



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

**TOWN COUNCIL MEETING
NORTH BEACH TOWN HALL
JULY 12, 2012
AGENDA**

**Public Hearings
Town of North Beach Design Standards
Town of North Beach Comprehensive Plan
Community Development Block Grant
Starting at 7:00 PM**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. APPROVE AGENDA**
- IV. APPROVAL OF MINUTES**
 - 1) Minutes from the June 7, 2012 Town Council Meeting
 - 2) Minutes from the June 7, 2012 Executive Session
- V. SCHEDULED APPOINTMENTS**
 - Grace Mary Brady from the Bayside History Museum
- VI. PUBLIC SAFETY REPORT**
 - A. Sheriff's Department
- VII. TREASURER'S REPORT**
- VIII. REPORTS**
 - A. Public Works Supervisor
 - B. Code Enforcement Officer
 - C. Town Engineer
 - D. Waterfront Supervisor

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



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IX. BOARDS AND COMMISSIONS

- 1) Planning Commission appointment

X. BUSINESS ITEMS

- 1) Award Contract for the North Beach Recycling Containers

XI. ORDINANCES AND RESOLUTIONS

- 1) Ordinance 12-02: A Zoning Ordinance to repeal most of the onsite parking requirements for commercial establishments within The Town of North Beach – **Voting**
- 2) Ordinance No: 12-04: An Ordinance to amend Chapter 26 of the Code of the Town of North Beach to prohibit Dangerous Animals - **Voting**
- 3) Ordinance 12-07: An Ordinance to amend Chapter 69 of the Code of The Town of North Beach to amend the Rental Housing process –**Voting**
- 4) Ordinance 12-09: North Beach Comprehensive Plan – **Introduction**
- 5) Ordinance 12-10: North Beach Design Standards - **Introduction**

XII. MAYOR AND COUNCIL REPORTS

XIII. PUBLIC COMMENT

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

Upcoming Meetings and Events

All Meeting held at the Town Hall

- 1) Monday, July 16, 2012 – Historic Preservation Meeting – 7:00 p.m.
- 2) Friday, July 20, 2012 – Campfire on the Beach – 7:00 p.m.
- 3) Tuesday, July 24, 2012 – Ribbon Cutting of Parks and Recreation/Boys and Girls Club Building – 3:00 p.m.
- 4) Thursday, July 26, 2012 – Planning Commission Meeting – 7:00 p.m.
- 5) Thursday, August 9, 2012 – Town Council Meeting – 7:00 p.m.

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Minutes from the June 7, 2012 Town Council Meeting

X___ Mayor Frazer	X___ Joanne Hunt	___ Paul Goins
X___ Mr. Benton	X___ Stacy Wilkerson	___ John Shay
X___ Mr. Dotson	X___ Donnie Bowen	X___ Dawn Richardson
X___ Mr. McNeill	X___ John Hofmann	X___ Corporal Whalgren
X___ Mr. Hummel	X___ Richard Ball	
X___ Ms. Schiada	X___ Mr. Wilcox	

APPROVAL OF AGENDA AND MINUTES

- a) MOTION made by Greg McNeil to approve the agenda as presented. Seconded by Mike Benton. All in favor. Motion carries.
- b) MOTION made by Greg McNeil to approve the Town Council Minutes from the May 10, 2012 Meeting. Seconded by Gwen Schiada. All in favor. Motion carries.
- c) MOTION made by Gwen Schiada to approve the minutes from the May 10, 2012 Executive Session. Seconded by Greg McNeil. All in favor. Motion carries.

NOTE: Under the Maryland Opens Meeting Law the Mayor and Town Council voted to enter into Executive Session to discuss a real estate acquisition.

SCHEDULED APPOINTMENTS

PUBLIC SAFETY REPORT

- a) Calvert County Sheriffs Report for May 2012. In May the Sheriff's Department responded to 298 calls for service in North Beach. This is down from 312 calls in April 2012.

TREASURER'S REPORT

Treasurers Report: Reporting Period: 5/1//12 – 5/31/12: Beginning Balance \$52,111.57; Total Debits: \$402,362.42; Total Credits: \$318,659.25; Ending Balance: \$135,814.74. MOTION made by Greg McNeil to accept the report. Seconded by Gwen Schiada. Motion carries.

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



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REPORTS

Staff Reports: Public Works Department, Code Enforcement, Waterfront Supervisor and Town Engineer are attached to this report.

BUSINESS ITEMS:

- a) Update on Performance Arts Center: Mayor Frazer introduced the Steering Committee for the planned Performing Arts Center in North Beach. A design of the building was projected for the audience to see. The Committee has been working for several months on the planning and design. The current design will be sent to the University of Maryland for a contest.
- b) Hotel/Proposal Discussion: Dick Rosano from the North Beach Economic Development Committee (this was not an EDC recommendation) gave a synopsis of what should be constructed on the parcel of land at 5th and Bay Avenue owned by RAR Associates. Mr. Rosano recommends the Town consider how important the construction of a small hotel in town is. He recommends the Town talk to a developer with hotel experience. Greg McNeil, liaison to the EDC recommends this study be sent to the EDC for a recommendation and report back to the Mayor and Council by November 2012.
- c) Contract for the Town of North Beach Public Ground Maintenance: MOTION made by Gwen Schiada to award the grass cutting to Earth Tech in the amount of \$10,350.00 for FY13. Seconded by Greg Dotson. All in favor. MOTION made by Gwen Schiada to award the Flower Bed Maintenance to Kelly's Tree and Lawn Service, Inc. in the amount of \$26,000.00 for FY 13. Seconded by Greg Dotson. All in favor.

ORDINANCES AND RESOLUTIONS

- 1) Ordinance No: 12-04: An Ordinance to amend Chapter 26 of the Code of the Town of North Beach to prohibit Dangerous Animals: MOTION made by Ken Wilcox to adopt Ordinance No: 12-04. Seconded by Randy. After a lengthy discussion and additional changes to the ordinance. Ken Wilcox withdraws his motion and tables the Ordinance until the July 2012 Town Council Meeting for action.
- 2) Ordinance 12-06: An Ordinance to adopt FY 13 Town of North Beach Budget: There is no line item for the request for \$5,000 to the trolley. The EDC requested \$2500 from EDC funds and \$2500 from Town General funds. MOTION made by Greg McNeil to support the Trolley request with the conditions the trolley board furnish the Town three years of accounting records and a business plan for the next two years, along with the EDC doing a report on the impact the Trolley has to the Town businesses. Seconded by Gwen Schiada. AYE: Greg McNeil, Ken Wilcox, Gwen Schiada. NO: Greg Dotson and Randy Hummel. Motion carries and budget passes.

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



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- 3) Ordinance 12-07, 12-02 and 12-08, were all introduced and will on the July 2012 Council Agenda for action.
- 4) Resolution No: 12-02: 2008 Bond Allonge: Motion made by Gwen Schiada to approve Resolution No: 12-02: Seconded by Randy Hummel. Motion carries. All in favor.

Meeting closed at 9: 25 p.m. on a motion made by Greg Mcneil to enter into Executive Session to discuss a real estate matter. Seconded by Mike Benton. All in favor.

Mark R. Frazer, Mayor

Stacy L. Wilkerson, Town Clerk

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox

Memo



CALVERT COUNTY SHERIFF'S OFFICE TWIN BEACHES PATROL

Date: July 10, 2012
To: Stacy Wilkerson
From: First Sergeant Craig Bowen
Re: Sheriff's Office Report-North Beach

In June, the Sheriff's Office handled 338 calls for service in North Beach. This is up from 298 calls in May.

Call Breakdown for June:

249 calls were self initiated (patrol checks, follow-up investigations, etc)

89 calls were received by other means (citizens, alarm companies, etc)

Of the 249 calls, we handled:

- 0 Assaults
- 0 Robbery
- 1 CDS Violation
- 4 Thefts (3 closed and 1 under investigation)
 - *Theft of services (subjects left business without paying for meal)*
 - *Theft of lawn mower*
 - *Theft of a skateboard*
 - *Theft of a vehicle*
- 1 Burglary (food trailer on Bay Ave – case under investigation)
- 1 Destruction of Property (under investigation)
- 1 DWI

****See Page 2 for Breakdown of Dispatched/Self Initiated Calls****

Breakdown of Dispatched/Self Initiated Calls

Accidents - 3	Domestic - 9	Patrol checks - 204
Alarms - 4	DWI - 1	Police Information - 5
Assault - 2	Eviction - 2	Sexual assault - 1
Assist motorist - 4	Fight - 3	Special assignment - 1
Assist other department - 1	Fireworks complaint - 1	Stolen vehicle - 1
Assist sick/injured - 2	Follow up - 23	Summons service - 3
Attempt to locate - 11	Found/Recovered property - 1	Suspicious person - 5
Suspicious package - 1	Harassment - 1	Suspicious vehicle - 6
Burglary - 1	House/Building check - 2	Theft - 7
CDS violation - 1	Intoxicated person - 1	Traffic complaint - 6
Check welfare - 2	Loud party/music - 4	Trespassing - 3
Destruction of property - 1	Missing person - 1	Warrant service - 3
Disorderly - 9	Parking complaint - 3	

****Note – The reportable incident totals on page 1 may differ from the dispatched totals on page 2. The breakdown on page 2 represents all calls dispatched/self initiated by the sheriff's office. The totals listed on page 1 may be less due to factors the deputy learns upon arrival to the scene****

**TOWN OF NORTH BEACH
TREASURER'S REPORT**

Reporting Period 06/01/12- 06/30/12

PNC Bank:

Beginning Balance 06/01/12	\$ 135,814.74	
Total Debits (+)	\$ 558,774.83	
Total Credits (-)	\$ 317,601.10	
 Ending Balance 06/30/12	 \$ 376,988.47	 Last Year: \$ 225,914.32
 Investments (MLGIP/General Fund)	 \$1,001,990.31	 Last Year: \$1,266,624.83
(MLGIP/Sewer Capital)	\$ 383,716.72	Last Year: \$ 383,320.11
(MLGIP/Water Capital)	<u>\$ 137,334.29</u>	<u>Last Year: \$ 137,192.35</u>
Total Cash	\$1,900,0029.79	Last Year: \$ 2,013,051.61

CASH RECEIPTS OVER \$7,500.00

\$ 9,191.45- Water Bill Deposit (Audit #3848)
\$ 8,743.05- Water Bill Deposit (Audit #3859)
\$280,661.89- Calvert County Tax Payment (May 2012)

CASH DISBURSEMENTS OVER \$7,500.00

\$ 32,120.79- Payroll W/E 6/9/12
\$ 33,571.42- Payroll W/E 6/23/12
\$ 17,599.75- Southern Maryland Recycling- Trash Contract
\$ 63,681.00- Suntrust- Refi Water System Bond
\$ 10,892.00- John A. Hofmann- Town Engineer

To: Mayor Frazer and Town Council Members

From: Don Bowen

Date: 7-10-2012

Subject: Monthly Report

The following is a list of projects DPW has been working on in addition to routine task for this report period.

- 1) Re graded the north side of the public beach and added sixty tons of new beach sand to this area that needed attention from previous storms and erosion.
- 2) Created new parking area for classic cars to help improve safety and congestion on Friday nights along the beach front area and Bay Ave.
- 3) Completed the painting of the seawall on Atlantic Ave and added new traffic control signs on 9th and Atlantic.
- 4) Repaired a water main break on Atlantic Ave., sidewalk is scheduled to be repaired 7-11-12.
- 5) Worked with contractor on the installation of the heat and a/c unit in the visitors' center at the Nature Park to save on cost of system.
- 6) On Friday June 30 the area experienced a severe storm with high winds causing a lot of tree damage and power outages. All of the towns sewage pumping stations lost power and were running on back up generator power for a minimum of 18 hours some longer. The towns water system was also without power during this period. Power was restored to the well pump sites around 7pm on Saturday. The power outage caused damage to the control system of the wells and they had to be run in the manual mode until repairs were made on 7-5-12. DPW picked up tree limbs and debris for the week following the storm.
- 7) Installed the jelly fish net at the beach area on 7-3-2012.
- 8) Responded to a sewer call on Frederick Ave on 7-4-12 and found sewer line to be partially blocked, jetted sewer line and cleared blockage. The

following day jetted did maintenance jetting of the system in that area.

Found large amount of grease in the main line causing blockage.

9) Repaired two breaks in sprinkler system along Bay Ave in the flower beds.

Thanks Don Bowen

Code Enforcement Report

July 12th, 2012

Have been monitoring properties under violation of Town ordinances.

I am prepared to forward the open fence violation to the Towns Attorney for legal action. I have delayed doing so because I went through and sited properties that were missed on the first walk around and want to submit them all at one time.

Attended classes at MML convention in Ocean City, also helped with sitting up the Town display and assisted with monitoring the booth.

Worked with Mr. Hoffman on zoning issues and prepared a matrix that will assist our citizens with selecting and submitting the correct paperwork for their construction improvements.

Received word that we got a conviction form the court system on a property code violation; not sure how this happened, didn't have paperwork to attend court?

Continue to ride the Town, speaks with citizens and write letters about property issues as needed.

Respectfully submitted:

Paul Goins, Code Enforcement Officer

MEMORANDUM

TO: Mayor & Town Council

FROM: John A. Hofmann, P.E. Town Engineer & Zoning Administrator

RE: Monthly Report

DATE: July, 2012

The following is the status of activities that are being worked on:

Timber Breakwater

Bids were received July 6, 2012. Attached is a summary of the bids received. Because the low bid of Dissen & Juhn at \$482,529.00 is more than what is available from the DNR Waterway Improvement Grant, we are exploring additional funding from the state and possible revisions to the design to get the project into compliance with the available funds.

Corps of Engineers Wetland Restoration

We have now received the attached project lists and Cost Estimates for the U.S. Army Corps of Engineers. Also attached is a plan showing the location and outline for the projects listed. The next step is for the project to transition from Section 206 (Evaluation and Preliminary Engineering) to Section 510 – Chesapeake Bay Environmental Restoration and Projection Program. The Town will soon be meeting with the Section 510 staff at the Corps of Engineers to discuss timing and financial aspects of the project.

DPW shop building

I am working on the final acceptance of the stormwater management by the County Engineering staff..

Boat Slip Dredge

We are pursuing permits and working with DNR on funding.

9th Street Flood Mitigation Project

After reviewing the draft final report from EA Engineering, the Environmental Committee asked for some changes in the final report which have been made by the Consultants. Attached is the Executive Summary for the report. The Environmental Committee is in the process of recommending a path forward for the project.

New Fishing Platform for Town Pier.

The application for State and Federal permits has been submitted. We are developing detailed structural engineering drawings for the project.

Wetland Trail

Design and permit applications are being prepared for Phase 1 which includes a connection from the Overlook pier to the parcel at the north end of Frederick Ave.

DNR Parcels

Recently, I have had discussions with the Department of Natural Resources and representatives from the State Attorney General's office on transfer of the State's interests in two parcels to the Town. The next step is for the Town's request for transfer be presented to the State Board of Public Works for approval. However, DNR will not commit to a schedule as to when this will happen.

Wastewater Treatment Plant Upgrade

The Treatment Plant upgrade is still in the MDE permitting phase. It is expected that the permit will be approved in the next few months and bidding will then begin with a bid date some time this fall. Construction would be started in the first quarter of 2013.

BID RESULTS
TIMBER WAVE BARRIER PROJECT
TOWN OF NORTH BEACH
 July 5, 2012

Bidder	DISSEN & JUHN	EA & JO CRANDELL	HEINSOHN CONT.	AJ MARINE
Base Bid (L.S.)	482,529.-	573,000.-	491,640.-	490,000.-
Deduct Alternate 1 (L.S.)	0	553,000.-	3,000.-	3,080.-
Unit Prices				
Vert. Timber piles (L.F.)	23.40	20.-	22.-	25.-
Batter Timber ipiles (L.F.)	31.20	23.-	25.-	30.-
Timber Sheeting (B.F.)	3.30	5.-	6.50	4.-
Lumber (B.F.)	4.50	5.-	7.50	7.-

Table 1. North Beach Wetland Restoration Cost Estimates

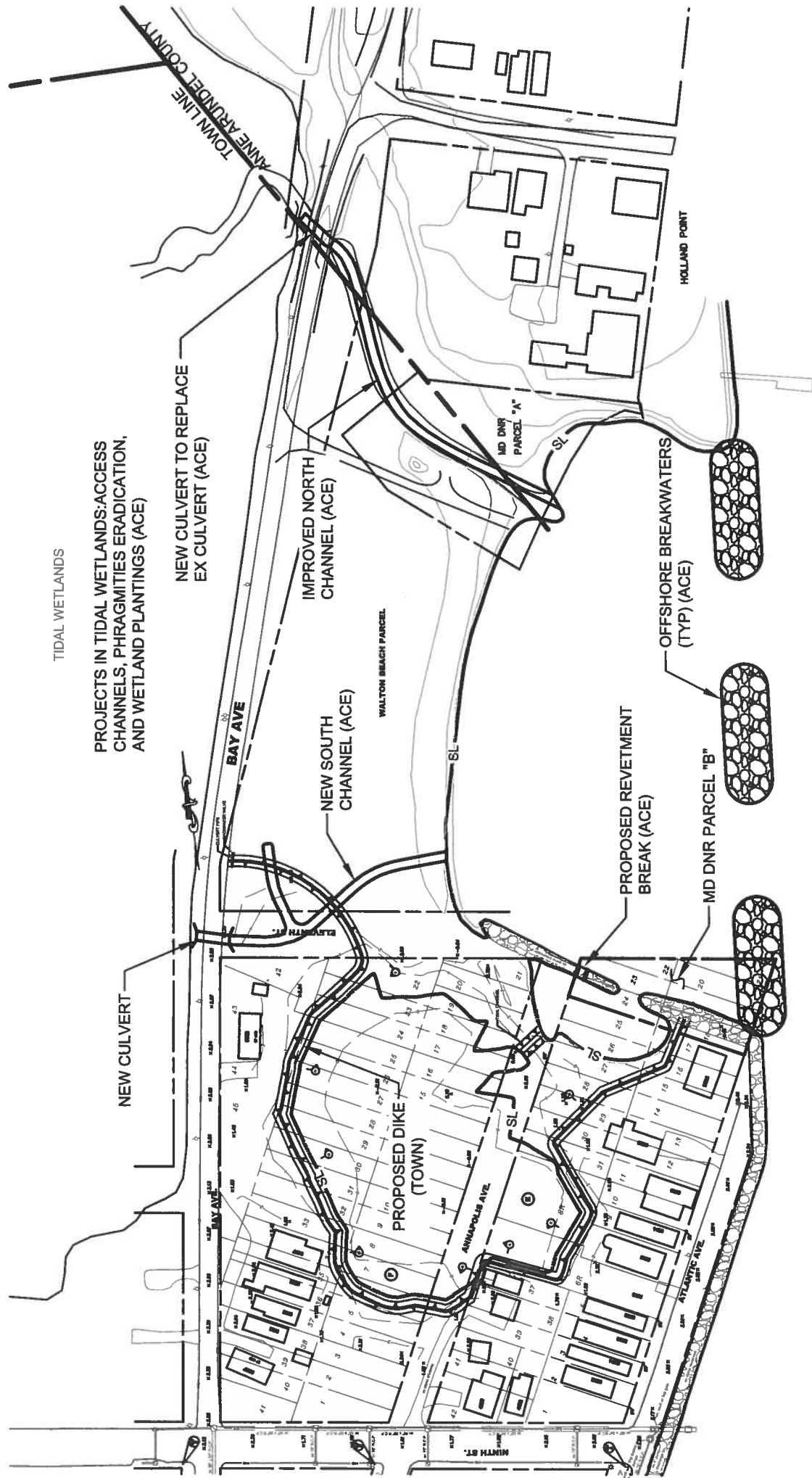
Construction Estimate

	Alternative	Direct Cost	Contingency	Project Cost
1	Alternative 1B - Northern Tidal Access Channel	\$ 706,000.00	\$141,200.00	\$ 847,200.00
2	Alternative 2C.3 - N/S Tidal Access Channels, Southern Box Culvert & Upgrading Northern Culvert	\$ 943,000.00	\$188,600.00	\$1,131,600.00
3	Concept 3 - <i>Phragmites</i> Eradication Program	\$ 66,476.00	\$ 13,295.00	\$ 79,771.00
4	Alternative 4a - Offshore Breakwaters	\$ 472,385.00	\$ 94,477.00	\$566,862.00
5	Concept 5 - Additional Revetment Break (Opening)	\$14,000.00	\$2,800.00	\$ 16,800.00
	Total	\$2,201,861.00	\$440,372.00	\$2,642,233.00

Total Project Estimate

Fully Funded Estimate

Activity	Federal	Non-Federal	Total
Design (15% construction costs)	\$297,251.21	\$ 99,083.74	\$ 396,334.95
Environmental Assessment	\$ 28,072.50	\$ 9,357.50	\$ 37,430.00
Construction	\$1,981,674.75	\$660,558.25	\$2,642,233.00
Planting (Estimate 20 acres @ \$10k/acre); 81 wetland acres	\$150,000.00	\$ 50,000.00	\$ 200,000.00
Construction Management (7.5% construction costs)	\$148,625.61	\$49,541.87	\$ 198,167.48
Lands, Easements, Relocation, Right-of-Way, Disposal (100% Non-Federal)			
Total	\$2,605,624.07	\$868,541.36	\$3,474,165.43



TIDAL WETLANDS

PROJECTS IN TIDAL WETLANDS: ACCESS
CHANNELS, PHRAGMITIES ERADICATION,
AND WETLAND PLANTINGS (ACE)

NEW CULVERT TO REPLACE
EX CULVERT (ACE)

IMPROVED NORTH
CHANNEL (ACE)

NEW SOUTH
CHANNEL (ACE)

WALTON BEACH PARCEL

PROPOSED DIKE
(TOWN)

PROPOSED REVETMENT
BREAK (ACE)

OFFSHORE BREAKWATERS
(TYP) (ACE)

MD DNR PARCEL "B"

MD DNR
PARCEL "A"

HOLLAND POINT

NINTH ST.

ANNE ARUNDEL AVE

ATLANTIC AVE

(ACE) - PROPOSED ARMY CORPS OF ENGINEERS WETLAND RESTORATION
PROJECT AS DEFINED IN DRAFT REPORT DATED 11/30/11

TIDAL WETLAND PROJECTS
TOWN OF NORTH BEACH
JULY 2012 1" = 150'

EXECUTIVE SUMMARY

The Town of North Beach (Town) retained EA Engineering, Science, and Technology, Inc. (EA) to conduct an evaluation of flooding in the vicinity of 9th Street between Bay Avenue and Atlantic Avenue and surrounding properties. The flooding has occurred periodically over time, including several times in 2011, resulting in the temporary closures of portions of 9th Street, Bay Avenue, and Annapolis Avenue during periods of high water. Specifically, this study:

- Identifies and summarizes other related studies and projects within this portion of the Town,
- Evaluates the existing storm drain and pump station infrastructure of 9th Street,
- Evaluates potential flood protection measures for implementation by the Town, and
- Provides cost estimates for permitting, design and construction of flood protection alternatives for a range of levels of protection.

The existing 9th Street storm drain system was installed in 1988 and larger capacity stormwater pumps were installed in 2002. Town staff has indicated that the existing storm drain infrastructure performs well during rainfall only events unless the intensity of a storm exceeds approximately 2 inches per hour, at which time runoff ponds in the low points of 9th Street for short periods of time. Staff has also indicated that during higher tides and/or storm surges in the Chesapeake Bay, the existing marsh north of 9th Street becomes inundated. The marsh and surrounding private properties were inundated several times in 2011, including the inundation of 9th Street and portions of Bay Avenue, Annapolis Avenue and Atlantic Avenue. During a high tide or storm surge scenario, the pumps cannot alleviate the flooding and the area remains flooded until the water surface in the Chesapeake Bay recedes.

For this evaluation, the 9th Street storm drain system was modeled using the Environmental Protection Agency's (EPA) Stormwater Management Model (SWMM). The SWMM model inputs include the sizes and elevations of storm drain pipes, the pumping capacity of the stormwater pumps, the stormwater runoff hydrographs from rainfall events, tide elevations in the Chesapeake Bay, and the existing storm drain inlet (grate) elevations at the ground surface. The model can predict the water surface elevation in the storm drain pipes and on 9th Street (during flooding) for a range of rainfall and tidal conditions. The model results are consistent with the observations described by Town personnel for recent rainfall and tidal flooding events. This confirmation is important for evaluating the accuracy of the model input parameters and results.

Flooding of 9th Street and surrounding properties can be caused by two different sources (or a combination of both): 1) stormwater runoff from rainfall events and 2) tidal surges in the Chesapeake Bay. The potential solutions for mitigating flooding are different for both of the flooding sources. This evaluation considered both sources.

entering around the back side of the berm via Bay Avenue. Evaluation of raising Bay Avenue is beyond the scope of this study. The berm will not protect the project area from flooding related to groundwater that would flow through the soil beneath the berm. The tide elevation in the Bay influences the groundwater elevation in the project area. The more permeable the soils are, the more quickly the Bay elevation will change the groundwater elevation. The relationship between the tide elevation and groundwater elevation is beyond the scope of this study and should be investigated further by collecting data described in Section 5 of this Report.

An opinion of probable cost is given for three different berm scenarios ranging in height. A berm to elevation 1.8 would be intermittent along the perimeter of the marsh and would fill in low-lying areas. This scenario would protect properties from inundation only up to a tide or storm surge elevation of 1.8 within the Bay. A berm with top elevation of 2.3 would be a continuous berm with an average height of approximately 0.6 feet (7 inches), and a berm constructed to elevation 2.8 would average 1.1 feet (13 inches) in height with a maximum height of almost 2 feet. A berm constructed to elevation 2.8 would protect against the 10-year stillwater elevation in the Chesapeake Bay meaning that there would still be a 10 percent chance of the Chesapeake Bay overtopping the berm in any given year.

Table ES-1 Estimated Costs and Project Impacts

Alternative	Protection Elevation	Wetland/ Floodplain Impacts?	Private Property Impacts?	Estimated Project Cost
Flood Protection Berm	1.8 feet	Yes	Yes	\$108,000 + mitigation costs + property acquisition costs
Flood Protection Berm	2.3 feet	Yes	Yes	\$147,000 + mitigation costs + property acquisition costs
Flood Protection Berm	2.8 feet	Yes	Yes	\$200,000 + mitigation costs + property acquisition costs

It should be noted that none of the proposed alternatives will protect the area from all storm events. The analysis contained herein is an effort to determine and compare the protection elevation and opinion of probable cost in an effort to provide the Town cost-effective options for increasing the level of protection, knowing that the risk of flooding will not be eliminated with any of the proposed options. Storm return intervals and statistical analyses provide a snapshot of what type of storm events have occurred historically over time, but cannot guarantee that they will not be exceeded more frequently.

**NORTH BEACH WELCOME CENTER
WATERFRONT REPORT
JULY 12, 2012**

<u>REVENUE</u>	4/28/11 to 7/6/2011	135,907.00	
	4/28/12 to 7/6/ <u>2012</u>	164,536.00	+ 28,629.00 over last year

Increase in

<u>Family Passes</u>	4/28/11 to 7/6/2011	sold 35
	4/28/12 to 7/6/ <u>2012</u>	sold 44

<u>Guest Counts</u>	<u>Visitors</u>	<u>Residents</u>	<u>Total</u>
	County & Out of County	Town of North (free passes)	
	<u>2011</u> <u>2012</u>	<u>2011</u> <u>2012</u>	<u>2011</u> <u>2012</u>
	16,826 17,390	4071 5311	20,897 22,701

Out of County Comparison – Guests – Thru June 30

	<u>2011</u>	<u>2012</u>
	8,289	12,114

Paddle and Pedal Rentals – Thru June 30 – Comparison

	<u>2011</u>	<u>2012</u>
Kayak	33	27
Double Kayak	0	23
Standup Paddleboard	6	6
Bike	13	17

Richard Ball
Waterfront Manager
Welcome Center: 410.286.3799
Home: 410.286.3988
Cell: 410.474.4516
rball@northbeachmd.org
humphrey72357@comcast.net

Town of North Beach
Recycling Bins/Lids
BID RESULTS

	Advanced EuiPMENT Co, Inc.	Toter, Incorporated * See Note Bottom Page	Otto Environmental Systems (NC), LLC
\$100.00 32Gal Recy Container	\$6,649.00	\$4,615.00	\$4,673.00
\$200.00 32Gal Recy Container	\$12,902.00	\$8,876.00	\$8,640.00
\$300.00 32Gal Recy Container	\$18,735.00	\$13,176.00	\$11,691.00
Shipping 100 / 32 Gal	Inc.	Inc.	Inc.
Shipping 200 / 32 Gal	Inc.	Inc.	Inc.
Shipping 300 / 32 Gal	Inc.	Inc.	Inc.
100 Black Lids / 18gal Cal Co Bins	\$965.00	No Bid	\$1,300.00
200 Black Lids / 18gal Cal Co Bins	\$1,850.00	No Bid	\$2,600.00
300 Black Lids / 18gal Cal Co Bins	\$2,700.00	No Bid	\$3,900.00
Shipping 100 / Black Lids	Inc.	No Bid	Inc.
Shipping 200 / Black Lids	Inc.	No Bid	Inc.
Shipping 300 / Black Lids	Inc.	No Bid	Inc.

Exception
Please add \$300.00 one time
fee for the Town's hot stamp logo.

TOWN OF NORTH BEACH
MAYOR AND TOWN COUNCIL

ORDINANCE NO. 12-02

A ZONING ORDINANCE TO REPEAL MOST OF THE ONSITE PARKING REQUIREMENTS FOR COMMERCIAL ESTABLISHMENTS WITHIN THE TOWN OF NORTH BEACH, MARYLAND.

WHEREAS, Section 5-300 of the Town of North Beach Zoning Ordinance contains the requirements for parking and loading within the Town of North Beach; and

WHEREAS, in Section 5-302 of the Parking and Loading Requirements, there is a table which lays out parking requirements. It is titled "Schedule of minimum off street parking requirements by land use". This table lays out the number of spaces required in residential areas, institutional, recreation and educational areas, commercial areas and unclassified areas; and

WHEREAS, the Town has studied the issue of off street parking requirements with commercial uses and has determined that the present system can and has been, a hindrance to the reasonable commercial development of the Town ; and

WHEREAS, the Town has reviewed material and heard a report from a parking expert that talks about the advantages of eliminating most commercial off street parking requirements

WHEREAS, the Mayor and the Town Council of the Town of North Beach based on the above, have now determined that it is the best interest of the health, safety and welfare of the Town of North Beach to eliminate most off street commercial parking requirements within the Town of North Beach.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of North Beach the following:

1. The existing table 2 in Section 5-302 of the North Beach Zoning Ordinance is hereby repealed in its entirety.
2. There will be a new table 2 contained in Section 5-302 of the Zoning Ordinance. That table is marked as Exhibit 1 and is attached to and hereby made a part of this Ordinance.
3. Pursuant to Section 7-301(b) of the Town of North Beach Zoning Ordinance which concerns the initiation of a Zoning amendment by the introduction by the Town Council of an Ordinance to amend, this Ordinance upon introduction shall be issued to the Planning Commission and the Zoning Administrator of the Town of North Beach.
4. Pursuant to Section 7-303 of the Town of North Beach Zoning Ordinance a joint public hearing with the Mayor and Town Council and the Planning Commission will be scheduled to consider this Ordinance.

5. Pursuant to Section 7-304, the Planning Commission shall report to the Town Council its recommendations with respect to this Ordinance and the Planning Commission will comply with all sections of 7-304.

6. Upon receiving the required report from the Planning Commission, the Town of North Beach Town Council shall make the findings of fact as required by Section 7-305 of the Town of North Beach Zoning Ordinance and pursuant to Section 7-306 of the Zoning Ordinance this Ordinance shall become effective on the date of Town Council approval provided it at least ten (10) days after a public hearing on this Ordinance.

Effective this _____ day of _____, 2012.

By order of the Mayor and Council

Mark R. Frazer, Mayor

ATTEST:

Stacy Wilkerson, Town Clerk
Town of North Beach

EXHIBIT 1

Table 2 Schedule of Minimum Off-Street Parking Requirements by Land Use

Land Use	Parking Space Requirement
Residential Uses	
Single Family Detached	2/dwelling unit
Single Family Attached, Duplex	2/dwelling unit
Townhouse	2/dwelling unit
Accessory Apartment	See Section 3 300 A
Multi-family	See Section 5-207
Senior Housing	1/dwelling unit
Boarding House, Lodging House	*
Dwelling Unit in Combination with Commercial Use	*
Group Home	*
Institutional, Recreational and Educational Uses	
Churches and Other Buildings for Religious Assembly	1/4 seats in main assembly hall
Convalescent, Nursing Home	1/3 beds + 1/staff
Cultural Uses: Library, Museum, Community Center	1/ 300 s.f. GFA + 1/staff
Clubs, Fraternal, and Service Organizations	1/4 seats in main assembly hall
Day Care Center, Nursery School	3/classroom
Funeral Homes	1/4 seats in main assembly hall
Home Day Care	1/staff
Professional Schools, Trade and Vocational Schools	1/5 students
Public or government building or structure; Post Office	*
Commercial Uses	
Motel/Hotel	1/unit
Unclassified Uses	
Utility Building / Facility	*
Accessory Building or Use	*
Garage Sales, Yard Sales, Estate Sales	N/A
Home Occupation	*
Outside Storage in Connection with Commercial Uses	*
Temporary Structure incidental to Construction	*

* To be determined by the Planning Commission at site plan review.

GFA means Gross Floor Area. Staff means a full time non-residential employee or the equivalent thereof

TOWN OF NORTH BEACH
8916 Chesapeake Avenue
North Beach, Maryland

Sponsored by Councilmember Wilcox

July 7, 2012

JULY SPONSOR'S AMENDMENTS

ORDINANCE NO: 12-04

AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF THE TOWN OF NORTH BEACH TO PROHIBIT DANGEROUS ANIMALS

WHEREAS, the Mayor and Town Council have determined that prohibiting from the Town any animal that, without provocation, wounds, bites, injures or kills a human being, another animal or livestock, or is being trained or has been trained to attack is to protect the health, safety and welfare of the citizens of the Town, and;

WHEREAS, in 2000 the Mayor and the Town Council passed ordinances to amend the Town Code that prohibited the keeping of “pit bulls” in the Town because it was determined that “pit bull” breeds, including the Staffordshire Bull Terrier, the American Staffordshire Bull Terrier, the American Pit Bull Terrier, and any genetic combination thereof, were inherently dangerous animals, and;

WHEREAS, the Mayor and the Town Council have determined that the major factors that cause the dangerousness of animals is not a specific breed of the animal but instead the disposition of specific animals and how the owner of the animal raises the animal, and;

WHEREAS, the Mayor and the Town Council have determined that confirming the exact breed of dog by genetic testing is prohibitively expensive and highly unreliable but determining the dangerousness of an animal by its actions are cost-effective and highly accurate, and;

NOW, THEREFORE, be it resolved by the Mayor and the Town Council of the Town of North Beach, Maryland that Section 26-3 of the Code of the Town of North Beach will be amended as follows:

Dogs running at large and dogs on the sand beach; Dangerous Animals

- A. No person shall own or harbor within the Town of North Beach any dog unless such dog is licensed as provided by the ordinances and regulations of Calvert County. All ordinances and regulations of Calvert County concerning dogs shall apply within the corporate limits of the Town of North Beach. In addition, this includes the provisions of the Calvert County Code which call for all dogs to be on a leash when in the company of their owner outside the confines of the owner's property. In addition, it is expressly prohibited for any dog to be on the town beach, whether said dog be at large or on a leash. It is the intention of the Council that dogs are prohibited on the sand beach under all circumstances.
- B. Dangerous Animals. Based on numerous instances in the Town of North Beach and Calvert County, the Mayor and Council have determined that dangerous animals are of particular nuisance and danger to the health, safety and welfare of the public. Therefore, except as otherwise permitted by this article, the ownership of a dangerous animal is hereby prohibited within the Town of North Beach. In addition, it is prohibited for a dangerous animal to be on any town right-of-way, including streets, the boardwalk and/or the beach, at any time, whether with its owner or not. It is the intention of this article that dangerous animals not have any contact with the public within the Town of North Beach.
- C. Dangerous animals presently owned within town limits. Any resident of the Town of North Beach who owns a dangerous animal at the time of the passing of this article may continue to own that animal within the Town of North Beach under the conditions stated in the Code of Calvert County, Chapter 7, Part 9, Article I, section 7-9-103.
- D. Any person not owning a dangerous animal pursuant to this article seen with a dangerous

animal within the Town of North Beach will be asked to remove said animal from the town immediately. If the animal is not removed, it shall be subject to confiscation by the town and will be turned over to the Calvert County Animal Control Officer where it can be claimed by the owner within the rules and regulations of county law. In addition, the owner shall be subject to the provisions of § 26-8 of this chapter which states that violations will be deemed to be a municipal infraction.

E. Any town resident owning a dangerous animal pursuant to the provisions of this article found to be in violation of this article shall be guilty of a municipal infraction as stated in § 26-8 of this article. In addition, any town resident who owns a dangerous animal pursuant to this article who receives a second municipal infraction for a violation of this article will be subject to having the animal confiscated by the town and turned over to the Calvert County Animal Control Officer for disposal pursuant to county law. All code enforcement officials of the Town of North Beach, including Deputy Sheriffs and Beach Patrol Officers, will have the authority to issue citations under this section.

F. Appeals.

(1) For the purposes of this article only, there is hereby created the Town of North Beach Animal Control Committee. This Committee will be separate and apart from any other committee within the town, but will consist of the members of the Town of North Beach Board of Appeals. It is the intention of this article that any person appointed to the North Beach Board of Appeals under the authority and rules contained in Article 8 of the Town of North Beach Zoning Ordinance shall automatically be members of the Town of North Beach Animal Control Committee for as long as they are members of the Town of North Beach Board of Appeals. The members will sit as the Town of North Beach Animal Control Committee only when dealing with appeals filed pursuant to this article. When holding a hearing on any appeal, the Board may not take any action unless there are at least three

members present, and no action will be valid unless at least three of the sitting members of the Committee vote in the affirmative.

- (2) Within 30 days of a dangerous animal being designated as dangerous or being confiscated under the provisions of this article, the Town of North Beach Animal Control Committee will review the actions of the town official and decide if the sanctions mandated in this article are being properly applied. The Town of North Beach Animal Control Committee may issue a stay of the designation of the animal as dangerous and confiscation of the animal until the resolution of the appeal. In this regard, the Town of North Beach Animal Control Committee may either uphold the decision of the town official to confiscate the dangerous animal or reverse that decision. During the pendency of an appeal, the dangerous animal will be held under the control of the Calvert County Animal Control Officer if a stay is not issued, but will not be disposed of until the appeal is final. If the Town of North Beach Control Committee votes to reverse the decision of the town officials, then the animal will be returned to the owner. All decisions of the Town of North Beach Animal Control Committee in this regard are final. The Town of North Beach Animal Control Committee will issue decisions only after a public and open hearing and after public and open deliberations.

G. Definition of Dangerous Animal.

- (1) For purposes of this article, “dangerous animal” means:
- i. any animal that without provocation, wounds, bites, injures or kills a human being, another animal or livestock, or
 - ii. any animal designated by another jurisdiction, County, or State as dangerous under similar procedures as the Town and Calvert County.
- (2) Exceptions
- i. Animals shall not be declared a “dangerous animal” if the threat, injury, or damage was

sustained by a person who, at the time:

- (a) Was committing a willful trespass or other tort upon the premises occupied by the owner, keeper or custodian of the animal;
 - (b) Was teasing, tormenting, abusing, or assaulting the animal;
 - (c) Has been observed or reported to have teased, tormented, abused, or assaulted the animal; or
 - (d) Was committing or attempting to commit a crime.
- ii. Animals shall not be declared dangerous if the animal was protecting or defending itself, its young, its owner or caretaker, another animal, another person, or responding to pain or injury.
- iii. Animals owned by a governmental or law enforcement unit are exempt from being declared dangerous.

TOWN OF NORTH BEACH
MAYOR AND TOWN COUNCIL

ORDINANCE NO: 12-07

AN ORDINANCE TO AMEND THE TOWN OF NORTH BEACH RENTAL HOUSING LICENSE ARTICLE TO ESTABLISH A NEW INSPECTION PROCESS AND TO ESTABLISH A PROCESS FOR THE CODE ENFORCEMENT OFFICER OF THE TOWN TO OBTAIN AN ADMINISTRATIVE SEARCH WARRANT IN CASES WHERE HE IS DENIED ACCESS FOR RENTAL INSPECTIONS.

WHEREAS, in Section 69-14 of the North Beach Town Code calls for rental housing licenses to be obtained on an annual basis and inspected annually or as the Code Enforcement Officer deems necessary; and

WHEREAS, the Town of North Beach Mayor and Town Council have determined that the rental housing stock within the Town has increased and improved steadily over the years, therefore the Mayor and Town Counsel feel that regular annual inspections are no longer necessary and are creating an over-burdensome workload for the Code Enforcement Officers; and

WHEREAS, Mayor and Town Council of the Town of North Beach have now determined that it would be in the best interest of the citizens of the Town of North Beach to establish a three (3) year rental housing inspection schedule; and

WHEREAS, Section 69-16 of the Rental Housing License Article calls for inspections of rental properties at the time of application, at the time of a renewal of a license or upon receiving a complaint that a unit has substandard livability conditions; and

WHEREAS, the above referenced section calls for a property owner to give access to the Town Code Enforcement Officer for such inspection upon reasonable notice. Presently there is not a section that lays out the proper procedure if a landlord refuses to provide access for an inspection; and

WHEREAS, the Mayor and Town Council of the Town of North Beach have determined that it is in the best interest of the health, safety and welfare of the Town of North Beach to carry out rental inspections and have a remedy if a landowner refuses access for inspections.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of North Beach the following:

Section 1. Section 69-14 of the North Beach Town Code is hereby amended as follows:

A. All rental housing units shall be required to obtain a license as issued by the Town of North Beach for the privilege of renting housing units within the corporate limits of the Town.

B. A rental housing license shall be on a three year renewal (obtained on an annual basis) and shall be inspected one time within each three (3) year cycle or as the Code Enforcement Officer deems necessary as a result of complaints received for substandard conditions.

C. Rental housing licenses shall be billed annually (on July 1st of each fiscal year).

Section 2. Section 69-16 of the North Beach Town Code is hereby amended as follows:

A. Upon applications for said license and prior to the issuance and/or renewal and/or upon registered complaint received by the Town of substandard livability conditions, there shall be an inspection conducted by an authorized agent of the Town of said rental housing units for compliance with the Building Code Administrator (BOCA) National Property Maintenance Code, as amended from time to time.

B. The owner(s) of title or a legally designated agent (designation must be in writing) of said rental units shall, upon application for license or for license renewal and scheduling of inspection with North Beach Code Enforcement Officer, accompany the North Beach Code Enforcement Officer into the premises for the purpose of conducting the required and/or mandated inspections. Inspection for a rental housing license shall be scheduled once every three (3) years or as required by the North Beach Code Enforcement Officer as a result of a complaint for substandard conditions. Scheduling for inspections is made by the North Beach Town Hall personnel.

C. If upon presentation of proper credentials and if after giving reasonable notice of the scheduling of an inspection, the Code Enforcement Officer or his or her agent is denied entrance to a rental property, said officer will give to the denier official notice of a subsequent inspection not longer than ten (10) days hence and at a designated hour. If within ten (10) days upon a second request to inspect the same premises the Code Enforcement Officer or his or her agent is again denied entrance, said Code Enforcement Officer shall petition the appropriate legal body and shall seek to acquire a warrant permitting legal entrance into said premises.

AND, BE IT FURTHER ORDAINED that this Ordinance shall become effective on the ____ day of _____, 2012 after having been read at two successive Town Council meetings Pursuant to 19-311 of the Town Charter.

By order of the Mayor and Council

Mark R. Frazer, Mayor

ATTEST:

Stacy Wilkerson, Town Clerk
Town of North Beach

TOWN OF NORTH BEACH
MAYOR AND TOWN COUNCIL

ORDINANCE NO. 12-09

AN ORDINANCE FOR THE PURPOSE OF ADOPTING THE TOWN OF NORTH BEACH 2012 COMPREHENSIVE PLAN.

WHEREAS, Maryland Annotated Code, Article 66B requires municipalities to periodically adopt comprehensive plans including policies statements, goals, and interrelated plans for private and public use, transportation, and community facilities and water resources documented in texts and maps which constitute the guide for future development; and

WHEREAS, the policies and implementation strategies in the 2012 Comprehensive Plan for the Town of North Beach, are based on the preferred scenario and background studies for water, sewer, transportation, economic development, housing and environment; and

WHEREAS, the Mayor and Town Council have determined that it is in the best interest of the Town to adopt the 2012 Comprehensive Plans recommended by the Planning Commission; and

WHEREAS, the 2012 Comprehensive Plan shall constitute a general plan for the Town of North Beach setting forth goals and a guide for future development. The adoption of the 2012 Comprehensive Plan shall not be construed as approval of individual projects which may be recommended therein, and the Council shall reserve to themselves the right to consider, debate, oppose, or support specific actions that may come before them that are intended to implement specific elements of this plan;

NOW THEREFORE, BE IT ORDERED that the Town of North Beach Mayor and Council adopt the Town of North Beach 2012 Comprehensive Plans as shown on Exhibit 1 which is attached hereto and made a part of this Ordinance.

AND, BE IT FURTHER ORDAINED that this Ordinance shall become effective on the ____ day of _____, 2012 after having been read at two successive Town Council meetings Pursuant to 19-311 of the Town Charter.

By order of the Mayor and Council

Mark R. Frazer, Mayor

ATTEST:

Stacy Wilkerson, Town Clerk
Town of North Beach

TOWN OF NORTH BEACH
MAYOR AND TOWN COUNCIL

ORDINANCE NO: 12-10

AN ORDINANCE TO UPDATE THE TOWN OF NORTH BEACH DESIGN STANDARDS

WHEREAS, the Town of North Beach is currently updating its Comprehensive Plan pursuant to State Law; and

WHEREAS, in conjunction with the updating of the Comprehensive Plan the Town is also updating their design standards which have not been updated since the 1980's; and

WHEREAS, the design standards are an important companion to the North Beach Zoning Ordinance because they regulate the character and quality of the overall design of structures and properties within the Town of North Beach; and

WHEREAS, the updated design standards were compiled and agreed upon by the Town of North Beach Planning Commission in consultation with a professional design standard planner.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of North Beach the following:

1. Attached to this Ordinance as Exhibit 1 is a full copy of the design standards which the Town Planning Commission has recommended that the Mayor and Town Council adopt. That document is hereby incorporated into this Ordinance and made a part hereof as Exhibit 1.

2. It is hereby ordained that Exhibit 1 is adopted as the new Design Standards Manuel for the Town of North Beach, Maryland.

3. The previous Design Standard Manual in effect before the adoption of this Ordinance is hereby repealed in its entirety.

AND, BE IT FURTHER ORDAINED that this Ordinance shall become effective on the ____ day of _____, 2012 after having been read at two successive Town Council meetings Pursuant to 19-311 of the Town Charter.

By order of the Mayor and Council

Mark R. Frazer, Mayor

ATTEST:

Stacy Wilkerson, Town Clerk
Town of North Beach