental housing program to provide occupancy limitations in the R1 and MH zones, and to update the enforcement process to address rental properties.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY THAT CHAPTER 14, ARTICLE II, ENTITLED LICENSED OCCUPATIONS, SECTION 14-38, ENTITLED SUSPENSION AND REVOCATION; AND ARTICLE V, ENTITLED RENTAL HOUSING, SECTION 14-173, ENTITLED ENFORCEMENT; SECTION 14-174, ENTITLED LICENSE; INSPECTION OF PREMISES; RECORDS; SECTION 14-175, ENTITLED VIOLATION; SECTION 14-176, ENTITLED ENFORCEMENT; AND SECTION 14-177, ENTITLED PREMISES FOR HABITATION/RENTAL HOUSING UNITS IN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND MH MOBILE HOME

LAW OFFICES

AYRES, JENKINS,
GORDY & ALMAND, P.A.

SUITE 200
6200 COASTAL HIGHWAY
OCEAN CITY, MD 21842

RESIDENTIAL DISTRICT-OCCUPANCY OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND, BE AND THEY ARE HEREBY AMENDED, AS FOLLOWS:

...

Chapter 14 - Businesses

...

ARTICLE II. - LICENSED OCCUPATIONS

...

Sec. 14-34. - Payment of license fees; term of license; fee schedule

...

(b) The license fees to be paid annually as above provided to the Mayor and City Council of Ocean City for conducting the businesses and engaging in occupations and activities herein named, at the place designated in the license certificate issued therefor, shall be as from time to time passed by resolution of the Mayor and City Council of Ocean City; provided, however, that any such license not timely obtained shall be subject to a late charge of ten percent after 15 days and two percent each month every 30 days thereafter.

...

(51) Premises for habitation:

- a. Condominium units, cooperatives, and townhouses, whether rented individually or by a rental pool agreement, per unit.
- b. 1. Apartments, cottages.
2. Hotels, motels, inns, motor courts, cabins or other similar establishments offering accommodations on the premises for public rental.
- c. Rooming houses, boarding houses, dormitories or private houses offering rooms for public rental (per room).
- d. Single family home.
- e. Any other rental housing unit.
- f. Short-term rental housing unit.

...

Sec. 14-38. - Suspension and revocation.

- (a) *Suspension of a business license.* The city manager may suspend a business license for a period of time not to exceed 30 days if the city manager determines that a licensee or an employee of a licensee has committed any one or more of the following acts:
- (1) A licensee has breached any condition upon which their license was issued or has failed to comply with the provisions of this chapter.
 - (2) A licensee has committed an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods.
 - (3) A licensee has engaged in an unlawful activity or nuisance related to the business.
 - (4) A license has failed to correct a building, zoning, fire or life safety violation within the timeframe directed in the notice of violation.
- (b) *Revocation of a business license.* The city manager may revoke a business license if the city manager determines:
- (1) A license has been mistakenly or improperly issued, or issued contrary to law.
 - (2) A license has been obtained through fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application.
 - (3) A cause of suspension under this section occurs and the license has been previously suspended within the preceding 12 months.
 - (4) There is any violation of the provisions of this chapter or any other ordinance of the town, or any statute of the state or any statute of the United States of America, other than motor vehicle violations, if the city manager determines the violation is contrary to the public health, safety and general welfare.
- (c) *Hearings.* Upon reasonable belief that a violation of this chapter has occurred, the city manager shall notify the licensee in writing of the alleged violation and pending penalty by hand-delivery to the licensee or an employee of suitable age and discretion, or certified mailing, and shall schedule a hearing within three business days after notice of said violation. At the hearing the licensee shall have the opportunity to be heard as to why the license should not be suspended or revoked. After the hearing thereon, if the city manager determines upon a preponderance of the evidence, that a violation has occurred, the city manager may take the appropriate action as herein set forth in subsections (a) and (b) of this section for a business license and 14-176(a) and (b) for a rental license. If the licensee fails to appear, without good cause, the city manager may consider the evidence and make a determination in the absence of the licensee. If mitigating circumstances so warrant, in lieu of a suspension, the city manager may levy a fine not to exceed \$1,000.00 per violation.

- (d) *Appeals.* If the city manager fines, suspends or revokes a license, the city manager shall send to the licensee, by certified mail, return receipt requested, written notice of the action and the right of appeal. The licensee may appeal the decision of the city manager to the city council in accordance with the following procedures. The filing of an appeal does not stay the action of the city manager in fining, suspending or revoking a license until the city council makes a final decision.
- (1) The aggrieved licensee may, not later than ten calendar days after receiving notice of the fine, suspension or revocation, file with the city clerk a written request for an appeals hearing before the city council.
 - (2) If a written request is filed with the city clerk within the ten-day limit, the city council shall consider the request. The city clerk shall set a date for the hearing within three business days from the date the written request is received.
 - (3) The city council shall hear and consider evidence offered by any interested person to determine whether the city manager properly fined, suspended or revoked the license in accordance with the provisions of this chapter. The formal rules of evidence do not apply. If the licensee fails to appear, without good cause, the decision of the city manager shall become final.
 - (4) The city council shall grant or deny the appeal by majority vote. Failure to reach a majority vote will result in denial of the appeal. Any dispute of fact must be decided on a basis of a preponderance of the evidence. The decision of the city council is final.
 - (5) If the city council denies the appeal of a revocation, the aggrieved licensee may not reapply until at least 12 months have elapsed since the date of the city council's action.

(Code 1999, § 14-38; Ord. No. 2007-16, 7-2-2007; Ord. No. 2007-22, 10-1-2007; Ord. No. 2022-03, 3-21-2022)

...

ARTICLE V. - RENTAL HOUSING

Sec. 14-171. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Booking transaction means a reservation transaction between a property owner or their agent and a prospective renter for the rental of a housing unit.

Code violations means violations of this Code or any other code, law, ordinance or regulation adopted and incorporated by reference in this Code.

Division of rental housing means the department of planning and community development or such other department or agency charged by the Mayor and City Council of Ocean City with the duty to implement and enforce the provisions of this article.

Hosting platform means an entity that in exchange for a fee:

- (1) Facilitates reservations of rental housing units;

- (2) Serves as a conduit of communication between property owners and property managers and renters; or
- (3) Otherwise facilitates any transactions for rental housing units.

Long Term Rental Housing Unit means the use or occupancy, in exchange for consideration, of all or part of a dwelling unit to provide accommodations to a person for thirty-one (31) or more consecutive days in a calendar year. (Excluding hotels, motels, apartments, dormitories and employee housing).

Person means an individual, group of individuals, partnership, joint venture, corporation, association and any other entity, however named or called.

Property manager means an individual or company that oversees the day-to-day operations of a rental housing unit, including but not limited to, making a rental housing unit available for use by renters.

Rental housing unit means any space in any building which, for a consideration, is made available by any person to another person for habitation purposes.

Short Term Rental Housing Unit means the use or occupancy in exchange for consideration, of all or part of a dwelling unit to provide accommodations to a person for no more than thirty (30) consecutive days in a calendar year. (Excluding hotels, motels, apartments, dormitories and employee housing).

(Code 1972, § 61C-2; Code 1999, § 14-171; Ord. No. 2021-12, 5-17-2021; Ord. No. 2022-03, 3-21-2022)

Sec. 14-172. - Purpose.

The purpose of this article is to ensure compliance with all laws, ordinances and regulations applicable to rental housing units within the corporate limits of Ocean City. It is further the purpose of this article to promote and ensure safe, healthy and habitable housing conditions in rental housing units, to prevent deterioration of rental housing units and to encourage responsible management, maintenance and use of rental housing units by the inspection and licensing of these units.

(Code 1972, § 61C-1; Code 1999, § 14-172)

~~Sec. 14-173. - Enforcement. Reserved.~~

~~The Mayor and City Council of Ocean City may initiate proceedings in the Circuit Court for Worcester County, Maryland, or any other court of competent jurisdiction to enforce the provisions of this article.~~

Sec. 14-174. - License; inspection of premises; records.

- (a) *Licensing generally; certifications.* Any person renting a premises for habitation described in section 14-34(b)(51) of the Code or a rental housing unit shall obtain the applicable license from the town in accordance with chapter 14, article II. The holder of a license shall be the property owner of the premise for habitation or rental housing unit. Application for

a rental license (non-business license uses) and/or business license (for hotels, motels, apartments, dormitories, lodging/rooming house and employee housing) (hereinafter collectively "license") shall be on forms prescribed by the town. All property owners shall ~~certify to provide to~~ provide to the town the name, address and telephone number of ~~an agent a person~~ qualified and legally authorized by the owner: (1) to accept service of process; (2) to address any issue on the property to include authorizing repairs and other remedial action; (3) respond to any code violation accept notice and authorize repairs on behalf of the property owner. ~~and be able to respond in sixty (60) minutes to the property.~~ The application shall contain a consent to inspection during reasonable hours for the entire term of the license and a declaration by the property owner stating the number of bedrooms on the property and the required and/or approved onsite parking available. The property owner shall not provide incorrect information on the application.

...

- (c) *Review of license application.* The division of rental housing (hereinafter "division") or its designee shall issue or deny a license within 14 days of receiving an application. The division shall receive all applications and coordinate a review process involving the building official, zoning administrator, license inspector, fire marshal and other appropriate Ocean City, county or state agencies. A license may be denied by the division or its designee if material false statements exist in the initial or renewal application; a license is obtained fraudulently or deceptively for oneself or for another; a license is used fraudulently or deceptively; a rental housing unit has been cited for a violation of chapter 30, article V and failed to remediate the noise issue; the property owner fails to comply with chapter 14, article V; the property owner or occupant thereof is in violation of an order issued pursuant to chapter 18; or a rental housing unit fails to comply with all other provisions of the Code. The issuance of a license is not to be construed as proof or acknowledgment by the town that the subject property complies with all applicable laws. The division or its designee shall provide not less than ten days' notice of a denial, in writing, setting forth the code violation(s) and reason(s) for such denial, and allowing the property owner an opportunity to be heard as to why the license should not be denied and advising the property owner if any corrective measures can be taken. If the property owner fails to show cause or fails to take corrective action as directed by the division or its designee, the director or his designee may deny the application.

...

- (e) *Inspection of rental housing ~~units~~.*
- (1) *Inspection prior to issuance of license.* An inspection of the property for which application has been made may be conducted prior to the issuance of a license upon recommendation of any reviewing agency. If an inspection indicates that a rental housing unit is not in compliance with all applicable laws as required, the license application may be denied until remedial action, as determined by the ~~division~~ department who issued the violation, remedies the violation.
- (2) *Inspections during term of license.*
- a. ~~The division;~~ Upon recommendation of any appropriate Ocean City, County or State agency, ~~shall cause the~~ there shall be an inspection of a rental housing unit

when there exists the belief that a property is not in compliance with all applicable laws. The inspection shall be coordinated between Town departments. Inspection scope and procedures as set forth in chapter 10 (the International Property Maintenance Code, as amended), chapter 34, chapter 110, and this article, shall be followed.

- b. Rental properties shall obtain and maintain all required and/or approved, on-site parking, as parking spots available for use by the renter or tenant(s). Parking spots shall not be used for any other purposes.
 - c. The owner may request any appropriate Ocean City, county or state agency to perform an inspection of a rental housing unit(s). ~~Ocean City inspection procedures as set forth in the International Property Maintenance Code, as adopted in chapter 10, and this article, shall be followed.~~ A qualifying inspection will stand for one calendar year from date of inspection.
 - d. If an inspection indicates that a rental housing unit(s) is not in compliance with all applicable laws, the license may be subject to suspension, revocation or other remedial action as determined by the city manager in consultation with the division, or its designee. The city manager shall follow the procedures in section 14-38. A license may be suspended or revoked immediately by the city manager in consultation with the division, or its designee, if, in the opinion of city manager and the division, the health, safety or welfare of the person(s) in the rental housing unit, or ~~if~~ the general public are in imminent danger. Revocation or suspension of a license shall be in addition to and not in substitution for such other penalties as may be provided for in other laws or ordinances.
 - e. The property owner may appeal the suspension or revocation of the license as stated in section 14-38(d).
 - f. If a license is suspended or revoked, the rental housing unit cannot lawfully be used for a rental.
- (f) *Term of license.* Licenses shall be issued for a term of one year, pursuant to section 14-34 and renewable for additional one-year terms, subject to payment of the license fee, certification of tax payment, and compliance with all applicable laws.

...

(i) *Records.*

(1) The property owner of the rental housing unit shall:

- (1)a. Make a record of all their rentals;

- (2)b. Maintain said record of the rentals for at least five years;
- (3)c. On request, make the records available to the division for inspection;
- (4)d. Prominently display in the rental housing unit emergency contact information for the property owner or their authorized representative; and
- (5)e. Include in all advertisements or listings, whether by print, electronic, audible or in any other form or substance designed to inform as to the availability of any property for rent, the valid rental license control number or business license control number of the rental housing unit.

(2) The property owner of the rental housing unit(s) shall not advertise the unit(s) or building as having more bedrooms than permitted on the unit's or the building's approved building permit plans.

...

(1) Rooms. No room, attic, habitable attic or garage shall be converted into a bedroom without complying with all Town requirements and permitting processes.

Sec. 14-175. - Violation.

- (a) *Generally.* Any violation of this article by the property owner of the rental housing unit(s) shall be unlawful and is subject to a municipal infraction. Each day of violation shall be considered a separate violation. Prior to a municipal infraction being issued, the license inspector or other Town employee, will provide the property owner written notice of the violation and allow the property owner ten days from the date of the letter to correct said violation.
- (b) *Violation of an emergency order.* A rental housing license or a business license may be revoked by the ~~division~~ city manager if the holder of the license violates or allows an occupant of the rental housing unit to violate an emergency order issued pursuant to chapter 18. Such revocation shall be processed in accordance with section 14-174(~~e~~)(2)(~~bd~~).
- (c) *Process not exclusive.* The issuance of an infraction to enforce this article does not preclude the town from pursuing any other civil remedy or enforcement action authorized by law.

(Ord. No. 2022-03, 3-21-2022)

Sec. 14-176. - Enforcement.

(a) Suspension of a license. The city manager may suspend a business license in accordance with section 14-38. The city manager may suspend a rental license for a period of time not to exceed thirty (30) days if the city manager determines that a licensee has committed or allowed to be committed any one or more of the following acts:

- (1) A licensee has breached any condition upon which their license was issued;

- (2) A licensee has failed to comply with the provisions of this chapter;
- (3) A licensee has failed to comply with chapters 10, 34 and 110 of the Code;
- (4) A licensee has engaged in an unlawful activity or nuisance related to the use of the property;
- (5) Any adverse effect on public health, safety and the general welfare; or
- (6) If there are three (3) documented calls for service that require a response and/or citations issued to the property for different incidents in a twelve-month period year.

A call for service includes a response by law enforcement, the fire marshal's office and/or an official from the division or its designee. If there are three (3) documented calls for service, that require a response, for disturbance of the peace, public drunkenness, drinking in public, harassment, loitering, public urination, lewd conduct, overcrowding, exceeding occupancy loads or noise, vandalism, parking nuisances, trespassing and/or citations issued to the property for different incidents on the property, or on the parking lot for the building or dwelling, in a twelve-month period year, the rental license is automatically suspended for up to thirty (30) days. The owner or local agent must have been notified of the call for service. The twelve-month period starts from the first call for service or citation. The procedure for suspension of a rental license shall follow section 14-38 (c) and (d). This is limited to acts of the owner(s), and his renters, guests, and invitees.

(b) Revocation of a license. The city manager may revoke a business license in accordance with section 14-38. The city manager may revoke a rental license if the city manager determines that a licensee has committed any one or more of the following acts:

- (1) A license has been mistakenly or improperly issued, or issued contrary to law;
- (2) A license has been obtained through fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application;
- (3) A cause of suspension under this section occurs and the license has been previously suspended within the preceding twelve (12) months; or
- (4) There is any violation of the provisions of this chapter or any other ordinance of the town, or any statute of the state or any statute of the United States of America, other than motor vehicle violations, if the city manager determines the violation is contrary to the public health, safety and general welfare.

The procedure for revocation of a rental license shall follow section 14-38 (c) and (d).

(c) Other. The Mayor and City Council of Ocean City may initiate proceedings in the Circuit Court for Worcester County, Maryland, or any other court of competent jurisdiction to enforce the provisions of this article.

Sec. 14-177. – Premises for Habitation/Rental Housing Units in R-1 single family residential district and MH mobile home residential district – overnight occupancy.

The maximum occupancy in a dwelling in the R-1 single family residential district and the MH mobile home residential district being used as a premises for habitation/rental housing unit, is two (2) persons per bedroom, plus two additional persons, excluding children aged ten (10) years old and younger, between the hours of 12:00 midnight and 7:00 A.M, provided that occupancy does not exceed the maximum allowed occupancy under chapter 10 and the dwelling's or building's allowed occupancy use for its provided fire protection features required under chapter 34.

14-1768—14-200. - Reserved.

...

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on January _____, 2025.

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 _____.

ATTEST:

DIANA L. CHAVIS, Clerk

RICHARD W. MEEHAN, Mayor

Approved as to form:

MATTHEW M. JAMES, President

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

ANTHONY J. DELUCA, Secretary



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Reply to: Planning and Zoning Commission
P O Box 158
Ocean City MD 21843

January 8, 2025

The Honorable Mayor Rick Meehan and Members of the City Council
P O Box 158
Ocean City MD 21843

Dear Mayor and Council Members:

Re: Planning and Zoning Commission Favorable Recommendation to Amend Chapter 14, Entitled Business, Article II, Entitled Licensed Occupations, Section 14-38, Entitled Suspension And Revocation; and Article V, Entitled Rental Housing, Section 14-173, Entitled Enforcement; Section 14-174, Entitled License; Inspection Of Premises; Records; Section 14-175, Entitled Violation; Section 14-176, Entitled Enforcement; and Section 14-177, Entitled Premises for Habitation/Rental Housing Units in R-1 Single Family Residential District and MH Mobile Home Residential District. to add a length of stay requirement in the R-1 zone; to add a maximum occupancy limit in the R-1 and MH zones; to add provisions to the enforcement process; to amend the requirement for a local agent for all rental properties; to address advertising and room conversion issues and other amendments.

And

To consider amending Chapter 110, Entitled Zoning, Article I, Entitled In General, Section 110-2, Entitled Definitions, of the Code of the Town Of Ocean City, Maryland., to amend the definitions of family.

APPLICANT: PLANNING AND ZONING COMMISSION (PZ FILE #24-14100008)

On Tuesday, October 22, 2024, George Bendler, Planning and Community Development Director, presented to the Planning and Zoning Commission the proposed code amendments to Chapter 14, Business and Chapter 110, Zoning, following staff review and consideration. Subsequently, the Planning and Zoning Commission conducted a public hearing on Tuesday, November 19, 2024, to consider the above referenced amendments. The Commission considered all testimony and exhibits and held the item over for voting until after more deliberations at the December 3, 2024 meeting and the December 17, 2024 meeting. After these final deliberations, they voted of those present, (5-1-1), Chairman Joe Wilson casting the single 'nay' vote, and Commissioner Kevin Rohe being absent, to send the Mayor and City Council a favorable recommendation for approval of the amendments.

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

Zoning staff has coordinated with the City Clerk to place this favorable recommendation on the agenda for the regular session on Work Session, January 14, 2025, at 1:00 PM. The draft ordinances will also be available for your review and action.

Thank you in advance for your consideration.

Sincerely,


Joe Wilson, Chairperson

Attachment: Draft Ordinances

cc: Terry McGean, City Manager & Elton "Jr" Harmon, Deputy City Manager
Heather Stansbury, City Solicitor
All Planning Commission Members and Maureen Howarth, Esq. attorney for Commission
George M. Bandler, Director, Department of Planning and Community Development
Karen J. (Kay) Gordy, Zoning Administrator
Lori Calloway, License Inspector
PZ File #24-14100008



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 9.B
Council Meeting January 21, 2025


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: Ordinance 2025-02, Zoning, Definition of *Family*
DATE: January 8, 2025

ISSUE(S): First Reading - Ordinance 2025-02 amends the definition of *family* in Chapter 110, Zoning, Article I.

SUMMARY: The Zoning Code contains outdated and complicated language on occupancy limitations. The new rental ordinance establishes clearer, more enforceable occupancy limits and, to achieve these, updates to the definition of "family" are required to reflect modern concepts of what a family may be. Removing this outdated language from the district definitions will streamline enforcement and ensure consistent application of the regulations.

FISCAL IMPACT: The proposed changes have no fiscal impact.

RECOMMENDATION: Approve Ordinance 2025-02 on first reading.

 More Livable Community for Residents

ALTERNATIVES: None suggested.

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

COORDINATED WITH: Elton Harmon, Deputy City Manager, Josh Bunting Fire Marshal, Lori Calloway, License Inspector

ATTACHMENT(S): 1 . ORD 2025 - Amend Chapter 110 Zoning Sect 110-2 Definitions.pdf
2. PZ Recommendation to MCC 1.8.25.pdf

First Reading _____

Second Reading _____

ORDINANCE 2025 - _____

AN ORDINANCE TO AMEND CHAPTER 110, ENTITLED ZONING, ARTICLE I, ENTITLED IN GENERAL, SECTION 110-2, ENTITLED DEFINITIONS, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND

WHEREAS, the Mayor and City Council desires to protect and preserve the Town’s primary residential neighborhoods, protect year-round residents from the impacts of rental units, and provide safe residential neighborhoods; and

WHEREAS, Charter Sections 801-803 state the Mayor and City Council of Ocean City shall have the power to regulate and restrict the density of population and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes; and within the individual zoning districts the Mayor and Council may regulate and restrict the use of buildings, structures or land; and

WHEREAS, the Mayor and City Council has considered the character of the districts and their suitability for particular uses, and with a view to conserving the value of neighborhoods and encouraging the most appropriate use of land throughout the Town, they desire to prevent overcrowding of land and avoid undue concentration of population in the wrong zones caused by rental properties; and

WHEREAS, while pursuing these goals the Mayor and City Council desire to update the definition of “family” in the Town to reflect modern concepts of what a family may be while continuing to control occupancy in districts to an appropriate level.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY THAT CHAPTER 110, ENTITLED ZONING, ARTICLE I, ENTITLED IN GENERAL, SECTION 110-2, ENTITLED DEFINITIONS OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND, BE AND THEY ARE HEREBY AMENDED, AS FOLLOWS:

...

Chapter 110 – ZONING

ARTICLE I. - IN GENERAL

...

Sec. 110-2. - Definitions.

LAW OFFICES
AYRES, JENKINS,
GORDY & ALMAND, P.A.
SUITE 200
6200 COASTAL HIGHWAY
OCEAN CITY, MD 21842

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

...

(1) *R-1, single-family residential, and MH, mobile home districts.* The term "family" means an individual or two or more persons ~~who are related by blood or marriage~~ living together, sharing household expenses, and occupying and using the entire premises as a single housekeeping unit with a single culinary facility and legally sharing in the ownership or possession of the premises and, including caregivers employed and residing on the premises, or a group of not more than four persons living together by joint agreement and occupying a single housekeeping unit with single culinary facility on a cost sharing basis, not exceeding the number of occupants allowed by the building code, housing code, fire code, and if rented, the rental housing code.

(2) *R-2A, low density multiple-family; R-2, medium residential, R-3, general residential, all commercial districts, and the mixed use and overlay districts.* The term "family" means an individual or two or more persons ~~who are related by blood or marriage~~ living together, sharing household expenses, sharing household duties and occupying and using the entire premises as a single housekeeping unit with a single culinary facility, or a group of persons not exceeding the number of occupants allowed by building and housing code, fire code, and if rented, the rental housing code regulations living together by joint agreement and occupying a single housekeeping unit with single culinary facility on a cost sharing basis.

Editor's note— The effective date of this definition shall be January 1, 2004~~25~~, except that any rental leases in effect on the effective date of this definition shall not be affected by this definition until the end of the current rental term.

...

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on January _____, 2025.

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 _____.

ATTEST:

DIANA L. CHAVIS, Clerk

RICHARD W. MEEHAN, Mayor

Approved as to form:

MATTHEW M. JAMES, President

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

ANTHONY J. DELUCA, Secretary



TOWN OF OCEAN CITY

The White Marlin Capital of the World

Reply to: Planning and Zoning Commission
P O Box 158
Ocean City MD 21843

January 8, 2025

The Honorable Mayor Rick Meehan and Members of the City Council
P O Box 158
Ocean City MD 21843

Dear Mayor and Council Members:

Re: Planning and Zoning Commission Favorable Recommendation to Amend Chapter 14, Entitled Business, Article II, Entitled Licensed Occupations, Section 14-38, Entitled Suspension And Revocation; and Article V, Entitled Rental Housing, Section 14-173, Entitled Enforcement; Section 14-174, Entitled License; Inspection Of Premises; Records; Section 14-175, Entitled Violation; Section 14-176, Entitled Enforcement; and Section 14-177, Entitled Premises for Habitation/Rental Housing Units in R-1 Single Family Residential District and MH Mobile Home Residential District. to add a length of stay requirement in the R-1 zone; to add a maximum occupancy limit in the R-1 and MH zones; to add provisions to the enforcement process; to amend the requirement for a local agent for all rental properties; to address advertising and room conversion issues and other amendments.

And

To consider amending Chapter 110, Entitled Zoning, Article I, Entitled In General, Section 110-2, Entitled Definitions, of the Code of the Town Of Ocean City, Maryland., to amend the definitions of family.

APPLICANT: PLANNING AND ZONING COMMISSION (PZ FILE #24-14100008)

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MAYOR

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CITY MANAGER

Terence J. McGean, PE

CITY CLERK

Diana L. Chavis, MMC

Zoning staff has coordinated with the City Clerk to place this favorable recommendation on the agenda for the regular session on Work Session, January 14, 2025, at 1:00 PM. The draft ordinances will also be available for your review and action.

Thank you in advance for your consideration.

Sincerely,


Joe Wilson, Chairperson

Attachment: Draft Ordinances

cc: Terry McGean, City Manager & Elton "Jr" Harmon, Deputy City Manager
Heather Stansbury, City Solicitor
All Planning Commission Members and Maureen Howarth, Esq. attorney for Commission
George M. Bendler, Director, Department of Planning and Community Development
Karen J. (Kay) Gordy, Zoning Administrator
Lori Calloway, License Inspector
PZ File #24-14100008



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 10.A

Council Meeting January 21, 2025

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 13, 2025

ISSUE(S): Comments from the Public

SUMMARY: Any person who may wish to speak on any matter at the Regular Meeting may be heard during Comments from the Public for a period of five (5) 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 subject on which he or she wishes to speak.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



Excellent Service through a High Performing Town Organization

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S): None



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 11.A

Council Meeting January 21, 2025

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Comments from the City Manager
DATE: January 13, 2025

ISSUE(S): City Manager Comments

SUMMARY: A. Review of January 28, 2025, draft Work Session Agenda
B. Department Activity Report

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



Excellent Service through a High Performing Town Organization

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Terence J. McGean, PE, City Manager

COORDINATED WITH: Not Applicable

ATTACHMENT(S): 1. 01.2025 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, 2024 – January 14, 2025

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

Mayor's Office

- Attended the following:
 - Council Meetings, Work Sessions, Transportation, and Police Commission Meetings
 - Met with various stakeholders and town staff regarding offshore wind opposition
 - Ocean City Christmas Parade
 - Met with Maryland State Firemen's Association Representatives
 - Met with Delegate Wayne Hartman
 - Met with Senator Mary Beth Carozza
 - Sports Complex Task Force Meeting
 - Maryland's Coast Wind Opposition Campaign Fundraiser
 - MML State of the Municipality
 - Montego Bay Tree Lighting
 - Art League of Ocean City's Annual Luncheon
 - Swore in OCPD Officers
 - Worcester County Board of License Commissioners Meeting
- Interviewed with the following:
 - Bulldog – Radio Station 98.1
 - Mike Bradley – Radio Station 92.7
 - Bill Baker and Jessica – Radio Station 101.7
 - Various media outlets

City Manager's Office

CITY MANAGER

- Attended the following:
 - Council Meetings, Work Sessions, Transportation, and Police Commission Meetings
 - Various meetings with C3 Presents Representatives
 - Various off-shore wind meetings
 - MML Manager's Luncheon
 - TimeClock+ (new system) Training Meeting
 - Various Sports Complex Meetings
 - On-Boarding Meet and Greet
 - Off-shore wind fundraiser
 - P&Z Christmas Open House
 - Interviewed with various media outlets
- Working with staff on the following:
 - OCCC Master Plan Review
 - Budget Review Meeting
 - EVI Meeting
 - Boardwalk Signage Meeting
 - Cable Removal Inlet Parking Lot Meeting
 - 3C Transportation Meeting w/ Hal
 - Coastal Highway Pedestrian Safety SHA Workshop
 - FOP Negotiations Meeting
 - Met with City Solicitor to discuss legal matters
 - Met with HR director on personnel matters

DEPUTY CITY MANAGER

- Attended the following:

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- Work Sessions Council Meetings
- RS Council Meeting
- Department Head Meetings
- Planning Commission
- BZA Hearings
- City Managers Meeting
- FOP prep Meeting
- Collective Bargaining (FOP) 2 Sessions
- Met with Staff to discuss the following:
- Rec & Park- Eagles Landing Remediation/ Eagles Landing Budget Review
- Increase in Rental License Fees
- Rental Property Inspection Process
- Planning and Community Development – Short-Term Rental Restrictions, Enforcement, Inspections, Resort Homes / Dormers
- City Solicitor to discuss legal matters
- Fire Department / Personnel Issues
- Performance Evaluation

BUDGET MANAGER

- FY 26 Radio funding calculation
- Preparation and follow-up for FY 26 budget meetings for Convention Center, Museum, Engineering, Solid Waste, Airport, Water, Wastewater, Transportation, Parking
- November Room Tax report to Council
- Prepared State Aid for Police Protection FY 25 budget and FY 24 annual reports
- Prepared back-up data for FOP contract negotiations

GRANTS COORDINATOR

- Submitted:
 - Quarterly Reports to DHCD, MDEM, CAC, GOCPP
 - SAM.GOV Renewal
- Met with colleagues to discuss the following:
 - Grants for OCPD
 - Armored vehicle, bomb dog, roadway safety
 - School bus safety pilot program
 - Civil rights requirements for existing grants
 - Reporting requirements for existing grants
 - MD DND grant previously received for canal dredging
- Attended the following:
 - DHS Civil Rights Requirements Training
 - Grants Professionals Delmarva Chapter meeting
 - Mobile Command Unit Meeting
 - Grant software final beta testing meeting
 - Meeting with Lenco regarding grant support for armored vehicle
- Received:
 - Award Notice - \$29,931.22 from Toxcel/NHTSA to support school bus safety enforcement

INTERNAL AUDITOR

- Monthly Procurement Card Review
- Payroll Review each pay period
- Internal Audits
- Primary Residence Incentive Program – working with P&Z for presentation to MCC
- Fire Department
 - Inventory and Medical Supply – ongoing
 - Asset and Equipment - ongoing

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- Review of active ProWatch security cards
- Daily Transportation revenue review
- Timekeeping project purchase and installation
- Timekeeping project - Aladtec scheduling for OCPD to work with TCP product. Contract signed.
- FOP Negotiations

City Clerk

- o New Passports: 11
- o Public Information Requests: 7
- o Senior Citizen Bus Passes: 45
- o Prepaid General Bus Pass: 0
- o Caine Keys Permits: 44
- o Vintage License Plates: 6
- o Little Salisbury/Caribbean Drive Boat Ramp: 0
- Conferred with City Manager, City Solicitor and management on agenda items
- Completed/published Mayor and Council agendas
- Attended Mayor and Council meetings
- Finalized Mayor and Council minutes
- Prepared legal advertisements
- Completed public requests for information and various research projects
- Records retention policy revisions underway per Archive directives
- Distributed beach equipment franchise documents for signature
- Preparing for Pension Committee Public Safety Representative election
- Staff attended in-house training opportunities

Emergency Management

EMERGENCY MANAGEMENT DIVISIONAL HIGHLIGHTS

- Attended a Recipients Awareness Campaign training webinar regarding federal grants
- Our Ocean City CERT team assisted the Special Events department during Winterfest of Lights with different tasks
- Worked closely with the National Weather Service and other town departments to keep our employees and citizens up-to-date and aware of our expectations of Winter Storm Blair
- 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 completed for this operational period

Communications Divisional Highlights

- Started review and revisions of Police related CAD Nature Codes
- Working with OCFD to implement Pulse Point application as a dispatching function
- Continued internal review and discussion of shared inter-departmental CJIS-NCIC responsibilities

Electronics Divisional Highlights

- Continued work on setup of demo XL radio testing with OCFD asked OCFD to assist with the setup of their new mixed mode zone
- Assisted with finding and setting up radio for new council members
- Approved wireless application for 8500 Coastal Highway
- Planning meeting for Eastern, L3Harris, OC and Worcester for new features that will be available with new cores
- Assisted skyline with WCPN circuits installed at Ocean Pines site. Ocean City was given 2 circuits for use on this network
- Attended OC1 ramp up on 12/10
- Completed online mandatory training
- Sent radio database updates to neighboring systems

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- Researched user terminating Ocean Pines tower agreement for City Hall
- Authorized continued approval of FCC testing on 900Mhz for Exelon until 4/1/2025
- Working on system options and design for deployable system with Worcester Beach Patrol Divisional Highlights

Recruiting and Testing

- Registered 17 additional candidates (28 last year) for Pre-Employment Physical Skills Evaluations for the 2025 season (87 pre-registered candidates (98 last year) for future testing as of January 13, 2025)
- Staffed a recruiting table at Salisbury University ahead of their Winter Break
- Increased Social Media presence for Recruiting
- Scheduled interviews for Surf Beach Facilitator candidates
- Finalized off-site Pre-employment Physical Skills tests for 2025 SRTs

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 2025 season
- Ordering and receiving equipment and supplies for the 2025 season

Public and Community Outreach

- Public Education Coordinator made weekly posts to several forms of social media emphasizing safety, public awareness and recruiting
- Created and staffed (volunteer) a Christmas train garden at the Convention Center 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)
- 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

- Participated in Zoom meeting with City manager, Budget manager, HR Director and ES Director, to discuss Pay and incentives for the 2025 season
- Ongoing communication with all PSRT candidates, as well as current and past employees
- Worked with Ocean City Fire Marshal's office to develop a beach bonfire supervision rotation to include Beach Patrol staff
- Finalizing/hiring Junior Beach Patrol Assistant Instructors

Finance

- The 2024 GO Bonds settlement was December 12th
- The Assistant Finance Director completed the November financial statements
- The Finance Director is participating in negotiations with the FOP
- The Finance Director is working with Fire department staff on the audit of the annual Medicaid cost report
- The Payroll Manager is working on year-end payroll reporting including W-2's and 1099's
- The Finance Director and Payroll Manager are working with other town employees and Time Clock Plus personnel on the new timekeeping system
- The December quarterly utility invoices were sent to customers

PURCHASING:

- Gov Deals Listing - \$3,504,506.81 representing 3025 transactions
 - Month of November 2024 – \$1,435.00 Items sold - 2
 - Month of December 2024 – \$52,145.50 Items sold - 38
- Current Proposal/BIDS in progress
 - B01-25 – Northside Park Fence Replacement
 - Bid Award Recommendation – 1/6/2025 at 6PM (MC&C Consent Agenda)
 - B03-25 – Edgewater Avenue Revetment
 - Bid Award Recommendation – 1/6/2025 at 6PM (MC&C Consent Agenda)

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- P04-25 – Canoe, Kayak, and Stand-Up Paddleboard Concessions
 - Proposal Due Date – 1/7/2025 at 3PM
 - Opening Date – 1/9/2025 at 10AM
- P05-25 – Landscape Maintenance Services – Public Works South Tram Facility and Bayside Park
 - Last Day for Questions – 1/7/2025 at 3 PM
 - Addendum Posting – 1/9/2025 at Close of Business
 - Proposal Due Date – 1/16/2025 at 3PM
 - Opening Date – 1/17/2025 at 10AM
- P06-25 – Northside Park Ceiling Grid Replacement
 - Pre-Proposal Meeting – 1/7/2025 at 10AM
 - Last Day for Questions – 1/16/2025 at 3PM
 - Addendum Posting – 1/20/2025 at Close of Business
 - Proposal Due Date – 1/23/2025 at 3PM
 - Opening Date – 1/24/2025 at 10AM
- P07-25 – Turf Fertilization and Weed Control Services
 - Last Day for Questions – 1/14/2025 at 3 PM
 - Addendum Posting – 1/21/2025 at Close of Business
 - Proposal Due Date – 1/23/2025 at 3PM
 - Opening Date – 1/28/2025 at 10AM
- Gas and Diesel Pricing, last time we bought - Volatile market
 - Diesel December 2024 - \$2.363 November 2024 - \$2.399
 - Gas December 2024 - \$1.999 November 2024 - \$2.020
- Gas – Average Daily Pump
 - December 2024 – 346.58 Gallons
 - November 2024 – Average 357.97 Gallons
 - October 2024 – Average 453.50 Gallons
- Diesel – Average Daily pump
 - December 2024 – 363.30 Gallons

Fire

- The Ocean City Fire Department is sad to announce the untimely passing of Battalion Chief Richard Koch.
- The Department focuses on caring for the Koch Family and Fire Department personnel during his passing. There will be a Service of Life for Battalion Chief Koch on Saturday, January 25th, 2025, at Fire Department Headquarters starting at 1100 hours

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
12/31/2024	Fire Protection Systems	14	2.1	3.8	0	19
	Small Permit (<\$100K)	5	0.9	1.7	0	18
Current Month	Medium Permit (\$100K-\$1M)	11	2.0	2.4	0	16
12	Large Permit (>\$1M)	15	0.0	4.4	0	14
	TOTAL PERMITS		1.8	2.6	0	19

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	2.5	6.8	0	64	
Small Permit (<\$100K)	5	0.9	4.3	0	96	
Medium Permit (\$100K-\$1M)	11	2.1	4.6	0	117	
Large Permit (>\$1M)	15	0	18.1	0	41	
TOTAL PERMITS		1.9	5.3	0	117	

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Permits Reviewed		
Permit Category	M-T-D	Y-T-D
Fire Protection Systems	8	118
Small Permit (<\$100K)	11	163
Medium Permit (\$100K-\$1M)	29	137
Large Permit (>\$1M)	0	9
TOTAL PERMITS	48	427

Nov	Plan Reviews Received	Permits Received	Bonfire Permits	Special Events	Inspections/Property Checks	Field Operations CFS	Complaints & Referrals	Fire Protection Deficiencies
	49	3	16	4	80	23	5	108

Human Resources

- Organized and prepared for the launch of LanguageLine Solutions for all General Employees. A translation service employed by the town affords employees the ability to access interpretation services when serving the public
- Updated all employee pay rates and benefits changes- verified and double-checked for accuracy
- Selected search firm & Kicked off Police Chief recruitment
- Deadline for mandatory Diversity & Sexual Harassment training 12/31/24, 100% compliance
- 2025 Handbook updated presented to MCC

Information Technology

- City watch updates
- VOIP migration
- Working with Verizon on design for south end of boardwalk coverage enhancements

Planning & Community Development/Building/Geographical Information Systems

BUILDING/INSPECTIONS

- 2024 Plan and Permit Reviews: December saw a minor increase in building permit applications for new construction. Construction values also saw a slight uptick. In December, 49 building permits were issued, surpassing the 5-year monthly average of 45. The construction value for December was \$2,562,457 compared to the 5-year average of \$5,648,934
- New Residential and Residential Alteration Permits Issued (> \$100,000):
 - o 13218 Colonial Rd

PLANNING/ZONING/ENVIRONMENTAL/GIS

- Planning Commission Notice: The next regular Planning Commission meeting will take place on Wednesday, January 22, 2025, at 6:30 PM.
 - o PZ #24-18100015 94th Street Parcel A Commercial Site Plan
 - o PZ #24-18100016 94th Street Parcels C Residential Site Plan
 - o PZ #24-18100020 94th Street Parcel D Residential Site Plan
 - o PZ #24-18100021 51 Ocean Inc
- Board of Zoning Appeals (BZA): The next BZA meeting will take place on January 23, 2025, at 6:00 pm. 3 cases scheduled

Police

CRIMINAL INVESTIGATION DIVISION:

- The Special Enforcement Unit located Elijah Kellam and arrested him for an outstanding arrest warrant. Kellam was wanted for his suspected involvement with 2 fatal overdoses

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that occurred in Ocean City in January of 2024. Charges include 2 counts of Manslaughter and 2 counts of distribution of CDS.

- The Forensic Services Unit obtained 3 latent fingerprint hits and 2 DNA hits.
- The Major Crimes Unit, with assistance from the FSU, the SEU, and Patrol, investigated a Murder that occurred near 94th Street. The suspect intentionally rammed his vehicle into the victim, causing his death. The suspect was identified and placed under arrest for Murder and related charges.

PATROL DIVISION:

- Statistics:
 - Calls For Service – 2,229
 - Total Arrests – 54
 - Firearms Seized – 54 YTD
 - Weapons Seized (non-firearm) – 219 YTD
- Training and Special Details:
 - Training
 - Crisis Intervention Training – 1 week
 - NTOA Basic Negotiators Course – 1 week
 - Sexual Assault Investigation Training – 1 week
 - Multiple Recruiting Trips/Events
 - Applicant Testing Process
 - Special Events
 - OC Christmas Parade
 - Caine Woods Community Event
 - Shop with a Cop Community Christmas Event
 - ESCJA Police Academy Graduation – 4 new officers

SUPPORT SERVICES DIVISION

- Arrest and Detention
 - Total Prisoners Processed – 64
 - Adult – 64
 - Juvenile – 0
- Property/Evidence
 - Total Submissions – 53
 - Evidence – 29
 - Safekeeping/To Be Destroyed – 17
 - Returned Property – 7
 - Correspondence – 1
- Training and Recruiting
 - Recruiting
 - Hired 2 candidates for a full-time officer position
 - 4 recruits graduated from the Eastern Shore Criminal Police Academy
 - Held an informational Zoom session for potential employees
 - Redrop of initial digital media recruiting campaign (Email and directly targeted media)
 - Applicant Testing at Worcester County Technical High School (30 applicants tested)
 - Shop with a Cop
 - Training Conducted
 - Crisis Intervention Training (December 2-6, 2024)
 - Sexual Assault Investigation (December 2-6, 2024)

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- Mental Health First Aid Instructor (December 3-5, 2024)
- Canine Training (December 3-4, 2024)
- QRT Training (December 9, 2024)
- LEEMCC Inservice (December 10, 2024)
- Negotiator Training Course (December 11-13 & 19-20, 2024)
- CN2 Training (December 11 & 16, 2024)
- Eastern Shore Criminal Justice Academy Administration (December 16-19, 2024)
- FTEP Administration week (December 16-19, 2024)
- Records Section
 - Case Files sent to States Attorney and other Agencies – 183
 - Public Requests for reports – 38
 - Digital Media Requests – 266
 - Background checks – 30
 - Expungement Orders Processed – 63
 - NIBRS Crime Reporting (hours) – 8
 - Incident Reports Processed – 137
 - Parking Online Appeals Resolved – 0
 - Parking Telephone Calls (hours) – 10
 - Inlet License Plate Review (hours) – 0
 - FOIA Requests – 10
 - Vehicles Towed (Police) – 26
 - Vehicles Towed (Private) – 0

Public Works

ADMINISTRATION

- Inlet Lot Utility upgrades scheduled to begin the week of January 20, 2025.
- Gorman Avenue Water Plant Ferric Chloride & Clarifier Renovations- Delivery of the new clarifier assemblies and generator to arrive the week of January 13th. Installation of mechanical piping and electrical control wiring continues.
- Montego Bay Storm Drain & Roadwork- Base asphalt paving on Colonial and Constitutional completed waiting for better temperatures for surface paving. Storm drain replacement on Ocean Avenue beginning the week of January 13th.
- Montego Bay Wastewater Pump Station Improvements- New Motor Control Center installed waiting for generator startup to complete the project.
- 8th Street Water Main & Sewer Upgrades – Underground utilities are complete between Wilmington Lane & Baltimore Avenue. Final connection to Wilmington Lane scheduled for the week of January 13th.
- 14th Street WTP – Last new filter media installed with misc. renovations continuing.
- 44th Street WTP – Waiting on Special Replacement Valves to continue work.
- 94th Street Water Main Upgrade- The contractor is installing new house service connections and fire hydrants.
- 99th Street Water & Sewer Installation – Project waiting on coordinates information to begin work.
- 112th Street-New New underground facilities are complete. Paving to begin once sidewalk replacement is complete.
- Thunder Island Storm Drain Replacement – Project is 90% complete with new pipe and structures installed.
- Worcester Street Water Pumping Station-The replacement generator has been delivered and installed with connections to existing utilities in progress.
- St. Louis Sewer Force Main – Final connections have started on Dayton Lane & 2nd Street and 14th Street.
- Airport Maintenance Hanger Roof Replacement Project – Installation of structural upgrades in progress.

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- Wastewater Treatment Plant Headworks and Influent Pump Station Improvements- Design is at the 60% stage with updated documents in hand.
- Elevator Systems: Reconciling reports and maintenance invoices.
- Fire Alarm Systems: Troubleshooting Bus Barn system.
- Fire Sprinkler Systems: Quarterly inspections complete. Reconciling reports and invoice.
- HVAC Systems: Troubleshooting Tram Bay system at DPW South and hot-water plant at PW Complex Bldg 214.
- PW Cellular Sites: Awaiting construction and inspection schedules for Verizon's 1st and 136th street water tank sites.
- Standby Generator Systems: Assist with troubleshooting/commissioning of Fire Station #3 system.

AIRPORT

- Off-season equipment maintenance in progress
- Staff development/technical training and recertification during this time

CONSTRUCTION

- Worth has finished replacing sidewalks on St. Louis Ave. for now. Worth has moved back to Ocean Drive in Montego Bay redoing sidewalks.
- Water crew is working on several work orders, installing new water services, repairing-replacing small meters, and have been working on repairing water leaks.
- Carpenters are working on repairing life guard stands, working on several workorders daily and replacing bad boards on the boardwalk.
- Electricians have been working on several different work orders throughout the Town and they are starting to remove the electric from Winterfest.

ENGINEERING

- Ocean Bowl Admin Building, Project is in Construction Phase: Placing first floor slab and starting first floor walls, Completion date June 2025.
- ELGC Kitchen Remodel, Project is in Construction Phase: Framing & Dry walling interior walls. Anticipated Completion Date is March 10, 2025.
- Museum Elevator Addition, Project on hold waiting for funding bids expired on November 28th.
- Bank of Ocean City Museum, completed we continue to fine tune the HVACR system.
- OCPD Downtown Substation, Construction Phase: Exterior shell in place and doing interior rough in work. Project expected completion early July 2025.
- Public Safety Floor, Construction Phase: Waiting to start 2nd Floor, Anticipated completion is April 25.
- Convention Center Elevator, Project is in Construction Phase: Assembling the Cab on the Large Freight elevator, continuing onto the small freight, North and South Passenger elevators. Anticipated Completion Date is December 24, 2026.
- Convention Center Escalator, Project is in Construction Phase: Riggers have set up temporary shoring to remove the existing frame and bring in the new frame. Anticipated Completion date is June 25
- Convention Center South Stair, Bid Phase: If awarded Construction start date May 25 and completion July 25
- IT Renovations and Expansion, Bid Phase: Is being advertised by Procurement, Anticipated completion date Spring 25
- OCDC Porch Renovation Project, Construction Phase: Construction start date January 2025 anticipated completion date is March, 2025.
- NSP Community Room Ceiling, Bid Phase: Bidding anticipated start date April 2025.
- NSP Fence, Bid Phase: Anticipated construction January 25
- Edgewater Ave Revetment, Award Phase: waiting for signed contract. Anticipated completion Spring 25.
- Staff helped multiple departments with Concepts, Design and Budgeting.

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- Staff continues to issue permits and monitor progress.
- Existing Easements: Staff is continuing the scanning of historical Town Easement documents such that the documents will be readily available and accessible.
- Staff continues to assist all departments with facility issues, project scopes, budgets, bidding and construction management.

MAINTENANCE

- Continuing Christmas tear down weather permitting
- On-going preparation for FY26 budget meeting
- New maintenance worker (Dan Stauffer) orientation day on Jan 13th with HR
- Available 2 positions for HEO class II
- Seasonal applications will be accepted in February

SERVICE CENTER

- Installing special ordered parts as they come in.
- One mechanic position is still open.
- DOT inspections continue.
- Closing job orders.
- Updating garage computers

SOLID WASTE

- Dumpster & Barrel Painting
- Working with Service Center on DOTs
- Hired 1 Full-Time Solid Waste Worker II
- Employees using leave
- Ocean Pines is using Truck #339 for leaf program
- Preparing end of the year MDE Report & Worcester County Reports

TRANSPORTATION/PARKING

- Recruiting efforts are underway for seasonal staff. Mailings have commenced, all ads will be posted by the end of the month, we are attending two area job fairs and planning six additional appearances at area shopping centers (including at least one which is known to support a significant minority population), and are reaching out to local community service and volunteer firefighting organizations, among other efforts.
- We received MTA approval to utilize leftover FY24 grant funding to supplement our FY25 purchase of two articulating buses, for which the funding was insufficient. We are in the process of placing that order.
- For FY26's capital grant request we are targeting three articulating buses and one ADA van. The beginning of the 30-day public notice period will be on January 24th, with the hearing to be held (if requested) on March 3rd. Formal submission of our request is due by March 24th.
- We are preparing some additional surveys of parking occupancy within Caine Woods to collect more data and ensure we remain ready to enact measures to mitigate adverse parking impact, should it occur. Such measures could include a residential permit program similar to the one which exists in Caine Keys II.
- The next Transportation Committee meeting is scheduled for Tuesday, February 11th.

WASTEWATER

- Ocean Outfall internal rover inspection was completed as scheduled. Awaiting technical reports and analysis from Hazen and Sawyer Engineers..
- Effluent Pump "B" is still out for rehab.
- Replacement Equal Pump 1 and 2 VFD drives has been replaced
- Secondary Pump #1 VFD replacement has been completed.
- Montego Bay pump station pre-start commissioning has started.
- Plant staff and maintenance team continuing to work on annual preventative maintenance tasks.

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WATER

- GAC replacement complete at 15th Street
- Generator repairs complete at 15th Street
- Caustic tank realigning underway at 15th
- 15th Street gallery painting almost complete
- 15th street backwash pump #2 removed for rebuild

Recreation & Parks

ADMINISTRATION

- Continued work on department projects, including NSP Shoreline; Bayside Park at 3rd Street building and grant management; Eagle's Landing Clubhouse and Flood Remediation; NSP Kayak Concession; etc.
- Met with new Council Members to discuss department operations
- Met with other Department Leadership on current and future projects and joint endeavors
- Two newest Admin staff went through the Gallup Strength Finders Training, adding to the Department's extensive list of staff who have already identified their strengths
- Department Holiday Potluck on December 19th was a great team building experience for all of the 40-something staff members who were able to attend
- The Community Room Ceiling Tile Replacement project kicked off with the pre-bid meeting on January 7th

RECREATION PROGRAMS & SENIORS

- Winter programs are in full swing; some cancellations during this period due to weather, otherwise, the seven-days-a-week program schedule is running smoothly
- Registration is open for the annual Valentine's Dinner Dance that will be held on February 14th at the Princess Royale Hotel for the first time
- Spring/Summer Splash Guide is complete and will be in hand by January 15th
- Summer camp registration begins for OC residents and property owners on February 3rd
- Seasonal summer positions have been posted and notification for returning staff was sent on January 2nd

PARKS

- Attended Safety Committee meeting; Northside Park Shoreline Stabilization meeting with Coastal Bays; Northside Park Recreation Building Ceiling Tile replacement pre-proposal meeting; OC Beautification Committee meeting; and Northside Park Canoe, Kayak, and SUP concessions bid opening
- Winterfest: Provided evening staffing, daily cleanup, and display troubleshooting during event; breakdown began on Thursday, January 2nd but was delayed two days by Winter Storm Blair and snow removal operations
- Continued to perform annual cutback and cleanup of plant material, leaf cleanup, weed control, and tree pruning in all areas
- Completed 2024 Tree City USA and 2024 PLANT Award applications
- Submitted 2024 Roadside Tree annual report and 2025 applications for Roadside Tree Care permits
- Main focus for the upcoming weeks will be Winterfest breakdown and packing components into trailers

GOLF OPERATIONS

- Installed equipment/software for new POS system and tee sheet
 - Attended three-day software training
 - Transferred 2025 golf reservations from old tee sheet to new system
- Met with Tourism Director to discuss golf course advertising
- Met with local golf course operators to discuss potential marketing and golf packaging ideas for 2025

GOLF MAINTENANCE

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- Finalized offseason project list
- Irrigation contractor currently replacing sixty fuse devices on golf course–Worcester County Wastewater covering cost
- Working with Aerial Crane service to have broken netting pole along 13th hole removed and replaced
- Performed extensive brush and dead tree removal in overgrown areas; completed all native area mowing
- Currently refurbishing all golf accessories in preparation for the upcoming season

Risk Management

- 12/17/24 Met with USI Insurance Brokerage to discuss their capabilities and services as relates TOC's 7/1/25-26 Property and Casualty renewal.
- 12/18/24 Attended PRIMA's virtual webinar featuring a panel of Public Entity Risk Managers discussing their best practices and emerging risk issues.
- 1/13/25 Completed and submitted TOC's Maryland Motor Vehicle Self-Insurance Renewal for the 2/1/25-1/31/26 term.

Tourism & Business Development

- Met with Flooring contractor for TaraFlex Sport Courts for the CC.
- Presented 2025 Media Plan for Leisure to stakeholders and council
- Continued evaluation of Clipper world Races – eliminated due to bay depth
- 150th Indoor Festival confirmed 11/22/25 – TBD announcement
- Boardwalk Arch repainting and lighting approved
- Bidding Boardwalk "Smile" sign
- The boardwalk signage plan will be presented 2/11/25
- Installed new drapes inside the ballroom
- Met with Civitas on Tourism Investment District – presented 1/14/25
- Working with PW for transportation – C3
- Met with PW, CM, on C3 request for barrier removal at the Inlet
- Hosted MLK Dreamfest weekend
- Confirmed Balloon Glow for August -waiting on contract
- Continued push for Sports Complex meetings
- Confirmed comedy festival contract for submission for 11/06/25
- Working with OCPD to assist in Police Recruitment
- Working with Eagle's Landing on an advertising program

SPECIAL EVENTS

- POST-EVENT: Winterfest
 - Estimated event was down 10-12% from record income year
 - Surrey Rides failed to launch for 2024; revisiting for 2025
 - Waiting on the decision for tram's future to finalize fundamental operational needs
 - Amusement rides were big hit; no complaints about \$5 ride wristband; over 30K sold
 - Online ticketing needs to be reviewed
- PLANNING: Springfest with new date move to April 24-27, 2025
 - 150-year celebration element(s) to be added by Tourism
 - Substantial revisions in discussion
 - IPL site expected to have some modifications based on changes to underground utilities and mods to surface obstructions/portals
 - Talent bookings underway; Thursday evening ticketed concert is confirmed
- PLANNING: Sunfest
 - 50th Anniversary event
 - 150-year celebration element(s) to be added by Tourism
 - Return of Dog-friendly events: Dock Dogs Competition, PETx Talks by Trainers, Agility and Weave Pole Course, K-9 Demonstrations, Howl-O-Ween Pet Parade

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- Halloween Beach Maze, Great Pumpkin Race, Drive-N-Disguise, Trunk-or-Treat, Hay Rides
- Other sub-event add-ons under consideration
- Stages may be reversed with large stage facing west
- PLANNING: Summer Events
 - Sundaes in the Park
 - OC Beach Dance Parties and more



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Agenda Item # 12.A

Council Meeting January 21, 2025

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Comments from the Mayor and City Council
DATE: December 30, 2024

ISSUE(S): Mayor and Council Comments

SUMMARY: Not Applicable

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable



Excellent Service through a High Performing Town Organization

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S): None