



**PUBLIC HEARINGS: 6:55 PM**

Ordinance O-19-17, an ordinance of the Town Council of Chesapeake Beach, Maryland amending Chapter 196 “Parks and Public Areas”, Article I, “Regulations concerning all public parks, public venues and restricted property”, to enact Section 196-9.1, “Smoking on Town Property”, to prohibit smoking on specified town property and to provide a sanction for a violation of Section 196-9.1.

Ordinance O-19-18, an ordinance of the Town Council of Chesapeake Beach, Maryland, adopting a revised water and sewer policy manual.

**TOWN MEETING AGENDA  
JANUARY 16, 2020**

- I. Call to order and roll call.
- II. Pledge of Allegiance.
- III. Approval of the agenda.
- IV. Public Comment on any item on the agenda.
- V. Approval of the minutes of the December 19, 2019 Public Hearings.  
Approval of the minutes of the December 19, 2019 Town Council Meeting.  
Approval of the minutes of the January 6, 2020 Work Session.
- VI. **Petitions and Communications**
  - A. Dr. Drew Fuller – Medical Director of the Mobile Crisis Center
  - B. North Beach Volunteer Fire Department.
  - C. Deputy’s Report.
  - D. Public Work’s Report.
  - E. Code Enforcement Report.
  - F. Town Engineer’s Report.
  - G. Water Park Report.

- H. Water Reclamation Treatment Plant Report.
- I. Town Treasurer's Report.
- J. Town Administrator's Report.
- K. Mayor's Report.

1. State of the Town Mayoral Address

**VII. Resolutions & Ordinances –**

- A. Vote on Ordinance O-19-17, an ordinance of the Town Council of Chesapeake Beach, Maryland amending Chapter 196 "Parks and Public Areas", Article I, "Regulations concerning all public parks, public venues and restricted property", to enact Section 196-9.1, "Smoking on Town Property", to prohibit smoking on specified town property and to provide a sanction for a violation of Section 196-9.1.
- B. Vote on Ordinance O-19-18, an ordinance of the Town Council of Chesapeake Beach, Maryland, adopting a revised water and sewer policy manual.
- C. Introduce Ordinance O-20-1, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending the annual budget for the General Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2018 to June 30, 2019 to reconcile expenses and income and ratify over expenditures. **Set public hearing.**
- D. Introduce Ordinance O-20-2, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending the annual budget for the Water Park Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2018 to June 30, 2019 to reconcile expenses and income and ratify over expenditures. **Set public hearing.**
- E. Introduce Ordinance O-20-3, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending the annual budget for the Utility Fund of the Town of Chesapeake Beach for the fiscal year July 1; 2018 to June 30, 2019 to reconcile expenses and income and ratify over expenditures. **Set public hearing.**
- F. Introduce Ordinance O-20-4, an ordinance of the Town Council of Chesapeake Beach, Maryland, amending the annual budget for the Water Reclamation and Treatment Plant Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2018 to June 30, 2019 to reconcile expenses and income and ratify over expenditures. **Set public hearing.**

- G. Introduce Ordinance O-20-5, an ordinance of the Town Council of Chesapeake Beach, Maryland, repealing in its entirety and reenacting Chapter 25, "Ethics, Public," of the Chesapeake Beach Code, to comply with MD Code Ann., General Provisions Article, Title 5, and to meet the Town's need for ethical and efficient government; and matters generally relating to public ethics for officials, appointees and employees of the Town. **Set public hearing.**

**VIII. Report of Officers, Boards and Committees**

- A. Planning & Zoning Commission – A meeting will be held January 22, 2020.
- B. Board of Appeals – No hearing was held.
- C. Chesapeake Beach Oyster Cultivation Society – John Bacon
- D. Economic Development Committee – Larry Jaworski
- E. Twin Beaches Opioid Abuse Awareness Coalition – Keith Pardieck
- F. Walkable Community Advisory Group – Derek Favret

**IX. Unfinished Business**

**X. New Business**

**XI. Public Comment**

**XII. Council Lightning Round**

**XIII. Adjournment**



December 2019 Town Stats,

Fire = 49

AFA = 8

Brush = 0

EMS = 25

Fire's = 3

(Chimney, House, Barn, vehicle, ETC)

Hazmat = 0

Investigation = 1

MVA = 2

Helicopter Landing = 0

Service = 10

Water Rescue = 0

Fire Calls dispatched in the Town of CB = 38

Fire Calls dispatched in the Town of NB = 11

Fire Drill:N/A due to Christmas

Fundraising: Hall Rental- 12/14, 12/21, Christmas Trees



EMS = 95

Chest Pains = 6

Diabetic Emergency = 2

Fire Standby = 1

MVC = 2

Overdose = 2

Psychiatric Emerg. = 1

Respiratory Distress = 19

Seizures = 5

Stroke (CVA) = 4

Unconscious Subj. = 6

Other Non- Emergent dispatched Calls =23

EMS Calls dispatched in the Town of CB = 64

EMS Calls dispatched in the Town of NB = 31

EMS DRILL : EMS Communications

Choking = 1

Syncope = 5

Suicide = 0

Gun Shot = 0

Head Injury = 0

Hypertension = 3

Assault = 1

Hemorrhage- 4

Cardiac Arrest - 1

Altered Mental Status - 1

Allergic Reaction -1

Traumatic Injury = 7



# CALVERT COUNTY SHERIFF'S OFFICE

## TWIN BEACHES PATROL

Date: January 7, 2020

To: Sharon Humm

From: Sergeant Thomas S. Phelps

Re: Sheriff's Office Report-Chesapeake Beach

---

In December of 2019, the Sheriff's Office handled 250 calls for service in Chesapeake Beach. This is down from 304 calls in November 2019.

Call Breakdown for December 2019:

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

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

Of the 250 calls, we handled:

- 2 CDS Violations (1 Suboxone; 1 Distribution of Oxycodone) (Closed by Arrest)
- 10 Thefts
  - Oxy Pills from Residence – 26<sup>th</sup> St. (Closed by Arrest)
  - Burglary Subject broke into a Residence – Ches. Bch. Rd. (Closed by Arrest)
  - Shoplifting Beer from Fastop (Closed by Arrest)
  - Cash Out Ticket from Machine at A&A Gaming (Under Investigation)
  - Items from UNLOCKED Vehicle – Forest River Terr (Under Investigation)
  - Stolen Vehicle – F150 – Ivy La. (Recovered in Cheverly, MD) (Under Investigation)
  - Items from UNLOCKED Vehicle – Ivy La. (Including Key Fob for Stolen F150) (Under Investigation)
  - Items from UNLOCKED Vehicle – Autumn Crest La. (Under Investigation)
  - Items from UNLOCKED Vehicle – Bay Walk Sq. (Under Investigation)
  - Leaf Blower from UNLOCKED/NO DOOR Shed – 27<sup>th</sup> St. (Under Investigation)
- 2 Trespassing Arrests
- 1 Non-Fatal Heroin Overdose
- 5 Marijuana Civil Violations
- 2 Dis-Orderly Arrest
- 1 Assault Arrest
- 1 Violation of Protective Order Arrest



## December 2019 Calls for Service Chesapeake Beach

| Call Type               | Month | Year | Call Type              | Month | Year | Call Type                  | Month | Year |
|-------------------------|-------|------|------------------------|-------|------|----------------------------|-------|------|
| 911 Hang Up             | 17    | 171  | Fireworks Complaint    | 0     | 6    | Relay                      | 1     | 4    |
| Abandoned Vehicle       | 1     | 15   | Follow Up              | 9     | 109  | Robbery                    | 0     | 2    |
| Accident                | 4     | 132  | Found Property         | 3     | 24   | Search Warrant             | 0     | 6    |
| Alarm                   | 4     | 104  | Fraud                  | 1     | 20   | Sexual Assault             | 0     | 1    |
| Alcohol Violation       | 0     | 5    | Harassment             | 0     | 9    | Sex Offender Registry      | 0     | 0    |
| Animal Complaint        | 4     | 18   | Illegal Dumping        | 0     | 3    | Special Assignment         | 2     | 51   |
| Assault                 | 0     | 20   | Industrial Accident    | 0     | 2    | Stalking                   | 0     | 0    |
| Assist Motorist         | 7     | 106  | Indecent Exposure      | 0     | 6    | Stolen Vehicle             | 1     | 10   |
| Assist Other Dept       | 1     | 36   | Intoxicated Person     | 0     | 7    | Summons Service            | 2     | 23   |
| Assist Sick/Injured     | 6     | 84   | Kidnapping/Abduction   | 0     | 0    | Suspicious Person          | 3     | 84   |
| Attempt to Locate       | 6     | 101  | Loitering              | 0     | 3    | Suspicious Vehicle         | 3     | 88   |
| Burglary                | 1     | 20   | Lost Property          | 0     | 2    | Tampering with MV          | 0     | 7    |
| CDS Violation           | 1     | 24   | Loud Party/ Music      | 2     | 13   | Telephone Misuse           | 0     | 0    |
| Check Welfare           | 4     | 103  | Mental Subject         | 0     | 10   | Theft                      | 12    | 74   |
| Conservor of Peace      | 2     | 30   | Missing Person         | 3     | 22   | Traffic Complaint          | 5     | 97   |
| Destruction of Property | 1     | 24   | Neighborhood Dispute   | 1     | 5    | Traffice Control           | 0     | 5    |
| Death Investigation     | 0     | 1    | Notification           | 0     | 2    | Traffic Enforcement        | 0     | 9    |
| Disorderly              | 7     | 118  | Parking Complaint      | 7     | 104  | Trespassing                | 2     | 58   |
| Domestic                | 8     | 113  | Patrol Check           | 109   | 1642 | Unauthorized Use MV        | 0     | 1    |
| Escort                  | 0     | 0    | Person with Weapon     | 0     | 2    | Unknown Problem            | 0     | 10   |
| Eviction                | 0     | 12   | Police Information     | 4     | 73   | Violation Protective Order | 0     | 7    |
| Fight                   | 1     | 15   | Protective/Peace Order | 3     | 30   | Warrant Service            | 1     | 23   |
| Firearms Complaint      | 1     | 6    | Prowler                | 0     | 0    |                            |       |      |
| Total Calls             |       |      |                        |       |      |                            | 250   | 3912 |

|                           | Month | Year |                    | Month | Year |                | Month | Year |
|---------------------------|-------|------|--------------------|-------|------|----------------|-------|------|
| DUI Arrest                |       | 18   | CDS Arrest         |       | 35   | Other Arrest   |       | 79   |
| Civil Marijuana Citations |       | 32   | Non Fatal Overdose |       | 12   | Fatal Overdose |       | 1    |

\*\*\*\* Notes \*\*\*\*

|  |
|--|
|  |
|--|



## December 2019 Calls for Service North Beach

| Call Type               | Month | Year | Call Type              | Month | Year | Call Type                  | Month | Year |
|-------------------------|-------|------|------------------------|-------|------|----------------------------|-------|------|
| 911 Hang Up             | 6     | 83   | Fireworks Complaint    | 0     | 2    | Relay                      | 0     | 1    |
| Abandoned Vehicle       | 0     | 1    | Follow Up              | 1     | 34   | Robbery                    | 0     | 1    |
| Accident                | 7     | 43   | Found Property         | 1     | 6    | Search Warrant             | 1     | 2    |
| Alarm                   | 4     | 54   | Fraud                  | 0     | 11   | Sexual Assault             | 0     | 1    |
| Animal Complaint        | 0     | 14   | Harassment             | 0     | 5    | Sex Offender Registry      | 0     | 0    |
| Assault                 | 0     | 9    | Illegal Dumping        | 0     | 3    | Special Assignment         | 4     | 48   |
| Assist Motorist         | 2     | 26   | Industrial Accident    | 0     | 0    | Stalking                   | 0     | 0    |
| Assist Other Dept       | 0     | 17   | Indecent Exposure      | 0     | 2    | Stolen Vehicle             | 0     | 5    |
| Assist Sick/Injured     | 2     | 36   | Intoxicated Person     | 0     | 7    | Summons Service            | 0     | 18   |
| Attempt to Locate       | 0     | 32   | Kidnapping/Abduction   | 0     | 0    | Suspicious Person          | 3     | 35   |
| BioChem/ Susp Package   | 0     | 0    | Loitering              | 0     | 1    | Suspicious Vehicle         | 1     | 21   |
| Burglary                | 0     | 6    | Lost Property          | 0     | 0    | Tampering with MV          | 0     | 0    |
| CDS Violation           | 0     | 5    | Loud Party/ Music      | 0     | 10   | Telephone Misuse           | 0     | 0    |
| Check Welfare           | 4     | 59   | Mental Subject         | 0     | 0    | Theft                      | 1     | 29   |
| Conservor of Peace      | 2     | 11   | Missing Person         | 0     | 4    | Traffic Complaint          | 4     | 37   |
| Destruction of Property | 1     | 14   | Neighborhood Dispute   | 0     | 0    | Traffice Control           | 0     | 0    |
| Death Investigation     | 0     | 2    | Notification           | 0     | 2    | Traffic Enforcement        | 0     | 17   |
| Disorderly              | 0     | 54   | Parking Complaint      | 3     | 30   | Trespassing                | 3     | 27   |
| Domestic                | 2     | 34   | Patrol Check           | 59    | 739  | Unauthorized Use MV        | 0     | 0    |
| Escort                  | 1     | 3    | Person with Weapon     | 0     | 0    | Unknown Problem            | 0     | 5    |
| Eviction                | 1     | 6    | Police Information     | 3     | 22   | Violation Protective Order | 0     | 2    |
| Fight                   | 0     | 12   | Protective/Peace Order | 0     | 7    | Warrant Service            | 0     | 14   |
| Firearms Complaint      | 0     | 5    | Prowler                | 0     | 0    |                            |       |      |
| Total Calls             |       |      |                        |       |      |                            | 116   | 1674 |

|                           | Month | Year |                    | Month | Year |                | Month | Year |
|---------------------------|-------|------|--------------------|-------|------|----------------|-------|------|
| DUI Arrest                | 1     | 8    | CDS Arrest         | 1     | 6    | Other Arrest   | 0     | 31   |
| Civil Marijuana Citations | 2     | 10   | Non Fatal Overdose | 0     | 4    | Fatal Overdose | 1     | 2    |

\*\*\*\* Notes \*\*\*\*



## Public Works Administrator's Report

To: Mayor & Town Council

From: James Berry

Subject: Public Works Report

Date: January 16, 2020

---

Water leak- We had a water main break on Silver Fox Way, and it is now repaired. PW shut off water due to a break on the homeowner's side at Seagate.

Wet wells- We are in the process of pulling both pumps at Richfield Station main wet well. We will be working with a contractor to clean out our wet wells next month.

Water meter/MXU- We have started back with changing out MXU's to make ready for the remote read system.

Flushing- We have completed our 3<sup>rd</sup> and final round of flushing for the year, we will start the process again in March 2020.

Ball Fields – We are currently test pitting the existing storm drains around the entire complex to better understand their condition.

Railway Trail – We are replacing wooden handrails with composite as weather permits.

Water Park – We will be helping the water technician replace the pump 5 feature return line starting this month.

The Heritage – This project is now at the point where utilities are being installed. Public works meets with the contractor on a regular basis to inspect and ensure everything is to plan.

Emergency calls – We have had 7 emergency calls since our last meeting. 3 requiring a response. 2 for water line breaks, and 1 for a sewer back up that was on a homeowner's side.



## Code Enforcement Summary Report

### Report Criteria:

| <i>Status</i> | <i>Assigned To</i> | <i>Census Tract</i> | <i>Violation</i> | <i>Initiation</i> | <i>Open Date Range</i> | <i>Follow up Date Range</i> | <i>Close Date Range</i> |
|---------------|--------------------|---------------------|------------------|-------------------|------------------------|-----------------------------|-------------------------|
| All Open      | O'Dell, Connie     |                     | All              | All               | From To                | From To                     | From To                 |

### CE Totals

|               | <i>Total</i> | <i>Closed Cases</i> | <i>Open Cases</i> |
|---------------|--------------|---------------------|-------------------|
| <b>Totals</b> | <b>21</b>    | <b>0</b>            | <b>21</b>         |

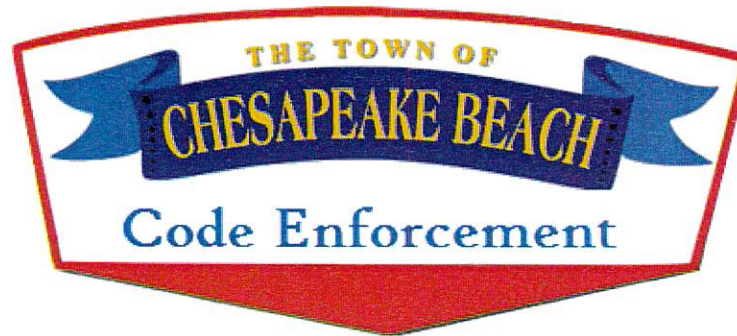
### CE Cases by Employee

| <i>Employee</i> | <i>Total</i> | <i>Closed Cases</i> | <i>Open Cases</i> |
|-----------------|--------------|---------------------|-------------------|
| O'Dell, Connie  | 21           | 0                   | 21                |
| <b>Totals</b>   | <b>21</b>    | <b>0</b>            | <b>21</b>         |

### CE Cases by Violation

| <i>Violation</i>  | <i>Total Violations</i> | <i>Closed Violations</i> | <i>Open Violations</i> |
|---|-------------------------|--------------------------|------------------------|
| 110-15: Steep Slope Construction on or Adjacent to                        | 2                       | 0                        | 2                      |
| 115-3 Dangerous Buildings - Failure to Comply                             | 3                       | 0                        | 3                      |
| 200-6 Violations and penalties for Property Maintenance                   | 3                       | 0                        | 3                      |
| Fence Over 42"  | 0                       | 0                        | 0                      |
| Foreclosure   | 2                       | 1                        | 1                      |
| Global Stability Analysis/Storm Drain/Stormwater Mgmt Plan Required       | 1                       | 0                        | 1                      |
| Minimum Housing Standards - Broken or Defective Windows and Door Openings | 0                       | 0                        | 0                      |
| Minimum Housing Standards - Condition of the Premises A (3)               | 1                       | 0                        | 1                      |
| Minimum Housing Standards - Exterior Structure B (1)                      | 1                       | 0                        | 1                      |

|   |           |          |           |
|---|-----------|----------|-----------|
| Minimum Housing Standards - Exterior Structure B (2)                          | 2         | 0        | 2         |
| Minimum Housing Standards - Exterior Structure B (3)                          | 1         | 0        | 1         |
| Minimum Housing Standards - Exterior Structure B (5)                          | 1         | 0        | 1         |
| Minimum Housing Standards - Exterior Structure B (9)                          | 1         | 0        | 1         |
| Overflow of ground water, public water or sewer                               | 0         | 0        | 0         |
| Pool Fencing - Missing or Non-Compliant                                       | 1         | 0        | 1         |
| Prohibited Animals  | 0         | 0        | 0         |
| Prohibited Parking  | 0         | 0        | 0         |
| Property Maintenance - Minimum Maintenance Requirements                       | 0         | 0        | 0         |
| Property Maintenance - Minimum Maintenance Requirements (B)                   | 4         | 0        | 4         |
| Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris         | 6         | 0        | 6         |
| Property Maintenance - Sanitary Maintenance - Grass                           | 3         | 0        | 3         |
| Property Maintenance - Sanitary Maintenance - Nuisance, Health or Fire Hazard | 2         | 0        | 2         |
| Property Maintenance - Sanitary Maintenance - Rodents                         | 0         | 0        | 0         |
| Property Maintenance - Sanitary Maintenance - Vehicles                        | 6         | 1        | 5         |
| Sanitary Maintenance  | 3         | 0        | 3         |
| Sewer is Backed Up  | 0         | 0        | 0         |
| Sewer/Water Manual Violation  | 0         | 0        | 0         |
| Sign Ordinance  | 1         | 0        | 1         |
| Waste/Sewer Back Up   | 0         | 0        | 0         |
| Zoning Permit Required  | 2         | 1        | 1         |
| <b>Totals</b>   | <b>46</b> | <b>3</b> | <b>43</b> |



## Code Enforcement Summary Report

### Report Criteria:

| Status     | Assigned To    | Census Tract | Violation | Initiation | Open Date Range               | Follow up Date Range | Close Date Range              |
|------------|----------------|--------------|-----------|------------|-------------------------------|----------------------|-------------------------------|
| All Closed | O'Dell, Connie |              | All       | All        | From 01/01/2019 To 01/09/2020 | From To              | From 01/01/2019 To 01/09/2020 |

### CE Totals

|               | Total     | Closed Cases | Open Cases |
|---------------|-----------|--------------|------------|
| <b>Totals</b> | <b>85</b> | <b>85</b>    | <b>0</b>   |

### CE Cases by Employee

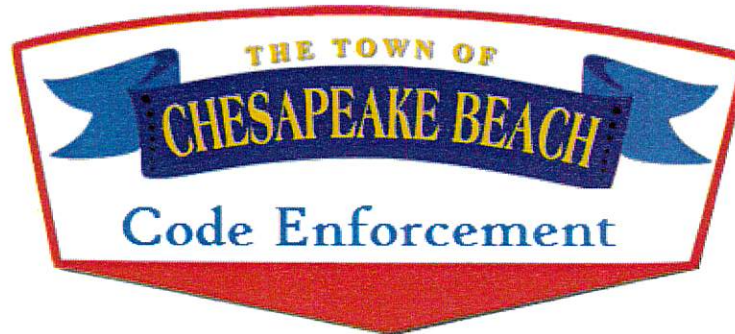
| Employee       | Total     | Closed Cases | Open Cases |
|----------------|-----------|--------------|------------|
| O'Dell, Connie | 85        | 85           | 0          |
| <b>Totals</b>  | <b>85</b> | <b>85</b>    | <b>0</b>   |

### CE Cases by Violation

| Violation   | Total Violations | Closed Violations | Open Violations |
|---|------------------|-------------------|-----------------|
| 110-15: Steep Slope Construction on or Adjacent to                        | 0                | 0                 | 0               |
| 115-3 Dangerous Buildings - Failure to Comply                             | 2                | 2                 | 0               |
| 200-6 Violations and penalties for Property Maintenance                   | 2                | 2                 | 0               |
| Fence Over 42"  | 1                | 1                 | 0               |
| Foreclosure   | 3                | 3                 | 0               |
| Global Stability Analysis/Storm Drain/Stormwater Mgmt Plan Required       | 0                | 0                 | 0               |
| Minimum Housing Standards - Broken or Defective Windows and Door Openings | 1                | 1                 | 0               |
| Minimum Housing Standards - Condition of the Premises A (3)               | 0                | 0                 | 0               |
| Minimum Housing Standards - Exterior Structure B (1)                      | 0                | 0                 | 0               |

|   |            |            |          |
|---|------------|------------|----------|
| Minimum Housing Standards - Exterior Structure B (2)                          | 0          | 0          | 0        |
| Minimum Housing Standards - Exterior Structure B (3)                          | 0          | 0          | 0        |
| Minimum Housing Standards - Exterior Structure B (5)                          | 0          | 0          | 0        |
| Minimum Housing Standards - Exterior Structure B (9)                          | 0          | 0          | 0        |
| Overflow of ground water, public water or sewer                               | 1          | 1          | 0        |
| Pool Fencing - Missing or Non-Compliant                                       | 0          | 0          | 0        |
| Prohibited Animals  | 1          | 1          | 0        |
| Prohibited Parking  | 4          | 4          | 0        |
| Property Maintenance - Minimum Maintenance Requirements                       | 2          | 2          | 0        |
| Property Maintenance - Minimum Maintenance Requirements (B)                   | 8          | 8          | 0        |
| Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris         | 18         | 18         | 0        |
| Property Maintenance - Sanitary Maintenance - Grass                           | 16         | 16         | 0        |
| Property Maintenance - Sanitary Maintenance - Nuisance, Health or Fire Hazard | 4          | 4          | 0        |
| Property Maintenance - Sanitary Maintenance - Rodents                         | 1          | 1          | 0        |
| Property Maintenance - Sanitary Maintenance - Vehicles                        | 21         | 21         | 0        |
| Sanitary Maintenance  | 8          | 8          | 0        |
| Sewer is Backed Up  | 1          | 1          | 0        |
| Sewer/Water Manual Violation  | 2          | 2          | 0        |
| Sign Ordinance  | 3          | 3          | 0        |
| Waste/Sewer Back Up   | 1          | 1          | 0        |
| Zoning Permit Required  | 4          | 4          | 0        |
| <b>Totals</b>   | <b>104</b> | <b>104</b> | <b>0</b> |





## Code Enforcement Case Detail Report

### Report Criteria:

| Status     | Priority | Violation Status | Assigned To | Violation | Property Type | CDBG Eligibility | Open Date Range | Follow up Date Range | Close Date Range              | Initiation Type |
|------------|----------|------------------|-------------|-----------|---------------|------------------|-----------------|----------------------|-------------------------------|-----------------|
| All Closed | All      | All              | All         | All       | All           | All              | From To         | From To              | From 12/12/2019 To 01/09/2020 |                 |

### Report Details

| Case#   | <u>eFM</u><br>Case# | Status                             | Violation(s)  | Priority | Street<br>Number | Street<br>Direction | Street<br>Name | Street<br>Type | Unit | Zip   | APN        | Initiation         | Open Date  | Follow Up Date | Assigned<br>To    |
|---------|---------------------|------------------------------------|---|----------|------------------|---------------------|----------------|----------------|------|-------|------------|--------------------|------------|----------------|-------------------|
| CE19-99 |                     | Closed:<br>Voluntary<br>Compliance | Property Maintenance -<br>Minimum Maintenance<br>Requirements (B) -<br>Closed<br>Property Maintenance -<br>Minimum Maintenance<br>Requirements - Closed | Medium   | 7905             |                     | Bayside Rd     |                |      | 20732 |            | Complaint          | 12/03/2019 | 12/17/2019     | O'Dell,<br>Connie |
| CE19-97 |                     | Closed:<br>Voluntary<br>Compliance | Waste/Sewer Back Up -<br>Closed<br>Property Maintenance -<br>Minimum Maintenance<br>Requirements - Closed   | Medium   | 7629             |                     | B              | St             |      | 20732 | 0503070263 | Self-<br>Initiated | 11/25/2019 | 12/17/2019     | O'Dell,<br>Connie |
| CE19-95 |                     | Closed:<br>Voluntary<br>Compliance | Property Maintenance -<br>Sanitary Maintenance -<br>Vehicles - Closed   | Medium   | 3731             |                     | 27TH           | St             |      | 20732 | 0503044602 | Self-<br>Initiated | 11/15/2019 | 12/17/2019     | O'Dell,<br>Connie |
| CE19-94 |                     | Closed:<br>Voluntary<br>Compliance | Property Maintenance -<br>Minimum Maintenance<br>Requirements (B) -<br>Closed   | Medium   | 7349             |                     | F              | St             |      | 20732 | 0503094693 | Self-<br>Initiated | 11/14/2019 | 12/17/2019     | O'Dell,<br>Connie |
| CE19-87 |                     | Closed:<br>Voluntary<br>Compliance | Property Maintenance -<br>Sanitary Maintenance -<br>Garbage, Trash & Debris<br>- Closed   | Medium   | 3709             |                     | 28TH           | St             |      | 20732 | 0503043967 | Complaint          | 11/08/2019 | 12/17/2019     | O'Dell,<br>Connie |



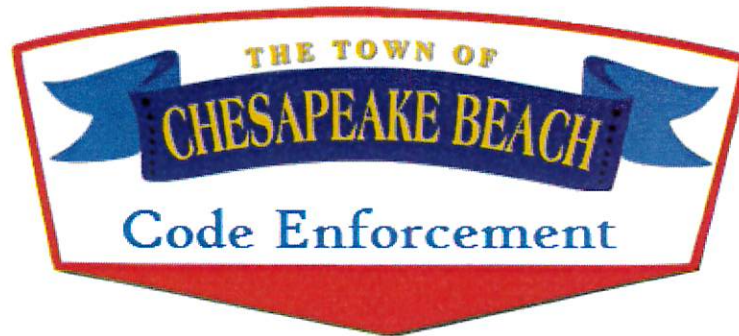
Minimum Housing  
Standards - Broken or  
Defective Windows and  
Door Openings - Closed

---

|         |                                    |   |             |   |    |                  |           |            |            |                   |
|---------|------------------------------------|---|-------------|---|----|------------------|-----------|------------|------------|-------------------|
| CE19-70 | Closed:<br>Voluntary<br>Compliance | Property Maintenance -<br>Sanitary Maintenance -<br>Garbage, Trash & Debris<br>- Closed<br>Property Maintenance -<br>Sanitary Maintenance -<br>Grass - Closed | Medium 7343 | F | St | 20732 0503094707 | Complaint | 08/27/2019 | 12/17/2019 | O'Dell,<br>Connie |
|---------|------------------------------------|---|-------------|---|----|------------------|-----------|------------|------------|-------------------|

---

Number of Cases: 6



## Code Enforcement Case Detail Report

### Report Criteria:

| <i>Status</i> | <i>Priority</i> | <i>Violation Status</i> | <i>Assigned To</i> | <i>Violation</i> | <i>Property Type</i> | <i>CDBG Eligibility</i> | <i>Open Date Range</i> | <i>Follow up Date Range</i> | <i>Close Date Range</i> | <i>Initiation Type</i> |
|---------------|-----------------|-------------------------|--------------------|------------------|----------------------|-------------------------|------------------------|-----------------------------|-------------------------|------------------------|
| All Open      | All             | All                     | All                | All              | All                  | All                     | From To                | From To                     | From To                 |                        |

### Summary by Violation

| <i>Violation</i>  | <i>Open</i> | <i>Closed</i> | <i>Total</i> |
|---|-------------|---------------|--------------|
| 110-15: Steep Slope Construction on or Adjacent to                            | 2           | 0             | 2            |
| 115-3 Dangerous Buildings - Failure to Comply                                 | 2           | 0             | 2            |
| 200-6 Violations and penalties for Property Maintenance                       | 3           | 0             | 3            |
| Foreclosure   | 2           | 0             | 2            |
| Global Stability Analysis/Storm Drain/Stormwater Mgmt Plan Required           | 1           | 0             | 1            |
| Minimum Housing Standards - Condition of the Premises A (3)                   | 1           | 0             | 1            |
| Minimum Housing Standards - Exterior Structure B (1)                          | 1           | 0             | 1            |
| Minimum Housing Standards - Exterior Structure B (2)                          | 2           | 0             | 2            |
| Minimum Housing Standards - Exterior Structure B (3)                          | 1           | 0             | 1            |
| Minimum Housing Standards - Exterior Structure B (5)                          | 1           | 0             | 1            |
| Minimum Housing Standards - Exterior Structure B (9)                          | 1           | 0             | 1            |
| Pool Fencing - Missing or Non-Compliant                                       | 1           | 0             | 1            |
| Property Maintenance - Minimum Maintenance Requirements (B)                   | 4           | 0             | 4            |
| Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris         | 6           | 0             | 6            |
| Property Maintenance - Sanitary Maintenance - Grass                           | 3           | 0             | 3            |
| Property Maintenance - Sanitary Maintenance - Nuisance, Health or Fire Hazard | 2           | 0             | 2            |

|  |           |          |           |
|--|-----------|----------|-----------|
| Property Maintenance - Sanitary Maintenance - Vehicles | 6         | 0        | 6         |
| Sanitary Maintenance                                   | 3         | 0        | 3         |
| Sign Ordinance   | 1         | 0        | 1         |
| Zoning Permit Required                                 | 2         | 0        | 2         |
| <b>Total</b>   | <b>45</b> | <b>0</b> | <b>45</b> |

### Report Details

| Case#   | <u>eFM Case#</u> | <u>Status</u>             | <u>Violation(s)</u>  | <u>Priority</u> | <u>Street Number</u> | <u>Street Direction</u> | <u>Street Name</u> | <u>Street Type</u> | <u>Unit</u> | <u>Zip</u> | <u>APN</u> | <u>Initiation</u> | <u>Open Date</u> | <u>Follow Up Date</u> | <u>Assigned To</u> |
|---------|------------------|---------------------------|--|-----------------|----------------------|-------------------------|--------------------|--------------------|-------------|------------|------------|-------------------|------------------|-----------------------|--------------------|
| CE20-4  |                  | Verbal Warning Given      | Property Maintenance - Sanitary Maintenance - Vehicles - Open                | Medium          | 8617                 |                         | Bayside            |                    |             | 20732      |            | Complaint         | 01/07/2020       | 01/20/2020            | O'Dell, Connie     |
| CE20-3  |                  | Door Hanger               | Property Maintenance - Sanitary Maintenance - Vehicles - Open                | Medium          | 8405                 |                         | BAYSIDE            | Rd                 |             | 20732      |            | Self-Initiated    | 01/06/2020       | 01/20/2020            | O'Dell, Connie     |
| CE20-2  |                  | Verbal Warning Given      | Property Maintenance - Sanitary Maintenance - Vehicles - Open                | Medium          | 7530                 |                         | C                  | St                 |             | 20732      | 0503069516 | Self-Initiated    | 01/06/2020       | 01/20/2020            | O'Dell, Connie     |
| CE20-1  |                  | Verbal Warning Given      | Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris - Open | Medium          | 8407                 |                         | F                  | St                 |             | 20732      | 0503044173 | Self-Initiated    | 01/03/2020       | 01/20/2020            | O'Dell, Connie     |
| CE19-96 |                  | Notice of Violation Given | Minimum Housing Standards - Exterior Structure B (2) - Open                  | Medium          | 3398                 |                         | COX                | Rd                 |             | 20732      | 0503090965 | Self-Initiated    | 11/20/2019       | 02/10/2020            | O'Dell, Connie     |
| CE19-92 |                  | Verbal Warning Given      | Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris - Open | Medium          | 7403                 |                         | B                  | St                 |             | 20732      | 0503049019 | Complaint         | 11/14/2019       | 01/20/2020            | O'Dell, Connie     |
| CE19-91 |                  | Complaint Filed           | Property Maintenance - Sanitary Maintenance - Vehicles - Open                | Medium          | 7524                 |                         | C                  | St                 |             | 20732      | 0503070557 | Self-Initiated    | 11/14/2019       | 01/20/2020            | O'Dell, Connie     |

|         |                           |   |        |      |           |     |       |            |                |            |            |                |
|---------|---------------------------|---|--------|------|-----------|-----|-------|------------|----------------|------------|------------|----------------|
|         |                           | Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris - Open Sanitary Maintenance - Open                                |        |      |           |     |       |            |                |            |            |                |
| CE19-81 | Inspection                | 110-15: Steep Slope Construction on or Adjacent to - Open   | Medium | 3791 | HARBOR    | Rd  | 20732 | 0503156729 | Self-Initiated | 10/10/2019 | 02/10/2020 | O'Dell, Connie |
| CE19-74 | Inspection                | Foreclosure - Open Property Maintenance - Sanitary Maintenance - Vehicles - Closed  | Medium | 7331 | WOODSHIRE | Ave | 20732 | 0503064727 | Self-Initiated | 09/12/2019 | 01/20/2020 | O'Dell, Connie |
| CE19-72 | Inspection                | Property Maintenance - Sanitary Maintenance - Grass - Open Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris - Open | Medium | 7626 | C         | St  | 20732 | 0503067939 | Complaint      | 09/04/2019 | 01/20/2020 | O'Dell, Connie |
| CE19-68 | Inspection                | Property Maintenance - Sanitary Maintenance - Garbage, Trash & Debris - Open Sanitary Maintenance - Open                                | Medium | 3915 | 27TH      | St  | 20732 | 0503047873 | Self-Initiated | 08/22/2019 | 01/20/2020 | O'Dell, Connie |
| CE19-67 | Notice of Violation Given | Sign Ordinance - Open   | Medium | 4160 | MEARS     | Ave | 20732 | 0503085635 | Self-Initiated | 08/21/2019 | 01/20/2020 | O'Dell, Connie |
| CE19-66 | Inspection                | Property Maintenance - Sanitary Maintenance - Nuisance, Health  | Medium | 3712 | 12TH      | St  | 20732 | 0503079058 | Self-Initiated | 08/20/2019 | 01/20/2020 | O'Dell, Connie |

|         |                                      |   |        |      |                    |    |       |            |                    |            |            |                   |
|---------|--------------------------------------|---|--------|------|--------------------|----|-------|------------|--------------------|------------|------------|-------------------|
|         |                                      | or Fire Hazard -<br>Open  |        |      |                    |    |       |            |                    |            |            |                   |
| CE19-47 | Inspection                           | Zoning Permit<br>Required - Open  | Medium | 3805 | 16TH               | St | 20732 | 0503064956 | Self-<br>Initiated | 06/04/2019 | 01/20/2020 | O'Dell,<br>Connie |
| CE19-32 | Inspection                           | Property<br>Maintenance -<br>Minimum<br>Maintenance<br>Requirements (B)<br>- Open<br>Sanitary<br>Maintenance -<br>Open<br>Pool Fencing -<br>Missing or Non-<br>Compliant - Open   | Medium | 3267 | FORTIER<br>LOOKOUT | St | 20732 | 0503130355 | Complaint          | 05/08/2019 | 01/20/2020 | O'Dell,<br>Connie |
| CE19-29 | Inspection                           | Property<br>Maintenance -<br>Minimum<br>Maintenance<br>Requirements (B)<br>- Open<br>200-6 Violations<br>and penalties for<br>Property<br>Maintenance -<br>Open<br>Property<br>Maintenance -<br>Sanitary<br>Maintenance -<br>Grass - Open | Medium | 7871 | OLD<br>BAYSIDE     | Rd | 20732 | 0503066967 | Self-<br>Initiated | 05/01/2019 | 02/10/2020 | O'Dell,<br>Connie |
| CE19-23 | Administrative<br>Citation<br>Issued | 110-15: Steep<br>Slope<br>Construction on<br>or Adjacent to -<br>Open   | Medium |      | Delores            | Ct | 20732 |            | Complaint          | 04/10/2019 | 02/10/2020 | O'Dell,<br>Connie |
| CE19-17 | Notice of<br>Violation<br>Given      | Zoning Permit<br>Required - Closed<br>Global Stability<br>Analysis/Storm<br>Drain/Stormwater<br>Mgmt Plan<br>Required - Open  | High   | 7340 | G                  | St | 20732 | 0503095037 | Complaint          | 03/22/2019 | 02/10/2020 | O'Dell,<br>Connie |
| CE18-76 | Inspection                           | Property<br>Maintenance -<br>Sanitary<br>Maintenance -<br>Garbage, Trash &  | Medium | 2541 | SHADY OAK          | Ct | 20732 | 0503174379 | Complaint          | 10/19/2018 | 02/10/2020 | O'Dell,<br>Connie |

Debris - Open  
Property  
Maintenance -  
Sanitary  
Maintenance -  
Vehicles - Open

200-6 Violations  
and penalties for  
Property  
Maintenance -  
Open  
Property  
Maintenance -  
Minimum  
Maintenance  
Requirements (B)  
- Open  
115-3 Dangerous  
Buildings - Failure  
to Comply - Open  
Minimum Housing  
Standards -  
Condition of the  
Premises A (3) -  
Open

|         |            |   |      |      |        |    |       |            |                |            |            |                |
|---------|------------|---|------|------|--------|----|-------|------------|----------------|------------|------------|----------------|
| CE18-30 | Inspection | Minimum Housing Standards - Exterior Structure B (3) - Open<br>Minimum Housing Standards - Exterior Structure B (5) - Open<br>Minimum Housing Standards - Exterior Structure B (9) - Open<br>Minimum Housing Standards - Exterior Structure B (1) - Open<br>Minimum Housing Standards - Exterior Structure B (2) - Open | High | 3725 | HARBOR | Rd | 20732 | 0503068943 | Self-Initiated | 06/13/2018 | 01/20/2020 | O'Dell, Connie |
|---------|------------|---|------|------|--------|----|-------|------------|----------------|------------|------------|----------------|

|         |                           |   |      |      |         |    |       |            |                |            |            |                |
|---------|---------------------------|---|------|------|---------|----|-------|------------|----------------|------------|------------|----------------|
| CE18-10 | Notice of Violation Given | Property Maintenance - Sanitary Maintenance - Nuisance, Health or Fire Hazard - | High | 7636 | BAYSIDE | Rd | 20732 | 0503068315 | Self-Initiated | 05/18/2018 | 02/10/2020 | O'Dell, Connie |
|---------|---------------------------|---|------|------|---------|----|-------|------------|----------------|------------|------------|----------------|

Open  
Property  
Maintenance -  
Minimum  
Maintenance  
Requirements (B)  
- Open  
200-6 Violations  
and penalties for  
Property  
Maintenance -  
Open  
Property  
Maintenance -  
Sanitary  
Maintenance -  
Grass - Open  
115-3 Dangerous  
Buildings - Failure  
to Comply - Open  
Foreclosure -  
Closed  
115-3 Dangerous  
Buildings - Failure  
to Comply - Open

---

Number of Cases: 21





## Water Park Report

Marilyn VanWagner, General Manager Water Park  
January 16, 2020

**Staffing** – The Water Park website is now accepting requests for employment for the 2020 Season. Anyone interested in working at the Water Park this summer can go to the website and sign up for the orientation for the position of their choice. All interviews will be conducted at orientation. The first lifeguard orientation will be held tonight at Town Hall.  
<http://www.chesapeakebeachwaterpark.com/employment/>

**DocuSign** – In 2019 we signed up with a company, DocuSign, to stream line all of the necessary employee paperwork that needed processing for 180+ employees at the park. This proved to be a great success. It was more efficient, less expensive and more secure than the manual processing that took place in prior years. We are currently editing and updating the employee paperwork packets so that they can be loaded into DocuSign for the 2020 season.

**LMS, Learning-Zen** – Also new in 2019 we implemented a new web based Learning Management System (LMS). This system allowed us to develop, deliver, and track training of all varieties for each department from one platform. Through the use of video, the LMS allowed us to provide training which has been proven to be retained at a far greater rate than traditional instruction. This system proved to be successful, so for 2020 we are working on recording new videos for new courses for all changes being made in employee duties and updating the training documents and exams for the new courses.

**Season Passes** - The Early Bird Discount for Season Passes is available until January 31st. These Season Passes make great gifts for birthdays and special occasions.  
<http://www.chesapeakebeachwaterpark.com>

**Store** – We are purchasing all products to replenish our store inventory. We are also stocking the store with a few new items and we look forward to showing them off on opening weekend.

**Beachcomber Grille – Our** grille menu is being edited. We will lose a few products that did not sell as well, and add a few new items that we think will be big sellers.

In 2019 we signed up with a web-based ordering system, Take-out 7. Our guests were able to order their food from their phones and when it was ready they would receive a text message that their food was ready for pick up at our pick-up counter. This program was a success and we plan to bring it back for the 2020 season. For this season we are also adding a new location for our guests to purchase sodas so that they won't have to stand in the entire concession line just to get a drink. Filo Blake, our Maintenance Tech is building a new shed to house the new Pepsi equipment.

**Maintenance/Upgrades-** Filo our Maintenance Tech is very busy completing our list of maintenance projects for the upcoming season. Stay tuned to next month for a summary of these projects.



To: Mayor & Town Council

From: Jon Castro

Subject: Water Reclamation Plant Report

Date: January 16, 2020

---

On 12-10-19, plant staff began using the Constant Chlor System to feed Chlorine to the Basins in order to control a filamentous bacteria in the bio-solids. The filamentous bacteria will cause problems with the bio-solids process.

December 10<sup>th</sup> Wire's Inc was here to install outlets on the filter catwalk. This will decrease tripping hazards due to the lack of tripping hazards which occurs from using extension cords. The electric cords and heat trace were needed to keep equipment running during cold weather.

Blue Earth Products started the process of cleaning #1 Denitrification Filter. This cleaning process will determine if the Filter will return to full operation and operate for several years. The cleaning started on 12-17-19 and was completed on 12-19-19. We are monitoring the Filter operation and testing different set point limits of the filter. The process of restarting the Filter may take 6 weeks for final evaluation along with the Filter sand sample analysis.

December 18<sup>th</sup> Plant staff installed the clarifier blanket level sensors, and IMAC was here to program them. This will provide real-time data to the operators to make quick and informed decisions about the plant and add backup alarms to prevent spills.

JES Concrete was here on 12-20-19 to look at the crack on the catwalk of the press building. They will give us a quote on repairing the concrete.

December 30<sup>th</sup> Maryland MOSH arrived at the plant for a random inspection. They found multiple compliance issues: electric panel covers missing, foot grates needing to be secured, the ladder to the generator needed to be removed, needed fall protection program with training records, and safety railing needed to be installed around the sump pump panel of the PACL containment area. Several of the issues were fixed while the inspector was here to avoid a fine but some items, we had to order equipment. We are waiting for the final report but as of the present, all issues have been fixed.

January 2<sup>nd</sup> Fidelity was here to service the generator per the annual contract. This ensures the equipment is up to date and working properly.

DSI began replacing the Influent Pump Valves on 1-8-20 and finish on 1-10-20. These valves will improve the pumping operation and replace the aging valves. The new valves have controllers so staff can monitor flow operation directed to other parts of the plant.

There were two threshold limit costs for equipment or repair this month. One was for Coyne Chemicals needed for Phosphorous removal and the second was for Heat trace and pipe insulation which will be refunded by LGIT on the replacement of these flood damaged items.



Plant operations did use the surge tank twice this month. Both times was for diverting flow for replacing the Influent Pump Valves.

There were no incidents to report in the plant's Solids and Handling Operation or the Lab Sampling Operation with Old Line Hauling and Chesapeake Labs. Old Line Inc. was sold to Synagro in May of 2019. A new Contract was signed with Old Line/Synagro in August 2019.

The plant had zero alarm calls for the month.

The Wastewater Treatment Plant had no spills to report for this January report.

**Future Projects:**

To complete working out the problem areas in the ENR Upgrade Construction. The projects noted in the Capital Projects request are also in progress to be completed within the completion date of the plant's present budget year or within two years after the ENR Upgrade.



**Town of Chesapeake Beach  
Treasurer's Report  
Town Council Meeting  
January 2020**

**Payroll year-end reporting**

Work on year-end payroll reporting has begun. The IRS made some late changes to some of the tax forms and we just partially received most of them. W-2's are planned to be released the third week of January.

**Budgets**

The work on FY21 budgets will begin once the year-end payroll reporting is completed. The first budget meeting with Town Council is planned for March 2, 2020. At that time, we will review the General and Mitigation Funds as well as WRTP.

**Approval threshold from \$5k to \$10k (CAR -19-1)**

The following transactions were payments in Decembers that were greater than \$5k, but less than the new approval threshold of \$10k. These were transactions that were not previously reviewed by Town Council and therefore are noted below

| Check Number | Date       | Total      | Vendor        | Bank Code | Comments                   |
|--------------|------------|------------|---------------|-----------|----------------------------|
| 4386         | 12/12/2019 | \$ 6160.69 | Chromalox Inc | UF        | Will be reimbursed by LGIT |



## Town Administrators Report – January 2020

### *I. Upcoming RFPs:*

**Audit Services:** The Town will seek proposals for our annual audit. The expected release for the RFP on eMaryland Marketplace is January 17<sup>th</sup>, 2020.

**Trash Services:** The Town will seek coordination with the Town of North Beach to release RFP's at the same time to gain more attention from Contractors. The expected release of the RFP is in January 2020. The RFP is expected to be released on eMaryland Marketplace on or before January 17, 2020.

**Lighting Display Proposals:** The Town will seek updated proposals for the annual lighting display and electrical connections. The RFP is expected to be released on eMaryland Marketplace on or before January 17, 2020.

### *II. Town Permits:*

#### **Permits Granted:**

| Permit Number | Address              | Improvement                 |
|---------------|----------------------|-----------------------------|
| 2020-02       | 7871 Old Bayside Rd. | Deck, porch, kitchen & bath |
| 2020-03       | 4012 Carousel Way    | Deck                        |
| 2020-04       | 7918 Delores Ct.     | Extend existing deck        |

#### **Permits Denied:**

| Permit Number | Address       | Improvement       |
|---------------|---------------|-------------------|
| NOT ASSIGNED  | 8415 F Street | 24x24 parking pad |

### *III. Partnership with Local, State, Federal Agencies:*

- **Kellam's Complex:** The Town is currently working with the County for the transfer of the Kellam's complex to the Town with a termination of the lease agreement between the Town and County for the field and parking area.
- **Fishing Creek Dredging funding by Maryland Department of Natural Resources Waterway Improvement Fund:** The Town has received permits and has sought a waiver for the waterfowl restriction period so work can begin before March 2020. The Navy has supported our request, we await final answers for the waiver.



## Town Administrators Report – January 2020

- **Public Boat Ramps:** The work on the public boat ramps is nearing completion. A change order was submitted by Dissen & Juhn to address the dock extension in the amount of \$3,926.38. In coordination with the State, DNR has agreed to the change order and will contribute an additional \$19,500 to the project in addition to the \$80,000 DNR grant funds already committed to the project. Total Town contribution, with the change order and additional DNR funds, decreases from \$64,910 to \$49, 336.38 for the project.

### IV. *Energy Efficiency Improvements*

- The Town has been approved as a BGE Electric Vehicle (EV) charging location. The charging location will be installed by BGE at no cost to the Town within the Kellam's Complex public parking area. The charging station will be open to the public. The Town is working through the specifics with BGE with further notice forthcoming.



To: The Honorable Mayor and Town Council  
Subject: Smoking/Vaping Ordinance

From: Holly Wahl, Town Administrator

**Date: December 13, 2019**

---

## **I. BACKGROUND:**

The health effects of second and third hand smoking and vaping have been well documented resulting in a growing number of state and local governments taking steps to regulate their use to protect the health of the public. Calvert County Government adopted Ordinance No. 32-19 on October 22<sup>nd</sup>, 2019 and our neighboring municipality, the Town of North Beach, amended Ordinance 18-05 on October 2, 2018 to include prohibiting smoking on Town property.

Vaping or electronic smoking devices means “a device, that can be used to deliver aerosolized or vaporized nicotine to an individual inhaling from the device [including] an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, a vape pen, and vaping liquid; and ...any component, part, or accessory of such a device regardless of whether or not it is sold separately, including any substance intended to be aerosolized or vaporized during use of the device.” [Md. Code Ann., Bus. Reg. § 16.7-101\(c\) \(2019\)](#) (changes to definition effective October 1, 2019)

*Vaping liquid* means “a liquid that: (1) consists of propyle glycol, vegetable glycerin or other similar substance; (2) may or may not contain natural or artificial flavors; (3) may or may not contain nicotine; and (4) converts vapor intended for inhalation when heated in an electronic device.”

[Md. Code Ann., Bus. Reg. § 16.7-101\(k\) \(2019\)](#)

## **II. RECOMMENDATION:**

It is recommended that Town Council adopt the proposed ordinance prohibiting smoking and vaping on public property.



**ORDINANCE O-19-17**

**AN ORDINANCE OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND, AMENDING CHAPTER 196, "PARKS AND PUBLIC AREAS", ARTICLE I, "REGULATIONS CONCERNING ALL PUBLIC PARKS, PUBLIC VENUES AND RESTRICTED PROPERTY", TO ENACT SECTION 196-9.1, "SMOKING ON TOWN PROPERTY", TO PROHIBIT SMOKING ON SPECIFIED TOWN PROPERTY AND TO PROVIDE A SANCTION FOR A VIOLATION OF SECTION 196-9.1.**

WHEREAS, pursuant to Md. Code Ann., Local Gov't. Article, § 5-202, Chesapeake Beach ("the Town") has the authority to adopt such ordinances as it deems necessary to assure the good government of the Town; protect and preserve the Town's rights, property, and privileges; and preserve peace and good order; and

WHEREAS, pursuant to Local Gov't Article, § 5-209(c) the Town has the specific authority to prevent and remove nuisances; and

WHEREAS, pursuant to this authority, the Town enacted which prohibits certain specified conduct in certain places; and

WHEREAS, medical studies have shown that exposure to secondhand smoke from tobacco causes illness and disease, including lung cancer, heart disease, and respiratory illness and the Town Council recognizes that tobacco smoke poses a grave and substantial threat to the public health, safety and welfare, and causes annoyance and discomfort to many members of the public; and

WHEREAS, the Town has an interest in protecting members of the public generally from the adverse impacts of secondhand tobacco smoke and from the annoyance and other adverse impacts of other noxious gases and vapors; and

CAPITALS : Indicate matter added to existing law

WHEREAS, the Town desires to amend Town Code, Chapter 196, Article I to prohibit smoking and vaping on certain Town property.

Section 1. NOW THEREFORE BE IT ORDAINED AND ENACTED by the Town Council of Chesapeake Beach that Town Code, Chapter 196, "Parks and Public Areas", Article I, "Regulations Concerning All Public Parks, Public Venues and Restricted Property, be and hereby is amended to add Section 196-9.1 "Smoking on Town Property", as follows:

SEC. 196-9.1. SMOKING PROHIBITED.

A. DEFINITIONS.

(1) "SMOKING" IS THE ACT OF LIGHTING, IGNITING OR GENERATING SMOKE FROM A PIPE, HOOKAH PIPE, CIGAR, ELECTRONIC CIGARETTE OR A CIGARETTE OF ANY KIND, INCLUDING THE USE OF ANY PRODUCT THAT EMITS SMOKE IN THE FORM OF GASES, PARTICLES, VAPORS OR OTHER BY-PRODUCTS RELEASED BY ELECTRONIC CIGARETTES, TOBACCO CIGARETTES, HERBAL CIGARETTES, MARIJUANA CIGARETTES AND ANY OTHER TYPE OF CIGARETTE, PIPE OR OTHER IMPLEMENT FOR THE PURPOSE OF INHALING VAPORS, GASES, PARTICLES OR THEIR BY-PRODUCTS RELEASED AS A RESULT OF COMBUSTION OR IGNITION.

(2) "VAPING" IS THE HEATING OF NICOTINE, CANNABIS OR FLAVORED AEROSOLS, THE ACTIVE INGREDIENTS IN WHICH ARE VAPORIZED AND THEN RELEASED INTO THE AIR IN A FINE MIST CREATED BY A VAPORIZER DEVICE.

B. PROHIBITED CONDUCT. SMOKING, VAPING, AND POSSESSING LIGHTED OR IGNITED TOBACCO, NICOTINE OR MARIJUANA PRODUCTS ARE PROHIBITED ON THE FOLLOWING TOWN

SMALL CAPITALS : Indicate matter added to existing law

PROPERTIES:

- (1) BAYFRONT PARK
- (2) KELLAMS COMPLEX, INCLUDING THE FIELD, PLAYGROUND AND ALL PARKING AREAS
- (3) PUBLIC BOAT RAMPS
- (4) CHESAPEAKE BEACH WATER PARK
- (5) VETERANS PARK
- (6) CHESAPEAKE BEACH BOARDWALK
- (7) TOWN HALL
- (8) POCKET PARKS THROUGHOUT TOWN

C. EXCEPTION. SMOKING, VAPING AND POSSESSING LIGHTED OR IGNITED TOBACCO, NICOTINE OR MARIJUANA PRODUCTS ARE PERMITTED INSIDE A VEHICLE THAT IS PARKED IN A PARKING LOT, PROVIDED THAT THE DOORS AND WINDOWS OF THE VEHICLE ARE COMPLETELY CLOSED.

D. OTHER LAWS. NOTHING CONTAINED IN THIS SECTION SHALL BE CONSTRUED TO AUTHORIZE SMOKING OR VAPING IN VIOLATION OF ANY FEDERAL OR STATE LAW OR REGULATION.

E. SIGNS. THE MAYOR IS AUTHORIZED TO POST SIGNS ON TOWN PROPERTY ON WHICH SMOKING AND VAPING IS PROHIBITED BY THIS SECTION, NOTIFYING THE PUBLIC OF SAID PROHIBITIONS AND OF THE PENALTIES FOR VIOLATIONS THEREOF AS SET FORTH IN SECTION 196 OF THIS CHAPTER.

F. FINES AND PENALTIES.

(1) A VIOLATION OF THIS SECTION SHALL BE A MUNICIPAL INFRACTION, PUNISHABLE BY A FINE OF \$50.00

(2) A PERSON WHO ENTERS UPON PROPERTY FROM WHICH HE OR SHE HAS BEEN BANNED PURSUANT TO SUBSECTION F(3) OR F(4) OF THIS SECTION SHALL BE GUILTY OF A

SMALL CAPITALS : Indicate matter added to existing law

SEPARATE MUNICIPAL INFRACTION PUNISHABLE BY A FINE OF \$50.00

(3) A VIOLATION OF THIS SECTION IS DECLARED TO BE A PUBLIC NUISANCE AND, IN ADDITION TO ANY FINE OR OTHER PUNISHMENT IMPOSED PURSUANT TO SUBSECTION F(1) OR F(2) OF THIS SECTION:

(A) ANY PERSON WHO VIOLATES THIS SECTION SHALL BE SUBJECT TO EJECTION FROM THE TOWN PROPERTY ON WHICH SUCH VIOLATION HAS OCCURRED.

(B) A PERSON WHO HAS COMMITTED THREE OR MORE VIOLATIONS OF THIS SECTION MAY BE BANNED BY THE MAYOR FROM THE TOWN PROPERTY OR PROPERTIES ON WHICH SUCH VIOLATIONS HAVE OCCURRED FOR A PERIOD OF ONE YEAR IF DEEMED NECESSARY BY THE MAYOR IN ORDER ADEQUATELY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

AS CERTIFIED by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on the 19<sup>th</sup> day of December, 2019, that a public hearing was held on the 16<sup>th</sup> day of January, 2020, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_ votes of approval and \_\_\_\_ votes of disapproval were cast. The resulting majority of the Council \_\_\_\_\_ (*approved or disapproved*) the passage of this ordinance this \_\_\_\_ day of \_\_\_\_\_, 2020. This Ordinance shall become effective 20 days after approval by the Mayor or approved by the Council over the Mayor's veto or seven days after the last required publication.

SMALL CAPITALS : Indicate matter added to existing law

**CHESAPEAKE BEACH, MARYLAND**

---

Patrick J. Mahoney, Mayor

---

Valerie L. Beaudin, Councilwoman

---

Derek J. Favret, Councilman

---

Gregory J. Morris, Councilman

---

Lawrence P. Jaworski, Councilman

---

Keith L. Pardieck, Councilman

---

L. Charles Fink, Councilman

SMALL CAPITALS

: Indicate matter added to existing law



To: The Honorable Mayor and Town Council  
Subject: Water / Sewer Manual

From: Holly Wahl, Town Administrator

**Date: December 13, 2019**

---

## **I. BACKGROUND:**

The current water and sewer manual was last updated October 1985 and requires edits in order to bring the policy up to date. Over the last two years, Councilman Larry Jaworski has taken the lead on making revisions to the Water and Sewer Manual in coordination with the Mayor, Town Attorney, Town Engineer, Planning and Zoning Administrator, Town Administrator, Public Works Director, Water Reclamation Treatment Plant Superintendent and the Utility Billing Coordinator. These Town officials and staff members reviewed other municipal water and sewer manuals, identified issues that needed to be addressed in the current manual, and composed several versions in order to address all areas in need of revision. During the process, the Town Council has reviewed the draft manual during work sessions and revisions were made to the final draft to address the Council's comments and concerns.

The revised manual integrates updated forms to clarify the application process, clarify reporting required and ensure appropriate authorization takes place:

- a) submit a permit for public water and sewer connection to include Public Works Director approval;
- b) a hardship exemption form;
- c) grease and oil trap quarterly reporting form;
- d) apply for a submeter; and,
- e) request a water/sewer payment plan

In accordance with Section 245-13 "Powers and Duties of the Planning and Zoning Commission" B(6) the Planning and Zoning commission reviewed the manual, sought clarification and received answers from Councilman Jaworski during a work session on October 9<sup>th</sup> and on November 13<sup>th</sup> the Commission unanimously approved the draft manual for Town Council adoption.

## **II. WORK SESSION REVIEW:**

During the December 2019 Work Session, the Town Council reviewed the draft manual and several comments were made by Council members. These comments were recorded and addressed as follows:

**COMMENT 1: A concern was expressed about the Town Administrator being authorized to make decisions related to the Water / Sewer manual because those decisions involve multiple individuals, including both staff and Town consultants.**

Response: Please consider revision of the definition of "Town Administrator"

**COMMENT 2: Council conveyed concern over capital connections purchased and held indefinitely while costs for infrastructure and connections continue to increase. How can the Town mitigate this risk?**

Response: Legally, when a capital connection is purchased it becomes the property of the buyer. Currently these connections have been acquired independent of a permit and have no expiration.



Moving forward to address this issue, taps will only be issued with an approved Town Zoning permit.

The manual has been revised to include language that clearly conveys that the sale of a capital connection, or tap, is a voidable transaction if the property owner does not complete construction under the building permit before the expiration of the Zoning Permit, and any extension thereof, in which case the Town will refund the cost of the tap.

The Town added language that taps are non-transferable.

**Comment 3: There is a concern that not all easements have been recorded in the past**

Response: We agree this is an issue; however, this is not something we can address in the water and sewer manual nor an issue that should delay the update of the water and sewer manual.

**Comment 4: The responsibilities of the Town and private property owners should be more clearly defined.**

Response: A generic outline by footage can not be applied as situations and locations vary even within the same neighborhood, street or block. The Public Works Administrator provided Appendix H as general information to address the concern of Town Council.

Language was added under “Responsibilities” to be clear that the Town will maintain and repair Town assets at its sole expense.

A “Responsibilities” section was also added under section 7.

**Comment 5: Section 1.11 Site Improvements/ Extensions, there was concern that this section implied that the Town could make improvements to utilities off site and property owners would be responsible.**

Response: In Section 1.11 language was added to clarify that these are improvements and expansions for the sole benefit of the property owner.

### **III. RECOMMENDATION:**

It is recommended that the Town Council adopt the revised Water Sewer Manual as recommended by the Planning and Zoning Commission, staff and consultants of the Town.



Introduced \_\_\_\_\_  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**ORDINANCE O-19-18**

**AN ORDINANCE OF THE TOWN COUNCIL OF  
CHESAPEAKE BEACH, MARYLAND, ADOPTING A  
REVISED WATER AND SEWER POLICY MANUAL.**

WHEREAS, Chesapeake Beach (the "Town") is a municipal corporation of the State of Maryland, organized and operating in accordance with Article XI-E of the Constitution of Maryland and Md. Code Ann., Local Government Article, Title 4; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't Art. ("LG"), § 5-202, "General Authority of Municipalities", the Town Council has the authority to pass such ordinances as it deems necessary to preserve peace and good order, to secure persons from danger and destruction and to protect the health, comfort and convenience of the residents of the municipality; and

WHEREAS, Maryland Health-Environmental Code Annotated Title 9, "Regulation by Municipalities and Political Subdivisions", Part II, "Regulation by Municipalities", § 9-704 et seq., and in particular §§ 9-716 and 9-722, authorize municipalities to adopt rules and regulations to provide for the maintenance and operation of any water supply and sewerage system under its control and to establish reasonable charges for connection to such water supply or sewerage system; and

WHEREAS, on November 22, 1985, by Ordinance No. O-26-85, the Town Council adopted a Water and Sewer Policy Manual setting forth rules and regulations for the administration of sanitary sewer and water facilities, including regulations, restrictions and rules for the use of said facilities and user charges directly related to the construction, operation, and maintenance of said facilities; and

WHEREAS, the Water and Sewer Policy Manual was subsequently incorporated into the

Town Code, Chapter 217, "Sewers and Water", Article IV, "Water and Sewer Policy Manual: and

WHEREAS, the Water and Sewer Policy Manual has not been reviewed and revised in many years; and

WHEREAS, due consideration being given to compliance with applicable federal and state regulations pertaining to the user charge system, standards and procedures for new connections, design and construction of water and sewer facilities and appurtenances, and for the regulation of the flow of industrial wastes and harmful substances into the Town's water and sewer facilities, the Town Council deems certain clarifications, amendments and revisions to the Water and Sewer Policy Manual to be necessary for the continued efficient operation and administration of the Town's facilities and the connection of users thereto; and

WHEREAS, a public hearing was held on January 16, 2020 concerning the adoption of an amended Water and Sewer Policy Manual; and

NOW THEREFORE BE IT ORDAINED AND ENACTED that the Town's Water and Sewer Policy Manual shall be that manual attached hereto as Exhibit A, dated January 2020 which manual shall replace and supersede any Water and Sewer Policy Manual previously adopted and the amended Manual shall be incorporated in the Town Code through Chapter 217, "Sewers and Water", Article IV, "Water and Sewer Policy Manual.

AS CERTIFIED by their signatures below, the members of the Town Council affirm this Ordinance was introduced at the Town Council meeting held on the 19<sup>th</sup> day of December, 2019. A public hearing was conducted on the 16<sup>th</sup> day of January, 2020 and a vote was taken in accordance with Section C 309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_ votes of

approval and \_\_\_\_ votes of disapproval were cast. The resulting majority of the Council approved the passage of this Ordinance this 16<sup>th</sup> day of January, 2020, to become effective on the \_\_\_\_ day of \_\_\_\_\_, 2019.

**CHESAPEAKE BEACH, MARYLAND**

\_\_\_\_\_  
Patrick J. Mahoney, Mayor

\_\_\_\_\_  
Valerie L. Beaudin, Councilwoman

\_\_\_\_\_  
Derek J. Favret, Councilman

\_\_\_\_\_  
L. Charles Fink, Councilman

\_\_\_\_\_  
Lawrence P. Jaworski, Councilman

\_\_\_\_\_  
Gregory J. Morris, Councilman

\_\_\_\_\_  
Keith L. Pardieck, Councilman



**TOWN OF CHESAPEAKE BEACH  
MARYLAND**

**WATER AND SEWER MANUAL**

**JANUARY 2020**

## Table of Contents

|  | Page |
|--|------|
| <b>Article I</b>   |      |
| <b>Water &amp; Sewer General Administration</b>                    |      |
| <b>Purpose</b>   | 5    |
| <b>Section 1.1</b>   |      |
| <b>Water and Sewer Systems</b>                                     | 5    |
| <b>Section 1.2</b>   |      |
| <b>Definitions</b>   | 5    |
| <b>Section 1.3</b>   |      |
| <b>Sewer and Water Rates</b>                                       | 15   |
| <b>Section 1.4</b>   |      |
| <b>Collection and Billing for Water and Sewer</b>                  | 15   |
| <b>Section 1.5</b>   |      |
| <b>Receipts for Payments</b>                                       | 15   |
| <b>Section 1.6</b>   |      |
| <b>Payment to be in Full Unless in Accordance with An Approved</b> |      |
| <b>Payment Plan</b>  | 15   |
| <b>Section 1.7</b>   |      |
| <b>Delinquent Accounts</b>   | 16   |
| <b>Section 1.8</b>   |      |
| <b>Payment and Adjustment of Rates; Discontinuances</b>            | 16   |
| <b>Section 1.9</b>   |      |
| <b>Application for Service</b>                                     | 17   |
| <b>Section 1.10</b>  |      |
| <b>Sewer and Water Connection Fees</b>                             | 17   |
| <b>Section 1.11</b>  |      |
| <b>Off-Site Improvements and/or Extensions</b>                     | 18   |
| <b>Section 1.12</b>  |      |
| <b>Services Ready to Use</b>                                       | 18   |
| <b>Section 1.13</b>  |      |
| <b>Disputes</b>  | 19   |
| <b>Article II</b>  |      |
| <b>General Provisions – Water</b>                                  | 19   |
| <b>Section 2.1</b>   |      |
| <b>Water Connections</b>   | 19   |
| <b>Section 2.2</b>   |      |
| <b>Temporary Water Services</b>                                    | 20   |
| <b>Section 2.3</b>   |      |
| <b>Tapping Mains; Performance of work</b>                          | 20   |
| <b>Section 2.4</b>   |      |
| <b>Responsibilities</b>  | 20   |
| <b>Article III</b>   |      |
| <b>Meters</b>  | 21   |
| <b>Section 3.1</b>   |      |
| <b>Meters and Meter Locations</b>                                  | 21   |
| <b>Section 3.2</b>   |      |
| <b>Control and Supervision of Meters; Repairs</b>                  | 21   |
| <b>Section 3.3</b>   |      |
| <b>Tampering or Interfering with Meters</b>                        | 22   |
| <b>Article IV</b>  |      |
| <b>Materials and Maintenance</b>                                   | 22   |
| <b>Section 4.1</b>   |      |
| <b>Use of Private Water and Sewer (Outside Buildings)</b>          | 22   |
| <b>Section 4.2</b>   |      |
| <b>Inspections and Repairs to Prevent Waste of Water</b>           | 22   |
| <b>Section 4.3</b>   |      |
| <b>Renewal of Water/Sewer Lateral Extension</b>                    | 23   |
| <b>Article V</b>   |      |
| <b>Water Use Curtailment</b>                                       | 23   |
| <b>Section 5.1</b>   |      |
| <b>Authority of Mayor to Order Curtailment</b>                     | 23   |
| <b>Section 5.2</b>   |      |
| <b>Notice to Consumers to Curtail Unnecessary Use</b>              | 23   |

|                     |   |           |
|---------------------|---|-----------|
| <b>Article VI</b>   | <b>Unlawful and Prohibited Acts</b>   | <b>23</b> |
| Section 6.1         | Unlawful Opening of Fire Hydrants   | 23        |
| Section 6.2         | Prohibited Acts Generally   | 23        |
| Section 6.3         | Unlawful Connections or Ferrules  | 23        |
| Section 6.4         | Penalties   | 24        |
| <b>Article VII</b>  | <b>General Provisions – Sewers</b>  | <b>24</b> |
| Section 7.1         | Connections, Openings or Alterations: Permit Required                       | 24        |
| Section 7.2         | Water Pollution Prohibited  | 24        |
| Section 7.3         | Connection to Public Sewer  | 24        |
| Section 7.4         | Out of Town Regulations   | 24        |
| Section 7.5         | Septic Tank and Cesspools Restricted  | 24        |
| Section 7.6         | Sanitary Maintenance and Use of Septic Tanks and<br>Cesspools               | 25        |
| Section 7.7         | Damaging or Destroying Sewage Works Equipment                               | 25        |
| Section 7.8         | Notice of Violations  | 25        |
| Section 7.9         | Violations and Penalties  | 25        |
| Section 7.10        | Liability of Damages  | 25        |
| Section 7.11        | Responsibilities  | 26        |
| <b>Article VIII</b> | <b>Building Sewers and Connections</b>                                      | <b>25</b> |
| Section 8.1         | Installations, Connection and Replacement Costs;<br>Indemnification of Town | 26        |
| Section 8.2         | Separate Sewers for Each Building; Exception                                | 26        |
| Section 8.3         | Use of Old Sewers for New Buildings   | 27        |
| Section 8.4         | Sewer Elevation, Location and Grade   | 27        |
| Section 8.5         | When Pumps Required   | 27        |
| Section 8.6         | Safeguards and Barricades; Restoration                                      | 27        |
| Section 8.7         | Inspections and Supervision of Connections by Superintendent                | 27        |
| <b>Article IX</b>   | <b>Use of Public Sewers</b>   | <b>27</b> |
| Section 9.1         | Prohibited Use of Sanitary Sewers   | 27        |
| Section 9.2         | Prohibited Waters and Wastes  | 28        |
| Section 9.3         | Grease and Oil Traps  | 28        |
| Section 9.4         | Maintenance of Interceptors   | 29        |
| Section 9.5         | Wastewater Reclamation Treatment Facilities                                 | 29        |
| Section 9.6         | Maintenance of Facilities by Owner  | 29        |
| Section 9.7         | Control Manholes on Property Producing Industrial Wastes                    | 29        |
| Section 9.8         | Standards for Measurements, Tests and Analyses                              | 29        |
| Section 9.9         | Special Arrangements for Industrial Concerns                                | 30        |

|                  |   |           |
|------------------|---|-----------|
| <b>Article X</b> | <b>Private Sewage Disposal</b>  | <b>30</b> |
| Section 10.1     | When Authorized   | 30        |
| Section 10.2     | Permit Required; Application; Fee                                     | 30        |
| Section 10.3     | Effective Date of Permit; Inspections; Notice of Inspections          | 30        |
| Section 10.4     | Compliance with State Health Requirements                             | 30        |
| Section 10.5     | Other Restrictions on Issuance of Permit; Prohibited Use<br>Of Sewers | 30        |
| Section 10.6     | Sanitary Operation and Maintenance                                    | 31        |

**APPENDICES**

|                   |   |
|-------------------|---|
| <b>Appendix A</b> | <b>Fee &amp; Rate Schedule Water &amp; Sewer System</b>             |
| <b>Appendix B</b> | <b>Application for Water and Sewer Service</b>                      |
| <b>Appendix C</b> | <b>Hardship Exemption Request Form</b>                              |
| <b>Appendix D</b> | <b>Grease and Oil Trap Quarterly Reporting Form</b>                 |
| <b>Appendix E</b> | <b>Sub-meter Application</b>  |
| <b>Appendix F</b> | <b>Water / Sewer Payment Plan</b>                                   |
| <b>Appendix G</b> | <b>Schedule of Equivalent Dwelling Units</b>                        |
| <b>Appendix H</b> | <b>General Information Related to Water &amp; Sewer Connections</b> |



**ARTICLE I  
WATER & SEWER  
GENERAL ADMINISTRATION**

**Purpose**

The purpose of this Manual is to set forth in one place the Town's policies, procedures, planning practices, standards and responsibilities that apply in administering the delivery of public water distribution and sanitary sewer collection services throughout Chesapeake Beach including billing for services and collecting fees, allocating available capacity to users, and extending, connecting, using, and maintaining water and sewer infrastructure.

**Section 1.1 Water and Sewer Systems**

**A. Authority**

The Mayor and Town Council are authorized by Md. Code Ann. Env. Art. §9-716 to adopt and maintain this Manual. Compliance with the Manual shall be mandatory.

**B. Adoption of Calvert County Standard Specifications and Details**

The Mayor and Council of the Town of Chesapeake Beach hereby adopt the Calvert County Standard Specifications and Details for Water Mains and Sanitary Sewers and State regulations as may be amended from time to time or as amended by addendum by the Town.

**C. Compliance with other Standards**

Compliance with this Manual does not relieve any person or entity from complying with other applicable Town, County, State or federal ordinances and regulations.

**D. Conflicting Standards**

This Manual shall be deemed as additional requirements to minimum standards required by other applicable ordinances and standards; in the case of conflicting requirements, the most restrictive shall apply.

**E. Update of Manual**

As design criteria and technical requirements evolve and procedures are perfected, this Manual will require revisions and improvements. Revisions will be approved in the same manner as this original document and all changes will be tracked within the document.

**Section 1.2 Definitions**

**Act** – Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq. amendments.

**Allocation** – The discrete amount of water and/or sewer service to be provided by the Town. An allocation of capacity is an assurance of water and wastewater services from the Town.

**APHA** – American Public Health Association

**Applicant** – A person, partnership, corporation, firm or governmental agency undertaking or proposing the construction of water and/or sewer improvements or other related improvements, who is primarily

responsible for the improvements, and who is acting directly or through the owner of the property to be served, or its agents or employees.

**As-Built Drawing** – Drawings that show actual location of water and sewer improvements as constructed including dimensional ties to physical structures.

**Authorized Representative of the Systems User:**

- A. In the case of a corporation, the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any person who performs similar policy or decision-making functions for the corporation.
- B. In the case of the partnership or proprietorship, a general partner or proprietor; and
- C. In the case of a federal, state, or local government facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- D. The individuals described in paragraphs A through C above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the user and written authorization, with notary, is submitted to the Town.
- E. If the authorization under paragraph D, above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph D above must be submitted to the Town prior to or together with any documents to be signed by an authorized representative.

**Availability for Hook-Up** – The project shall have attained a certificate of substantial completion by the Town Engineer, has all appropriate interior plumbing in place and approved by the County, and is ready to receive water and/or sewer service.

**Available Capacity**

- A. Treatment of Wastewater: The positive difference between the rated capacity of the Water Reclamation Treatment Plant and the rolling annual daily flow through the system, less any allocations granted but not yet used. Where applicable, the rated capacity of pump stations, conveyance systems, and interceptors shall also be taken into account. The most restrictive volume for use computation purposes prevails where rated capacities of various components of the collection system differ. The available plant capacity is rated by MDE (Maryland Department of the Environment).
- B. Supply of water: The positive difference between the applicable State water appropriation(s) for the water system or the rated capacity of the system, whichever is less, and the rolling annual average daily demand through the system, less any allocations granted but not yet used. This capacity shall include proportional adjustments which reserve amounts of water sufficient to meet maximum daily demand, provide fire protection and water system maintenance. Where applicable, the rated capacity of water treatment, distribution and storage facilities shall also be taken into account. The most restrictive volume prevails for use estimating purposes where rated capacities for various components of the water system differ. The appropriations for water are rated by the Maryland Department of the Environment.

**Average day demand** – The total volume of water used in the year divided by 365.

**Average day rate (average day)** – The average daily demand volume expressed in gallons per minute (gpm) and/or million gallons per day (mgd).

**Average Flow** – The average flow, as determined by the Town, expressed in gallons per day.

**Billing Quarter (Water & Sewer Usage)** – January – March; April – June; July – September; October – December

**Biochemical Oxygen Demand (B.O.D.)** – A standard test to determine the quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at 20 degrees centigrade, expressed in terms of weight and concentration [milligrams per liter (mg/l)].

**Bulk Allocation** – The total of available capacity less discretionary reserved allocations.

**Building Drain** – In plumbing, the part of the lowest horizontal piping of a drainage system that received the discharge from the drainage pipes inside the walls of the building and conveys it to the building sewer. The latter begins five feet outside the inner face of the building wall.

**Building Sewer** – The extension from the building drain to the public sewer or other place of disposal beginning five feet outside the inner face of the building wall.

**Bypass** – The intentional diversion of waste streams.

**Capital Contribution Charge** – A connection charge for new or increased demand of the public water and/or sewer systems. This charge reimburses the Town for an equitable portion of the costs of public water and sewer facilities such as transmission lines, pump stations and interceptor sewers.

**Categorical pretreatment standard or categorical standard** – Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Sub-Chapter N, Parts 405-471.

**CFR** – Code of Federal Regulations.

**Chemical Oxygen Demand (COD)** – A standard test to determine the amount of oxygen required to oxidize the organic compounds in a water sample to carbon dioxide and water expressed in terms of weight and concentration [milligrams per liter (mg/l)].

**Collector Sewer** – Sewer pipeline designed and constructed to convey wastewater from lateral or branch sewers to the outfall or trunk sewer.

**COMAR** – The Code of Maryland Regulations.

**Connection** – Any single property or structure connected to the public water or sewer main for which a connection fee is paid and a utility permit issued.

**Connection Tap Fee** – See Appendix A

**Construction Cost** – Includes all labor, materials, equipment and incidental work required to accomplish the project improvements as shown on the approved project plans. For Bonding, a 25% contingency shall be added to all Town approved construction cost.

**Contractor** – The party of the second part to the contract; the individual, partnership, firm or corporation undertaking the execution of the work under the terms of the contract and acting directly or through his/her, their, or its agents or employees.

**County** – Calvert County.

**Department** – The Town of Chesapeake Beach Public Works Department.

**Developer** – A person, partnership, corporation, firm or governmental agency undertaking or proposing the construction of water and/or sewer improvements or other related improvements, and who is primarily financially responsible for the improvements.

**Distribution Mains** – Water mains connecting the transmission mains to the service connections. The distribution mains may provide area-wide fire protection. Generally, the distribution mains will be in a grid or branched configuration.

**Dwelling Unit** – A dwelling or portion thereof providing complete living facilities for one family, but shall not include mobile homes, habitable travel trailers, or rooming, boarding, or lodging houses, or hotels, motels, tourist homes, or other similar places offering overnight accommodations for transients.

**Easement (Right-of-Way)** – A grant of a right of use of the property of an owner for a certain purpose at the will of the grantee.

**EDU – Equivalent Dwelling Unit** – Estimated average residential usage per unit, currently 190 gallons per day, or as revised from time to time by the Town and or MDE. Calculated residential and non-residential EDUs will be calculated on a case by case basis in accordance with Appendix F. No less than one EDU shall be assigned to any individual residential or commercial space. EDUs are assigned to a legal property/parcel and are not transferable from one location to another unassigned property without Town approval. EDUs shall be determined before a Public Works Agreement signing but does not guarantee availability until purchase. EDU's shall be paid for prior to issuance of a zoning permit unless otherwise approved by the Town.

**Engineer** – A professional engineer registered and licensed to practice in the State of Maryland.

**Final Plat Approval** – The signing and dating of a final subdivision plat by the Chair of the Town Planning and Zoning Commission.

**Force Main** – A sewer which conveys wastewater from a pumping station to a treatment plant at a higher elevation or to a higher elevation in the sewer system from which gravity flow may resume.

**GPD** – Gallons per day.

**Grab Sample** – A sample which is taken from a waste-stream without regard to the flow in the waste-stream.

---

**Grinder Pump** – A pump in a commercial/residential unit used to pressure sewer to a town wastewater collection system.

**House or Building Connection** – A water or sewer which connects a house or other building to a water distribution system or collector sewer system.

**Improvements** – The construction, installation, and/or repairing of water and sewage facilities.

**Lateral or Branch** – Sewer pipeline designed and constructed to convey wastewater from the house/dwelling/building to collector sewer.

**Lien** – For the purpose of this Manual, the word Lien shall mean a charge placed against real property for the satisfaction of unpaid fees, costs or services provided by the Town on that property.

**Manhole** – A structure providing access to a buried sewer, valve, conduit, etc.

**Master Plumber** – A registered, and licensed master plumber who is authorized to install and supervise the installation of plumbing work in Calvert County.

**Maximum Day Demand** – The largest volume of water used in one day during the year.

**Maximum Day Rate (Max. Day)** – The volume of water used during the maximum day divided by a one-day time period expressed in gallons per minute (gpm) or million gallons per day (mgd).

**Meter Factor** – A factor determined by the Town that is used as the basis for determining the demand for water based on meter size.

**MG/L** – Milligrams per liter.

**Moratorium** – The regulatory condition which occurs when inadequate capacity exists for further allocation of capacity. No allocation which increases demand will be made for systems under moratorium.

**Non-Contact Cooling Water** – Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

**NPDES** – National Pollutant Discharge Elimination System.

**Off-Site** - Those elements of the water and sewer system located either within or beyond the boundaries of an approved subdivision or development tract or parcel that are designed with capacity to serve users outside of the subdivision development tract in addition to users within the subdivision development tract.

**On-Site** - Those elements of the water and sewer system located within the boundaries of an approved subdivision designed to support only the development therein. In certain instances, water and sewer improvements may be required to be located beyond the boundaries of a subdivision but are needed to support only the development therein, and in such instances these shall be considered "on-site".

**On-Site Sewage Disposal System (OSDS)** – A wastewater treatment unit, collection system, disposal area, and related appurtenances.

**Outfall Sewer or Trunk Sewer** – Sewer pipeline designed and constructed to convey wastewater from a series of collector sewers to the interceptor sewer.

**Owner** – Property owners as recorded by the Maryland Department of Assessments & Taxation.

**Person** – Any individuals, partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or legal representatives, agent or assigns-and including all Federal, state, and local governmental entities.

**pH** – A measure of the acidity or alkalinity of a solution, expressed in standard units.

**Plans** – The official approved plans, profiles, typical cross sections, working drawings and supplemental drawings, or exact reproduction thereof that show the location, character, dimension, and details of the work to be done; and that are to be considered as a part of the contract supplementary to these specifications and which are identified as such.

**Pollutant** – Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

**Pretreatment** – The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the WRTP. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

**Pretreatment Requirements** – Any pretreatment requirements, other than a national categorical pretreatment standard, required by an industrial user by the EPA, State, or the County.

**Pretreatment Standard or Standards** – Prohibited discharge standards, categorical pretreatment standards, and local limits.

**Prohibited Discharge Standards or Prohibited Discharge** – Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Article IX of this Manual.

**Project** – The construction, reconstruction, relocation or extension of Town public water and/or sewer facilities or any combination thereof. As it relates to allocation, the term shall mean a development, subdivision, unsubdivided property, parcel, individual lot or unit, regardless of whether the use is residential, commercial, industrial or institutional/government.

**Property Line** – For the purpose of this Manual the property line is defined as where the water and sewer connections change from Town owned and maintained to property owner owned and maintained. This change of ownership is typically located in the Town right of way and occurs at a valve or meter vault for water and at a valve of clean out for sewer. In cases where these features are not located in the right of way or where the right of way is not obvious the Town may use other means to determine the owner of a water or sewer line. The Town may use a fence and ditch lines or other features to determine ownership of the water and sewer service line. The Town may also review an approved plat or improvements plan to make a property line determination

**Public Street** – Existing street or a platted street intended for or dedicated for the use of the general public, graded, paved or could be graded and paved in order that the public has the right to pass and to use it at all times for the purposes of travel, transportation or parking to which it is adapted and devoted.

**Public Use Area** – has the meaning set forth in the Town Subdivision Regulations.

**Public Works** – The Town of Chesapeake Beach Public Works Department.

**Public Works Director** - The person designated by the Town of Chesapeake Beach to supervise and manage all public works activities within the Town, and who is charged with certain duties and responsibilities by this Manual.

**Rated Capacity:**

- A. Treatment of Wastewater – The lesser of the volume recorded on the State NPDES Permit or the design volume of the treatment facility.
- B. Supply of Water – The lesser of the pumping capacity for an 18-hour period or the state groundwater appropriation permit.
- C. Pump Stations – Facilities including pumps and equipment for pumping fluids from one place to another. They are used for a variety of infrastructure systems; such as, the removal of sewage to the WRTP.
- D. Water Booster Stations – Supplies water to elevated water storage tanks where the water then flows via gravity to customers. Also used to increase operating system pressures in areas where gravity is not suitable for system demands.
- E. Water Storage Facility/Water Towers – Store water during low demand periods for distribution during high demand periods.

**Reclaimed Effluent** – Wastewater produced by a WRTP that has been treated to control pollutants and distributed for reuse.

**Reclaimed Effluent Supply Line (Purple Pipe)** – A buried transmission pipeline which transports the reclaimed effluent originating from a WRTP.

**Representative** – An authorized representative of the Town.

**Reserved Bulk Allocation** – A discretionary percentage of the bulk allocation amount annually allocated by the Town. This reserve is apportioned by the Commissioners. The Town Commissioners must stipulate specific projects and discreet amounts of capacity in accordance with the priority system for reserved bulk allocations established under this policy.

**Rolling Annual Average Daily Demand of Water** – The total flow of water into the distribution system for the preceding twelve months, divided by the number of days counted.

**Rolling Annual Average Daily Flow of Wastewater** – The total flow of wastewater through the Town's water reclamation treatment plant for the preceding twelve months divided by the number of days counted.



**Schedule of Allocation Targets** – The listing of available capacity for water and sewer systems owned, operated or maintained by the Town as found in the Town Comprehensive Plan, which is updated periodically.

**Segment** – That portion of line that the connecting developer is using that is constructed with private funds.

**Septic Tank Waste** – Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

**Severe Property Damage** – Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources.

**Sewage** – Human excrement and gray water (household showers, dish washing operations, etc.).

**SIU – Significant Industrial User:**

- A. A user subject to categorical pretreatment standards; or
- B. A user that:
  - (1) Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to the WRTP (excluding sanitary; non-contact cooling, and boiler blow-down wastewater);
  - (2) Contributes a process waste stream that makes up ten (10) percent or more of the average dry weather hydraulic or organic capacity of the WRTP treatment plant; or
  - (3) Is designated as such by the Town on the basis that it has a reasonable potential for adversely affecting the WRTP operation or for violating any pretreatment standard or requirement.
- C. Upon a finding that a user meeting the criteria in subsection B (2) above has no reasonable potential for adversely affecting the WRTP's operation or for violating any pretreatment standard or requirement, the Town, may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

**Slug Load or Slug** – Any discharge at a flow rate or concentration that would cause a violation of the prohibited discharge standards in Article 9 of this Manual.

**Specifications** – The directions, provisions and requirements pertaining to the method and manner of performing the work or to quantities and qualities of materials and workmanship to be furnished in accordance with the latest Calvert County Standards and Specifications for Construction Manual and this Manual.

**Solid Waste** – All refuse materials, other than gaseous and liquid wastes, generated from users of the wastewater collection system from all public and private establishments and residences.

**Solid Waste Disposal System** – A system, whether publicly or privately owned, which provides scheduled or systematic collection of solid wastes and their transportation to and treatment or other

disposition at a solid waste acceptance facility. A solid waste disposal system includes all solid waste acceptance facilities used in connection with the system.

**Standard Details** – The latest Town of Chesapeake Beach or Calvert County Standards and Specifications for Construction Manual or reproductions thereof which pertain to the standard method of construction of water and sewerage facilities and which are approved by the Department.

**Standard Industrial Classification (SIC) Code** – A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

**Substantial Completion** – The date the project or part thereof is accepted by Town, following submission of a Certificate of Substantial Completion by the developer when the construction is sufficiently completed, in accordance with the approved plans, so that the project or specified part of the project can be used for the purpose for which it was intended.

**Sufficient Security** – Financial instrument which guarantees funds to satisfactorily complete construction of the required water and/or sewer improvements.

**Supplemental Policy** – A supplemental policy is required under this general policy if:

- A) Available capacity is 15% or less of the rated capacity of the facility or infrastructure Proposed to serve the project.
- B) A system is under moratorium; or
- C) At the discretion of the Mayor and Town Council and in the best interest of the Town.

The supplemental policy presents additional information unique to that system. If the general policy and supplemental policies are in conflict, the supplement policy prevails.

**Tap Fee** - A Town inspection charge for a new or replacement water or sewer connection to a town water or sewer system.

**Testing Requirements** – Unless otherwise specified, all tests shall be performed in accordance with the latest State of Maryland COMAR guidelines.

**Town** – The Town of Chesapeake Beach.

**Town Administrator** – The duly authorized representative of the Town responsible for overseeing all administrative functions of the Town, subject to the oversight and supervision of the Mayor. The Town Administrator provides direct oversight of the Town Engineer, Planning and Zoning Administrator, Utility Billing Coordinator and Public Works Director and in all instances, the Town Administrator will coordinate with any or all of those individuals in order to determine the appropriate course of action for the Town and may designate another person to carry out specific duties.

**Town Engineer** – A professional engineer registered and licensed to practice in the State of Maryland, employed by the Town and who is in with direct supervision of water and sewer engineering.

**Town Public Works Agreement (PWA)** – A contract specifying the terms and conditions for completion of public improvements by a developer including plans and supporting documentation required to issue a permit for the construction of public water and sewer infrastructure by the department.

**TSS – Total Suspended Solids** – Solids that either float on the surface of or are in suspension in water, wastewater, or other liquids, and which are largely removable by laboratory filtering, or the quantity of material removed from wastewater in a laboratory test.

**Units (Commercial)** – A space within a property which shares a common water meter.

**Units (Residential)** – Independently occupied residential property with a single water meter. Separate water meters will not be required for condominiums.

**USC** – United States Code.

**Wastewater** – Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the WRTP.

**Wastewater Collection System** – All plants, systems, facilities or properties used or useable or having the present capacity for future use in connection with the collection, carrying away, treating, neutralizing, stabilizing, or disposal of wastewater, industrial wastes or other wastes, and any integral part thereof, including water reclamation plants, outfall sewers, force mains, pipes, pipe lines, conduits, equipment, appurtenances, and all properties, rights, easements, and franchises related thereto and deemed necessary or convenient by the department for the operation thereof.

**Wastewater Pump Station Service Area** – The area that a wastewater pump station serves.

**Wastewater Service Area** – The area served by, or potentially served by, the Town as shown on the adopted Water and Sewer Plan Maps.

**Water Reclamation Treatment Plant (WRTP)** – That portion of the Publicly Owned Treatment Works (POTW) that is designed to provide treatment of municipal wastewater and industrial waste.

**Water and Sewer Allocation Eligibility List** – The list of potential users for water and sewer within the service area. Applications for allocation eligibility does not guarantee water or sewer service to the project owner.

**Water Service Area** – The area served by, or potentially served by, a single distribution system under the control of a single utility, or, in a very large system, sub-areas delineated by the Town as shown on Town and/or County Water and Sewer Plan Maps.

**Water System** – All plants, systems, facilities or properties used of useful or having the present capacity for future use in connection with the supply or distribution of water and any integral part thereof, including water supply systems, water distribution systems, reservoirs, dams, wells, intakes, mains, laterals, pumping stations, standpipes, filtration plants, purification plants, hydrants, meters, valves and equipment, appurtenances, and all properties, rights and easements relating thereof and deemed necessary or convenient by the Town for the operation thereof.

**WRTP Superintendent** – The person designated by the Town to supervise the operation of the WRTP, and who is charged with certain duties and responsibilities by this Manual.

**Zoning Permit**- A document issued by the Zoning Administrator affirming that a proposed project at a specific site or a proposed use of a specific property or part thereof subject to the provision of the Town Zoning Ordinance, are in compliance with those provisions.

### **Section 1.3 Sewer and Water Rates**

The Council may by ordinance establish the rates for consumption of water and discharge of wastewater in the Town. (See Appendix A for Fee Schedule)

### **Section 1.4 Collection and Billing for Water and Sewer**

All water and sewer rates shall be billed to and collected from the owner on or into whose premises water or sewer is introduced, and it shall be the duty of the Town to send a bill each quarter. The Town will demand, collect and recover from the persons who are the owners of the property charged, the amounts respectively due by each; and if the bill remains unpaid after 30<sup>th</sup> day of the billing month in any year, it shall be the duty of the Town Administrator to give at least fifteen (15) days' notice in writing to the effect payment is due, with late charges per Appendix A if the delinquent payment is not paid at the expiration of the time stated in such notice, the delinquent owners will be deprived of the use of the water system, and legal measures may be instituted to recover the monies due.

### **Section 1.5 Receipts for Payments**

The Town, at the time of demanding and receiving any sewer and/or water payments, shall deliver a receipt to the person making the payment. Canceled checks may serve as written receipts.

### **Section 1.6 Payment to be in Full unless in accordance with an Approved Payment Plan**

On limited occasions, customers may need a onetime extension to pay their water/sewer bills. An extension and Deferred Payment Plan may offer qualifying customers an opportunity to temporarily extend the disconnection date of their water/sewer account. See Appendix C – Hardship Exemption Form. To determine eligibility for a payment extension and payment plans, a customer must provide the following:

- The customer's payment history
- Age of past-due amount
- Timeliness of prior payments
- Copy of Driver's License

Extensions and deferred payment plans must be submitted prior to a customer's scheduled disconnect date. A user may only select one or the other. Users cannot request an extension and later request a payment plan. All Deferred Payment Plans must be requested prior to the users scheduled disconnect date.

If a user requests a week's extension, the Town will review the status of the account to determine if a payment extension can be granted. If the account is otherwise in good standing, the Town will offer the user a week's extension from the scheduled disconnect date.

Unusual circumstances may warrant a payment plan that allows the user to spread out payments. Extensions and deferred payment plans do not prevent the users payment from being considered late,

which would lead to additional charges. The account will incur a late payment and interest charge per Appendix A on any amounts in arrears if payment is not received in full by the due date, regardless of payment plan or extension approval.

### **Section 1.7 Delinquent Accounts**

- A. The Town Administrator shall prepare a list of all delinquent accounts that have been notified as directed in Section 1.4 and that are not paid at the time outlined in such notice for sewer and/or water. The Director of Public Works, when authorized by the Mayor, shall thereupon shut off the water, and in no case shall the water be turned on until all payments and assessments due, expenses and penalty charges are paid against the delinquent account. No person shall turn the water on again after the water has been turned off unless so approved by the Town.
- B. When water shutoff is directed by the Town, the occupant and owner will be notified, and the water shall be turned off.
- C. All shutoff charges will be assessed in accordance with Appendix A. Continued nonpayment may result in a lien being placed on the subject property.

### **Section 1.8 Payment and Adjustment of Rates; Discontinuances**

- A. Meters are read at the end of the quarter and billed within 30 days thereafter. Accounts shall be considered in arrears if not paid in full by the due date stated on the bill, along with applicable late fees and/or penalties per Appendix A (also see delinquent accounts). Default on payments for 6 months (two billing periods) may result in a lien on the property for the balance due, including all charges penalties, administrative or processing fees and any legal expenses incurred by the Town.
- B. Any user who desires to discontinue such service shall give five working (5) days' notice of their intentions to the Town Administrator in writing, who shall thereupon notify the Director of Public Works. The Director of Public Works shall promptly turn off the water to such premises, and no person shall turn on the water leading to the premises or to any property supplied with water except at the direction of the Director of Public Works. Water shall not be supplied to such premises again except by the Director of Public Works, who shall turn the water on again only after the owner shall have made application (Appendix B) as herein provided and has been granted the right to be supplied with water in the same manner as a new applicant for the use of water; provided that water shall not be furnished to any such property unless all amounts due and owing for water previously supplied to the property have been first paid to the Town. All fixed charges and the Bay Restoration Fee shall continue to accrue during any period when water service is temporarily discontinued.
- C. Where the sewer and/or water is carried or conveyed from one property to another property having no pipe connecting with the sewer and/or water system, each property so supplied shall be charged the prevailing sewer and/or water rates.
- D. Water shutoff or turn-on.

(1) Water shutoff or turn-on will be directed by the Town Administrator.

- (2) There shall be a charge per Appendix A assessed to the property owner when a request is received from a property owner for water service to be disconnected or restored.
  - (3) Any other person who turns water on or shuts water off without prior authorization from the Town Administrator shall be guilty of a municipal infraction subject to a fine as outlined in Appendix A. If the shutoff is an emergency this fee may be waived by the Town Administrator.
  - (4) Plumbers, contractors or any other person may shut water off and turn water on in an emergency situation, such as broken pipes, frozen meters or on weekends or other times when Town Hall is closed. The Town Administrator shall be notified by the plumber, contractor or other person of the location and time of shutoff or turn-on within two (2) hours during normal working hours or within the next working day on evenings, weekends, and holidays.
- E. There shall be a returned check fee per Appendix A assessed to any person who submits a check to the Town of Chesapeake Beach in payment of his/her water and/or sewer account/monies due in the event that said check is returned by the bank for insufficient funds or if for any other reason the check is not valid.

### **Section 1.9 Application for Service**

- A. Every person who may desire to contract for a new or upgraded supply of water and/or sewer service(s) to an individual unit or a subdivision within the Town shall make written application to the Town, by completing Appendix "B" Public Water and Sewer Connection Permit Application.
- B. Any construction, renovation or building modification that creates a separate living area that includes a bathroom and a kitchen with a separate entrance shall be considered the creation of a living unit and shall be subject to a connection and/or allocation fees and separate quarterly billing charges for each unit. Any construction, renovation, or building modification that results in the elimination of a living unit shall be subject to the forfeiture of the allocation and separate billing for the eliminated living unit. The owner shall petition the town to have the unit removed from the town billing system. Prior to the start of construction, the property owner shall fill out the water/sewer applications and obtain approval from the Town.
- C. Any existing property with an accessory building that has unused water and sewer connections can be reactivated at the request of the owner with the institution of the "ready to serve" or "quarterly base rate" fee. A change of use approval may be required by Town Planning and Zoning Commission.
- D. Water and sewer allocations and billing for commercial/industrial facilities shall be billed in accordance with Appendix A.

### **Section 1.10 Sewer and Water Connection Fees**

- A. The Town Council may by ordinance set water and/or sewer connection fees. See Appendix A.
- B. For commercial uses, the applicant shall provide such information or data as may be required by the Town Administrator to determine the amount of water and/or sewer that will be used by said commercial use. See Appendix F.

- C. When a commercial property is occupied, or if the Town determines that a change of use has occurred, the Town shall, based upon water meter readings, review the number of connection units assessed upon initial connection of the use to make certain that the number of connection units actually in use by the customer are the same or different from than those originally assessed. If the number of connection units exceeds those originally charged at the time of initial connection of the commercial use, the Town shall assess the appropriate additional connection fee. The additional connection fee shall be based on the fees in effect at the time of the additional assessment.

When a property owner applies for a building permit for an existing property that adds additional demand on the water and sewer systems, the Town will review the status of any previously paid Capital Contribution Charges. The Town will determine whether any increase in the Capital Contribution Charge is warranted as a result of increased costs associated with the Capital Contribution Charge since it was previously paid and/or determine whether an increase in the Capital Contribution Charge is warranted as a result of a change in the use of the property.

- D. Water and sewer taps will only be issued with an approved Town Zoning permit.
- E. The sale of a water and sewer tap connection is a voidable transaction if the property owner does not complete construction under the Zoning permit before the expiration of the permit and any extension thereof, in which the Town would refund the cost of the tap.
- F. Water and sewer tap connections cannot be sold or otherwise transferred to another person or entity for use with respect to a property other than the property for which the related zoning permit has been issued.

### **Section 1.11 Off-Site Improvements and/or Extensions**

- A. The Property Owner shall pay the entire cost of on-site water mains, fire hydrants, water connections, sewers, building connections and all appurtenances.
- B. When off-site improvements and/or extensions are required for the benefit of the property owner, the Property Owner shall fully fund and install them, or at the Town's discretion, deposit with the Town the funds necessary to either complete the improvements or reimburse the costs of improvements previously installed. The Town may establish a reimbursement program designed to reimburse a Property Owner for the increment of costs above and beyond that needed to support the Property Owner's subdivision or development, using funds paid by other Property Owners who are required to use these same off-site improvements.

### **Section 1.12 Services Ready to Use**

No Property Owner to which water and sewer service are available may avoid making or repairing a connection that does not meet code. Properties where services have or can be provided may not use or continue to use substitute measures to avoid making proper connections, repairs or avoid hookup fees. Notwithstanding the foregoing, for any property that is used exclusively for secondary or primary education and that contains fields that are used for student athletic events, an existing well may continue to be used for irrigation, watering, and maintenance of the athletic fields so long as such water used does not enter the wastewater treatment system of the Town.

Failed septic systems must be abandoned according to Maryland State and County regulations and the property owner must connect to public water and/or sewer when available within 500 feet of their property. A property may not be occupied without an actively working water and sewer system.

### **Section 1.13 Disputes**

If a property owner or user with a water and/or sewer account(s) has a dispute with the Town over any item within this manual, the property owner or user must provide a letter to the Town Administrator outlining the dispute. The Town will diligently respond to each complaint.

## **ARTICLE II GENERAL PROVISIONS - WATER**

### **Section 2.1 Water Connections**

- A. Whenever a water main is extended so as to be accessible to any property, the Town shall notify owners of all unconnected properties within 200 feet of the main and the property owner shall make connection therewith, in accordance with this Manual, generally within six months of such notice unless the owner makes application to the Town for extenuating circumstances (Appendix C). The Town will review the application and advise the owner whether an extension is granted.
- B. Separate water building connections for each separate lot or parcel of land abutting on a street, easement, alley or right-of-way in which there is a water main belonging to the Town, shall be constructed by the owner of said lot or parcel of land from such property line to the building.
- C. Whenever it shall be determined that a water building connection was constructed without a permit or in violation of the terms and conditions upon which a permit was issued, the water connection thereto may be cut off at the stopcock or within the public right-of-way until the proper connection(s) have been made to comply with all of the conditions of this Manual or, in the alternative, the Town may, after notice to the property owner, cause the defect to be corrected and charge the expense thereof to said property owner for payment before water service is restored.
- D. Water connections for properties not abutting directly on the water shall connect as outlined in paragraph A above unless otherwise approved by the Town.
- E. No connection shall be made to any water service pipe between the water main and the meter, except as the Town may install or approve. If such unlawful connection is found, the building connection will be cut off at the main until such unlawful connection is disconnected and abandoned. Any expense to which the Town shall be subjected due to the above work shall be paid for before service is restored.



- F. If it is found that an unlawful connection has been made to bypass a detector check or meter in order to illegally obtain unmetered water, the detector check will be removed and replaced by a suitable meter. The cost to the Town of such removal and replacement and any fines or fees shall be paid for by the property owner before service is restored. Water and/or sewer charges shall be established by the Town Council from time to time as outlined in Appendix A.

## **Section 2.2 Temporary Water Services**

Temporary water service for building or other construction work may be furnished as follows: Upon the filing of a request and application and the payment of fees and bonds, a Town provided temporary water meter and connection may be installed by a Calvert County approved licensed plumber at the direction of the Town. When the applicant has finished the connection, the licensed plumber will request the meter to be read and shall, with Town approval, remove the entire connection to the property line. The cost of the removal of the connection plus the meter service charge plus the charge for the water used, computed at the regular consumption rates, will be deducted from the deposit and the remainder, if any, returned to the consumer. If the total charges exceed the deposit, the consumer will be billed for the excess. All costs shall be paid prior to a permanent connection being made.

## **Section 2.3 Tapping Mains; Performance of Work**

Tapping or making a connection for a new or replacement connection to any service main constructed in any street or public right-of-way will be made at the expense of the property owner who shall be required to pay all fees and construction costs. A licensed contractor shall install a meter pit at the property line (unless the Town agrees to an alternative location in writing) and connect the service pipe to the service main. No service main, whether owned by the Town or by the property owner, shall have a diameter less than three-fourths (3/4) of an inch, unless otherwise approved by the Town.

## **Section 2.4 Responsibilities**

- A. Town will maintain and repair Town assets at its sole expense. The Town is responsible for the water meter and water meter vault.
- B. Non-Emergencies – The property owner is responsible for the repair and maintenance of the water and sewer connections from the property line or public easement line to the building and of all lines, piping and fixtures in the building and on the property itself. The property owner is responsible for all costs resulting from leaks and repairs of their lines. It is the property owner's responsibility to locate any leaks and have them repaired at his/her own expense, and property owner is responsible for all water and sewer costs resulting from leaks located between the property line or easement line to any faucet or sprinkler head, as well as for normal sewer and water costs. The Town may do maintenance or repairs when it deems a condition to constitute an Emergency (See Section 2.4B).
- C. Emergencies – Upon discovery of a water and/or sewer system leak (or failure) constituting a threat of harm to public health, safety or welfare, the Town will determine if the leak is located in facilities owned and/or maintained by the Town, in which case it will repair the leak. If the leak is not the Town's responsibility, the Town will use its best efforts to notify the property owner immediately. If the Town does not believe the leak is a threat of harm to the public health, safety or welfare, the owner will be told that it is his/her responsibility to

have the leak repaired within 14 consecutive days by a plumber licensed by Calvert County, at the owner's expense. If the property owner fails to take the corrective action within the 14 days, the Town may perform such repair work. If the Town deems the leak to be an emergency and a threat to the general public health, safety or welfare, the Town may take immediate action to correct the leak. Such actions may include immediately turning off the water supply to the property. All cost incurred by the Town, including overhead and assistance from any contractor, to correct a property owner's leak shall be paid by the property owner within 90 days of the repair or the Town may place a lien on the property until such time as payment is made.

- D. If the Town water valve for the property can stop a leak for which the property owner is responsible, a shut off fee will be assessed and the Town will shut off the water. After the property owner makes the necessary repair, the Town will turn the water back on and assess a turn on fee. If the leak cannot be stopped by shutting off the connection to an individual property and the owner is not available to authorize said repair, the Town may proceed with such repair in its discretion repair a leak in the exterior yard of the structure. The Town will not enter private property without a warrant.

### **ARTICLE III METERS**

#### **Section 3.1 Meters and Meter Locations**

- A. The Town shall furnish with each property served by public a water meter of a size and type deemed suitable for the installation contemplated. Meters shall be paid for by the property owner in accordance with Appendix A. The water meter shall remain under the ownership of, and will be maintained by, the Town. New meters shall be installed by a Calvert County certified plumber and under the supervision of the Town.
- B. All new meter installations shall be at the property line, right-of-way line or easement, unless otherwise approved by the Town, and the Town shall determine the size and type of the water meter and type of the settings required for placement. Outside meters will be used, except with special permission from the Town where obstructions or other considerations require that they be placed inside the building, in which case they shall have a remote head placed in a convenient location, that can be read from outside the building and be set as the Town shall require. When the water meter is set inside the building (if approved by the Town for extenuating circumstances), the property owner will be held responsible for the protection of the meter from damage due to freezing, tampering or vandalism and will make it available to the Town for meter reading, maintenance, repair or removal. Any requests for installation of a sub-meter shall be submitted to the Town in accordance with Appendix E. Repairs and replacements of a damaged meter shall be at the expense of the property owner. No water bypass devices of any kind shall be used to circumvent the meter.

#### **Section 3.2 Control and Supervision of Meters; Repairs**

- A. The meter shall at all times be accessible to the Town or its agents. In the event any meter shall fall into a state of disrepair or fail to register, the property owner shall be charged by using the reading of for the same quarter of the previous year, if available, until the meter can be repaired

or replaced. If a previous year reading is not available, an average reading from similar users during the same quarter will be used. If Town access to a meter causes lost water or incorrect readings, the Town may estimate those losses and charge the property owners accordingly. When a meter is replaced at the Town's request it shall be at the Town's expense. If a meter is changed at the property owner's request and is found to be working properly and providing accurate readings by the Town, it shall be at the owner's expense.

- B. Water meter accuracy test is to be conducted by a Town qualified water meter person. No accuracy test shall be performed without a written request by the property owner and payment to the Town, per Appendix A. In the event the meter is found to be in error, all paid fees will be returned to the property owner.
- C. All meters shall be made accessible to the designated Town staff member for purpose of reading and repair. If a meter is not accessible, the Town will request that the property owner to make it accessible. The Town may deem accessibility an emergency (see Section 2.4) if the request is not complied with within 90 days of the town's request.

### **Section 3.3 Tampering or Interfering with Meters**

- A. No person shall interfere with the Town, its agents or employees during installation, repair, replacement, reading, examination or removal of any meter, nor shall a person or tamper with, alter the reading of, deface, injure, destroy or disconnect any meter or any connection thereto, or use water otherwise than through a meter. Any water connection to the premise of any consumer who, by himself or herself or through an agent, permits any of the unlawful acts set forth in this section may be cut off without notice.
- B. The provisions of the preceding subsection shall not be construed to exempt any person who may have been fined for a violation thereof, or who may be charged with a violation thereof, from an action for damages on account of such violation brought by the Town.
- C. It shall be the property owner's responsibility to pay the cost of any necessary repairs or replacement of a meter that has been tampered with as set forth in this Manual and Appendix A.

## **ARTICLE IV MATERIALS AND MAINTENANCE**

### **Section 4.1 Use of Private Water and Sewer (Outside Buildings)**

The use of outside private water and sewer pipes and connections thereto shall be reviewed and approved by the Town.

### **Section 4.2 Inspections and Repairs to Prevent Waste of Water**

The Town or its duly authorized agent is authorized and empowered, upon reasonable notice and in compliance with all applicable provisions of law, to enter and inspect the premises of any consumer of water for the purpose of ascertaining the number of EDUs that should be assessed for the property and the character of all service connections on such premises and the condition thereof, and for the purpose of investigating whether there is any unnecessary waste of water. In case any unnecessary waste of water

shall be found to result from want of repair in the pipes or other fixtures, the owner or occupant of such premises shall be notified to have the necessary repairs made immediately, and upon his/hers neglect or refusal to do so, the Town shall shut off the water from such premises. No person shall turn on such water before the necessary repair permits or permission for use have been made and approved by the Town. All applicable fees associated with the water and shut off and turn on and any other applicable fees per this Manual must be paid before water service will be restored to the property.

#### **4.3 Renewal of Water / Sewer Lateral Extension**

After the initial connection from the Town main has been made and through time and deterioration the service lines may be replaced as determined by the Town, the Town will replace the water extension from the main to the property line or meter vault at the Town's expense.

### **ARTICLE V WATER USE CURTAILMENT**

#### **Section 5.1 Authority of Mayor to Order Curtailment**

The Mayor is hereby authorized and empowered, whenever in his/her judgment he/she shall think it necessary for the preservation of the public health and safety, to suspend, curtail, regulate and prohibit the use of water from the municipal water system of the Town.

#### **Section 5.2 Notice to Consumers to Curtail Unnecessary Use**

The Mayor is hereby authorized and empowered to give notice for all consumers of water to curtail, regulate or refrain from the use of water for all or any of the purposes specified in this Article.

### **ARTICLE VI UNLAWFUL AND PROHIBITED ACTS**

#### **Section 6.1 Unlawful Opening of Fire Hydrants**

No person other than an authorized employee of the Town or a member of a Fire Department acting under orders of their proper superior in the performance of their duties may operate a fire hydrant unless in possession of written permission from the Town to do so.

#### **Section 6.2 Prohibited Acts Generally**

No person shall connect to, make improvements to, access or cause harm to any of the Town's water and sewer system without permission from the Town and this Manual.

#### **Section 6.3 Unlawful Connections or Ferrules**

No person shall, without proper authority, introduce a ferrule into any public or private pipe, or form any connection or communication whatsoever with any public or private pipe and/or the Town's Water and Sewer System.

### **Section 6.4 Penalties**

If any property owners, customers, tenants, applicants, persons, firms, associations or corporations tamper in any way with the Town's Water and Sewer System, he/she shall be guilty of a municipal infraction subject to a fine of One Thousand dollars (\$1,000) per infraction and will be required to pay all fees and charges necessary to correct the cause of the infraction along with any estimated loss of revenue or damage to the Town.

## **ARTICLE VII GENERAL PROVISIONS – SEWERS**

### **Section 7.1 Connections, Openings or Alterations: Permit Required**

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining permission and/or a permit from the Town.

### **Section 7.2 Water Pollution Prohibited**

It shall be unlawful to discharge to any natural outlet within the Town or in any area under the jurisdiction of the Town any sanitary sewage, industrial wastes or other polluted waters except where suitable treatment has been provided in accordance with the provisions of this Manual.

### **Section 7.3 Connection to Public Sewer**

Whenever a public sewer is extended so as to be accessible to any property, the Town shall notify owners of all unconnected properties within 200 feet of the sewer and the property owner shall make connection therewith, in accordance with this Manual, generally within six months of such notice unless the owner makes application to the Town for extenuating circumstances (Appendix C). The Town will review the application and advise the owner whether an extension is granted.

### **Section 7.4 Out of Town Regulations**

Properties outside of Town are subject to an Interjurisdictional Agreement with North Beach, Anne Arundel County and Calvert County.

### **Section 7.5 Septic Tank and Cesspools Restricted**

Except as otherwise provided in this chapter, it shall be unlawful to construct or maintain a storage tank, vault, septic tank, cesspool or other facility intended or used for the disposal of sewage within the Town unless otherwise approved by the Town.

### **Section 7.6 Sanitary Maintenance and Use of Septic Tanks and Cesspools**

Septic facilities not prohibited by this Manual shall be maintained by the owners thereof in a sanitary condition satisfactory to the County and/or State Board of Health and shall be emptied and cleaned by such means and in such manner as prescribed by the Board. The property owner shall submit bi-annual reports to the Calvert County Health Department documenting that the septic system is being properly operated and maintained. These reports shall be signed by a Master Plumber.

### **Section 7.7 Damaging or Destroying Sewage Works Equipment**

No person shall maliciously, negligently or without authority break, damage, destroy, uncover, deface, cause to be inaccessible, or tamper with any structure, appurtenance or equipment which is part of the sewage works.

### **Section 7.8 Notice of Violations**

Any person found to be violating any provisions of this Manual shall be served by the Town with written notice stating the nature of the violation and directing the satisfactory correction within 30 business days thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

### **Section 7.9 Violations and Penalties**

Any person guilty of violating any provisions of this Manual shall be guilty of a municipal infraction and shall be subject to a fine not to exceed One Thousand dollars (\$1,000) payable within 30 days of notice.

### **Section 7.10 Liability of Damages**

Any person violating any provision of this article shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation.

### **Section 7.11 Responsibilities**

- A. Town will maintain and repair Town assets at its sole expense. The Town is responsible for the sewer cleanout at the property line in the Town right of way
- B. Non-Emergencies – The property owner is responsible for the repair and maintenance of the water and sewer connections from the property line or public easement line to the building and of all lines, piping and fixtures in the building and on the property itself. The property owner is responsible for all costs resulting from leaks and repairs of their lines. It is the property owner's responsibility to locate any leaks and have them repaired at his/her own expense, and property owner is responsible for all water and sewer costs resulting from leaks located between the property line or easement line to any faucet or sprinkler head, as well as for normal sewer and water costs. The Town may do maintenance or repairs when it deems a condition to constitute an Emergency (See Section 2.4B).

- C. Emergencies – Upon discovery of a water and/or sewer system leak (or failure) constituting a threat of harm to public health, safety or welfare, the Town will determine if the leak is located in facilities owned and/or maintained by the Town, in which case it will repair the leak . If the leak is not the Town’s responsibility, the Town will use its best efforts to notify the property owner immediately. If the Town does not believe the leak is a threat of harm to the public health, safety or welfare, the owner will be told that it is his/her responsibility to have the leak repaired within 14 consecutive days by a plumber licensed by Calvert County, at the owner’s expense. If the property owner fails to take the corrective action within the 14 days, the Town may perform such repair work. If the Town deems the leak to be an emergency and a threat to the general public health, safety or welfare, the Town may take immediate action to correct the leak. Such actions may include immediately turning off the water supply to the property. All cost incurred by the Town, including overhead and assistance from any contractor, to correct a property owner’s leak shall be paid by the property owner within 90 days of the repair or the Town may place a lien on the property until such time as payment is made.
- D. If the Town water valve for the property can stop a leak for which the property owner is responsible, a shut off fee will be assessed and the Town will shut off the water. After the property owner makes the necessary repair, the Town will turn the water back on and assess a turn on fee. If the leak cannot be stopped by shutting off the connection to an individual property and the owner is not available to authorize said repair, the Town may proceed with such repair in its discretion repair a leak in the exterior yard of the structure. The Town will not enter private property without a warrant.

## **ARTICLE VIII BUILDING SEWERS AND CONNECTIONS**

### **Section 8.1 Installations, Connection and Replacement Costs; Indemnification of Town**

- A. All costs and expense required for the installation and connection of the building sewer shall be borne by the owner only after the approval of the Town. Owner shall indemnify the Town from any loss or damage that may be caused directly or indirectly by the installation of the building sewer. Only licensed contractors approved by Town shall be permitted to do installations. Capital connection fees shall be paid at the time of zoning approval.
- B. If the initial connection from the public sewer has been made and the Town determines that the building sewer may need to be replaced, the Town will replace building sewer from the main to the property line or public easement (at the cleanout) at the Town’s expense. The Property Owner shall be responsible for all costs from the property line or public easement, with exception of the cleanout, to the building drain. The Town shall restore the work area within the right-of-way only. The owner shall restore the work area on their property back to original conditions.

### **Section 8.2 Separate Sewers for Each Building; Exception**

A separate and independent building sewer shall be provided for each commercial property and each dwelling unit. A condominium will only require one connection and would be considered one unit.

### **Section 8.3 Use of Old Sewers for New Buildings**

Old building sewers may be used in connection with new buildings only when they are found by the Town, on examination and test by the Applicant to be in sound condition and to meet all requirements of this Manual.

### **Section 8.4 Sewer Elevation, Location and Grade**

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within five (5) feet of any bearing wall. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment (2% minimum slope unless otherwise approved by the Town).

### **Section 8.5 When Pumps Required**

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by a Town approved pump station and discharged to the building sewer. All sewage pumps will require permanent connection to a standby generator capable of running the pump.

### **Section 8.6 Safeguards and Barricades; Restoration**

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

### **Section 8.7 Inspections and Supervision of Connections by Superintendent**

The applicant for the sewer permit shall notify the Town when the building sewer is ready for inspection by the County and connection to the public sewer. The connection shall be made under the supervision of the Town or his/hers representative and shall be constructed in accordance with this Manual. The latest edition of the Calvert County Water and Sewer Manual shall be used for construction for items not specifically outlined within this Manual.

## **ARTICLE IX USE OF PUBLIC SEWERS**

### **Section 9.1 Prohibited Use of Sanitary Sewers**

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or industrial process waters to any sanitary sewer.

### **Section 9.2 Prohibited Waters and Wastes**

Except as otherwise provided in this Article, no person shall discharge or cause to be discharged any of the following:



- A. Any liquid vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F).
- B. Any water or waste which may contain more than one hundred (100) parts per million, by weight, of fat, oil or grease.
- C. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- D. Any residential garbage that has not been properly shredded.
- E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- F. Any water or wastes having a pH lower than six point zero (6.0) or higher than nine (9.0) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment plant.
- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the water reclamation treatment plant.
- I. Prescription drugs and/or over the counter medications in general are a danger to wildlife and people. Unwanted or unused items should be turned into the County as Hazardous Chemicals.

### **Section 9.3 Grease and Oil Traps**

- A. The regulations in this article shall apply to establishments where food is served to or provided for the public, with or without charge, including, but not limited to restaurants; bed and breakfasts, fire halls, cafeterias, hotel kitchens, church kitchens, school kitchens, bars, or any other commercial operation that has the potential to discharge grease laden wastewater; hereafter referred to as Food Service Establishments (FSE). These regulations shall provide for the use of interceptors or traps to prevent liquid waste containing fats, oils, grease, etc. from entering a public or private sewer or WRTP plant.
- B. All interceptors shall be of a type and capacity approved by the Town and Calvert County Health Department and shall be located as to be readily and easily accessible for cleaning and annual inspection.
- C. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.
- D. Interceptors shall not be required for private living quarters or dwelling units.

- E. All grease and oil separators shall be maintained regularly to function properly. These separators shall be inspected quarterly and reported to the Town. See Appendix D for Grease and Oil Trap Reporting Form.
- F. Noncompliance with the reporting form or improperly maintaining the grease trap shall result in the Town disconnecting water to the property.

#### **Section 9.4 Maintenance of Interceptors**

- A. All interceptors shall be of a type and capacity approved by the Calvert County Health Department and shall be located as to be readily and easily accessible for inspection by the Town annually.
- B. Maintenance of interceptors. Where installed, all grease and oil trap shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
- C. All establishments that are required to have grease or oil interceptors, must maintain a log indicating frequency of waste retrieval by a Maryland approved salvage contractor. The log and a copy of the waste removal contract must be available at all times for inspection by the Town and reported quarterly (See Appendix D).

#### **Section 9.5 Wastewater Reclamation Treatment Facilities**

The Town maintains and operates a 1.5 MGD Treatment Plant in accordance with an Interjurisdictional Agreement with Calvert County, Anne Arundel County and the Town of North Beach.

#### **Section 9.6 Maintenance of Facilities by Owner**

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at their expense.

#### **Section 9.7 Control Manholes on Property Producing Industrial Wastes**

When required by the Town, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Town. The manhole shall be installed by the owner at their expense and shall be maintained by same so as to be safe and accessible at all times.

#### **Section 9.8 Standards for Measurements, Tests and Analyses**

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made shall be determined in accordance with Standard methods for the Examination of Water and Sewage and shall be determined at the control manhole provided for in Section 9.8 or upon suitable samples taken at such control manhole. In the event no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

### **Section 9.9 Special Arrangement for Industrial Concerns**

No statement contained in this Manual shall be construed as preventing any special agreement or arrangement between the Town and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore by the industrial user to treat the waste.

## **ARTICLE X PRIVATE SEWAGE DISPOSAL**

### **Section 10.1 When Authorized**

Where a public sanitary sewer is not available under the provisions of Section 7.4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Manual.

### **Section 10.2 Permit Required; Application; Fee**

Before commencement of construction of a private sewage disposal septic system, the owner shall first obtain a written permit signed by the Town. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Town. A permit and inspection fee per Appendix A shall be paid to the Town at the time the application is filed.

### **Section 10.3 Effective Date of Permit; Inspections; Notice of Inspection**

Usage of a private sewage disposal septic system shall not become effective until the installation is completed to the satisfaction of the Town and County. The Town shall be allowed to inspect the work at any stage of construction, and in any event the applicant for the permit shall notify the Town when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within two working days of the receipt of notice by the applicant.

### **Section 10.4 Compliance with State Health Requirements**

The type, capacity, location and layout of a septic tank treatment system associated with a private wastewater sewage disposal system shall comply with all recommendations of the Calvert County Health Department.

### **Section 10.5 Other Restrictions on Issuance of Permit; Prohibited Use of Sewers**

No permit shall be issued for a new septic sewage disposal system unless a planned or available public sewer line is not within 200 feet of the property and approval of the septic system is given by the Calvert County Health Department. No septic tank shall be permitted to discharge to any public sewer or natural outlet.

## **Section 10.6 Sanitary Operation and Maintenance**

If a septic system is approved per Section 10.5, the property owner shall operate and maintain the system in a sanitary manner at all times, at no expense to the Town. The property owner shall submit bi-annual reports to the Calvert County Health Department documenting that the septic system is being properly operated and maintained. These reports shall be signed by a Master Plumber.

## **APPENDICES**

**Appendix A Fee & Rate Schedule Water & Sewer System**

**Appendix B Application for Water and Sewer Service**

**Appendix C Hardship Exemption Request Form**

**Appendix D Grease and Oil Trap Quarterly Reporting Form**

**Appendix E Sub-meter Application**

**Appendix F Water / Sewer Payment Plan**

**Appendix G Schedule of Equivalent Dwelling Units**

**Appendix H General Information Related to Water / Sewer Connections**



**APPENDIX A**  
**FEE & RATE SCHEDULE**  
**WATER & SEWER SYSTEM**  
**TOWN OF CHESAPEAKE BEACH, MARYLAND**  
**JULY 1, 2019**

**WATER / SEWER PLAN REVIEW FEES:**

**Review / Preliminary Plans**

- Public Water and Sewer \$ 300.00
- Private Water or Sewer \$ 250.00

**Minor Subdivision Plan (1-7 Lots)**

- Public Water and Sewer \$ 500.00 + \$50.00/Lot
- Private Water or Sewer \$ 400.00 + \$40.00/Lot

Resubmitted plans that do not adequately address all comments are subject to an additional charge of 50% of Review Fee. (Up to a maximum charge of \$1,000 preconstruction plan).

**Major Subdivision Plan (>7 Lots)**

- Public Water and Sewer \$ 1,000.00 + \$100.00/Lot
- Private Water or Sewer \$ 750.00 + \$75.00/Lot

(Up to a Maximum charge of \$5,000 per construction plan).

**Minor Site Plan (1-7 Lots)**

- Public Water and Sewer \$ 125.00 + \$100.00/EDU
- Private Water or Sewer \$ 90.00 + \$74.00/EDU

(Up to a maximum charge of \$2,000 per construction plans).

**Major Site Plan (>7Lots)**

- Public Water and Sewer \$ 1,500.00 + \$150.00/EDU
- Private Water or Sewer \$ 1,200.00 + \$120.00/EDU

(Up to a Maximum charge of \$7,000 per construction plan).

**Administrative Water/Sewer Application Fee**

\$ 200.00

To be collected with Submittal of any water and/or sewer construction plans/connection application/permit request.

**Public Sewer Pump Station Plan**

\$ 2,500.00

**Injector Pump Station Plan**

\$ 250.00/EDU

**WATER / SEWER RATES:**

|  |    |   |
|--|----|---|
| Water Rates (per 1,000 total gal. Billed Quarterly)                  | \$ | 2.01/Tg   |
| Sewer Rates (Billed Quarterly)                                       | \$ | 5.57/Tg   |
| Fixed Water and/or sewer charge per Quarter (minimum of one per use) | \$ | 50.00/Use & Occupancy   |
| Flat Rate for Sewer Use without Water Service                        | \$ | To be determined based on average usage for comparable building size and usage. |

**OTHER CONNECTION FEES:**

**Water Meters/Hydrants**

|   |    |        |
|---|----|--------|
| Standard 5/8" x 3/4" Outdoor Radio Read Water Meter<br>Larger meter will be priced on a case by case basis. | \$ | 500.00 |
| Standard 5/8" x 3/4" Indoor Radio Read Water Meter<br>Larger meter will be priced on a case by case basis.  | \$ | 250.00 |
| Meter Installation Fee<br>Fee is included in a connection permit application.                               | \$ | 200.00 |

**Fire Hydrants & Meters**

|  |    |  |
|--|----|--|
| Short-Term 5/8" x 3/4" Meter Rental (60 days or less reapplication and associated fee must be made after each 60 day term). Includes \$500 refundable deposit. | \$ | 1,250.00   |
| Temporary Fire Hydrant Meter   | \$ | 100.00 Application Fee<br>(meter provided by Town) |
| Private Fire Hydrant Fee (one time)  | \$ | 500.00/hydrant                                     |
| Hydrant Meter Rate/1,000 gallons   | \$ | 10.00/Tg   |
| Submeters  | \$ | See Appendix 'C'                                   |

**Capital Contribution Charges**

One time charge before time of connection

|                                    |    |   |
|------------------------------------|----|---|
| Water                              | \$ | 6,000.00/EDU                                  |
| Sewer                              | \$ | 18,000/EDU                                    |
| Illegal Water/Sewer Connection Fee | \$ | 1,000/day until illegal connection is removed |

**INSPECTION AND TESTING FEES:**

|  |    |  |
|--|----|--|
| <u>Individual Water &amp; Sewer Connection Inspection per EDU</u>  | \$ | 216.00                                       |
| <u>Individual Water or Sewer Connection Inspection per EDU</u>     | \$ | 144.00                                       |
| <u>Individual Grinder or Injector Pump Inspection (Additional)</u> | \$ | 180.00                                       |
| <u>Re-Inspection Fee/Visit per EDU</u>                             | \$ | 72.00  |
| <u>Water and/or Sewer Infrastructure Inspection</u>                |    | 10% of Town approved Engineers Cost Estimate |
| <u>Meter Test</u>  |    |  |
| 5/8" to 2"   | \$ | 150.00                                       |
| 3" to 4"   | \$ | 180.00                                       |
| 6" and greater   | \$ | 360.00                                       |

**TAP FEES:**

|   |    |   |
|---|----|---|
| Tap Connection Inspection Fee-Sewer                       | \$ | 300.00/EDU  |
| Tap Connection Inspection Fee-Water                       | \$ | 300.00/EDU  |
| Emergency Water and Sewer Repairs (private systems)       | \$ | 240.00<br>Minimum + actual cost to Town to make repair. |
| Scheduled (48 hours notice) water turn off/on             | \$ | 30.00 per event   |
| Unscheduled (less than 48 hours notice) water turn off/on | \$ | 60.00 per event   |

**RETURNED CHECK FEE:** \$ 50.00

**UTILITY BILLING LATE FEE:** 1.5%

**BONDING:**

All work within the public right-of-way including work on water and sewer facilities, both to existing facilities and for new facilities, will require a bond to be posted in an amount approved by the Town Engineer plus a 25% contingency. (Bonding will be required prior to a permit to perform work is issued).





## APPENDIX B

### Public Water and/or Sewer Connection Permit Application

APPLICANT - Complete all applicable spaces

Job Location \_\_\_\_\_  
 Street \_\_\_\_\_  
 Building \_\_\_\_\_  
 Subdivision \_\_\_\_\_  
 Tenants Name \_\_\_\_\_  
 Tax Account # \_\_\_\_\_  
 Building Permit # \_\_\_\_\_  
 Map Reference No. \_\_\_\_\_  
 Block \_\_\_\_\_ Lot Parcel # \_\_\_\_\_

Contract/Utility Agreement # \_\_\_\_\_  
 Water/Sewer Account # \_\_\_\_\_  
 USE: NEW EXISTING  
 Single Family Structure    
 Multi Family Structure    
 # of Units \_\_\_\_\_  
 Commercial    
 Industrial    
 Other \_\_\_\_\_  
 Existing Service

|                                  |                       |  |                                  |
|----------------------------------|-----------------------|--|----------------------------------|
| <b>O<br/>W<br/>N<br/>E<br/>R</b> | Name _____            | <b>C<br/>O<br/>N<br/>T<br/>R<br/>A<br/>C<br/>T<br/>O<br/>R</b> | Company Name _____               |
|                                  | Mailing Address _____ |  | Master _____                     |
|                                  | City _____            |  | Contractor's License No. _____   |
|                                  | State _____ Zip _____ |  | Mailing Address _____            |
|                                  | Telephone _____       |  | City _____ State _____ Zip _____ |
|                                  |                       |  | Telephone _____                  |

| DO NOT WRITE IN THIS SPACE |  |
|----------------------------|--|
| Permit No. _____           |  |
| USER CONNECTION CHARGE     |  |
| Water \$ _____             |  |
| Sewer \$ _____             |  |
| CAPITAL CONNECTION CHARGE  |  |
| Water \$ _____             |  |
| Sewer \$ _____             |  |
| Inspection Fee \$ _____    |  |
| Application Fee \$ _____   |  |
| Other Fees \$ _____        |  |
| Total \$ _____             |  |

|  | CONNECTION SIZE                           |                                     |  |
|--|---|-------------------------------------|--|
| <b>GRINDER PUMP</b><br>Yes <input type="checkbox"/><br>No <input type="checkbox"/> | Water <input type="checkbox"/> Size _____ | <b>METER SIZE</b><br><br>Size _____ |  |
|  | Sewer <input type="checkbox"/> Size _____ |                                     |  |
|  | Type of Pipe _____                        |                                     |  |
| Existing Vault   | Yes <input type="checkbox"/>              | No <input type="checkbox"/>         |  |
| Existing Tap   | Yes <input type="checkbox"/>              | No <input type="checkbox"/>         |  |

I certify and agree as follows that I am authorized to make this application, that the information is correct, that I will comply with all the regulations of the Town of Chesapeake Beach which are applicable here and that I will not perform work on the above property unless it is specifically described herein. I am aware of the depth of the main line and have computed and found adequate the hydraulic gradient between the house connection and the public service level and agree to physically check both prior to installing the plumbing house connection.

I hereby authorize the master plumber named on this application to obtain this permit for the connection stated. I understand that the connection permitted must be made by the master plumber and inspected by the Town's Department of Public (DPW) Works prior to the use of the public facilities. The Town's DPW will be inspecting all utilities installed that will be Town maintained. For water this will end at the meter or curb stop, for sewer this will end at the clean out or pressure valve. These Town / private connections must be located in the right of way. All other inspections are performed by Calvert County. **Fees payable to the Town of Chesapeake Beach.**

\_\_\_\_\_  
 Master Plumber's Signature Date

\_\_\_\_\_  
 Owners Signature Date

\_\_\_\_\_  
 Inspector Signature Date

\_\_\_\_\_  
 Director of Public Works Signature Date

**NO WORK MAY BE STARTED UNTIL PERMIT IS ISSUED**



## APPENDIX C Hardship Exemption Form

1. Please complete the following form if you are requesting an extension of time to connect to public utilities:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Home Phone Number

\_\_\_\_\_  
Address

\_\_\_\_\_  
Other number  cell  work

\_\_\_\_\_  
City, State, Zip

2. Public Connection Extension Request:

If you are seeking an extension to connect to public facilities, please complete the below section:

Private Septic Systems

Date of Private Sewer Installation: \_\_\_\_\_

Date of the last Sewer Inspection: \_\_\_\_\_

Public Sewer Exemption or Extension Requested: \_\_\_\_\_

Private Water/ Well

Date of Private Well Inspection: \_\_\_\_\_

Date of the last Well Inspection: \_\_\_\_\_

Public Water Exemption or Extension Requested: \_\_\_\_\_

3. Fill in each space below for ALL household members (list yourself first)

TOTAL NUMBER OF HOUSEHOLD MEMBERS IS \_\_\_\_\_.

| FIRST and LAST NAME | BIRTH DATE<br>M/D/YR | RELATION TO<br>APPLICANT | Sex<br>M/F | Disabled<br>(Yes<br>or No) | Veteran (Yes<br>or No) |
|---------------------|----------------------|--------------------------|------------|----------------------------|------------------------|
|                     | / /                  |                          |            |                            |                        |
|                     | / /                  |                          |            |                            |                        |
|                     | / /                  |                          |            |                            |                        |
|                     | / /                  |                          |            |                            |                        |
|                     | / /                  |                          |            |                            |                        |
|                     | / /                  |                          |            |                            |                        |

If there are more persons living in household, please list them on separate paper.

(Turn Over)

**APPENDIX C**  
**Hardship Exemption Form Continued**

---

**4. The applicant must sign this application before it can be processed.**

I declare that the information provided to the Town of Chesapeake Beach, is true, correct and complete.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**5. OFFICE USE ONLY:**

|   |   |   |
|---|---|---|
| Received/Date (mm/dd/yyyy)<br>_ / _ / _                             | Approved/Date (mm/dd/yyyy)<br>[ ] _ / _ / _ | Denied/Date (mm/dd/yyyy)<br>[ ] _ / _ / _ |
| Certifier Signature (Town of Chesapeake Beach -Town Administrator): |   |   |
|   |   | _____<br>Certifier Signature              |
| Comments:   |   |   |
|   |   |   |



## APPENDIX D Grease and Oil Trap Quarterly Reporting Form

Name of establishment: \_\_\_\_\_

Address of establishment: \_\_\_\_\_

Type of establishment: \_\_\_\_\_

Contact: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

Date Cleaned: \_\_\_\_\_

Name of certified cleaning/repair company: \_\_\_\_\_

Certification # \_\_\_\_\_

Gallons removed \_\_\_\_\_ Disposal location \_\_\_\_\_

NAME: \_\_\_\_\_ Title: \_\_\_\_\_

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

I certify that I have read Chesapeake Beach Water and Sewer Use Manual (enclosed) and agree to submit all reports within two weeks of cleaning and/or maintenance OR on a quarterly basis. I further agree to maintain all records regarding all maintenance activities for a period of two (2) years and to make such records available for review by Town Staff.



## APPENDIX E Sub-Meter Application

1. Applicant Contact Information – Please Print  
**Applicant – Must be provided -owner with an active account (paid /current)**

|                                  |  |                |  |
|----------------------------------|--|----------------|--|
| Name                             |  | Cell Phone No. |  |
| Business Name<br>(If Applicable) |  | Work Phone No. |  |
| Street Address                   |  | Home Phone No. |  |
| City / State                     |  | Email Address  |  |
| Postal Code                      |  |                |  |

Master Plumber – For Applicant

|                                  |  |                |  |
|----------------------------------|--|----------------|--|
| Name                             |  | Cell Phone No. |  |
| Business Name<br>(If Applicable) |  | Work Phone No. |  |
| Street Address                   |  |                |  |
| City / State                     |  | Email Address  |  |
| Postal Code                      |  |                |  |
| License No.                      |  |                |  |

Applicant Account Information

|   |  |
|---|--|
| Account No.   |  |
| Customer Name on Account  |  |
| Physical Address for Sub-Meter if different<br>from Applicant Address |  |

2. Sub-Meter Requested Information  
 Applicant information to be completed with consultation of public services staff

|  |                                     |                                     |                                     |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| Town Employee Assisting Applicant:     |                                     |                                     |                                     |
| Residential <input type="checkbox"/>   | Commercial <input type="checkbox"/> | Industrial <input type="checkbox"/> | Government <input type="checkbox"/> |
| Tax Exempt Status – With Verification  |                                     | Yes <input type="checkbox"/>        | No <input type="checkbox"/>         |
| Reason for the Sub-Meter:              |                                     |                                     |                                     |
| Sub-Meter Size Requested               |                                     | Submeter Type (Check Box Below)     |                                     |
| Standard <input type="checkbox"/>      | Compound <input type="checkbox"/>   | Turbine <input type="checkbox"/>    | Fire Line <input type="checkbox"/>  |
| Non-Pit Meter <input type="checkbox"/> |                                     | Pit Meter <input type="checkbox"/>  |                                     |

|                          |   |
|--------------------------|---|
| <input type="checkbox"/> | Deductive/Subtractive Sub-Meter (wastewater bill is reduced by usage that flows through this sub-meter) |
|--------------------------|---|

3. Sub-meter Location Sketch

|   |       |
|---|-------|
| Applicant will provide a plumbing sketch showing location of primary water meter and location of proposed Sub-Meter. Sketch must show discharge location of water flow through sub-meter and sub-meter's approximate distance from road and house wall. |       |
|   |       |
| Signature of Employee accepting sketch:   | Date: |

4. Applicant Certification

|   |       |
|---|-------|
| I certify that all the above information on this application is true and accurate and am aware of the penalties for the misuse of the sub-meter under provisions of the Town Code and this procedure. |       |
| Applicant Signature:  | Date: |

5. Payment for Sub-Meter – See attached sub-meter costs

|                              |         |            |           |
|------------------------------|---------|------------|-----------|
| Person Taking Payment:       |         | Date Paid: |           |
| Amount and Method of Payment | Cash \$ | Check \$   | Credit \$ |

This Section to be completed by Public Works Department (if appointed).

6. Installation and Inspection

|   |                        |                       |
|---|------------------------|-----------------------|
| Date Public Services Notified Sub-Meter Ready for Inspection: |                        |                       |
| By Whom?  |                        |                       |
|   |                        |                       |
| Installer Name (Master Plumber)                               |                        |                       |
| Company   |                        |                       |
| Address, City, State, Postal Code                             |                        |                       |
| Telephone No.   |                        |                       |
|   |                        |                       |
| Inspector Name  |                        |                       |
| Company   |                        |                       |
| Address, City, State, Postal Code                             |                        |                       |
| Telephone No.   |                        |                       |
| Inspector Signature   |                        |                       |
|   |                        |                       |
| Date Sub-Meter Approved:                                      | Date Sub-Meter Denied: |                       |
|   |                        |                       |
| Reason for Denial:  |                        |                       |
|   |                        |                       |
| Sub-Meter No.   | ERT No.                | Master Meter Reading: |
|   |                        |                       |





## APPENDIX F Water/Sewer Payment Plan Agreement

Sometimes customers face circumstances that stretch their financial resources. If you cannot pay your bill by the due date, please contact the Water and Sewer Billing Department before the bill becomes due. The Utilities Billing Administrator will work with you on a plan to pay the balance of the bill over time. These payment arrangements require you to:

- Pay at least 25% of your bill within 48 hours of your call.
- Agree to pay the remaining balance of the bill in monthly installments as described in this Agreement, including any applicable late payment charge according to an agreed upon schedule described below.
- Agreement shall not exceed 6 months from the date signed and shall not exceed 2 future billing cycle due dates.
- Pay the complete balance of all future bills before the due date of that billing cycle.

We will create these payment arrangements only with customers who have not broken a similar agreement with us in the past twelve months.

### Payment Agreement Application

Agreement Date: \_\_\_\_\_  
Property Owner Name: \_\_\_\_\_ Account # \_\_\_\_\_  
Property Address: \_\_\_\_\_ Chesapeake Beach, MD 20732  
Mailing Address (If Different): \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_  
Total Amount Owed: \_\_\_\_\_ Down Payment: \_\_\_\_\_ Interest Rate: \_\_\_\_\_ %  
Cash  Check  Check # \_\_\_\_\_ Credit Card \_\_\_\_\_  
Payment Confirmation #: \_\_\_\_\_  
Payment Begin Date: \_\_\_\_\_ Payment End Date: \_\_\_\_\_ Amount Due per Month: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_  
Utilities Billing Administrator Signature: \_\_\_\_\_  
Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(SEAL) Notary Signature: \_\_\_\_\_

Name of Notary: (Printed) \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**Please attach a copy of the owner's driver's license to this application.**





## APPENDIX G Schedule of Equivalent Dwelling Units

To be used in conjunction with computing Capital Connection Charges for Multi-Family Residential & Commercial

Table of Equivalent Dwelling Units

| <u>Use:</u>  | <u>Number of Equivalent Dwelling Units</u> |
|--|--|
| Elementary School- each 40 Pupils of Fraction Thereof                    | 1  |
| Middle/High School- each 20 Pupils of Fraction Thereof                   | 1  |
| 1 Trailer Space  | 1  |
| 1 Apartment  | 1  |
| 4 Motel/Hotel Units  | 1  |
| 1 Motel/Hotel Efficiencies (with Kitchen Facilities)                     | 1  |
| 1 Retail or Service Store-up to 3,000 square feet                        | 0.3  |
| 1 Retail Store, Each 5 Employees or Fraction Thereof                     | 1  |
| 1 Supermarket Food Store- Up to 5 Employees                              | 1  |
| 1 Supermarket Food Store- Over 5 Employees                               | 3  |
| 1 Barber Shop or Beauty Shop   | 1  |
| 1 Car Wash- Each Self Service Bay  | 1  |
| Each Tunnel Bay  | 4  |
| 1 Gas Station  | 1.5  |
| 1 Laundromat, Each 4 Washers or Fraction Thereof                         | 1  |
| Restaurant, Bar or Cocktail Lounge, Each 20 Seats<br>Or Fraction Thereof | 1  |
| Doctor or Dentist Office   | 1  |
| Veterinary Hospital  | 3  |
| Office Building, Each 8 Plumbing Fixtures<br>Or Fraction Thereof         | 1  |
| Theatres- Each 100 Seats of Fraction Thereof                             | 1  |



## APPENDIX H

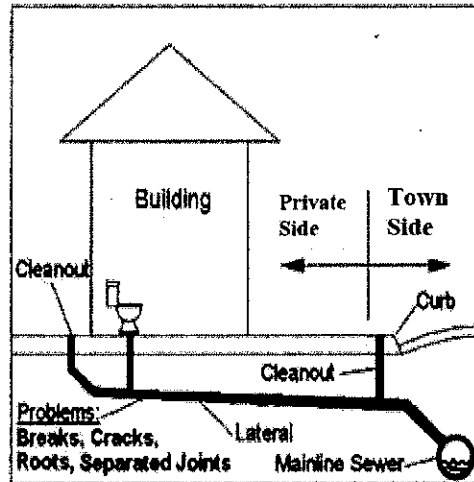
### GENERAL INFORMATION RELATED TO WATER AND SEWER CONNECTIONS

|  | <b>Water Connection</b>      | <b>Sewer Connection</b> |
|--|------------------------------|-------------------------|
| <b>Baycrest</b>                          | Outside Water Meter          | Gravity with cleanout   |
| <b>Captains Quarters</b>                 | Inside Water Meter curb stop | Gravity with cleanout   |
| <b>Chesapeake Station</b>                | Outside Water Meter          | Gravity with cleanout   |
| <b>Heritage</b>                          | Outside Water Meter          | Gravity/Pressure        |
| <b>Horizons on the Bay</b>               | Inside Water Meter curb stop | Gravity with cleanout   |
| <b>Richfield Station</b>                 |                              |                         |
| <i>Single Family Homes</i>               | Outside Water Meter          | Gravity/Pressure        |
| <i>Town home A</i>                       | Inside Water Meter curb stop | Gravity/Pressure        |
| <i>Town home B (Most recently built)</i> | Outside Water Meter          | Gravity/Pressure        |
| <i>Condominiums</i>                      | Inside Water Meter curb stop | Gravity with cleanout   |
| <b>Seagate</b>                           | Inside Water Meter curb stop | Gravity with cleanout   |
| <b>Windward Key</b>                      | Outside Water Meter          | Pressure                |
| <b>Chesapeake Village</b>                | Outside Water Meter          | Gravity & Pressure      |
| <b>Bayview Hills</b>                     |                              |                         |
| <i>Single Family Homes</i>               | Outside Water Meter          | Gravity/Pressure        |
| <i>Town home</i>                         | Inside Water Meter curb stop | Gravity with cleanout   |

\* individual homes may vary

## General Sewer Connection information for Residents:

### Gravity Sewer Connections

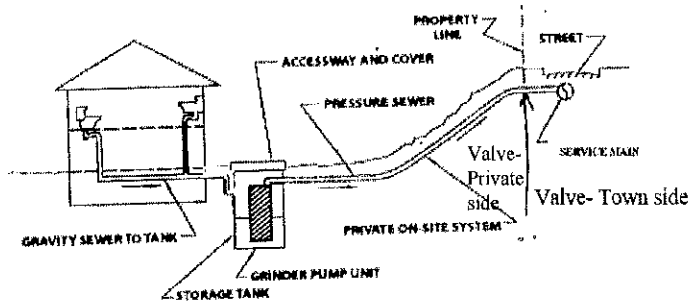


#### Notes:

For these connections there should be a clean out located close to the property line at the Town right of way.

In cases where the sewer cleanout is not in the Town Right of way or where there is no cleanout, the Town will defer to the property line as the point where the homeowner takes ownership and maintenance responsibility. There are some circumstances where homeowners have a cleanout beside their home or have added cleanouts. These cleanouts were not inspected by the Town and will not be maintained by the Town.

## Pressure/ Grinder Pit Connections



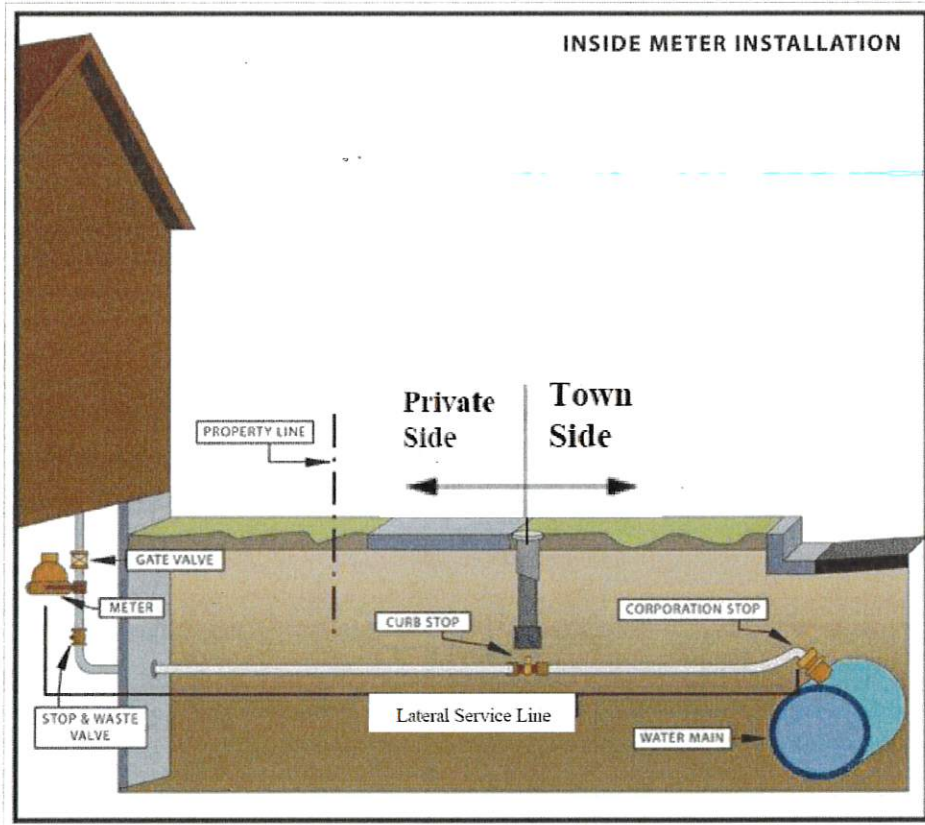
### Notes:

For these connections there should be a shutoff valve located at the property line or in the public Town right of way.

In cases where the shut off valve is not in the Town Right of way, or where there is no shut off valve, the Town must use the property line as the maintenance /public ownership changing point.

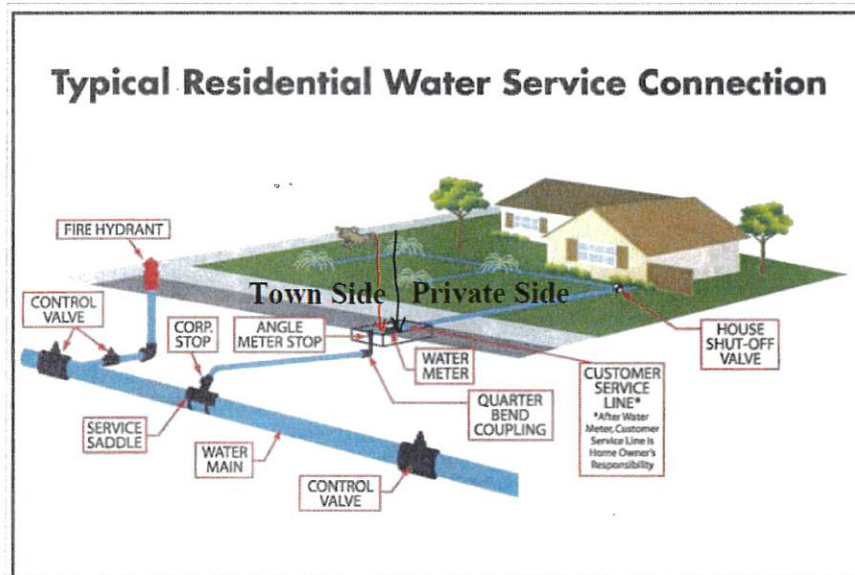
## General Water Connection information for Residents:

### Inside Water Meter Connections



For inside water meter connections there should be a curb stop valve located outside near the property line in the Town right of way. The downstream side of this valve is where the Town ownership ends.

## Outside Water Meter Connections



For outside meters there should be a meter pit located close to the property line in the right of way. The Town's responsibility ends on the downstream side of the water meter.

There are areas in Town where the water meter is located right outside the home, past the Town right of way. In these cases, the Town will repair the line up to the meter if there is a failure and will move the meter location to the right of way at the property line upon repair.

#O-20- 1  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**AN ORDINANCE**  
**OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,**  
**AMENDING THE ANNUAL BUDGET FOR THE GENERAL FUND OF**  
**THE TOWN OF CHESAPEAKE BEACH FOR THE FISCAL YEAR JULY**  
**1, 2018 TO JUNE 30, 2019 TO RECONCILE EXPENSES AND INCOME**  
**AND RATIFY OVEREXPENDITURES.**

WHEREAS, Chesapeake Beach, Maryland (the "Town") is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't Art., § 5-205 and Section C-707 of the Charter of Chesapeake Beach, the Town is empowered to establish an annual budget; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article a municipality may not expend funds not appropriated in its annual budget for the purpose for which they are to be spent; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article, a municipality may amend an adopted budget to expend funds not previously appropriated upon a 2/3 vote of the legislative body; and

WHEREAS, after due notice and a public hearing, the Town Council adopted an annual budget for the General Fund on April 19, 2018; and

WHEREAS, it has come to the attention of the Town Treasurer that the Town incurred certain expenses during FY '19 that exceeded the amounts budgeted because of unanticipated FICA expense for a new professional employee and an unanticipated staffing need at Bayfront Park arising from increased patronage; and

WHEREAS, the overexpenditures can be offset by admissions and amusement tax revenue; and

WHEREAS, the Town Council wishes to ratify those expenditures and to amend the FY 19 General Fund budget to appropriate the necessary funds.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

Section 1. The adopted budget for the General Fund of the Town of Chesapeake Beach for the Fiscal Year 2019 is hereby amended as set forth in the attached Exhibit A hereto.

Section 2. In all other respects the budget for the General Fund, as adopted on April 19, 2018, shall remain as adopted and in full force and effect, subject to prior duly enacted amendments, with respect to revenues and expenditures for the Fiscal Year 2019.

**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on the 16<sup>th</sup> day of January, 2020, that a public hearing was held on the 20<sup>th</sup> day of February, 2020, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_\_ votes of approval and \_\_\_\_\_ votes of disapproval were cast. The resulting affirmative vote of at least 2/3 the Council \_\_\_\_\_ (*approved/disapproved*) the passage of this Ordinance this 20<sup>th</sup> day of February, 2020. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.



CHESAPEAKE BEACH, MARYLAND

---

Patrick J. Mahoney, Mayor

---

Valerie L. Beaudin, Councilwoman

---

Derek J. Favret, Councilman

---

Gregory J. Morris, Councilman

---

Lawrence P. Jaworski, Councilman

---

Keith L. Pardieck, Councilman

---

L. Charles Fink, Councilman

**Exhibit A  
Fiscal Year 2019  
General Fund**

|   | Annual Budget FY<br>2019 | Amendment        | As Amended - Annual<br>Budget FY 2019 |
|---|--------------------------|------------------|---------------------------------------|
| <b>Income</b>                                     |                          |                  |                                       |
| <b>Local Sources</b>                              |                          |                  |                                       |
| 100-410000 · Real Estate Taxes                    | \$ 2,625,147             |                  | \$ 2,625,147                          |
| 100-410100 · Admission & Amusement Tax            | \$ 1,008,852             | \$ 10,698        | \$ 1,019,550                          |
| 100-410115 · Hotel Tax                            | \$ 90,000                |                  | \$ 90,000                             |
| 100-410120 · Operating Property Tax               | \$ 49,200                |                  | \$ 49,200                             |
| 100-410125 · Penalties & Interest                 | \$ 2,500                 |                  | \$ 2,500                              |
| 100-410130 · Liquor License                       | \$ 2,000                 |                  | \$ 2,000                              |
| 100-410135 · Traders License - County             | \$ 1,200                 |                  | \$ 1,200                              |
| 100-410140 · Zoning Permits & Site Plans          | \$ 6,000                 |                  | \$ 6,000                              |
| 100-410145 · Interest on savings & investmen      | \$ 30,000                |                  | \$ 30,000                             |
| 100-410160 · Bayfront Park Admissions             | \$ 50,000                |                  | \$ 50,000                             |
| 100-410165 · Tower Site Rental                    | \$ 95,000                |                  | \$ 95,000                             |
| 100-410170 · Cable Franchise Fee                  | \$ 80,000                |                  | \$ 80,000                             |
| 100-410175 · Speed Camera & Other Fines           | \$ 60,000                |                  | \$ 60,000                             |
| <b>Total Local Sources</b>                        | <b>\$ 4,099,899</b>      | <b>\$ 10,698</b> | <b>\$ 4,110,597</b>                   |
| <b>Federal, State, &amp; County Sources</b>       |                          |                  |                                       |
| 100-420100 · State income taxes                   | \$ 800,000               |                  | \$ 800,000                            |
| 100-420105 · Highway User Revenues                | \$ 259,370               |                  | \$ 259,370                            |
| 100-420115 · State Aid Police Protection          | \$ 47,418                |                  | \$ 47,418                             |
| <b>Total Federal, State, &amp; County Sources</b> | <b>\$ 1,106,788</b>      |                  | <b>\$ 1,106,788</b>                   |
| <b>Other Income</b>                               |                          |                  |                                       |
| 100-430130 Unexpended allocated funds             | \$ 1,262,400             |                  | \$ 1,262,400                          |
| 100-432200 Miscellaneous Grants                   | \$ 235,000               |                  | \$ 235,000                            |
| <b>Total Other Income</b>                         | <b>\$ 1,497,400</b>      | <b>\$ -</b>      | <b>\$ 1,497,400</b>                   |
| <b>Total Income</b>                               | <b>\$ 6,704,087</b>      | <b>\$ 10,698</b> | <b>\$ 6,714,785</b>                   |

**Exhibit A  
Fiscal Year 2019  
General Fund**

| Expense                                      | Annual Budget FY<br>2019 | Amendment     | As Amended - Annual<br>Budget FY 2019 |
|--|--------------------------|---------------|---------------------------------------|
| <b>GENERAL GOVERNMENT</b>                    |                          |               |                                       |
| <b>Salaries, Wages, Payr Txs, Bene</b>       |                          |               |                                       |
| 100-6000-602000 · Salaries - Office          | \$ 459,294               |               | \$ 459,294                            |
| 100-6000-602050 · Fica Expense               | \$ 34,964                | \$ 616        | \$ 35,580                             |
| 100-6000-602100 · Medical and Life Insurance | \$ 91,514                |               | \$ 91,514                             |
| 100-6000-602300 · Retirement                 | \$ 82,421                |               | \$ 82,421                             |
| 100-6000-602400 · Continuing Education       | \$ 20,000                |               | \$ 20,000                             |
| <b>Total Salaries, Wages, Payr Txs, Bene</b> | <b>\$ 688,193</b>        | <b>\$ 616</b> | <b>\$ 688,809</b>                     |
| <b>Contracted Services</b>                   |                          |               |                                       |
| 100-6000-620400 · Audit                      | \$ 31,420                |               | \$ 31,420                             |
| 100-6000-620600 · Legal Counsel              | \$ 100,000               |               | \$ 100,000                            |
| 100-6000-620700 · Notification System        | \$ 500                   |               | \$ 500                                |
| 100-6000-620800 · SDAT Fees                  | \$ 11,558                |               | \$ 11,558                             |
| 100-6000-621100 · Annual Software Agr        | \$ 37,835                |               | \$ 37,835                             |
| 100-6000-621200 · Planning & Zoning          | \$ 100,000               |               | \$ 100,000                            |
| 100-6000-621400 · Engineering                | \$ 150,000               |               | \$ 150,000                            |
| 100-6000-621600 · IT Support                 | \$ 25,000                |               | \$ 25,000                             |
| 100-6000-622500 · T.H. Building Maintenance  | \$ 50,000                |               | \$ 50,000                             |
| 100-6000-623300 · Newsletter                 | \$ 15,000                |               | \$ 15,000                             |
| 100-6000-623400 · Library RENT Grant         | \$ 40,306                |               | \$ 40,306                             |
| 100-6000-623900 · Professional Fees          | \$ 6,000                 |               | \$ 6,000                              |
| 100-6000-624500 · Web Maintenance            | \$ 10,000                |               | \$ 10,000                             |
| 100-6000-624700 · Document Imaging           | \$ 5,500                 |               | \$ 5,500                              |
| <b>Total Contracted Services</b>             | <b>\$ 583,119</b>        | <b>\$ -</b>   | <b>\$ 583,119</b>                     |
| <b>Other Charges</b>                         |                          |               |                                       |
| 100-6000-631200 · Council's Expenses         | \$ 6,000                 |               | \$ 6,000                              |
| 100-6000-632210 · Legislative Educ / Travel  | \$ 29,000                |               | \$ 29,000                             |
| 100-6000-632220 · Dues and Subscriptions     | \$ 10,000                |               | \$ 10,000                             |
| 100-6000-631300 · Grants to Local Orgs       | \$ 37,500                |               | \$ 37,500                             |
| 100-6000-632000 · Miscellaneous Expense      | \$ 5,000                 |               | \$ 5,000                              |
| 100-6000-632300 · Office Expense             | \$ 62,000                |               | \$ 62,000                             |
| 100-6000-634101 · Council Compensation       | \$ 18,000                |               | \$ 18,000                             |
| 100-6000-634102 · Mayor Compensation         | \$ 18,000                |               | \$ 18,000                             |
| 100-6000-634103 · FICA Exp-Mayor & Council   | \$ 2,754                 |               | \$ 2,754                              |
| 100-6000-634500 · Town Hall Telephone        | \$ 18,000                |               | \$ 18,000                             |
| 100-6000-635000 · Town Hall Utilities        | \$ 28,000                |               | \$ 28,000                             |
| 100-6000-636101 · Special Events             | \$ 132,750               |               | \$ 132,750                            |
| 100-6000-636201 · Economic Development       | \$ 38,000                |               | \$ 38,000                             |
| 100-6000-637010 · Opoide Awareness Committee | \$ 3,000                 |               | \$ 3,000                              |
| 100-6000-637020 · Green Team                 | \$ 3,000                 |               | \$ 3,000                              |
| 100-6000-780000 · Insurance                  | \$ 50,000                |               | \$ 50,000                             |
| <b>Total Other Charges</b>                   | <b>\$ 461,004</b>        | <b>\$ -</b>   | <b>\$ 461,004</b>                     |
| <b>Total GENERAL GOVERNMENT</b>              | <b>\$ 1,732,316</b>      | <b>\$ 616</b> | <b>\$ 1,732,932</b>                   |

**Exhibit A  
Fiscal Year 2019  
General Fund**

|   | Annual Budget FY<br>2019 | Amendment        | As Amended - Annual<br>Budget FY 2019 |
|---|--------------------------|------------------|---------------------------------------|
| <b>PUBLIC SAFETY</b>                                    |                          |                  |                                       |
| 100-6450-645500 · Police - Deputy in Residence          | \$ 1,020,860             |                  | \$ 1,020,860                          |
| 100-6450-645800 · Police - Other Costs                  | \$ 1,680                 |                  | \$ 1,680                              |
| 100-6450-646000 · Bayfront Park and Town Beautification | \$ 50,000                | \$ 10,082        | \$ 60,082                             |
| 100-6450-646500 · North Beach VFD Cap Exp               | \$ 50,000                |                  | \$ 50,000                             |
| <b>Total PUBLIC SAFETY</b>                              | <b>\$ 1,122,540</b>      | <b>\$ 10,082</b> | <b>\$ 1,132,622</b>                   |
| <b>PUBLIC WKS</b>                                       |                          |                  |                                       |
| <b>Salaries and Benefits</b>                            |                          |                  |                                       |
| 100-6500-602000 · P.W. - Salaries                       | \$ 418,332               |                  | \$ 418,332                            |
| 100-6500-602050 · P.W. - Fica Expense                   | \$ 32,002                |                  | \$ 32,002                             |
| 100-6500-602100 · P.W. - Medical & Life Ins.            | \$ 141,788               |                  | \$ 141,788                            |
| 100-6500-602300 · P.W. - Retirement Plan                | \$ 67,822                |                  | \$ 67,822                             |
| 100-6500-602400 · P.W. - Continuing Education           | \$ 7,500                 |                  | \$ 7,500                              |
| <b>Total Salaries and Benefits</b>                      | <b>\$ 667,444</b>        |                  | <b>\$ 667,444</b>                     |
| <b>Supplies (Public Works)</b>                          |                          |                  |                                       |
| 100-6500-665200 · Gasoline/Tolls                        | \$ 20,010                |                  | \$ 20,010                             |
| 100-6500-665400 · Equipment Repair & Maint              | \$ 35,000                |                  | \$ 35,000                             |
| 100-6500-665600 · Supplies                              | \$ 15,000                |                  | \$ 15,000                             |
| <b>Total Supplies (Public Works)</b>                    | <b>\$ 70,010</b>         |                  | <b>\$ 70,010</b>                      |
| <b>Contracted Services</b>                              |                          |                  |                                       |
| 100-6500-672000 · Holiday Lights - Maint.               | \$ 85,000                |                  | \$ 85,000                             |
| 100-6500-673000 · Road Repairs & Maintenance            | \$ 20,000                |                  | \$ 20,000                             |
| 100-6500-674000 · Trash Removal Service                 | \$ 375,000               |                  | \$ 375,000                            |
| <b>Total Contracted Services</b>                        | <b>\$ 480,000</b>        | <b>\$ -</b>      | <b>\$ 480,000</b>                     |
| <b>Other Charges (P.W.)</b>                             |                          |                  |                                       |
| 100-6500-684300 · CBOCS Oyster Program                  | \$ 5,800                 |                  | \$ 5,800                              |
| 100-6500-684700 · Landfill Tipping Fees                 | \$ 160,000               |                  | \$ 160,000                            |
| 100-6500-684900 · Miscellaneous                         | \$ 2,000                 |                  | \$ 2,000                              |
| 100-6500-685200 · Property Maintenance - General        | \$ 85,000                |                  | \$ 85,000                             |
| 100-6500-685201 · Security                              | \$ 12,000                |                  | \$ 12,000                             |
| 100-6500-685220 · Property Maintenance - Landscape      | \$ 165,000               |                  | \$ 165,000                            |
| 100-6500-685240 · Property Maintenance - Tree Trimming  | \$ 10,000                |                  | \$ 10,000                             |
| 100-6500-685500 · Recreation - Operations               | \$ 70,000                |                  | \$ 70,000                             |
| 100-6500-686000 · Snow & Ice Removal                    | \$ 40,000                |                  | \$ 40,000                             |
| 100-6500-686500 · Street Lights                         | \$ 88,525                |                  | \$ 88,525                             |
| 100-6500-687000 · Telephone                             | \$ 7,200                 |                  | \$ 7,200                              |
| 100-6500-687500 · Utilities                             | \$ 4,000                 |                  | \$ 4,000                              |
| <b>Total Other Charges (P.W.)</b>                       | <b>\$ 649,525</b>        | <b>\$ -</b>      | <b>\$ 649,525</b>                     |
| <b>Total PUBLIC WKS</b>                                 | <b>\$ 1,866,979</b>      | <b>\$ -</b>      | <b>\$ 1,866,979</b>                   |

**Exhibit A  
Fiscal Year 2019  
General Fund**

|   | Annual Budget FY<br>2019 | Amendment | As Amended - Annual<br>Budget FY 2019 |
|---|--------------------------|-----------|---------------------------------------|
| <b>General Fund Capital Expenditure</b>           |                          |           |                                       |
| 100-7100-725000 · Capital Expenditures            | \$ 1,947,070             |           | \$ 1,947,070                          |
| <b>Total General Fund Capital Expenditure</b>     | \$ 1,947,070             | \$ -      | \$ 1,947,070                          |
| <b>DEBT SERVICE</b>                               |                          |           |                                       |
| 100-8000-806000 · DNR #6 Seawall \$10,032 (FY 19) | \$ 10,032                |           | \$ 10,032                             |
| 100-8000-807000 · DNR #7 Seawall \$25,150 (FY21)  | \$ 25,150                |           | \$ 25,150                             |
| <b>Total 8000 · DEBT SERVICE</b>                  | \$ 35,182                | \$ -      | \$ 35,182                             |
| <b>Total Expense</b>                              | \$ 6,704,087             | \$ 10,698 | \$ 6,714,785                          |
| <b>FY Surplus</b>                                 | \$ -                     | \$ -      | \$ -                                  |

#O-20- 2  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**AN ORDINANCE**  
**OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,**  
**AMENDING THE ANNUAL BUDGET FOR THE WATER PARK FUND**  
**OF THE TOWN OF CHESAPEAKE BEACH FOR THE FISCAL YEAR**  
**JULY 1, 2018 TO JUNE 30, 2019 TO RECONCILE EXPENSES AND**  
**INCOME AND TO RATIFY OVEREXPENDITURES.**

WHEREAS, Chesapeake Beach, Maryland (the "Town") is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't Art., § 5-205 and Section C-707 of the Charter of Chesapeake Beach, the Town is empowered to establish an annual budget; and

WHEREAS, on or about May 17, 2018, following required advertisement and public hearing, the Town Council approved a budget ordinance for the Town's Water Park Fund for Fiscal Year 2019; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article a municipality may not expend funds not appropriated in its annual budget for the purpose for which they are to be spent; and

WHEREAS, pursuant to § 5-205(b) of the Local Government, a municipality may amend an adopted budget to expend funds not previously appropriated upon a 2/3 vote of the legislative body; and

WHEREAS, after the adoption of the Water Park Fund budget for Fiscal Year 2019, the Town Treasurer determined that the budgeted amounts for payment of bank and credit card charges at the Water Park exceeded actual expenditures because the Water Park's income from fees paid by credit card had substantially increased over the previous year; and

WHEREAS, the Town Council wishes to ratify those expenditures and to amend the Fiscal Year 2019 Water Park budget to appropriate the necessary funds.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

Section 1. The annual budget for the Water Park Fund of the Town of Chesapeake Beach for the Fiscal Year 2019 is hereby amended as set forth in the attached Exhibit A hereto.

Section 2. In all other respects the budget for the Water Park Fund, as adopted on May 17, 2018, shall remain as adopted and in full force and effect, subject to prior duly enacted amendments, with respect to revenues and expenditures for the Fiscal Year 2019.

**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on the 16<sup>th</sup> day of January, 2020, that a public hearing was held on the 20<sup>th</sup> day of February, 2020, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_\_ votes of approval and \_\_\_\_\_ votes of disapproval were cast. The resulting affirmative vote of at least 2/3 the Council \_\_\_\_\_ (*approved/disapproved*) the passage of this Ordinance this 20<sup>th</sup> day of February, 2020. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

CHESAPEAKE BEACH, MARYLAND

---

Patrick J. Mahoney, Mayor

---

Valerie L. Beaudin, Councilwoman

---

Derek J. Favret, Councilman

---

Gregory J. Morris, Councilman

---

Lawrence P. Jaworski, Councilman

---

Keith L. Pardieck, Councilman

---

L. Charles Fink, Councilman



Exhibit A  
Fiscal Year 2019  
Water Park Fund

|  | Annual Budget FY 2019 | Amended         | As Amended<br>Annual Budget FY<br>2019 |
|--|-----------------------|-----------------|--|
| <b>Income</b>                              |                       |                 |  |
| 500-430130 · Reserves Allocation           | \$ 447,755            |                 | \$ 447,755                             |
| 500-450110 · Birthday Parties              | \$ 20,000             |                 | \$ 20,000                              |
| 500-450120 · Daily Admissions              | \$ 750,000            |                 | \$ 750,000                             |
| 500-450130 · Group Sales                   | \$ 55,000             | \$ 1,447        | \$ 56,447                              |
| 500-450135 · Miscellaneous Income          | \$ 500                |                 | \$ 500                                 |
| 500-450160 · Rentals - Cabanas and Lockers | \$ 65,000             |                 | \$ 65,000                              |
| 500-450165 · Rentals - Pavilion            | \$ 6,000              |                 | \$ 6,000                               |
| 500-450170 · Retail Store Sales            | \$ 80,000             |                 | \$ 80,000                              |
| 500-450175 · Season Passes                 | \$ 50,000             |                 | \$ 50,000                              |
| 500-450180 · Snack Bar Sales               | \$ 350,000            |                 | \$ 350,000                             |
| 500-450190 · Swim Lessons                  | \$ 12,000             |                 | \$ 12,000                              |
| 500-495000 · Investment Interest           | \$ 2,500              |                 | \$ 2,500                               |
| <b>Total Income</b>                        | <b>\$ 1,838,755</b>   | <b>\$ 1,447</b> | <b>\$ 1,840,202</b>                    |
| <b>Cost of Goods Sold</b>                  |                       |                 |  |
| 500-6925-542500 · Cost of Goods Sold       | \$ 25,000             |                 | \$ 25,000                              |
| 500-6925-543000 · Snack Bar Supplies       | \$ 130,000            |                 | \$ 130,000                             |
| <b>Total Cost of Goods Sold</b>            | <b>\$ 155,000</b>     | <b>\$ -</b>     | <b>\$ 155,000</b>                      |
| <b>Gross Profit</b>                        | <b>\$ 1,683,755</b>   | <b>\$ 1,447</b> | <b>\$ 1,685,202</b>                    |

Exhibit A  
Fiscal Year 2019  
Water Park Fund

| Annual Budget FY 2019 | Amended | As Amended<br>Annual Budget FY<br>2019 |
|-----------------------|---------|--|
|-----------------------|---------|--|

| <b>Expense</b>                                  |           |                  |                 |                     |
|---|-----------|------------------|-----------------|---------------------|
| 500-6925-602000 · Salaries and Wages            | \$        | 546,396          | \$              | 546,396             |
| 500-6925-602010 · Wages - Admin & Maint Support | \$        | 154,023          | \$              | 154,023             |
| 500-6925-602050 · FICA                          | \$        | 53,582           | \$              | 53,582              |
| 500-6925-602100 · Medical & Life Insurance      | \$        | 43,821           | \$              | 43,821              |
| 500-6925-602300 · Retirement                    | \$        | 28,221           | \$              | 28,221              |
| 500-6925-623900 · Professional Fees             | \$        | 70,000           | \$              | 70,000              |
| 500-6925-632800 · Bank & Credit Card Charge     | \$        | 32,000           | \$ 1,447        | \$ 33,447           |
| 500-6925-633000 · Marketing                     | \$        | 32,000           | \$              | 32,000              |
| 500-6925-637000 · Education & Travel            | \$        | 12,000           | \$              | 12,000              |
| 500-6925-665603 · Pool Supplies                 | \$        | 49,962           | \$              | 49,962              |
| 500-6925-684600 · Chemicals                     | \$        | 25,000           | \$              | 25,000              |
| 500-6925-685200 · Repairs & Maintenance         | \$        | 138,750          | \$              | 138,750             |
| 500-6925-685220 · Landscape Maintenance         | \$        | 15,995           | \$              | 15,995              |
| 500-6925-687500 · Utilities                     | \$        | 60,000           | \$              | 60,000              |
| 500-6925-780000 · Insurance                     | \$        | 38,000           | \$              | 38,000              |
| 500-6925-00100 · Restricted Savings             | \$        | 50,000           | \$              | 50,000              |
| 500-6925-741000 · Capital Repairs               | \$        | 334,005          | \$              | 334,005             |
| <b>Total Expense</b>                            | <b>\$</b> | <b>1,683,755</b> | <b>\$ 1,447</b> | <b>\$ 1,685,202</b> |
| <b>FY Surplus</b>                               | <b>\$</b> | <b>-</b>         | <b>\$ -</b>     | <b>\$ -</b>         |

#O-20-3  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**AN ORDINANCE**  
**OF THE TOWN COUNCIL OF CHESAPEAKE BEACH,**  
**MARYLAND, AMENDING THE ANNUAL BUDGET FOR THE**  
**UTILITY FUND OF THE TOWN OF CHESAPEAKE BEACH FOR**  
**THE FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019 TO**  
**RECONCILE EXPENSES AND INCOME AND RATIFY**  
**OVEREXPENDITURES.**

WHEREAS, Chesapeake Beach, Maryland (the "Town") is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't Art., § 5-205 and Section C-707 of the Charter of Chesapeake Beach, the Town is empowered to establish an annual budget; and

WHEREAS, on or about May 17, 2018, following required advertisement and public hearing, the Town Council approved a budget ordinance for the Town's Utility Fund for Fiscal Year 2019; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article a municipality may not expend funds not appropriated in its annual budget for the purpose for which they are to be spent; and

WHEREAS, pursuant to § 5-205(b) of the Local Government, a municipality may amend an adopted budget to expend funds not previously appropriated upon a 2/3 vote of the legislative body; and

WHEREAS, after the adoption of the Utility Fund budget for Fiscal Year 2019, the Town Treasurer became aware that the utilities line item expense had inadequate funds to cover utility costs and must be off-set with investment interest; and

WHEREAS, the Town Council wishes to ratify those expenditures and to amend the Fiscal Year 2019 Utility Fund budget to appropriate the necessary funds.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

Section 1. The annual budget for the Utility Fund of Chesapeake Beach for the Fiscal Year 2019 is hereby amended as shown on the attached Exhibit A.

Section 2. In all other respects the budget for the Utility Fund, as adopted on May 17, 2018, shall remain as adopted and in full force and effect, subject to prior duly enacted amendments, with respect to revenues and expenditures for the Fiscal Year 2019.

**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on the 16<sup>th</sup> day of January, 2020, that a public hearing was held on the 20<sup>th</sup> day of February, 2020, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_\_ votes of approval and \_\_\_\_\_ votes of disapproval were cast. The resulting affirmative vote of at least 2/3 the Council \_\_\_\_\_ (*approved/disapproved*) the passage of this Ordinance this 20<sup>th</sup> day of February, 2020. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

CHESAPEAKE BEACH, MARYLAND

---

Patrick J. Mahoney, Mayor

---

Valerie L. Beaudin, Councilwoman

---

Derek J. Favret, Councilman

---

Gregory J. Morris, Councilman

---

Lawrence P. Jaworski, Councilman

---

Keith L. Pardieck, Councilman

---

L. Charles Fink, Councilman

Exhibit A  
Fiscal Year 2019  
Utility Fund

|   | Annual Budget FY 2019 | <u>Amended</u>  | As Amended - Annual<br>Budget FY 2019 |
|---|-----------------------|-----------------|---------------------------------------|
| <b>Revenues - Sewer</b>                             |                       |                 |                                       |
| 400-440010 · Sewer Usage Charge                     | \$ 779,800            |                 | \$ 779,800                            |
| 400-450000 · Investment Interest                    | \$ 5,000              | \$ 7,074        | \$ 12,074                             |
| 400-440040 · Penalties and Interest                 | \$ 8,000              |                 | \$ 8,000                              |
| <b>Total Revenues - Sewer</b>                       | <b>\$ 792,800</b>     | <b>\$ 7,074</b> | <b>\$ 799,874</b>                     |
| <b>Revenues - Water</b>                             |                       |                 |                                       |
| 400-441010 · Water Usage Charges                    | \$ 281,400            |                 | \$ 281,400                            |
| 400-441020 · Miscellaneous Income - Other           | \$ 600                |                 | \$ 600                                |
| <b>Total Revenues - Water</b>                       | <b>\$ 282,000</b>     | <b>\$ -</b>     | <b>\$ 282,000</b>                     |
| <b>Revenues - Other</b>                             |                       |                 |                                       |
| 400-430130 · Unallocated reserves from General Fund | \$ 869,596            |                 | \$ 869,596                            |
| 400-460000 · Fixed Fee                              | \$ 481,000            |                 | \$ 481,000                            |
| 400-460050 · Infrastructure Fees                    | \$ 100,000            |                 | \$ 100,000                            |
|   | <b>\$ 1,450,596</b>   | <b>\$ -</b>     | <b>\$ 1,450,596</b>                   |
| <b>Total Income</b>                                 | <b>\$ 2,525,396</b>   | <b>\$ 7,074</b> | <b>\$ 2,532,470</b>                   |

Exhibit A  
Fiscal Year 2019  
Utility Fund

|   | Annual Budget FY 2019 | <u>Amended</u>  | As Amended - Annual<br>Budget FY 2019 |
|---|-----------------------|-----------------|---------------------------------------|
| <b>Expense</b>  |                       |                 |                                       |
| 400-6850-662200 · Meters / MXU's                        | \$ 50,000             |                 | \$ 50,000                             |
| 400-6850-715100 · Water Plant Repair & Maint            | \$ 12,000             |                 | \$ 12,000                             |
| 400-6850-715500 · Water Testing                         | \$ 10,000             |                 | \$ 10,000                             |
| 400-6900-621400 · Engineering & Prof Fees               | \$ 10,000             |                 | \$ 10,000                             |
| 400-6900-621501 · SAFETY                                | \$ 6,500              |                 | \$ 6,500                              |
| 400-6900-626001 · Pump Station Repair & Maint           | \$ 40,000             |                 | \$ 40,000                             |
| 400-6900-630500 · Supplies                              | \$ 25,000             |                 | \$ 25,000                             |
| 400-6900-631500 · Postage                               | \$ 4,240              |                 | \$ 4,240                              |
| 400-6900-632400 · Miss Utility Fees                     | \$ 2,800              |                 | \$ 2,800                              |
| 400-6900-632500 · Line Repairs & Maintanance            | \$ 246,600            |                 | \$ 246,600                            |
| 400-6900-632800 · Banking Fees                          | \$ 10,090             |                 | \$ 10,090                             |
| 400-6900-670000 · TPF Fixed Costs                       | \$ 537,174            |                 | \$ 537,174                            |
| 400-6900-670100 · TPF Variable/Capital Costs            | \$ 250,717            |                 | \$ 250,717                            |
| 400-6900-687500 · Utilities                             | \$ 60,000             | \$ 7,074        | \$ 67,074                             |
| <b>Total Expenses</b>                                   | <b>\$ 1,265,121</b>   | <b>\$ 7,074</b> | <b>\$ 1,272,195</b>                   |
| 400-6900-780000 · Property Insurance                    | \$ 15,002             |                 | \$ 15,002                             |
| 400-105000 · Savings Account for ENR principal payments | \$ 500,000            |                 | \$ 500,000                            |
| <b>Debt Service</b>                                     |                       |                 |                                       |
| 400-6900-719300 · Principal - 2014 - ENR                | \$ 182,996            |                 | \$ 182,996                            |
| 400-6900-748100 · Principal - 2008 SRF Loan             | \$ 274,805            |                 | \$ 274,805                            |
| 400-6900-748300 · Principal - ARRA Loan (2009)          | \$ 35,135             |                 | \$ 35,135                             |
| 400-6850-719200 · Principal - DHCD 2010 Bond            | \$ 98,500             |                 | \$ 98,500                             |
| 400-6900-6253 · Interest Expense                        | \$ 153,837            |                 | \$ 153,837                            |
| <b>Total Debt Service</b>                               | <b>\$ 745,273</b>     | <b>\$ -</b>     | <b>\$ 745,273</b>                     |
| <b>Total Expense</b>                                    | <b>\$ 2,525,396</b>   | <b>\$ 7,074</b> | <b>\$ 2,532,470</b>                   |
| <b>FY Surplus</b>                                       | <b>\$ -</b>           | <b>\$ -</b>     | <b>\$ -</b>                           |

#O-20- 4  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**AN ORDINANCE**  
**OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND,**  
**AMENDING THE ANNUAL BUDGET FOR THE WATER RECLAMATION AND**  
**TREATMENT PLANT FUND OF THE TOWN OF CHESAPEAKE BEACH**  
**FOR THE FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019 TO RECONCILE**  
**EXPENSES AND INCOME AND RATIFY OVEREXPENDITURES.**

WHEREAS, Chesapeake Beach, Maryland (the "Town") is a municipal corporation of the State of Maryland, organized and operating under a Charter adopted in 1963, in accordance with Article XI-E of the Constitution of Maryland and the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't Art., § 5-205 and Section C-707 of the Charter of Chesapeake Beach, the Town is empowered to establish an annual budget; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article a municipality may not expend funds not appropriated in its annual budget for the purpose for which they are to be spent; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article, a municipality may amend an adopted budget to expend funds not previously appropriated upon a 2/3 vote of the legislative body; and

WHEREAS, after due notice and a public hearing, the Town Council adopted an annual budget for the Wastewater Reclamation and Treatment Plant on April 19, 2018; and

WHEREAS, it has come to the attention of the Town Treasurer that the Town incurred certain expenses during Fiscal Year 2019 that exceeded the amounts budgeted because land tipping fees were processed as an accrual expense instead of a cash basis expense; and



WHEREAS, the Town Council wishes to ratify those expenditures and to amend the Fiscal Year 2019 Wastewater Reclamation and Treatment Plant Fund budget to appropriate the necessary funds.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

Section 1. The annual budget for the Water Reclamation and Treatment Plant Fund of the Town of Chesapeake Beach for the Fiscal Year 2019 is hereby amended as set forth in the attached Exhibit A hereto.

Section 2. In all other respects the budget for the Utility Fund, as adopted on April 19, 2018, shall remain as adopted and in full force and effect, subject to prior duly enacted amendments, with respect to revenues and expenditures for the Fiscal Year 2019.

**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on the 16<sup>th</sup> day of January, 2020, that a public hearing was held on the 20<sup>th</sup> day of February, 2020, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_\_ votes of approval and \_\_\_\_\_ votes of disapproval were cast. The resulting affirmative vote of at least 2/3 the Council \_\_\_\_\_ (*approved/disapproved*) the passage of this Ordinance this 20<sup>th</sup> day of February, 2020. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

CHESAPEAKE BEACH, MARYLAND

---

Patrick J. Mahoney, Mayor

---

Valerie L. Beaudin, Councilwoman

---

Derek J. Favret, Councilman

---

Gregory J. Morris, Councilman

---

Lawrence P. Jaworski, Councilman

---

Keith L. Pardieck, Councilman

---

L. Charles Fink, Councilman

Exhibit A  
Fiscal Year 2019  
Treatment Fund

|  | Annual Budget FY 2019 | <u>Amended</u>  | As Amended - Annual<br>Budget FY 2019 |
|--|-----------------------|-----------------|---------------------------------------|
| <b>Revenues</b>                                |                       |                 |                                       |
| 300-430010 - Anne Arundel Fixed - 10.44%       | \$ 95,182             |                 | \$ 95,182                             |
| 300-430020 - Calvert County- Fixed - 21.81%    | \$ 198,842            |                 | \$ 198,842                            |
| 300-430030 - Chesapeake Beach - Fixed - 49.66% | \$ 452,752            |                 | \$ 452,752                            |
| 300-430040 - North Beach - Fixed - 18.09%      | \$ 164,927            |                 | \$ 164,927                            |
| 300-431010 - Anne Arundel - Variable           | \$ 56,396             | \$ 564          | \$ 56,960                             |
| 300-431020 - Calvert County / NB Variable      | \$ 119,535            | \$ 3,058        | \$ 122,593                            |
| 300-431030 - Chesapeake Beach - Variable       | \$ 250,717            | \$ 2,506        | \$ 253,223                            |
| 300-431040 - North Beach - Variable            | \$ 186,352            |                 | \$ 186,352                            |
| 300-432010 - Capital - Anne Arundel            | \$ 17,748             |                 | \$ 17,748                             |
| 300-432020 - Capital - Calvert County          | \$ 37,077             |                 | \$ 37,077                             |
| 300-432030 - Capital Chesapeake Beach          | \$ 84,422             |                 | \$ 84,422                             |
| 300-432040 - Capital - North Beach             | \$ 30,753             |                 | \$ 30,753                             |
| 300-439010 - Grants - Anne Arundel             | \$ -                  |                 | \$ -                                  |
| 300-439020 - Grants - Calvert County           | \$ -                  |                 | \$ -                                  |
| 300-439030 - Grants - Chesapeake Beach         | \$ -                  |                 | \$ -                                  |
| 300-439040 - Grants - North Beach              | \$ -                  |                 | \$ -                                  |
| <b>Total Income</b>                            | <b>\$ 1,694,703</b>   | <b>\$ 6,128</b> | <b>\$ 1,700,831</b>                   |

Exhibit A  
Fiscal Year 2019  
Treatment Fund

| Expense                                     | Annual Budget FY 2019 | <u>Amended</u>  | As Amended - Annual<br>Budget FY 2019 |
|---|-----------------------|-----------------|---------------------------------------|
| 300-6975-601000 - Salaries and Wages        | \$ 394,327            |                 | \$ 394,327                            |
| 300-6975-610500 - Plant Benefits            | \$ 249,351            |                 | \$ 249,351                            |
| 300-6975-621000 - Administration - TCB      | \$ 28,525             |                 | \$ 28,525                             |
| 300-6975-621401 - Eng and Prof Fees         | \$ 6,000              |                 | \$ 6,000                              |
| 300-6975-621500 - Safety                    | \$ 10,000             |                 | \$ 10,000                             |
| 300-6975-622000 - Telephone                 | \$ 6,000              |                 | \$ 6,000                              |
| 300-6975-623000 - Lab Analysis and Supplies | \$ 61,000             |                 | \$ 61,000                             |
| 300-6975-626000 - Eq Repair and Maintenance | \$ 65,000             |                 | \$ 65,000                             |
| 300-6975-627000 - Misc - Fixed              | \$ 1,500              |                 | \$ 1,500                              |
| 300-6975-628000 - Equipment Purchases       | \$ 65,000             |                 | \$ 65,000                             |
| 300-6975-684601 - Chemicals                 | \$ 175,000            |                 | \$ 175,000                            |
| 300-6975-684701 - Landfill Tipping Fees     | \$ 135,000            | \$ 6,128        | \$ 141,128                            |
| 300-6975-687501 - Utilities                 | \$ 300,000            |                 | \$ 300,000                            |
| 300-6975-713000 - Misc. Variable            | \$ 3,000              |                 | \$ 3,000                              |
| 300-6975-780000 - Insurance - Plant         | \$ 25,000             |                 | \$ 25,000                             |
| 300-6975-801000 - Capital Projects          | \$ 170,000            |                 | \$ 170,000                            |
| <b>Total Expenses</b>                       | <b>\$ 1,694,703</b>   | <b>\$ 6,128</b> | <b>\$ 1,700,831</b>                   |
| <b>FY Surplus</b>                           | <b>\$ -</b>           | <b>\$ -</b>     | <b>\$ -</b>                           |

**ORDINANCE O-20-5**

**AN ORDINANCE OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND, REPEALING IN ITS ENTIRETY AND REENACTING CHAPTER 25, "ETHICS, PUBLIC," OF THE CHESAPEAKE BEACH CODE, TO COMPLY WITH MD CODE ANN., GENERAL PROVISIONS ARTICLE, TITLE 5, AND TO MEET THE TOWN'S NEED FOR ETHICAL AND EFFICIENT GOVERNMENT; AND MATTERS GENERALLY RELATING TO PUBLIC ETHICS FOR OFFICIALS, APPOINTEES AND EMPLOYEES OF THE TOWN**

**WHEREAS**, pursuant to Md. Code Ann., Local Gov't. Article, § 5-202, Chesapeake Beach ("the Town") has the authority to pass such ordinances as it deems necessary to preserve peace and good order, to secure persons from danger and destruction and to protect the health, comfort and convenience of the citizens of the municipality; and

**WHEREAS**, the Maryland Public Ethics Law ("the State Public Ethics Law"), Md. Code Ann., Gen. Provs. Art., Title 5, Subtitle 8, Part II, "Public Ethics Laws for Counties and Municipal Corporations," states that the express powers contained in the Local Gov't. Article are intended and shall be deemed to incorporate and include the power and authority contained in the State Public Ethics Law"; and

**WHEREAS**, the State Public Ethics Law requires that Town elected officials, Town employees and certain persons appointed to Town Boards and Commissions be subject to conflict of interest prohibitions and certain financial disclosure requirements; and

**WHEREAS**, the Maryland Public Ethics Law requires that the Town adopt an ethics ordinance with conflict of interest and public disclosure provisions that are at least equivalent to or exceed the requirements of the State law for state officials and employees; and

**WHEREAS**, the Town previously enacted and amended a public ethics ordinance for Chesapeake Beach by Ordinance Nos. O-16-11 and O-17-15; and

**WHEREAS**, the Town wishes to exercise its discretion to adopt provisions of its public ethics ordinance which exceed the requirements of State law for State officials and employees and to make other revisions to the Town's public ethics ordinance.

**Section 1.** **NOW THEREFORE BE IT ORDAINED AND ENACTED** by the Town Council of Chesapeake Beach, that Chapter 25, "Ethics, Public," of the Chesapeake Beach Code is repealed in its entirety and re-enacted to read as follows:

**CHAPTER 25. ETHICS, PUBLIC**

## ARTICLE I APPLICABILITY, PURPOSES, AND DEFINITIONS

### § 25-1 APPLICABILITY

THE PROVISIONS OF THIS CHAPTER APPLY TO ALL TOWN ELECTED AND APPOINTED OFFICIALS, CANDIDATES FOR ELECTION, EMPLOYEES, AND TO APPOINTEES TO BOARDS AND COMMISSIONS OF THE TOWN.

### § 25-2 PURPOSES

THE PURPOSES OF THIS CHAPTER ARE:

- (A) TO MAKE IT AS DIFFICULT AS POSSIBLE FOR ANY OFFICIAL OR EMPLOYEE OF THE TOWN TO ACT CORRUPTLY;
- (B) TO MAKE IT AS EASY AS POSSIBLE FOR CORRUPTION TO BE DETECTED AND PUNISHED AND ITS EFFECTS REMEDIED; AND
- (C) TO FACILITATE THE CLARIFICATION OF AMBIGUOUS SITUATIONS, SO THAT OFFICIALS AND EMPLOYEES CAN HONESTLY CARRY OUT THEIR DUTIES DESPITE ERRONEOUS APPEARANCES OF POSSIBLE IMPROPRIETIES.

### § 25-3 DEFINITIONS

(A) *IN GENERAL*. — IN THIS CHAPTER, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED UNLESS:

- (1) THE CONTEXT CLEARLY REQUIRES A DIFFERENT MEANING; OR
- (2) A DIFFERENT DEFINITION IS ADOPTED FOR A PARTICULAR PROVISION.

(B) *APPOINTED OFFICIAL* MEANS:

- (1) THE TOWN ADMINISTRATOR;
- (2) TOWN CLERK;
- (3) TOWN TREASURER;
- (4) TOWN ATTORNEY;
- (5) ANY SPECIAL COUNSEL APPOINTED BY THE MAYOR;
- (6) TOWN ZONING ADMINISTRATOR;
- (7) TOWN ENGINEER;
- (8) TOWN CODE ENFORCEMENT OFFICIAL;
- (9) ALL TOWN DEPARTMENT DIRECTORS;
- (10) MEMBERS OF THE TOWN PLANNING COMMISSION, BOARD OF APPEALS, BOARD OF ELECTIONS, AND ETHICS COMMISSION.

(C) *BOARD* OR *COMMISSION* MEANS A UNIT COMPOSED OF AT LEAST TWO MEMBERS, ALL OF WHOM ARE APPOINTED AND SERVE ON A PART-TIME BASIS.

(D) *BUSINESS ENTITY* MEANS A PERSON OR COMPANY ENGAGED IN BUSINESS, WHETHER PROFIT OR NONPROFIT, REGARDLESS OF FORM.

(E) *CLOSE RELATIVE* MEANS ONE'S PARENTS, SPOUSE, DOMESTIC PARTNER, SIBLINGS, AND CHILDREN.

(F) *COMMISSION: SEE "BOARD OR COMMISSION."*

(G) *COMPENSATION* MEANS MONEY OR ANY OTHER VALUABLE THING, REGARDLESS OF FORM, RECEIVED OR TO BE RECEIVED BY A PERSON FROM AN EMPLOYER FOR SERVICES RENDERED.

(H) *CONFLICT OF INTEREST* MEANS THAT (1) A COVERED PERSON, (2) A CLOSE RELATIVE OF THE PERSON, OR (3) AN ORGANIZATION OR ENTITY TO WHICH THE COVERED PERSON OWES A FIDUCIARY DUTY, HAS INTERESTS WHICH DIFFER FROM THOSE OF THE TOWN WITH RESPECT TO A SPECIFIC MATTER.

(I) *CONTINGENT COMPENSATION FOR REPRESENTATION* MEANS COMPENSATION DEPENDENT ON THE SUCCESS OF THE REPRESENTATION.

(J) *COVERED PERSON* MEANS, AN ELECTED OFFICIAL, ANOTHER OFFICIAL, OR AN EMPLOYEE.

(K) *EARNED INCOME* HAS THE SAME MEANING AS UNDER FEDERAL TAX LAW. IT INCLUDES WAGES, SALARIES, TIPS, STRIKE BENEFITS, LONG TERM DISABILITY BENEFITS RECEIVED PRIOR TO MINIMUM RETIREMENT AGE, AND NET EARNINGS FROM SELF-EMPLOYMENT FROM A BUSINESS OR FARM OWNED BY THE PERSON. IT DOES NOT INCLUDE, INTEREST, DIVIDENDS, RETIREMENT INCOME, SOCIAL SECURITY, UNEMPLOYMENT BENEFITS, ALIMONY, OR CHILD SUPPORT.

(L) *ELECTED OFFICIAL* MEANS THE MAYOR, THE MAYOR-ELECT, OR A MEMBER OR MEMBER-ELECT OF THE TOWN COUNCIL.

(M) *EMPLOYEE* MEANS A PERSON WHO IS EMPLOYED BY THE TOWN BUT DOES NOT INCLUDE AN ELECTED PUBLIC OFFICIAL.

(N) *EMPLOYER* MEANS AN ENTITY THAT PAYS OR AGREES TO PAY COMPENSATION TO ANOTHER ENTITY FOR SERVICES RENDERED.

(O) *ENTITY* MEANS A PERSON, A COMPANY, OR A GOVERNMENT OR INSTRUMENTALITY OF GOVERNMENT.

(P) *ENTITY DOING BUSINESS WITH THE TOWN* MEANS AN ENTITY WHICH HAS A CONTRACT WITH THE TOWN, HAS SOLD THE TOWN ANY GOODS OR SERVICES, OR HAS PROPOSED A CONTRACT OR SALE OF GOODS OR SERVICES.

(Q) *ETHICS COMMISSION* MEANS THE TOWN ETHICS COMMISSION.

(R) *FINANCIAL INTEREST* MEANS:

(1) OWNERSHIP OF AN INTEREST AS THE RESULT OF WHICH THE OWNER HAS RECEIVED WITHIN THE PAST 3 YEARS, IS CURRENTLY RECEIVING, OR IN THE FUTURE IS ENTITLED TO RECEIVE, MORE THAN \$1,000 PER YEAR; OR

(2) OWNERSHIP OF MORE THAN 3% OF A BUSINESS ENTITY BY A COVERED PERSON OR HIS OR HER SPOUSE; OR

(3) OWNERSHIP OF SECURITIES OF ANY KIND THAT REPRESENT, OR ARE CONVERTIBLE INTO, OWNERSHIP OF MORE THAN 3% OF A BUSINESS ENTITY BY A COVERED PERSON OR HIS OR HER SPOUSE.

(S) *GIFT* MEANS THE TRANSFER OF ANYTHING OF ECONOMIC VALUE, REGARDLESS OF FORM, WITHOUT ADEQUATE AND LAWFUL CONSIDERATION.

(T) *HONORARIUM* MEANS MONEY OR A THING OF VALUE, EXCEPT A PAYMENT FOR WRITING A BOOK THAT HAS BEEN OR IS INTENDED TO BE PUBLISHED, THAT IS TRANSFERRED TO A PERSON FOR:

(1) SPEAKING TO, PARTICIPATING IN, OR ATTENDING A MEETING OR OTHER FUNCTION; OR

(2) WRITING AN ARTICLE THAT HAS BEEN OR IS INTENDED TO BE PUBLISHED.

(U) *INTEREST* MEANS A LEGAL OR EQUITABLE ECONOMIC INTEREST THAT IS OWNED OR HELD WHOLLY OR PARTLY, JOINTLY OR SEVERALLY, OR DIRECTLY OR INDIRECTLY, WHETHER OR NOT THE ECONOMIC INTEREST IS SUBJECT TO AN ENCUMBRANCE OR CONDITION. *INTEREST* DOES NOT INCLUDE:

(1) AN INTEREST HELD IN THE CAPACITY OF AGENT, CUSTODIAN, FIDUCIARY, PERSONAL REPRESENTATIVE, OR TRUSTEE, UNLESS THE HOLDER HAS AN EQUITABLE INTEREST IN THE SUBJECT MATTER;

(2) AN INTEREST IN A TIME OR DEMAND DEPOSIT IN A FINANCIAL INSTITUTION; AN INTEREST IN AN INSURANCE POLICY, ENDOWMENT POLICY, OR ANNUITY CONTRACT BY WHICH AN INSURER PROMISES TO PAY A FIXED AMOUNT OF MONEY IN A LUMP SUM OR PERIODICALLY FOR LIFE OR A SPECIFIED PERIOD;

(3) A COMMON TRUST FUND OR A TRUST THAT FORMS PART OF A PENSION OR A PROFIT-SHARING PLAN THAT:

[A] HAS MORE THAN 25 PARTICIPANTS; AND

[B] IS DETERMINED BY THE INTERNAL REVENUE SERVICE TO BE A QUALIFIED TRUST OR COLLEGE SAVINGS PLAN UNDER THE INTERNAL REVENUE CODE; OR

(4) A MUTUAL FUND THAT IS PUBLICLY TRADED ON A NATIONAL SCALE UNLESS THE MUTUAL FUND IS COMPOSED PRIMARILY OF HOLDINGS OF STOCKS AND INTERESTS IN A SPECIFIC SECTOR OR AREA THAT IS REGULATED BY THE PERSON'S GOVERNMENTAL UNIT.

(V) *INTEREST ATTRIBUTABLE*. THE FOLLOWING ARE DEEMED TO BE THE INTERESTS OF A PERSON COVERED BY THIS CHAPTER:

(1) AN INTEREST OF A CLOSE RELATIVE IN WHICH THE COVERED PERSON (OR AN ENTITY IN WHICH THE COVERED PERSON HELD A GREATER THAN 50% INTEREST) HELD A GREATER THAN 50% INTEREST AT ANY TIME DURING THE APPLICABLE PERIOD;

(2) AN INTEREST HELD BY A BUSINESS ENTITY IN WHICH THE COVERED PERSON HELD A 30% OR GREATER INTEREST AT ANY TIME DURING THE APPLICABLE PERIOD.

(3) AN INTEREST HELD BY A TRUST OR ESTATE IN WHICH, AT ANY TIME DURING THE APPLICABLE PERIOD, THE COVERED PERSON WAS A BENEFICIARY OR HELD A REVERSIONARY INTEREST OR, IF A REVOCABLE TRUST, WAS A SETTLOR.



(W) *LEGISLATIVE ACTION* MEANS AN OFFICIAL ACTION, INCLUDING INTRODUCTION, SPONSORSHIP, CONSIDERATION, DEBATE, AMENDMENT, PASSAGE, DEFEAT, APPROVAL, AND VETO, OR NON-ACTION RELATING TO:

(1) AN ORDINANCE, A RESOLUTION, AN AMENDMENT, A NOMINATION, AN APPOINTMENT, A REPORT, OR ANY OTHER MATTER WITHIN THE JURISDICTION OF THE TOWN COUNCIL;

(2) AN ORDINANCE PRESENTED TO THE MAYOR FOR SIGNATURE OR VETO; OR

(3) TESTIMONY OR OTHER ADVOCACY IN AN OFFICIAL CAPACITY AS A MEMBER OF THE TOWN COUNCIL BEFORE A UNIT OF STATE OR LOCAL GOVERNMENT.

(X) *OBLIGEE* MEANS AN ENTITY TO WHOM A DEBT OR OTHER MONETARY OBLIGATION IS OWED.

(Y) *POLITICAL CONTRIBUTION* MEANS A CONTRIBUTION AS DEFINED IN § 1-101 OF THE MARYLAND ELECTION LAW ARTICLE.

(Z) *PROCUREMENT CONTRACT* HAS THE MEANING STATED IN § 11-101 OF THE MARYLAND STATE FINANCE AND PROCUREMENT ARTICLE.

(AA) *PUBLIC OFFICIAL* MEANS AN ELECTED OFFICIAL OR APPOINTED OFFICIAL.

(BB) *RESPONDENT* MEANS ANYONE WHO IS THE SUBJECT OF A COMPLAINT BEFORE THE ETHICS COMMISSION.

## **ARTICLE II ETHICS COMMISSION**

### **§ 25-4. ETHICS COMMISSION**

THERE IS A CHESAPEAKE BEACH ETHICS COMMISSION CONSISTING OF THREE MEMBERS, APPOINTED BY THE MAYOR WITH THE APPROVAL OF THE COUNCIL.

### **§ 25-5 TERMS**

THE CURRENTLY SERVING COMMISSIONERS WERE APPOINTED IN 2017 TO FIVE YEAR TERMS. THE TERMS OF THE CURRENT COMMISSIONERS ARE CONTINUED. UPON THE EXPIRATION OF THE TERMS OF THE CURRENT COMMISSIONERS, ONE MEMBER OF THE COMMISSION SHALL BE APPOINTED TO A ONE YEAR TERM, ONE MEMBER SHALL BE APPOINTED TO A THREE YEAR TERM, AND ONE MEMBER SHALL BE APPOINTED TO A FIVE YEAR TERM. UPON THE EXPIRATION OF EACH OF THOSE TERMS, APPOINTMENTS SHALL BE FOR THREE YEAR TERMS.

### **§ 25-6 REMOVAL OF MEMBERS OF THE ETHICS COMMISSION**

ANY MEMBER OF THE ETHICS COMMISSION CAN BE REMOVED BY THE COUNCIL FOR GOOD CAUSE, INCLUDING, BUT NOT LIMITED TO, MALFEASANCE, MISFEASANCE, AND NONFEASANCE, AFTER WRITTEN NOTICE AND OPPORTUNITY FOR HEARING BEFORE THE TOWN COUNCIL.

§ 25-7 VACANCIES

VACANCIES SHALL BE FILLED BY APPOINTMENT BY THE MAYOR WITH THE APPROVAL OF THE COUNCIL. VACANCIES SHALL BE FILLED FOR THE BALANCE OF THE UNEXPIRED TERM.

§ 25-8 QUORUM

EXCEPT AS PROVIDED ELSEWHERE IN THIS CHAPTER, A QUORUM SHALL CONSIST OF TWO MEMBERS OF THE COMMISSION, AND MOTIONS SHALL BE PASSED BY MAJORITY VOTE.

§ 25-9 DUTIES OF COMMISSION

THE COMMISSION SHALL:

- (A) DEVISE, RECEIVE, AND MAINTAIN ALL FORMS REQUIRED BY THIS CHAPTER.
- (B) PROVIDE ADVISORY OPINIONS IN APPROPRIATE CASES.
- (C) DEVELOP PROCEDURES AND POLICIES FOR THE PROCESSING OF COMPLAINTS TO MAKE APPROPRIATE DETERMINATIONS REGARDING COMPLAINTS FILED BY ANY PERSON ALLEGING VIOLATIONS OF THIS CHAPTER.
- (D) CONDUCT A PUBLIC INFORMATION PROGRAM REGARDING THE PURPOSES AND APPLICATION OF THIS CHAPTER.
- (E) SUBMIT A REPORT ON ITS ACTIVITIES AT EACH MEETING OF THE TOWN COUNCIL.
- (F) CONSULT WITH THE STATE ETHICS COMMISSION AND OTHERS REGARDING POSSIBLE IMPROVEMENTS IN THE TOWN'S ETHICS PROGRAM.
- (G) CERTIFY TO THE STATE ETHICS COMMISSION ON OR BEFORE OCTOBER 1 OF EACH YEAR THAT THE TOWN IS IN COMPLIANCE WITH THE STATE PUBLIC ETHICS LAW, OR, IF NOT IN COMPLIANCE, THE STATUS OF EFFORTS TO BRING IT INTO COMPLIANCE.
- (H) CONSIDER WHETHER CHANGES SHOULD BE MADE TO THIS CHAPTER AND, IF SO, SHALL RECOMMEND THOSE CHANGES TO THE TOWN COUNCIL FOR CONSIDERATION. THE COUNCIL RETAINS FULL DISCRETION ON ACTING ON THE COMMISSION'S RECOMMENDATION.
- (I) ADOPT OTHER POLICIES AND PROCEDURES TO ASSIST IN THE IMPLEMENTATION OF THE COMMISSION'S PROGRAMS ESTABLISHED IN THIS CHAPTER.

§ 25-10 LEGAL COUNSEL

- (A) THE MAYOR SHALL ASSIGN INDEPENDENT LEGAL COUNSEL TO ADVISE AND REPRESENT THE COMMISSION.
- (B) EFFECTIVE JANUARY 1, 2021, AN ATTORNEY OR LAW FIRM IS NOT INDEPENDENT IF, CURRENTLY OR WITHIN THE PREVIOUS CALENDAR YEAR, HE, SHE, OR IT HAS REPRESENTED OR ADVISED, OTHER THAN THE ETHICS COMMISSION:
  - (1) ANYONE COVERED BY THIS CHAPTER;
  - (2) THE MAYOR OR TOWN COUNCIL AS AN INSTITUTION; OR
  - (3) ANY ENTITY THAT DID, OR PROPOSED TO DO, BUSINESS WITH THE TOWN.

§ 25-11 INVESTIGATOR

THE COMMISSION MAY REQUEST THE TOWN TO PROVIDE A PRIVATE INVESTIGATOR WHEN NEEDED TO DISCOVER FACTS RELEVANT TO AN ALLEGATION OF VIOLATION OF THIS CHAPTER.

§ 25-12 RECORDS

(A) THE TOWN CLERK OR OTHER TOWN OFFICIAL DESIGNATED BY THE MAYOR SHALL MAINTAIN, AND MAKE AVAILABLE FOR PUBLIC REVIEW ELECTRONICALLY:

- (1) FINANCIAL DISCLOSURES MADE TO IT;
- (2) STATEMENTS OF RECUSAL OR EXCEPTION;
- (3) AND WITH REDACTIONS TO PROTECT INVASIONS OF PRIVACY, ADVISORY OPINIONS IT ISSUES.

(B) FINANCIAL DISCLOSURES STATEMENTS MUST BE RETAINED FOR AT LEAST FOUR YEARS FROM THE DATE OF RECEIPT.

**ARTICLE III CONFLICTS OF INTEREST.**

§ 25-13 COVERAGE OF ARTICLE

(A) ALL TOWN ELECTED OFFICIALS, APPOINTED OFFICIALS, AND EMPLOYEES ARE SUBJECT TO THIS ARTICLE.

(B) WHEN A POSITION IS FILLED THROUGH A CONTRACT WITH A FIRM, THE FIRM ITSELF, AS WELL AS THE PERSON ASSIGNED TO PERFORM THE DUTIES OF THE OFFICE, IS SUBJECT TO THIS ARTICLE.

§ 25-14 LIST OF ENTITIES

(A) THE TOWN ADMINISTRATOR SHALL COMPILE IN JANUARY OF EACH YEAR AN ALPHABETIZED LIST OF ENTITIES THAT, AT THAT DATE OR DURING THE PREVIOUS CALENDAR YEAR:

- (1) HOLDS OR HELD A CONTRACT WITH THE TOWN;
- (2) HAD NEGOTIATED OR IS NEGOTIATING ON A CONTRACT WITH THE TOWN;
- (3) HAD RESPONDED TO A FORMAL OR INFORMAL REQUEST FOR PROPOSAL FROM THE

TOWN;

(B) CONTRACTS OF LESS THAN \$ 500 MAY BE OMITTED FROM THE LIST.

(C) THE LIST SHALL BE ACCESSIBLE ONLINE.

(D) THE LIST SHALL BE KEPT UP-TO-DATE THROUGHOUT THE YEAR.

§ 25-15 DECISIONS IN SOLE INTEREST OF TOWN

DECISIONS AND OTHER ACTIONS BY COVERED PEOPLE SHALL BE TAKEN IN THE SOLE INTEREST OF THE TOWN.

§ 25-16 ADVISORY OPINIONS

(A) APPEARANCE OF CONFLICT OF INTEREST. WHERE CONDUCT PRESENTS AN APPEARANCE OF A CONFLICT OF INTEREST, ANY COVERED PERSON, WHETHER OR NOT INVOLVED IN THE CONDUCT GIVING RISE TO AN APPEARANCE OF A CONFLICT, MAY OBTAIN AN ADVISORY OPINION FROM THE COMMISSION AS TO WHETHER THERE IS AN ACTUAL CONFLICT OF INTEREST.

(B) OTHER. ANY COVERED PERSON CAN ASK FOR AN ADVISORY OPINION IN CASES NOT INVOLVING THE APPEARANCE OF A CONFLICT OF INTEREST BUT IN THESE CASES THE COMMISSION MAY DENY THE REQUEST.

#### PARTICIPATION RESTRICTIONS

##### § 25-17 GENERAL

EXCEPT AS PROVIDED § 25-21, A COVERED PERSON IS DISQUALIFIED FROM PARTICIPATING IN ANY MATTER, INCLUDING ATTEMPTING TO INFLUENCE THE DECISION IN THAT MATTER, WHICH INVOLVES A CONFLICT OF INTEREST.

##### § 25-18 SPECIFIC CONFLICTS -- REAL PROPERTY

A COVERED PERSON MAY NOT PARTICIPATE IN ANY MATTER THAT WOULD AFFECT THE VALUE OF REAL ESTATE IN WHICH THE COVERED PERSON OR A CLOSE RELATIVE HAS AN OWNERSHIP INTEREST, EXCEPT WHERE THE EFFECT APPLIES GENERALLY TO REAL ESTATE THROUGHOUT THE TOWN OR A NEIGHBORHOOD OR SECTION OF THE TOWN;

##### § 25-19 SPECIFIC CONFLICTS -- BUSINESS ENTITIES

A COVERED PERSON MAY NOT PARTICIPATE IN ANY MATTER THAT WOULD AFFECT THE VALUE OF AN ENTITY IN WHICH THE COVERED PERSON HAS A DIRECT FINANCIAL INTEREST, FOR EXAMPLE, AS A SHAREHOLDER.

##### § 25-20 SPECIFIC CONFLICTS—PARTIES

A COVERED PERSON MAY NOT PARTICIPATE IN ANY MATTER IN WHICH ANY OF THE FOLLOWING IS A PARTY:

(A) AN ENTITY FOR WHICH THE COVERED PERSON OR, IF KNOWN BY THE COVERED PERSON, A CLOSE RELATIVE, IS AN OFFICER, DIRECTOR, TRUSTEE, PARTNER, OR EMPLOYEE;

(B) AN ENTITY WITH WHICH THE COVERED PERSON OR, IF KNOWN BY THE COVERED PERSON, A CLOSE RELATIVE IS NEGOTIATING EMPLOYMENT OR HAS ANY ARRANGEMENT CONCERNING PROSPECTIVE EMPLOYMENT;

(C) AN ENTITY THAT IS A PARTY TO AN EXISTING CONTRACT WITH THE COVERED PERSON OR A CLOSE RELATIVE, IF THE CONTRACT REASONABLY COULD BE EXPECTED TO RESULT IN A CONFLICT BETWEEN THE PRIVATE INTERESTS OF THE COVERED PERSON AND HIS OR HER OFFICIAL DUTIES;

(D) AN ENTITY THAT IS DOING BUSINESS WITH THE TOWN AND IN WHICH A DIRECT FINANCIAL INTEREST IS OWNED BY ANOTHER ENTITY IN WHICH THE OFFICIAL OR EMPLOYEE HAS A DIRECT FINANCIAL INTEREST, IF THE COVERED PERSON MAY BE REASONABLY EXPECTED TO KNOW OF BOTH DIRECT FINANCIAL INTERESTS; OR

(E) AN ENTITY THE COVERED PERSON KNOWS IS A CREDITOR OR OBLIGEE OF THE COVERED PERSON OR CLOSE RELATIVE WITH RESPECT TO A THING OF ECONOMIC VALUE; AND IS IN A POSITION TO DIRECTLY AND SUBSTANTIALLY AFFECT THE INTEREST OF THE COVERED PERSON OR CLOSE RELATIVE OF THE COVERED PERSON.

#### § 25-21 EXCEPTIONS

(A) THE PROHIBITIONS OF SECTIONS 25-17 THROUGH 25-20 DO NOT APPLY IF:

- (1) PARTICIPATION IS ALLOWED BY REGULATION OR OPINION OF THE COMMISSION; OR
- (2) THE PERSON IS ACTING OR PARTICIPATING IN A DECISION IN THE EXERCISE OF AN ADMINISTRATIVE OR MINISTERIAL DUTY THAT DOES NOT AFFECT THE DISPOSITION OR DECISION WITH RESPECT TO THE MATTER.

(B) A PERSON WHO IS DISQUALIFIED FROM PARTICIPATING UNDER SUBSECTION (A) SHALL DISCLOSE THE NATURE AND CIRCUMSTANCES OF THE CONFLICT AND MAY PARTICIPATE OR ACT IF:

- (1) THE DISQUALIFICATION LEAVES A BODY WITH LESS THAN A QUORUM CAPABLE OF ACTING;
- (2) THE DISQUALIFIED OFFICIAL OR EMPLOYEE IS REQUIRED BY LAW TO ACT; OR
- (3) THE DISQUALIFIED OFFICIAL OR EMPLOYEE IS THE ONLY PERSON AUTHORIZED TO ACT.

#### § 25-22 STATEMENT OF RECUSAL OR EXCEPTION

(A) WHENEVER A COVERED PERSON IS DISQUALIFIED FROM PARTICIPATING IN A MATTER, HE OR SHE MUST FILE, AT OR BEFORE THE TIME OF RECUSAL, A STATEMENT WITH THE COMMISSION DESCRIBING THE CIRCUMSTANCE OF THE APPARENT CONFLICT AND THE STEPS TAKEN TO AVOID PARTICIPATION IN MATTERS RELATED TO IT.

(B) WHENEVER A COVERED PERSON WOULD BE DISQUALIFIED FROM PARTICIPATING IN A MATTER BUT FOR ONE OF THE EXCEPTIONS IN § 25-21(B), HE OR SHE MUST FILE IN ADVANCE OF THE PARTICIPATION A STATEMENT WITH THE COMMISSION DESCRIBING THE CIRCUMSTANCE OF THE APPARENT CONFLICT AND THE BASIS FOR BELIEVING AN EXCEPTION APPLIED.

(C) IF AN ELECTED OFFICIAL DISCOVERS THE NEED FOR A STATEMENT UNDER SUBSECTION (A) OR (B) ONLY AFTER A TOWN COUNCIL MEETING OR WORK SESSION HAS BEGUN, HE OR SHE MAY PROVIDE THE STATEMENT DURING THE MEETING.

#### OTHER RESTRICTIONS AND PROHIBITIONS

#### § 25-23 EMPLOYMENT AND FINANCIAL INTEREST RESTRICTIONS

(A) IN GENERAL, A COVERED PERSON MAY NOT BE EMPLOYED BY OR HAVE A FINANCIAL INTEREST IN ANY ENTITY WHERE THAT WOULD IMPAIR HIS OR HER IMPARTIALITY OR INDEPENDENCE OF JUDGMENT.

(B) A COVERED PERSON MAY NOT BE EMPLOYED BY OR HAVE A FINANCIAL INTEREST IN ANY ENTITY:

- (1) THAT IS SUBJECT TO THE AUTHORITY OF THE TOWN; OR
- (2) THAT IS NEGOTIATING OR HAS ENTERED INTO A CONTRACT WITH THE TOWN.

(C) THE PROHIBITIONS OF SUBSECTIONS (A) AND (B) DO NOT APPLY TO:

(1) A COVERED PERSON WHO IS APPOINTED TO A REGULATORY OR LICENSING AUTHORITY PURSUANT TO A STATUTORY REQUIREMENT THAT PERSONS SUBJECT TO THE JURISDICTION OF THE AUTHORITY BE REPRESENTED IN APPOINTMENTS TO THE AUTHORITY;

(2) SUBJECT TO OTHER PROVISIONS OF LAW, A MEMBER OF A BOARD OR COMMISSION IN REGARD TO A FINANCIAL INTEREST OR EMPLOYMENT HELD AT THE TIME OF APPOINTMENT, PROVIDED THE FINANCIAL INTEREST OR EMPLOYMENT IS PUBLICLY DISCLOSED TO THE APPOINTING AUTHORITY AND THE COMMISSION;

(3) AN OFFICIAL OR EMPLOYEE WHOSE DUTIES ARE MINISTERIAL, IF THE PRIVATE EMPLOYMENT OR FINANCIAL INTEREST DOES NOT CREATE A CONFLICT OF INTEREST OR THE APPEARANCE OF A CONFLICT OF INTEREST, AS PERMITTED BY AND IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION; OR

(4) EMPLOYMENT OR FINANCIAL INTERESTS ALLOWED BY REGULATION OF THE COMMISSION IF THE EMPLOYMENT DOES NOT CREATE A CONFLICT OF INTEREST OR THE APPEARANCE OF A CONFLICT OF INTEREST OR THE FINANCIAL INTEREST IS DISCLOSED.

#### § 25-24 POST-EMPLOYMENT LIMITATIONS AND RESTRICTIONS

(A) A FORMER OFFICIAL OR EMPLOYEE MAY NOT WORK FOR, CONTRACT WITH, ASSIST OR REPRESENT ANY PARTY OTHER THAN THE TOWN FOR COMPENSATION IN A CASE, CONTRACT, OR OTHER SPECIFIC MATTER INVOLVING THE TOWN, IF THAT MATTER IS ONE IN WHICH THE FORMER OFFICIAL OR EMPLOYEE SIGNIFICANTLY PARTICIPATED AS AN OFFICIAL OR EMPLOYEE.

(B) UNTIL THE CONCLUSION OF THE TOWN ELECTIVE TERM THAT BEGINS AFTER THE ELECTED OFFICIAL LEAVES OFFICE, OR FOR ONE CALENDAR YEAR AFTER LEAVING OFFICE, WHICHEVER IS LONGER, A FORMER ELECTED OFFICIAL MAY NOT WORK FOR, CONTRACT WITH, ASSIST OR REPRESENT ANOTHER PARTY FOR COMPENSATION IN A MATTER THAT IS THE SUBJECT OF LEGISLATIVE ACTION.

#### § 25-25 CONTINGENT COMPENSATION

EXCEPT IN A JUDICIAL OR QUASI-JUDICIAL PROCEEDING, A COVERED PERSON MAY NOT ASSIST OR REPRESENT A PARTY FOR CONTINGENT COMPENSATION IN ANY MATTER BEFORE OR INVOLVING THE TOWN.

#### § 25-26 USE OF PRESTIGE OF OFFICE

(A) A COVERED PERSON MAY NOT INTENTIONALLY USE THE PRESTIGE OF OFFICE OR PUBLIC POSITION FOR THE PRIVATE GAIN OF THAT PERSON OR THE PRIVATE GAIN OF ANOTHER.

(B) THIS SECTION DOES NOT PROHIBIT THE PERFORMANCE OF USUAL AND CUSTOMARY CONSTITUENT SERVICES.

#### § 25-27 GIFTS

(A) A COVERED PERSON MAY NOT SOLICIT ANY GIFT FOR HIMSELF OR HERSELF, NOR DIRECTLY SOLICIT OR FACILITATE THE SOLICITATION OF A GIFT ON BEHALF OF ANOTHER PERSON.

(B) A COVERED PERSON MAY NOT KNOWINGLY ACCEPT A GIFT, DIRECTLY OR INDIRECTLY, FROM A PERSON THAT THE OFFICIAL OR EMPLOYEE KNOWS OR HAS THE REASON TO KNOW:

- (1) IS DOING BUSINESS WITH OR SEEKING TO DO BUSINESS WITH THE TOWN;
- (2) HAS FINANCIAL INTERESTS THAT MAY BE SUBSTANTIALLY AFFECTED, IN A MANNER DISTINGUISHABLE FROM THE PUBLIC GENERALLY, BY THE PERFORMANCE OR NONPERFORMANCE OF THE OFFICIAL DUTIES OF THE COVERED PERSON; OR
- (3) IS ENGAGED IN AN ACTIVITY REGULATED OR CONTROLLED BY THE TOWN.

(C) NOTWITHSTANDING SUBSECTIONS (A), AND (B) A COVERED PERSON MAY ACCEPT THE FOLLOWING:

- (1) MEALS AND BEVERAGES CONSUMED IN THE PRESENCE OF THE DONOR OR SPONSORING ENTITY;
- (2) CEREMONIAL GIFTS OR AWARDS THAT HAVE INSIGNIFICANT MONETARY VALUE;
- (3) UNSOLICITED GIFTS OF NOMINAL VALUE THAT DO NOT EXCEED \$20 IN COST OR TRIVIAL ITEMS OF INFORMATIONAL VALUE;
- (4) REASONABLE EXPENSES FOR FOOD, TRAVEL, LODGING, AND SCHEDULED ENTERTAINMENT OF THE COVERED PERSON AT A MEETING WHICH IS GIVEN IN RETURN FOR THE PARTICIPATION OF HIM OR HER IN A PANEL OR SPEAKING ENGAGEMENT AT THE MEETING;
- (5) GIFTS OF TICKETS OR FREE ADMISSION EXTENDED TO AN ELECTED LOCAL OFFICIAL TO ATTEND A CHARITABLE, CULTURAL, OR POLITICAL EVENT, IF THE PURPOSE OF THIS GIFT OR ADMISSION IS A COURTESY OR CEREMONY EXTENDED TO THE ELECTED OFFICIAL'S OFFICE;
- (6) A SPECIFIC GIFT OR CLASS OF GIFTS THAT THE COMMISSION EXEMPTS FROM THE OPERATION OF THIS SUBSECTION UPON A FINDING, IN WRITING, THAT ACCEPTANCE OF THE GIFT OR CLASS OF GIFTS WOULD NOT BE DETRIMENTAL TO THE IMPARTIAL CONDUCT OF THE BUSINESS OF THE TOWN AND THAT THE GIFT IS PURELY PERSONAL AND PRIVATE IN NATURE;
- (7) GIFTS FROM A PERSON RELATED TO THE COVERED PERSON BY BLOOD OR MARRIAGE, OR FROM ANY OTHER INDIVIDUAL WHO IS A MEMBER OF THE COVERED PERSON'S HOUSEHOLD; OR
- (8) AN HONORARIUM FOR SPEAKING TO OR PARTICIPATING IN A MEETING, PROVIDED THAT THE OFFERING OF THE HONORARIUM IS NOT RELATED IN ANY WAY TO THE COVERED PERSON'S OFFICIAL POSITION.

(D) THE PRECEDING SUBSECTION (C) DOES NOT APPLY TO A GIFT:

- (1) THAT WOULD TEND TO IMPAIR THE IMPARTIALITY AND THE INDEPENDENCE OF JUDGMENT OF THE COVERED PERSON RECEIVING THE GIFT;

(2) OF SIGNIFICANT VALUE THAT WOULD GIVE THE APPEARANCE OF IMPAIRING THE IMPARTIALITY AND INDEPENDENCE OF JUDGMENT OF THE COVERED PERSON; OR

(3) OF SIGNIFICANT VALUE THAT THE RECIPIENT COVERED PERSON BELIEVES OR HAS REASON TO BELIEVE IS DESIGNED TO IMPAIR HIS OR HER IMPARTIALITY AND INDEPENDENCE OF JUDGMENT.

§ 25-28 PARTICIPATION IN PROCUREMENT

(A) NO ONE WHO ASSISTS THE TOWN IN DRAFTING SPECIFICATIONS, INVITATIONS FOR BIDS, OR REQUESTS FOR PROPOSALS FOR A PROCUREMENT MAY SUBMIT A BID OR PROPOSAL FOR THAT PROCUREMENT, OR ASSIST ANOTHER TO DO SO.

(B) AN ENTITY THAT EMPLOYS SOMEONE WHO ASSISTS THE TOWN IN THE DRAFTING OF SPECIFICATIONS, AN INVITATION FOR BIDS, OR A REQUEST FOR PROPOSALS FOR A PROCUREMENT MAY NOT SUBMIT A BID OR PROPOSAL FOR THAT PROCUREMENT OR ASSIST OR REPRESENT ANOTHER PERSON, DIRECTLY OR INDIRECTLY, WHO IS SUBMITTING A BID OR PROPOSAL FOR THE PROCUREMENT.

(C) THE COMMISSION MAY ESTABLISH EXEMPTIONS FROM THE REQUIREMENTS OF THIS SUBSECTION FOR PROVIDING DESCRIPTIVE LITERATURE, SOLE SOURCE PROCUREMENTS, AND WRITTEN COMMENTS SOLICITED BY THE TOWN.

§ 25-29 DISCLOSURE OF CONFIDENTIAL INFORMATION

A COVERED PERSON MAY NOT DISCLOSE OR USE CONFIDENTIAL INFORMATION THAT HE OR SHE ACQUIRED BY REASON OF HIS OR HER PUBLIC POSITION AND THAT IS NOT AVAILABLE TO THE PUBLIC, FOR THE ECONOMIC BENEFIT OF THE COVERED PERSON OR ANYONE ELSE.

**ARTICLE IV FINANCIAL DISCLOSURE BY ELECTED OFFICIALS, CANDIDATES FOR ELECTION, AND APPOINTED OFFICIALS**

§ 25-30 COVERAGE OF ARTICLE

THIS ARTICLE APPLIES TO:

(A) ALL LOCAL ELECTED OFFICIALS AND CANDIDATES TO BE LOCAL ELECTED OFFICIALS;

(B) TO THE APPOINTED OFFICIALS LISTED ABOVE IN § 25-3(B); AND

(C) WHERE A POSITION IS FILLED THROUGH A CONTRACT WITH A FIRM, EFFECTIVE ONE YEAR FROM THE ADOPTION OF THIS ORDINANCE, THE FIRM ITSELF.

§ 25-31 REQUIREMENT TO FILE



THOSE COVERED BY THIS ARTICLE SHALL FILE THE FINANCIAL DISCLOSURE STATEMENT REQUIRED UNDER THIS SECTION WITH THE COMMISSION, ON A FORM PROVIDED BY THE COMMISSION, AND SIGNED AS TRUE UNDER PENALTY OF PERJURY.

#### § 25-32 DEADLINES

##### (A) DEADLINES FOR INCUMBENT ELECTED AND APPOINTED OFFICIALS

(1) AN INCUMBENT ELECTED OR APPOINTED OFFICIAL SHALL FILE A FINANCIAL DISCLOSURE STATEMENT ANNUALLY NO LATER THAN APRIL 30 OF EACH YEAR FOR THE PRECEDING CALENDAR YEAR.

(2) AN INDIVIDUAL WHO IS APPOINTED TO FILL A VACANCY IN AN OFFICE FOR WHICH A FINANCIAL DISCLOSURE STATEMENT IS REQUIRED AND WHO HAS NOT ALREADY FILED A FINANCIAL DISCLOSURE STATEMENT SHALL FILE A STATEMENT FOR THE PRECEDING CALENDAR YEAR WITHIN 30 DAYS AFTER APPOINTMENT.

(3) AN INDIVIDUAL WHO LEAVES AN OFFICE FOR WHICH A STATEMENT IS REQUIRED SHALL FILE A STATEMENT WITHIN 60 DAYS AFTER LEAVING THE OFFICE. THE STATEMENT SHALL COVER THE CALENDAR YEAR IMMEDIATELY PRECEDING THE YEAR IN WHICH THE INDIVIDUAL LEFT OFFICE, UNLESS A STATEMENT COVERING THAT YEAR HAS ALREADY BEEN FILED BY THE INDIVIDUAL; AND THE PORTION OF THE CURRENT CALENDAR YEAR DURING WHICH THE INDIVIDUAL HELD THE OFFICE.

##### (B) DEADLINE FOR STATEMENTS BY CANDIDATES FOR ELECTED OFFICE

(1) CANDIDATES FOR ELECTED OFFICE, INCLUDING INCUMBENTS, SHALL INCLUDE A FINANCIAL DISCLOSURE STATEMENT ALONG WITH THEIR DECLARATION OF CANDIDACY WHICH IS FILED WITH THE TOWN CLERK AT LEAST 56 DAYS PRIOR TO THE ELECTION (SEE § 22-26A). THE BOARD OF ELECTIONS MAY NOT ISSUE A CERTIFICATE OF CANDIDACY FOR A CANDIDATE THAT HAS NOT PROVIDED A FINANCIAL DISCLOSURE STATEMENT AT LEAST 56 DAYS PRIOR TO THE ELECTION.

(2) THE TOWN CLERK SHALL FORWARD THE ORIGINAL SIGNED DISCLOSURE FORM TO THE ETHICS COMMISSION AND A COPY OF THE DISCLOSURE FORM TO THE BOARD OF ELECTIONS WITH THE CANDIDATE'S DECLARATION OF CANDIDACY.

(3) PRIOR TO THE 42ND DAY BEFORE THE ELECTION, THE COMMISSION SHALL INFORM THE BOARD OF ELECTIONS OF ANY CASE IN WHICH THE FINANCIAL DISCLOSURES OF A CANDIDATE WERE FACIALLY INCOMPLETE OR DEFECTIVE AND PROVIDE COPIES OF ANY CORRESPONDENCE WITH THE CANDIDATE REGARDING THE MATTER.

#### § 25-33 CONTENT OF STATEMENT

EACH STATEMENT MUST INCLUDE SCHEDULES PROVIDING THE FOLLOWING INFORMATION:

##### (A) INTERESTS IN REAL PROPERTY

FOR APPOINTED OFFICIALS, THE ADDRESSES OF INTERESTS IN REAL PROPERTY LOCATED IN THE TOWN OF CHESAPEAKE BEACH, OR WITHIN 10 MILES OF THE BOUNDARIES OF CHESAPEAKE BEACH. FOR ELECTED OFFICIALS, A LIST OF ALL INTERESTS IN REAL PROPERTY, WHEREVER LOCATED, AND FOR EACH PROPERTY OF THE ELECTED OFFICIAL A STATEMENT OF:

(1) THE NATURE OF THE PROPERTY AND THE LOCATION BY STREET ADDRESS, MAILING ADDRESS, OR LEGAL DESCRIPTION OF THE PROPERTY;

(2) THE NATURE AND EXTENT OF THE INTEREST HELD, INCLUDING ANY CONDITIONS AND ENCUMBRANCES ON THE INTEREST;

(3) THE DATE WHEN, THE MANNER IN WHICH, AND THE IDENTITY OF THE PERSON FROM WHOM THE INTEREST WAS ACQUIRED;

(4) THE NATURE AND AMOUNT OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE INTEREST OR, IF ACQUIRED OTHER THAN BY PURCHASE, THE FAIR MARKET VALUE OF THE INTEREST AT THE TIME ACQUIRED;

(5) IF ANY INTEREST WAS TRANSFERRED, IN WHOLE OR IN PART, AT ANY TIME DURING THE REPORTING PERIOD, A DESCRIPTION OF THE INTEREST TRANSFERRED, THE NATURE AND AMOUNT OF THE CONSIDERATION RECEIVED FOR THE INTEREST, AND THE IDENTITY OF THE PERSON TO WHOM THE INTEREST WAS TRANSFERRED; AND

(6) THE IDENTITY OF ANY OTHER PERSON WITH AN INTEREST IN THE PROPERTY.

**(B) INTEREST IN BUSINESS ENTITIES**

FOR APPOINTED OFFICIALS, THE NAME AND ADDRESS OF ANY BUSINESS ENTITY, OTHER THAN MUTUAL FUNDS, DOING BUSINESS WITH THE TOWN, IN WHICH THE FILER HAS A FINANCIAL INTEREST. FOR ELECTED OFFICIALS, THE NAME AND ADDRESS OF ANY BUSINESS ENTITY, OTHER THAN MUTUAL FUNDS, REGARDLESS OF WHETHER OR NOT IT DOES BUSINESS WITH THE TOWN, IN WHICH THE FILER HAS A FINANCIAL INTEREST, AND FOR EACH ENTITY, A STATEMENT OF:

(1) THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF THE ENTITY;

(2) THE NATURE AND AMOUNT OF THE INTEREST HELD, INCLUDING ANY CONDITIONS AND ENCUMBRANCES ON THE INTEREST;

(3) WITH RESPECT TO ANY INTEREST TRANSFERRED, IN WHOLE OR IN PART, AT ANY TIME DURING THE REPORTING PERIOD, A DESCRIPTION OF THE INTEREST TRANSFERRED, THE NATURE AND AMOUNT OF THE CONSIDERATION RECEIVED FOR THE INTEREST, AND, IF KNOWN, THE IDENTITY OF THE PERSON TO WHOM THE INTEREST WAS TRANSFERRED; AND

(4) WITH RESPECT TO ANY INTEREST ACQUIRED DURING THE REPORTING PERIOD:

(I) THE DATE WHEN, THE MANNER IN WHICH, AND THE IDENTITY OF THE PERSON FROM WHOM THE INTEREST WAS ACQUIRED; AND

(II) THE NATURE AND THE AMOUNT OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE INTEREST OR, IF ACQUIRED OTHER THAN BY PURCHASE, THE FAIR MARKET VALUE OF THE INTEREST AT THE TIME ACQUIRED.

(5) AN INDIVIDUAL MAY SATISFY THE REQUIREMENT TO REPORT THE AMOUNT OF THE INTEREST HELD UNDER SUBSECTION (B)(2) BY REPORTING, INSTEAD OF A DOLLAR AMOUNT:

(I) FOR AN EQUITY INTEREST IN A CORPORATION, THE NUMBER OF SHARES HELD AND, UNLESS THE CORPORATION'S STOCK IS PUBLICLY TRADED, THE PERCENTAGE OF EQUITY INTEREST HELD; OR

(II) FOR AN EQUITY INTEREST IN A PARTNERSHIP, THE PERCENTAGE OF EQUITY INTEREST HELD.

(6) INTERESTS IN MUTUAL FUNDS MAY BE EXCLUDED FROM THE DISCLOSURE OF CORPORATE INTERESTS OTHERWISE REQUIRED BY THIS SUBSECTION.

(C) EMPLOYMENT WITH OR INTERESTS IN ENTITIES DOING BUSINESS WITH THE TOWN

(1) A LIST OF ALL ENTITIES DOING BUSINESS WITH THE TOWN DURING THE REPORTING PERIOD IN WHICH:

- [I] THE FILER OR A CLOSE RELATIVE HELD AN OFFICE, DIRECTORSHIP, OR SALARIED EMPLOYMENT.
- [II] THE FILER OR A CLOSE RELATIVE SOUGHT EMPLOYMENT.
- [III] THE FILER OR A CLOSE RELATIVE HAD A CONTRACT.
- [IV] THE FILER HAD A DIRECT FINANCIAL INTEREST IN AN ENTITY WHICH HAD A DIRECT FINANCIAL INTEREST IN THE ONE DOING BUSINESS WITH THE TOWN.

(2) FOR EACH POSITION REPORTED UNDER THIS SUBSECTION, THE SCHEDULE SHALL INCLUDE:

- [I] THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF THE BUSINESS ENTITY;
- AND
- [II] THE TITLE AND NATURE OF THE OFFICE, DIRECTORSHIP, OR SALARIED EMPLOYMENT HELD AND THE DATE IT COMMENCED.

(D) INDEBTEDNESS TO ENTITIES DOING BUSINESS WITH THE TOWN

(1) A LIST OF ALL LIABILITIES, EXCLUDING RETAIL CREDIT ACCOUNTS, TO PEOPLE DOING BUSINESS WITH THE TOWN OWED AT ANY TIME DURING THE REPORTING PERIOD BY THE PERSON; OR BY A CLOSE RELATIVE IF THE PERSON WAS INVOLVED IN THE TRANSACTION GIVING RISE TO THE LIABILITY.

(2) FOR EACH LIABILITY REPORTED UNDER THIS SUBSECTION, THE SCHEDULE SHALL INCLUDE:

- [I] THE IDENTITY OF THE PERSON TO WHOM THE LIABILITY WAS OWED AND THE DATE THE LIABILITY WAS INCURRED;
- [II] THE AMOUNT OF THE LIABILITY OWED AS OF THE END OF THE REPORTING PERIOD;
- [III] THE TERMS OF PAYMENT OF THE LIABILITY AND THE EXTENT TO WHICH THE PRINCIPAL AMOUNT OF THE LIABILITY WAS INCREASED OR REDUCED DURING THE YEAR; AND
- [IV] THE SECURITY GIVEN, IF ANY, FOR THE LIABILITY.

(E) GIFTS

(1) EACH GIFT IN EXCESS OF \$20 IN VALUE OR A SERIES OF GIFTS TOTALING \$100 OR MORE RECEIVED DURING THE REPORTING PERIOD FROM OR ON BEHALF OF, DIRECTLY OR INDIRECTLY, ANY ONE PERSON WHO DOES BUSINESS WITH OR IS REGULATED BY THE TOWN.

(2) FOR EACH GIFT REPORTED, THE SCHEDULE SHALL INCLUDE A DESCRIPTION OF THE NATURE AND VALUE OF THE IDENTITY OF THE PERSON FROM WHOM, OR ON BEHALF OF WHOM, DIRECTLY OR INDIRECTLY, THE GIFT WAS RECEIVED.

(3) EACH INSTANCE IN WHICH THE FILER SOLICITED, OR FACILITATED THE SOLICITATION OF, A GIFT TO THE FILER OR ANYONE ELSE.

(F) SOURCES OF EARNED INCOME

(1) THE NAME AND ADDRESS OF EACH PLACE OF EMPLOYMENT AND OF EACH BUSINESS ENTITY OF WHICH THE FILER OR A CLOSE RELATIVE WAS A SOLE OR PARTIAL OWNER AND FROM WHICH THE FILER OR A CLOSE RELATIVE RECEIVED EARNED INCOME, AT ANY TIME DURING THE REPORTING PERIOD.

(2) A MINOR CHILD'S EMPLOYMENT OR BUSINESS OWNERSHIP NEED NOT BE DISCLOSED IF THE AGENCY THAT EMPLOYS THE INDIVIDUAL DOES NOT REGULATE, EXERCISE AUTHORITY OVER, OR CONTRACT WITH THE PLACE OF EMPLOYMENT OR BUSINESS ENTITY OF THE MINOR CHILD.

(3) APPOINTED OFFICIAL NEED PROVIDE INFORMATION ONLY AS TO ENTITIES LOCATED IN THE TOWN OR DOING BUSINESS WITH THE TOWN.

(G) CLOSE RELATIVES

A LIST OF THE CLOSE RELATIVES OF THE REPORTING PERSON EMPLOYED BY THE TOWN IN ANY CAPACITY AT ANY TIME DURING THE REPORTING PERIOD.

(H) CONTINGENT COMPENSATION

ALL INSTANCES IN WHICH THE FILER ASSISTED OR REPRESENTED A PARTY FOR CONTINGENT COMPENSATION ON ANY MATTER BEFORE OR INVOLVING THE TOWN, OTHER THAN IN JUDICIAL OR QUASI-JUDICIAL PROCEEDINGS.

(I) PRESTIGE OF POSITION

(1) EACH INSTANCE IN WHICH THE FILER USED OR ATTEMPTED TO USE THE PRESTIGE OF HIS OR HER OFFICE OR PUBLIC POSITION FOR THE PRIVATE GAIN OF THE FILER OR ANYONE ELSE.

(2) EACH INSTANCE THE FILER INFLUENCED OR ATTEMPT TO INFLUENCE THE AWARD OF A TOWN CONTRACT TO A SPECIFIC PERSON OR ENTITY.

(J) CONFIDENTIAL INFORMATION

EACH INSTANCE IN WHICH THE FILER DISCLOSED OR USED CONFIDENTIAL INFORMATION, ACQUIRED BY REASON OF THE FILER'S TOWN POSITION, FOR THE ECONOMIC BENEFIT OF THE FILER OR ANYONE ELSE.

§ 25-34 COMMISSION REVIEW AND ENFORCEMENT

THE COMMISSION SHALL REVIEW THE FINANCIAL DISCLOSURE STATEMENTS SUBMITTED UNDER THIS ARTICLE AND SHALL NOTIFY AN INDIVIDUAL SUBMITTING THE STATEMENT OF ANY OMISSIONS OR DEFICIENCIES, WHICH THE INDIVIDUAL SHALL REMEDY WITHIN ONE WEEK AFTER NOTICE, EXCEPT THAT IN THE CASE OF A CANDIDATE FOR ELECTION, PRIOR TO THE 43RD DAY BEFORE THE ELECTION.

## ARTICLE V ENFORCEMENT

### § 25-35 FEES FOR FAILURE TO TIMELY FILE FINANCIAL REPORTS

THE COMMISSION MAY ASSESS A LATE FEE OF \$2 PER DAY FOR A FAILURE TO TIMELY FILE A FINANCIAL DISCLOSURE STATEMENT REQUIRED UNDER § 25-31 OF THIS CHAPTER. THE COMMISSION MAY PETITION THE CIRCUIT COURT FOR AN ORDER COMPELLING PAYMENT OF AN ASSESSED FEE.

### § 25-36 COMMISSION INVESTIGATION OF POSSIBLE VIOLATIONS

BASED ON A COMPLAINT FILED WITH IT, INFORMATION DEVELOPED IN CONNECTION WITH A REQUEST FOR AN ADVISORY OPINION, OR ON ITS OWN REVIEW OF INFORMATION AVAILABLE TO IT, THE COMMISSION MAY INVESTIGATE POSSIBLE VIOLATIONS OF THIS CHAPTER.

### § 25-37 POTENTIAL CRIMINAL OFFENSE

IF THE COMMISSION FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT A COVERED PERSON MAY HAVE COMMITTED A CRIMINAL OFFENSE, SUCH AS BRIBERY, PERJURY, CORRUPT BEHAVIOR, OR OTHER MISCONDUCT IN OFFICE, IT SHALL PROMPTLY REFER THE MATTER TO AN APPROPRIATE PROSECUTING AUTHORITY, AND STAY ITS OWN INVESTIGATION.

### § 25-38 INFORMAL RESOLUTION

IF THE COMMISSION DETERMINES, BASED ON CONSIDERATION OF THE MATTER, INCLUDING THE ANSWER OF A COVERED PERSON, BY A UNANIMOUS VOTE OF ALL MEMBERS THEN SERVING, THAT THERE IS A REASONABLE BASIS FOR BELIEVING THE CONFLICT OF INTEREST OR FINANCIAL DISCLOSURE PROVISIONS OF THIS CHAPTER HAVE BEEN VIOLATED, IT SHALL MAKE AN EFFORT TO RESOLVE THE MATTER INFORMALLY.

### § 25-39 JUDICIAL ENFORCEMENT

(A) IF EFFORTS TO RESOLVE THE MATTER INFORMALLY ARE UNSUCCESSFUL, THE COMMISSION MAY PETITION THE CIRCUIT COURT TO ENFORCE COMPLIANCE AND PUNISH VIOLATIONS.

(B) THE COURT MAY:

- (1) ISSUE AN ORDER TO CEASE AND DESIST FROM THE VIOLATION;
- (2) VOID AN OFFICIAL ACTION TAKEN BY A COVERED PERSON WITH A CONFLICT OF INTEREST PROHIBITED BY THIS CHAPTER WHEN THE ACTION ARISES FROM OR CONCERNS THE SUBJECT MATTER OF THE CONFLICT PROVIDED:

[I] THE COURT DEEMS VOIDING THE ACTION TO BE IN THE BEST INTEREST OF THE PUBLIC;

[II] THE LEGAL ACTION IS BROUGHT WITHIN 90 DAYS OF THE OCCURRENCE OF THE OFFICIAL ACTION; AND

[III] THE OFFICIAL ACT DOES NOT APPROPRIATE PUBLIC FUNDS, IMPOSE A TAX, OR PROVIDE FOR THE ISSUANCE OF A BOND, A NOTE, OR ANY OTHER EVIDENCE OF PUBLIC OBLIGATION.

(3) PUNISH A VIOLATION OF ANY PROVISION OF THIS CHAPTER BY A FINE OF UP TO \$5,000. EACH DAY THAT A VIOLATION OF THIS CHAPTER CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE.

§ 25-40 DISCIPLINARY ACTION

A COVERED PERSON FOUND TO HAVE VIOLATED THIS CHAPTER IS SUBJECT TO DISCIPLINARY OR OTHER APPROPRIATE PERSONNEL ACTION, INCLUDING REMOVAL FROM OFFICE, DISCIPLINARY ACTION, SUSPENSION OF SALARY, OR OTHER SANCTION.

AS CERTIFIED by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2020, that a public hearing was held on the \_\_\_\_ day of \_\_\_\_\_, 2020, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_ votes of approval and \_\_\_\_ votes of disapproval were cast. The resulting majority of the Council \_\_\_\_\_ (*approved or disapproved*) the passage of this ordinance this \_\_\_\_ day of \_\_\_\_\_, 2020. This Ordinance shall become effective 20 days after approval by the Mayor or approved by the Council over the Mayor's veto or seven days after the last required publication.

**CHESAPEAKE BEACH, MARYLAND**

\_\_\_\_\_  
Patrick J. Mahoney, Mayor

\_\_\_\_\_  
Valerie L. Beaudin, Councilwoman

\_\_\_\_\_  
Derek J. Favret, Councilman

\_\_\_\_\_  
Gregory J. Morris, Councilman

---

Lawrence P. Jaworski, Councilman

---

Keith L. Pardieck, Councilman

---

L. Charles Fink, Councilman

**Chesapeake Beach Oyster Cultivation Society Report**

**January, 2020**

**Chesapeake Beach Town Council Meeting**

**Cure the Winter Blahs, Blues and  
Doldrums**

**Participate with your fellow residents and CBOCS volunteers  
at the**

**JANUARY 25, 26 Community Mural Painting in the Northeast  
Community Center**

**Experience the excitement as 150+ students from Beach and  
Windy Hill paint sea life and marsh critters on**

**3 LARGE MURALS**

**Listen to the Beach chorus and hear Beach entrepreneurs  
present their ideas**

**VOLUNTEER for the morning 10-1 or afternoon 1-4 shifts  
registering students and passing out paints**

**Get a special event tee shirt**

**Contact John Bacon ([Johnbacon1@comcast.net](mailto:Johnbacon1@comcast.net))**

**CBOCS ANNUAL MEETING on February 8 from 10-11:30  
AM. Review of 2019 successes and learn about 2020 future  
events.**