



*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](http://www.northbeachmd.org)

**TOWN COUNCIL MEETING  
NORTH BEACH TOWN HALL  
MARCH 8, 2012  
AGENDA**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. APPROVE AGENDA**
- IV. APPROVAL OF MINUTES**
  - 1) Minutes from the February 9, 2012 Town Council Meeting
  - 2) Minutes from the March 1, 2012 Work Session
  - 3) Minutes from the March 1, 2012 Executive Session
- V. SCHEDULED APPOINTMENTS**
  - A. Ms. Grace Mary Brady from the Bayside History Museum
  - B. Mrs. Connie O'Dell – Stars and Stripes Weekend
  - C. Ms. Susanna Ek – Community Garden Initiative
  - D. Ms. Abigail Francisco
  - E. Ms. Nancy Valentine – Town of North Beach Audit
- VI. PUBLIC SAFETY REPORT**
  - A. Sheriff's Department
  - B. North Beach Volunteer Fire Department
- VII. TREASURER'S REPORT**
- VIII. REPORTS**
  - A. Public Works Supervisor
  - B. Code Enforcement Officer
  - C. Town Engineer

Mark R. Frazer, Mayor

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



*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](http://www.northbeachmd.org)

## IX. BOARDS AND COMMISSIONS

- A. Appointments to the Economic Development Committee

## X. BUSINESS ITEMS

- 1) Recycling

## XI. ORDINANCES AND RESOLUTIONS

- 1) Ordinance No: 12-02: An Ordinance to change the North Beach Zoning Ordinance to eliminate commercial parking restrictions - Introduction
- 2) Ordinance No: 12-03: An Ordinance to amend the North Beach Rental Housing License Procedures - Introduction
- 3) Resolution No: 12-01: A Local Government Resolution for the application of a Sustainable Community in Maryland - Voting

## XII. MAYOR AND COUNCIL REPORTS

## XIII. PUBLIC COMMENT

## XIV. ADJOURNMENT

## XIV. EXECUTIVE SESSION IF NEEDED

### **Upcoming Meetings and Events** **All Meeting held at the Town Hall**

- 1) Monday, March 19, 2012 at 7:00 p.m. – Historic Preservation Meeting
- 2) Monday, March 19, 2012 at 7:00 p.m. – Public Safety Meeting
- 3) Thursday, March 22, 2012 at 7:00 p.m. – Planning Commission Meeting
- 4) Monday, April 2, 2012 at 7:00 p.m. – Special Events Committee Meeting
- 5) Tuesday, April 3, 2012 at 7:00 p.m. – Environmental Committee Meeting
- 6) Thursday, April 5, 2012 at 7:00 p.m. – Work Session

Mark R. Frazer, Mayor

---

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



*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

## Minutes from the February 8, 2012 Town Council Meeting

Mayor Frazer opened the meeting at 7:05 p.m.

<input type="checkbox"/> Mayor Frazer	<input type="checkbox"/> Joanne Hunt	X <input type="checkbox"/> Paul Goins
X <input type="checkbox"/> Mr. Benton	X <input type="checkbox"/> Stacy Wilkerson	X <input type="checkbox"/> John Shay
X <input type="checkbox"/> Mr. Dotson	X <input type="checkbox"/> Donnie Bowen	X <input type="checkbox"/> Dawn Richardson
X <input type="checkbox"/> Mr. McNeill	X <input type="checkbox"/> John Hofmann	X <input type="checkbox"/> Sgt. Bowen
X <input type="checkbox"/> Mr. Hummel	<input type="checkbox"/> Richard Ball	
X <input type="checkbox"/> Ms. Schiada	<input type="checkbox"/> Mr. Wilcox	

### APPROVAL OF AGENDA AND MINUTES

- a) MOTION made by Randy Hummel to approve the agenda as presented. Seconded by Greg McNeil. All in favor. Motion carries.
- b) MOTION made by Gwen Schiada to approve the Minutes from January 12, 2012, Town Council agenda as presented. Seconded by Greg McNeil. All in favor. Motion carries.
- c) MOTION made Randy Hummel to approve the Executive Session minutes from January 12, 2012 meeting. Seconded by Gwen Schiada. Motion carries.
- d) MOTION made by Mike Benton to approve the minutes from the February 2, 2012 work session. Seconded by Randy Hummel. Motion carries.
- e) MOTION by Greg McNeil to approve the Executive Session minutes from February 2, 2012 meeting. Seconded by Mike Benton. Motion carries.

### SCHEDULED APPOINTMENTS

- a) Mr. Reggie Broddie from the Annapolis Boys and Girls Club: Mr. Broddie discussed the Bayside Unit reopening on March 5, 2012. He will be the acting Chief Officer for the Bayside Unit. The new Development Director of the Bayside Unit will be Joy Hill. The after school program will resume and the Club will be working with Calvert County Parks and Recreation for additional programming for children.
- b) Ms. Grace Mary Brady from the Bayside History Museum was in attendance with a power point presentation showing the history of the War of 1812.

Mark R. Frazer, Mayor

---

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



*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](http://www.northbeachmd.org)

## PUBLIC SAFETY REPORT

- a) Calvert County Sheriffs Report for January 2012. In January the Sheriff's Department responded to 289 calls for service in North Beach. This is up from 275 calls in December 2011.

## TREASURER'S REPORT

Treasurers Report: Reporting Period: 1/1//12 – 1/31/12: Beginning Balance \$292,601.90; Total Debits: \$405,115.71; Total Credits: \$466,029.52 Ending Balance: \$ 231,688.09. MOTION made by Randy Hummel to accept the report. Seconded by Greg McNeil. Motion carries.

## REPORTS

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

BOARDS AND COMMISSION: No appointments

## BUSINESS ITEMS

- 1) Award Contract for the Engineering the dike located at the north end of Town. John Hofmann provided a staff report recommending EA Engineering, Science and Technology, Inc., in the amount of \$19,976.00. MOTION made by Randy Hummel to award the contract per recommendation. Seconded by Greg McNeil. Motion carries
- 2) Update on the lease agreement with Calvert County for the North Beach Community Center. Mr. Shay advised the audience that the Town is in negotiations for a lease with the referenced property. The language for the lease has been agreed upon. The Town will move the museum into this space. The County has to do an appraisal of the building and they will hold a public hearing and then vote on the lease. MOTION made by Gwen Schaida to sign the lease and send to Calvert County. Seconded by Mike Benton. Motion carries.
- 3) Contract for Walton Parcel #2: The Town has negotiated with the Walton family for the purchase of the marsh land and a small piece of upland. Appraisal was completed with the price of \$40,000. There is a signed contract from the Walton family. A member of the Walton family passed away prior to the completion of the contract. The family members estate has to agree to contract. MOTION made by Randy Hummel to authorize

Mark R. Frazer, Mayor

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



*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](http://www.northbeachmd.org)

the Mayor to sign the contract once the Walton family has released the contract.  
Seconded by Gwen Schiada.

#### ORDINANCES AND RESOLUTIONS

- 1) Ordinance No: 12-01: An Ordinance to adopt the North Beach Comprehensive Plan – Introduction

Meeting closed at 8:45 p.m. on a motion made by Randy Hummel. Seconded by Greg McNeil.  
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



*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](http://www.northbeachmd.org)

### Minutes from the March 1, 2012 Work session

Attendance: Mayor Frazer, Mike Benton, Greg Dotson, Greg McNeil, Randy Hummel, Ken Wilcox, Gwen Schiada, John Shay, Donnie Bowen, Joanne Hunt, John Hofmann, Dawn Richardson, Paul Goins, and Stacy Wilkerson.

- 1) Discussion of Commercial Parking Requirements: Phil McCormick was in attendance to discuss the North Beach Parking requirements. Based on the parking study the Town had done several years ago, there is no parking problem in North Beach. Education is the key to solving any parking issue. He did suggest the use of diagonal parking and one way streets would create additional parking. John Shay is going to draft an ordinance to eliminate the parking requirements for commercial projects. He will speak with Betty Jameson in regards to the process.
- 2) Update on Walton Parcel #2: One member of the Walton family passed away. The Walton family is waiting for her estate to open. The members named in the estate have to consent to the contract. The Town is waiting to hear back from the family with the decision of the estate.
- 3) Update on the NBCC lease: The County will be conducted their required public hearing soon to allow the Commissioners to lease the property to the Town. The Town is awaiting the hearing date and decision of the Commissioners.
- 4) Update on the DPW Building and Nature Park: The staff is moving all the stuff from the old building into the new building. The bathrooms are underway at the new building along with a landscaping plan at the nature park. All projects will be completed within the next two weeks.
- 5) Update on the Wedding Initiative and Bond Bill for Lower Deck. There is a hearing date set for March 11, 2012. The Mayor has invited Council members to attend in support of the bill. Randy Hummel mention he was contacted by several individuals regarding the width of the lower level planned. There may be a hard time using the surf style rods for casting off the pier.
- 6) Comcast Franchise Agreement: The Town will need to sign the agreement soon with Comcast. John Shay will be reviewing the agreement.

Mark R. Frazer, Mayor

---

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



- 7) Town Sign – Route 261 North: The Council was presented with an idea to install a information sign at the entrance to the Town at Rt 261 North from Anne Arundel County. The sign would resemble the other two signs in place at Town. The Town currently has the fund for this sign.
- 8) Recycling Committee recommendations: The recycling committee meet and discussed the survey that was completed. At this point the Town is waiting on numbers from the trash contractor for the purchase of two types of containers. A new educational flyer is being developed for residence.
- 9) Code Enforcement/Fences: Paul Goins, Code Enforcement Officer gave an overview of the letters that were mailed to individuals in Town regarding the maintenance and upkeep of the fences on their property. This is not a new code regarding fences but codes that were already in place. At this time there has been no violations sent out just reminders to address their fences.
- 10) Award bid for the Tot-Lot improvements: Motion made by Greg Dotson to award the tot-lot improvements to Playground Specialist in the amount of \$44,786.50. Seconded by Ken Wilcox. All in favor. Motion carries. The monies for this project will come from the Calvert County Excise Fees the Town receives.
- 11) Award contract for asphalt bid: Motion made by Randy Hummel to award the FY 2012 Asphalt work to Southern Maryland Paving and Seal Coating in the amount of \$22,000.00. Seconded by Greg Dotson. All in favor. Motion carries.
- 12) Comprehensive Plan: This agenda item will be moved to the April work session for further discussion.

Meeting closed on a motion made by Randy Hummel to enter into Executive Session to discuss a real estate matter. Seconded by Greg Dotson. Meeting closed at 8:12 p.m.

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: March 01, 2012  
To: Stacy Wilkerson  
From: First Sergeant Craig Bowen  
Re: Sheriff's Office Report-North Beach

In February, the Sheriff's Office handled 273 calls for service in North Beach. This is down from 289 calls in January.

### Call Breakdown for February:

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

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

Of the 66 calls, we handled:

- 2 Assaults (both closed by arrest)
- 0 Robbery
- 4 CDS Violations
- 1 Theft (under investigation)
  - *Stolen license plate*
- 0 Burglaries
- 0 Destruction of Property
- 4 DWI

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

**Breakdown of Dispatched/Self Initiated Calls**

911 hang-up - 1	Follow up - 9	Summons Service - 2
Accidents - 4	Harassment - 1	Suspicious Person - 4
Alarm - 7	House/Building check - 3	Suspicious Vehicle - 3
Assault - 2	Loud Party/Music - 4	Theft - 2
Assist other Department - 4	Neighborhood Dispute - 1	Traffic Complaint - 2
Attempt to Locate - 10	Parking Violation - 3	Traffic Enforcement - 8
CDS Violation - 4	Patrol Checks - 166	Trespassing - 1
Check Welfare - 3	Person with Weapon - 1	Unauthorized Use M/V - 1
Destruction of Property - 1	Police Information - 5	Unknown Problem - 1
Disorderly - 8	Protective Order - 1	
Domestic - 2	Relay - 1	
DWI - 4	Special Assignment - 2	
Eviction - 1	Suicidal Subject - 1	

**\*\*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 02/01/2012- 02/29/2012

## **PNC Bank:**

Beginning Balance 02/29/12	\$231,688.09	
Total Debits (+)	\$188,736.80	
Total Credits (-)	\$209,484.53	
Ending Balance 02/29/12	\$210,940.36	Last Year: \$273,084.81
Investments (MLGIP/General Fund)	\$ 1,592,454.73	Last Year: \$1,633,112.00
(MLGIP/Sewer Capital)	\$ 383,552.58	Last Year: \$383,153.00
(MLGIP/Water Capital)	<u>\$ 137,275.54</u>	<u>Last Year: \$137,132.00</u>
Total Cash	\$ 2,324,223.21	Last Year: \$2,426,481.81

## **Cash Receipts over \$7,500.00**

\$17,438.60	--	Comcast Franchise Fee 2012
\$62,500.00	-	DBED Grant (Dept. Business & Economic Development)
\$22,132.44	-	Calvert County Tax Payment (January 2012)
\$42,530.44		Local Income Tax and Other
\$8,344,.51		Water & Sewer Deposit (Audit # 3,668)

## **Cash Disbursements over \$7,500.00**

\$19,642.51	-	Payroll W/E 02/04/12
\$19,579.17	-	Payroll W/E 02/18/12
\$9,520.80	-	BGE Electric Bills (November 26 to December 27)
\$9,132.26	-	BGE Electric Bills (December 27 to January 27)
\$13,389.86	-	S.J. Johnson (New Pub Wks Bldg).
\$15,420.00	-	Tricon Construction (New Pub Wks Bldg).

To: Mayor Frazer and Town Council Members

From: Don Bowen DPW

Date: 3-7-2012

Subject: Monthly Report

Mr. Mayor,

The following is a list of items DPW have been working on in addition to routine task.

- 1) Had a meeting with EA associates on information related to the flooding at the north end of Town. Mr. Hoffman, Gwen, and I along with engineers from EA associates were present at the meeting. Good discussion was held about items relating to their contract for flooding solutions at the North end of Town.
- 2) Started demo work on the tot lot in preparation for new equipment and new surfacing. Removed existing fence and equipment and graded site. Held a preconstruction meeting with Brad from playground specialties and went over installation of new equipment and surfacing for the tot lot. New equipment will start to be fabricated and installed in five to six weeks.
- 3) Work has begun on sidewalk contract; contractors are making good progress finally. Storm drain has been installed on Frederick Ave between 7<sup>th</sup> and 8<sup>th</sup> street. Sidewalk has also been poured in this area and work is continuing on 7<sup>th</sup> street.
- 4) Continuing work on old DPW building and nature park site, work is going well and expects to be completed by 4-10-12.
- 5) Had a sewer backup at 3<sup>rd</sup> and Dayton, DPW is scheduled to camera sewer line on Friday to check into what is causing problem. DPW staff had did preventive maintenance jetting on this section of sewer line on Tuesday 2-28-12. Clog happen on 3-5-2012. Grease and rags were observed when

jetting line on Sunday. DPW crew cleared line quickly once crew was on site.

## Code Enforcement Report

March 8, 2012

Mayor Frazer, Town Council members:

Most of my time during the last month; during my work hours was used to walk the Town making a list of chain link fences that are in need of maintenance. Listed a total of 150 properties and sent the owners a general letter noting repairs for removal of vines, damaged/deteriorated, and or rusted fences. The dead line for repairs is April 1, 2012.

Worked with Mr. Hoffman on a number of zoning issues including but not limited to demos, fences and additions.

Addressed a rental property that was not habitable at the time of the rental inspection and now has a renter residing within the property.

Obtained bids to bring two properties up to standard which will be addressed through the estate of the owner.

Collected a fine for a civil citation for a property that has been neglected and under violations for a number of years. The property is to be renovated/ or rebuilt. The construction is to begin by April 1, 2012 or legal action will be taken. Paper work has yet to be submitted to the Town.

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: March, 2012**

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

### Timber Breakwater

The project is being advertised for bids so the contract can be awarded after the anticipated receipt of the MDE permit at the end of March.

### Concrete Work

The Contractor is scheduled to complete concrete placement during the week of March 12<sup>th</sup>. After that paving and restoration work will be completed.

### Corps of Engineers Wetland Revitalization

I am reviewing responses to the Town's comments on the draft Section 206 report that were recently received

### DPW shop building

I am working on the design modifications for the stormwater management and updating the site plan to reflect changes associated with the retention of the existing Public Works Building.

### Watershed Implementation Plan (WIP)

I am continuing to work with the County and other agencies to develop the plan needed to meet the nutrient reduction goals set for the County by the State and EPA. We have provided a list of projects in the Town which have or will have storm water management treatment to the County. These projects will give the town credit for its part of the WIP requirements.

### Boat Slip Dredge

DNR wants the Town to apply for permits as soon as possible. To apply for permits, we must identify the disposal site for the dredge material. We are working with the Town of Chesapeake Beach on an arrangement to use their disposal site. Once the Town approves an arrangement with Chesapeake Beach, we will submit for permits.

### 9<sup>th</sup> Street Flood Mitigation Project

EA Engineering has started their work for the Town to evaluate flood mitigation activities.

### New Fishing Platform for Town Pier.

The application for State and Federal permits is being submitted this week.

### Tot Lot

The contractor is ordering the equipment before installation will start in April.

# Proposed Recycling Plan

- - Increase recycling to once per week
- - Initially maintain Wednesday schedule
- - 32 Gallon Bin with lid, wheels, handle and sticker "What's Recyclable"
- - 18 Gallon Bin with lid for residents with limited storage space
- - Residents will request a bin from town hall/process for tracking
- - Bins will be delivered to residents and old ones picked up
- - Bulk trash reduced to one time per month by appointment
- - Residents will be able to call directly, town hall, Southern Maryland Recycling, email, or on-line
- - New schedule will begin on July 1,2012
- - Environmental Committee to provide education campaign
- - Awaiting costs from Granier - should have within the week

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
<b>Residential Uses</b>	
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	*
<b>Institutional, Recreational and Educational Uses</b>	
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	*
<b>Commercial Uses</b>	
Bed and Breakfast	1/unit
Motel/Hotel	1/unit + 1/staff
Professional Office in Residence	1/professional
<b>Unclassified Uses</b>	
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  
MAYOR AND TOWN COUNCIL

ORDINANCE NO: 12-03

**AN ORDINANCE TO ESTABLISH A PROCESS FOR THE CODE ENFORCEMENT OFFICER OF THE TOWN OF NORTH BEACH TO OBTAIN AN ADMINISTRATIVE SEARCH WARRANT IN CASES WHERE HE IS DENIED ACCESS FOR RENTAL INSPECTIONS.**

**WHEREAS**, in Section 69-14-18 of the North Beach Town Code there is procedure laid out for requiring landlords within the Town to apply for and receive a license from the Town of North Beach before leasing their property; and

**WHEREAS**, Section 69-16 calls for inspections of rental properties at the time of application for a license, renewal of a license and upon receiving of 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 the best interest of the health, safety and welfare of the Town of North Beach to carry out rental inspections and to 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 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 annually. 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  
8916 Chesapeake Avenue  
North Beach, MD 20714

**Local Government Resolution – 12-01**

Resolution of Mayor and Town Council to designate the Town of North Beach, Calvert County, Maryland as a Sustainable Community, pursuant to the attached Sustainable Community map (and Sustainable Community Plan (the “**Plan**,” as further described in the Sustainable Community Application (the “**Application**”), for approval either directly by the Department of Housing and Community Development (the “**Department**”) of the State of Maryland or through the Smart Growth Subcabinet of the State of Maryland.

WHEREAS, Mayor and Town Council recognizes that there is a significant need for reinvestment and revitalization of the community Town of North Beach, Calvert County; and

WHEREAS, Town of North Beach proposes to (i) designate the area of North Beach as outlined on the attached map (the “Area”) as a Sustainable Community and to (ii) develop a Sustainable Community (the Plan) (“Project”) (the “Project”) as further described in the Application in the Area, the purpose of which will be to contribute to the reinvestment and revitalization in the Area; and,

WHEREAS, the Area is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act; and

WHEREAS, the applicable law and the Community Legacy Program regulations require a local government to submit an application to the Department in order to become a designated Sustainable Community, and to adopt a satisfactory Sustainable Community Plan in order to be eligible to receive financial assistance under the Community Legacy Program;

NOW, THEREFORE BE IT RESOLVED THAT, Mayor and Town Council hereby (i) endorses the designation of the Area as a Sustainable Community; and (ii) adopts the Sustainable Community Plan described in the Application.

BE IT FURTHER RESOLVED THAT, the chief elected executive official is hereby requested to endorse this Resolution, indicating his or her approval by signature hereof; and,

BE IT FURTHER RESOLVED THAT, the following persons are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions;

Name	Office/Title	Signature
Mark R. Frazer	Mayor	_____
Joanne Hunt	Treasurer	_____
Stacy Wilkerson	Town Clerk	_____

and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland for consideration by the Smart Growth Sub-Cabinet.

READ AND PASSED THIS 8<sup>th</sup> day of March, 2012.

BY ORDER: \_\_\_\_\_, I hereby certify that Resolution Number \_\_\_\_\_ is true and correct and duly adopted by the \_\_\_\_\_(Legislative Body) of \_\_\_\_\_ (City or County).

ATTEST/WITNESS:

Town of North Beach

\_\_\_\_\_  
Signature \_\_\_\_\_

Name: Stacy Wilkerson

Title: Town Clerk

Date: March 8, 2012

Signature: \_\_\_\_\_

Name: Mark R. Frazer

Title: Mayor

Date: March 8, 2012