

First Reading 2.06.2012

Second Reading 2.21.2012

ORDINANCE 2012-8

AN ORDINANCE TO AMEND CHAPTER 14, ENTITLED
BUSINESSES, OF THE CODE OF THE TOWN OF
OCEAN CITY, MARYLAND

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY THAT CHAPTER 14, ENTITLED BUSINESSES, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND BE, AND IT IS HEREBY, AMENDED BY REPEALING AND REENACTING WITH AMENDMENT SUBSECTION 14-34(b), AS FOLLOWS:

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

...

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

(1) Arcade:

a. A business establishment offering for public use five or more of any form of game, machine, instrument or apparatus operated by coin, slug or similar medium, but not including automatic machines for vending food, soft drinks or tobacco (per machine).

b. In addition, subject to the conditions of subsection (b)(80):

1. Each cigarette machine
2. Cracker and candy machine
3. Other permitted food and drink machines
4. Dispensing machines other than those listed in subsection (b)(2)b.1, 2 or 3

LAW OFFICES

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

SUITE 200
6200 COASTAL HIGHWAY
OCEAN CITY, MD 21842

(2) Art dealer and gallery:

a. Arts and crafts dealer's license

A license issued to an individual which permits the individual to sell arts and crafts owned by him or consigned to him in any building or the covered porch thereof, provided that the building or covered porch thereof is properly zoned for such business. The written permission of the property owner must be displayed at all times.

b. Arts and crafts gallery license

A license issued to a specific business location in a building, in the name of the business operator or property owner, or both. Written permission of the property owner must be furnished in order to obtain the license. The products or creations of any artist or craftsman may be displayed and sold within the building or covered porch thereof.

(3) Auction store

(4) Automatic pinball or other similar machine on which a game may be played by depositing money or tokens valued at not less than \$0.05 in a slot, slide or opening and which is kept, maintained or exhibited for the use or amusement (per machine).

(5) Automobile (electric) shuttle services

a. Per vehicle

(6) Automobile rental agency:

a. One to ten cars

b. Ten or more cars

(7) Bail bondsman

(8) Bakeshop

(9) Bank or other financial or lending associations, institutions or corporation (per office branch or separate electronic terminal).

(10) Barbershop and beauty parlor or establishment, including the privilege of selling supplies in connection therewith.

(11) Repealed

(12) Bicycle and/or EPAMD rental or repair center, which license shall include the right to sell bicycles, EPAMDs and supplies (including the right to sell non-food items at retail) in connection therewith:

a. Inventory of one to 25 bicycles and/or EPAMDs.

b. Each additional bicycle and/or EPAMDs over 25.

- (13) Bowling alley (each alley)
- (14) Bus terminal
 - Convention center shuttle bus service
- (15) Cable television
- (16) Candy manufacturing:
 - a. Where any portion of the manufactured candy is sold or intended to be sold at retail off the premises where manufactured.
 - b. Where all of the candy is sold at retail on the premises where manufactured.
- (17) Carwash:
 - a. Self-serve carwash (per bay)
 - b. Mechanical carwash (per bay)
- (18) Charter boat, head boat or sightseeing boat
- (19) Check cashing services
- (20) Child care:
 - a. Family day care
 - b. Day care center
- (21) Repealed
- (22) Concessions or seasonal amusements not in arcades and under permanent roof (per game or amusement).
- (23) Day spa facility
 - a. Provided that the facility is managed or supervised by an aesthetician, licensed by the State of Maryland; and
 - b. Provided that any deep massage is only to be performed by a massage practitioner, licensed by the State of Maryland
- (24) Detective and security agencies
- (25) Docks or wharves for public use:
 - a. Docks, wharves or boat basins for public use with slips of a size large enough to accommodate a boat in excess of 24 feet, each such slip.
 - b. Boat basins renting slips for boats up to 24 feet, each such slip
 - c. Marine railway
 - d. Permanent boat basins, marinas, docks or wharves renting sailboats, motorboats, rowboats, paddleboats, peddleboats or jet skis or any other vessel

Plus additional, per vehicle

e. Temporary facilities constructed for the rental of sailboats, motorboats, rowboats, paddleboats, peddleboats or jet skis or any other vessel

Plus additional, per vehicle

f. Any other maritime business done on or from the premises

(26) Dry cleaning, laundry or pressing establishments

(27) Electrical inspections

(28) Employment agency with office in Ocean City

(29) Exterminators

(30) Flea markets. Each stall or stand operator, or any operator connected with any flea market or similar business, shall purchase a license prior to erecting said stall. Daily or annual licenses are available. All promoters of flea markets shall provide access to their records to municipal License Inspectors upon request.

a. Daily

b. Annually

(31) Furniture leasing

(32) Repealed

(33) Gasoline and oil service stations:

a. Gasoline and oil

b. Gasoline and oil service stations connected with a store or garage:

1. No alcoholic beverage license

2. With alcoholic beverage license

Plus five percent of alcoholic beverage license.

(34) General contractors with the following number of employees:

a. One to five

b. Six to ten

c. Eleven to 20

d. Twenty-one to 40

e. Forty-one and over

(35) Golf courses (obstacle, midget or miniature)

(36) Hawkers and peddlers, if permitted. Note: No licenses will be issued for hawking and peddling on any Ocean City street or public way, boardwalk, beach or any parking lot.

- (37) Ice storage boxes and/or dispensers located on exteriors of buildings (per unit)
- (38) Insurance agency with office in Ocean City (each agent)
- (39) Jukebox
- (40) Laundromats (per machine)
- (41) Locksmiths
- (42) Management consultants
- (43) Merry-go-round, carousel or other ride (each ride)
- (44) Repealed
- (45) Noise control ordinance
- (46) Office -- Business or In-Home
- (47) Parking lots, commercial, not within an enclosed building (per parking space)
- (48) Pawnbroker or petty loan establishment
- (49) Photograph gallery or studio, or any commercial photography
- (50) Places of entertainment, including but not limited to dancehalls, barrooms, cabarets, taverns and the like:
 - a. No alcoholic beverage license
 - b. With alcoholic beverage license
Plus five percent of alcoholic beverage license fee.
- (51) Pool or billiard tables, commercial, except those owned by civic, charitable or fraternal organizations (each table)
- (52) Portrait studio
- (53) Premises for habitation:
 - a. Condominium units, cooperatives, and townhouses, whether rented individually or by a rental pool agreement, per unit.
 - b.1. Apartments, cottages
Each additional sleeping room or bedroom over one
 - b.2. Hotels, motels, inns, motor courts, cabins or other similar establishments offering accommodations on the premises for public rental
Each additional sleeping room or bedroom over one

c. Rooming houses, boarding houses, dormitories or private houses offering rooms for public rental (per room)

(54) Private clubs

(55) Promotional advertising

(56) Public utilities with a retail outlet

(57) Radio broadcasting station

(58) Real estate offices:

a. Real estate offices engaged in the sale or real estate

(59) Restaurant or hotel dining room:

a. Seating capacity of one to 25:

1. No alcoholic beverage license
2. With alcoholic beverage license

b. Seating capacity of 26 to 50:

1. No alcoholic beverage license
2. With alcoholic beverage license

c. Seating capacity of 51 to 100:

1. No alcoholic beverage license
2. With alcoholic beverage license

d. Seating capacity of over 100:

1. No alcoholic beverage license
Per seat over 100

e. With alcoholic beverage license

1. Per seat over 100

(60) Shops, stores or stands:

a. Selling groceries and/or general merchandise without an alcoholic beverage license where the store contains under 5,000 square feet.

With an alcoholic beverage license

b. Selling groceries and/or general merchandise without an alcoholic beverage license where the store contains 5,000 to 20,000 or more square feet

1. With an alcoholic beverage license

c. Selling groceries and/or general merchandise without an alcoholic beverage license where the store contains 20,000 or more square feet

1. With an alcoholic beverage license

(61) Sign painters, self-employed

(62) Sign painting and erecting companies

(63) Skating rink:

a. Ice

b. Roller

(64) Taxidermists

(65) Repealed

(66) Television rentals; crib and cot rentals; stroller and wheelchair rentals

(67) Tennis clubs

(68) Theaters showing film or having live entertainment, provided that no license fee shall be charged for a license issued to any charitable organization, public service institution, association, club or body not organized or conducted for public gain, and with vending machines up to ten in number:

a. Live

b. Film

(69) Trailer or recreational vehicle park operators

Plus additional, per space

(70) Vending machines, subject to the following conditions:

All vending machines must be binding and touching on a building or within a building.

a. Each cigarette machine

b. Each drink or food machine

c. Each cracker or candy machine

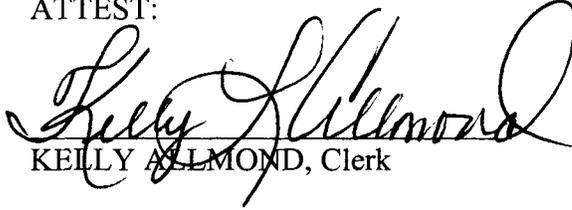
(71) Vendor - For use during special events (e.g. Bike Week)

(72) Any other business not herein classified or enumerated and not prohibited herein or by other provisions of this Code and approved by the Mayor and City Council.

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on February 6, 2012.

ADOPTED AND PASSED, by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on February 21, 2012.

ATTEST:


KELLY ALLMOND, Clerk


RICHARD W. MEEHAN, Mayor

Approved as to form:


JAMES S. HALL, President


GUY R. AYRES III, City Solicitor


LLOYD MARTIN, Secretary