

# AGENDA

## WORCESTER COUNTY COMMISSIONERS

Worcester County Government Center, Room 1101, One West Market Street, Snow Hill, Maryland 21863

**March 3, 2020**

	<u>Item #</u>
9:00 AM - Vote to Meet In Closed Session in Commissioners' Conference Room - Room 1103 Government Center, One West Market Street, Snow Hill, Maryland	
9:01 - Closed Session: Conducting an Employee Disciplinary Hearing; receiving legal advice from Counsel; and performing administrative functions	
10:00 - Call to Order, Prayer (Father Matthew D'Amario), Pledge of Allegiance	
10:01 - Report on Closed Session; Review and Approval of Minutes	
10:05 - Presentation of Proclamations - Professional Social Work Month and Women's History Month	1-2
10:10 - Chief Administrative Officer: Administrative Matters (Pending Board Appointments; Proposed Employee Events and Programs in 2020; Chesapeake Utilities/Sandpiper Energy Franchise Agreement Extension; Request to Use West Ocean City Harbor Area for Offshore Powerboat Races in September 2020; Out-of-State Travel Request for Emergency Services; Worcester County Rental License Program Status Report; Adoption of 2018 Building Codes; Maryland Coastal Bays Watershed Plan Presentation; and potentially other administrative matters)	3-10
10:20 -	
10:30 - Meet with Town and Ocean Pines Association Officials to Receive FY21 Budget Requests - Pocomoke City, Snow Hill, Berlin and Ocean Pines	11
10:40 -	
10:50 -	
11:00 - M. Franklin: Atlantic General Hospital & Health System Annual Report	12
11:10 -	
11:20 - Special Legislative Session - Public Hearing - Emergency Bill 20-1 - (Zoning - Off-Premises Parking)	13
11:30 -	
11:40 - Chief Administrative Officer: Administrative Matters	3-10, continued
11:50 -	
12:00 - Questions from the Press; County Commissioner's Remarks	
Lunch	
1:00 PM - Closed Session - Conduct Interviews with Assistant Chief Administrative Officer Candidates	I
1:30 -	
2:00 -	
2:30 -	

**AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING**

**Hearing Assistance Units Available** - see Kelly Shannahan, Asst. CAO.

Please be thoughtful and considerate of others.

**Turn off your cell phones & pagers during the meeting!**



## Minutes of the County Commissioners of Worcester County, Maryland

February 18, 2020

Joseph M. Mitrecic, President  
Theodore J. Elder, Vice President  
Anthony W. Bertino, Jr.  
Madison J. Bunting, Jr.  
James C. Church  
Joshua C. Nordstrom  
Diana Purnell

Following a motion by Commissioner Bunting, seconded by Commissioner Elder, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1), (7), and (10) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions, permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Harold L. Higgins, Assistant Chief Administrative Officer Kelly Shannahan, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, and Development Review & Permitting Director Ed Tudor. Topics discussed and actions taken included: rehiring David Waters and Thomas West as part-time temporary Roads Worker III's within the Roads Division of Public Works; hiring Gunnar Thompson and Tyrel Douglas as Correctional Officer Trainees and temporarily promoting Phillip Littleton from Corporal to Sergeant within the County Jail; approving personnel changes within the Treasurer's Office, including posting to fill one Accounting Clerk II position and one Recordation Tax Collection Paralegal position, changing the title of Accounting Clerk IV Sheila Merritt to Collections Specialist, and promoting Accounting Clerk II Christine Vandercook to Billing Specialist, Accounting Manager Laura Beauchamp to Tax Manager, and Accounting Manager Barbara Hitch from classified to non-classified; discussing other personnel matters; reviewing possible Security Enhancements for the Worcester County Government Center; receiving legal advice from counsel; and performing administrative functions, including: approving performance evaluation forms for classified and non-classified employees.

Following a motion by Commissioner Bertino, seconded by Commissioner Bunting, the Commissioners unanimously voted to adjourn their closed session at 9:59 a.m.

After the closed session, the Commissioners reconvened in open session. Commissioner Mitrecic called the meeting to order, and following a morning prayer by Father Matthew D'Amario of St. Paul's By the Sea and pledge of allegiance, announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved the February 4, 2020 closed session minutes as presented and open session minutes as amended.



The Commissioners met with Superintendent of Schools Lou Taylor to review and discuss the Board of Education's (BOE) technology plan. Mr. Taylor advised that in 2014 the school system embarked on a digital conversion with the goal to achieve a one-to-one student to digital device ratio; however, the BOE was recently notified that Chromebooks, which are currently being utilized across grade levels for State assessments, will no longer be supported. He advised that, based on recommendations from the BOE Technology Task Force and leadership, he is seeking a funding commitment from the Commissioners of \$150,000 for FY21 and \$375,000 each year for FY22, FY23, and FY24 for technology, which will allow the BOE to enter into a 0% interest, multi-year lease agreement with Apple for the purchase and deployment of iPads and Apple televisions across the school system (excluding Showell Elementary School, as technology is included in the capital project budget for this purpose). In response to a question by Commissioner Bertino, BOE Public Information Officer Carrie Sterrs advised that the lease includes a built-in purchase agreement of \$1 per device for the 8,000 units at the end of the lease to be owned by the BOE.

Following some discussion and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the technology plan and committed to fund the requested increased technology budget of \$150,000 for FY21 and \$375,000 each year thereafter for FY22, FY23, and FY24.

The Commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Purnell, the Commissioners unanimously agreed to appoint Billy Thompson to the Agricultural Preservation Advisory Board for a four-year term expiring December 31, 2023 to replace Bill Bruning whose term expired at the end of 2019.

Upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to issue another press release to solicit volunteers to fill the remaining board vacancies.

Pursuant to the request of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Purnell, the Commissioners unanimously awarded the low bid for the general rehabilitation of a single family home in the Snow Hill area to Ocean Tower Construction, LLC of Ocean City, Maryland at a cost of \$5,272.

Pursuant to the request of Ms. Bynum and upon a motion by Commissioner Nordstrom, the Commissioners unanimously approved bid specifications for the general rehabilitation of a single-family home in the Pocomoke City area, which is to be funded through the County's new Community Development Block Grant (CDBG).

Pursuant to the request of Health Officer Becky Jones and upon a motion by Commissioner Purnell, the Commissioners unanimously approved an agreement between the Health Department and Cambridge Medical Professionals (CMP) for recruitment services, at a cost of \$26,000 to recruit a psychiatrist and/or \$20,000 to recruit a psychiatric nurse practitioner for the Behavioral Health Program at the Health Department. Ms. Jones stated that funding is available within the FY21 Health Department budget for this purpose and is covered by the



collection of fees.

Pursuant to the request of State's Attorney Kristin Heiser and upon a motion by Commissioner Bertino, the Commissioners unanimously agreed to waive the standard bid process and accept the proposal from Karpel Solutions of St. Louis, MO at a cost of \$136,600 to purchase a comprehensive case management software system and maintenance agreement. Ms. Heiser stated that her office was recently awarded grant funds of \$136,600 from the Governor's Office of Crime Control and Prevention to cover the cost of the software.

Pursuant to the request of Warden Donna Bounds and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Mitrecic to sign the Amendment of Solicitation/Modification of Contract with the Immigration and Customs Enforcement (ICE) Agency for housing immigration-related detainees. Warden Bounds advised that the reimbursement rate (\$87.11 per day, per detainee) remains the same. In response to a question by Commissioner Mitrecic, Warden Bounds stated that County staff are closely monitoring the status of House Bill 677/Senate Bill 850 - Correctional Services - Immigration Detention - Prohibition (Dignity Not Detention Act), which would prohibit the County from housing ICE detainees, noting that this federal program receives no State funding.

Pursuant to the recommendation of Public Works Director John Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously approved the proposed quitclaim deed between the County Commissioners (Grantors) and Martha's Landing Resort, LLC (Grantee), conveying a portion of a platted but unimproved road in West Ocean City (WOC) known as Smith Avenue. Mr. Tustin stated that the road is not listed within the Inventory of Public Roads of Worcester County, Maryland and there are no plans for the County to make improvements to the road.

Pursuant to the request of Mr. Tustin and upon a motion by Commissioner Purnell, the Commissioners unanimously awarded the low bid to American Paving Fabrics, Inc. of Hanover, Maryland at a cost of \$1.356 per square yard at a total estimated cost of \$384,687.70 for the purchase and application of chip seal to resurface approximately 26.92 miles (283,693 square yards) of County roadways. Mr. Tustin advised that due to lower than anticipated bid costs for this project, there is \$215,312.30 available in the FY20 budget to complete additional road paving projects.

Upon a motion by Commissioner Bunting, the Commissioners unanimously approved bid specifications for the application of slurry seal to resurface approximately 76,872 square yards or 5.96 miles of County roadway.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the low bid to Alban Tractor Co., Inc. of Baltimore, Maryland for the purchase of one Caterpillar Model 725C2 off-road dump truck at a total acquisition cost of \$468,910 less a guaranteed buyback at the end of seven years at \$101,000 for a net adjusted price of \$367,910 with a monthly lease purchase price of \$6,383.90 for use within the Solid Waste Division of Public Works.



Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the second-lowest bid for rehabilitation of the Ocean Pines north water tower to Baldwin Industries, LLC at a total cost of \$297,200. Mr. Tustin explained that Suburban Contractors, LLC of Manassas, Virginia, which submitted the apparent low bid of \$292,675 did not submit the required three references of recently submitted work and were, therefore, deemed to be unresponsive.

The Commissioners reviewed a letter from Sunita Boyle, P.E., Division Chief for the Region II Project Management Division of the Engineering and Capital Projects Program, Office of Budget and Infrastructure Financing for the Maryland Department of the Environment (MDE), announcing that the Ocean Pines Wastewater Treatment Plant (OP WWTP) is exempt from paying into the Bay Restoration Fund (BRF) during the calendar year 2020. This exempts residents in the Ocean Pines Sanitary Service Area (SSA) from paying the monthly \$5.00 charge into the BRF. This exemption has been in place since 2005 due to the exceptional treatment of wastewater in the OP WWTP and has saved the OP ratepayers more than \$5 million over the years.

Pursuant to the recommendation of Mr. Tustin and upon a motion by Commissioner Bunting, the Commissioners unanimously approved the Small Project Wastewater Agreement between the County Commissioners and Keith Vander Kolk and Shonna M. Hacket (Developer) for the installation of a grinder pump and roughly 700 linear feet of 4-inch diameter low-pressure sewer force main on Gum Point Road to serve condominiums and a marina on their property, at no cost to the County.

Mr. Tustin presented the Commissioners with a progress report on the Gum Point Road sewer line extension project, which included the following: a draft agreement between the County Commissioners, as the governing body of the Greater Ocean Pines Sanitary Service Area (SSA) and Steven Hershey (owner) to extend public sanitary sewer to the owner's property located at 11831 Gum Point Road and more specifically identified on Tax Map 21 as Parcel 75, with the owner to deposit \$50,000 in an escrow account for allocation to the project's initial construction; a proposal from J.W. Salm Engineering in the amount of \$11,745 for design work and \$5,450 for surveying for the design of the sewer line extension project; and a preliminary cost estimate and financial feasibility analysis for the project. Mr. Tustin stated that staff will not have a firm cost estimate until the project is designed and bids have been received. He then reviewed two options for project construction as follows: Option 1 - extend public sewer services east on Gum Point Road from the current line at an estimated cost of \$252,000 to serve 34 equivalent dwelling units (EDUs) for a per EDU cost of \$5,941; or Option 2 - extend sewer service along all of Gum Point Road both east and west of the current line at an estimated cost of \$318,000 to serve 107 EDUs at a cost of \$2,505 per EDU. Mr. Tustin stated that, in addition to the construction costs, property owners connecting to the public sewer service would also be responsible for paying the equity contribution, Future Capital Improvement (FCI) costs and sewer connection fees to the County, as well as the cost of a grinder pump. He stated that this would result in a total estimated cost of \$25,064 per EDU under Option 1 or \$21,628 per EDU under Option 2.



In response to a question by Commissioner Mitrecic, Mark Cropper, attorney for Mr. Hershey, stated that his client is still willing to commit funds to this project in the amount of \$50,000, funds that Mr. Hershey previously planned to use to install a temporary sewer connection from his property to the Ocean Pines Sanitary Service Area (SSA) via Baypoint Plantation rather than by way of the approved route down Gum Point Road, so that he may receive sewer service from the Ocean Pines Wastewater Treatment Plant (WWTP) and redevelop his property. Mr. Tustin concluded that a portion of Mr. Hershey's contribution could be used to fund the engineering services.

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners unanimously conceptually approved Option 2 and agreed to schedule the required public hearing to receive public comment on the proposed project as soon as possible.

The Commissioners met in legislative session.

The Commissioners reviewed a memo from Assistant Chief Administrative Officer Kelly Shannahan with regard to a text amendment drafted by staff at the request of the County Commissioners on February 4, 2020. The draft bill would increase the percentage of permitted off-premises parking in the CM Commercial Marine District from 50% to 90%. Mr. Shannahan stated that he understood that the Commissioners have been requested to introduce and adopt this legislation as quickly as possible for a pending project in the Commercial Marine District of the West Ocean City Harbor area. Therefore he suggested that the bill could be introduced as an emergency bill for which a hearing could be scheduled as early as their March 3, 2020 meeting at a Special Legislative Session. He explained that as an emergency bill, at least five of the Commissioners would be required to pass the bill, but it would become effective immediately upon passage. He further explained that all Zoning text amendments must be first reviewed by the Worcester County Planning Commission for comment before passage by the County Commissioners. Therefore, he asked Development Review & Permitting (DRP) Director Ed Tudor to present the draft bill to the Worcester County Planning Commission for their review at their February 6 meeting. The Planning Commission reviewed the draft bill and provided a unanimous unfavorable recommendation due to concerns regarding persistent illegal parking and traffic congestion in the West Ocean City Harbor area and the excessive nature of this request.

Commissioner Bertino asked if the bill would have any impact on parking for the Alyosha sailboat charters during construction of the new restaurant to replace Mad Fish which was recently destroyed by fire. Mr. Shannahan explained that the proposed text amendment would allow more of the required parking across the street from the restaurant property.

Following some discussion, Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom, and Purnell introduced the aforementioned text amendment as Emergency Bill 20-1 (Zoning - Off-Premises Parking) and scheduled a public hearing on the bill for a Special Legislative Session on March 3, 2020.

Commissioner Mitrecic closed the legislative session.

Pursuant to the recommendation of Information Technology Director Brian Jones and upon a motion by Commissioner Bunting, the Commissioners unanimously accepted the proposal from CTC Technology & Energy of Kensington, Maryland at a total cost of \$57,500 for broadband service testing necessary to refute Bloosurf's claim for the exclusive provision of



broadband internet services throughout most of Worcester County as discussed with the Commissioners at their meeting on January 21, 2020, and development of a Request for Proposals (RFP) for the County to identify a potential partner to provide Countywide broadband internet services.

The Commissioners met with Development Review and Permitting (DRP) Deputy Director Phyllis Wimbrow to review a letter from Thomas J. Ayd, requesting that the County Commissioners declare an unused 1.49-acre parcel of County-owned property identified on Tax Map 15 as Parcel 267 in Showell, Maryland to be surplus property and place the land up for bid so that he may purchase it. Ms. Wimbrow reviewed the history and intended use for the property, noting that the County purchased the property from the State Highway Administration (SHA) in 2005 after completion of the dualization of the adjoining section of U.S. Rt. 113, using fee-in-lieu funds from the Forest Conservation Program with the intention of planting trees on the site. However, County staff later discovered that the area was so heavily compacted due to its former use as a staging site for the U.S. Route 113 dualization project that the area would not support this effort without subsoil work to loosen the ground. Therefore, they elected to allow for the natural regeneration of the area. Ms. Wimbrow stated that the deed between the SHA and the County Commissioners states that should the property cease to be used for such public purpose all right, title, and interest in the property shall immediately revert to the State. Therefore, she stated that staff believes the best course of action is to continue the County's ownership of the property and to take steps to ensure greater tree cover through natural regeneration or selective plantings.

Following some discussion and upon a motion by Commissioner Bunting, the Commissioners voted unanimously to retain the property and to advise Mr. Ayd that for the reasons outlined above the property will remain in County ownership and allowed to naturally regenerate.

Pursuant to the request of Ms. Wimbrow and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to schedule a public hearing on Rezoning Case No. 424 for March 17, 2020. This application was submitted by Attorney Hugh Cropper, IV, on behalf of Stockyard, Inc., property owner, and seeks to rezone approximately 0.25 acre of land located to the north of U.S. Rt. 50 and east of Golf Course Road at the bayfront in West Ocean City adjacent to Hooper's Restaurant, and more specifically identified on Tax Map 27 as part of Parcel 569, from R-3 Multi-Family District to C-2 General Commercial District. Ms. Wimbrow advised that the application received a favorable recommendation from the Planning Commission.

Commissioner Bertino thanked Commissioner Mitrecic and County staff for their support in issuing a letter to the State opposing House Bill 1300/Senate Bill 1000 Blueprint for Maryland's Future - Implementation due to concerns about the funding formulas used within the bills to achieve this goal.

In response to a question by Commissioner Bertino, Chief Administrative Officer Harold Higgins advised that Emergency Services Director Billy Birch will be requesting funding within



the FY21 budget to improve 911 services to the deaf and hard of hearing, as required.

The Commissioners answered questions from the press.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Purnell, the Commissioners unanimously voted to meet in closed session at 10:56 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions, permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Harold L. Higgins, Assistant Chief Administrative Officer Kelly Shannahan, County Attorney Roscoe Leslie, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, Recreation, Parks, Tourism, and Economic Development Director Tom Perlozzo, and candidates for the Tourism Director position. Topics discussed and actions taken included reviewing a list of candidates for the Assistant Chief Administrative Officer position; hiring Melanie Pursel as Tourism Director; and performing administrative functions, including confirming their attendance at the annual dinner with the fire chiefs, presidents, and ambulance captains on February 19, 2020 and the annual dinner with the Wor-Wic Community College Board of Trustees on February 26, 2020.

The Commissioners adjourned to meet again on March 3, 2020.





OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

## PROCLAMATION

**WHEREAS**, this March we celebrate Professional Social Work Month, recognizing the 2020 theme that “Social Workers: Generations Strong,” as the programs and services provided by professional social workers are powerful, positive, and essential elements of the social safety net throughout America; and

**WHEREAS**, social workers make a critical impact in adolescent and youth development, aging and family caregiving, child protection, health care navigation, mental and behavioral health treatment, military and veterans assistance, nonprofit management and community development, and poverty reduction.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby proclaim March as **Professional Social Work Month** and recognize that social workers enhance human well-being and help meet the basic needs of all people, especially the most vulnerable among us.

Executed under the Seal of the County of Worcester, State of Maryland, this 3<sup>rd</sup> day of March, in the Year of Our Lord Two Thousand and Twenty.



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Joseph M. Mitrecic, President

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Theodore J. Elder, Vice President

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Anthony W. Bertino, Jr.

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Madison J. Bunting, Jr.

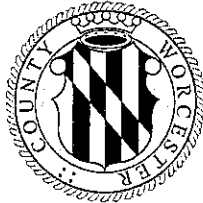
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James C. Church

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Joshua C. Nordstrom

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Diana Purnell

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HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY





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HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY

COMMISSIONERS  
JOSEPH M. MITRECIC, PRESIDENT  
THEODORE J. ELDER, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
MADISON J. BUNTING, JR.  
JAMES C. CHURCH  
JOSHUA C. NORDSTROM  
DIANA PURNELL

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

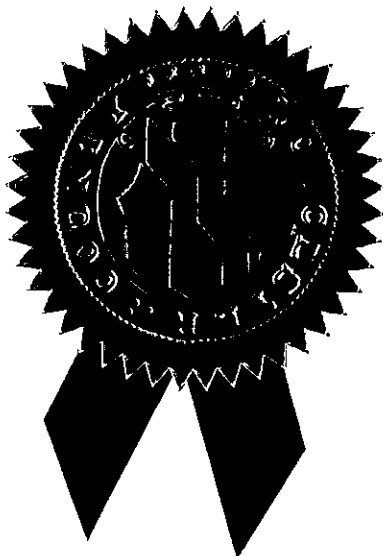
## PROCLAMATION

**WHEREAS**, this Women's History Month, we honor American women of every race, class, and ethnic background for the momentous achievements they have made to overcome discrimination, challenge injustice, and pioneer policies that benefit women, working families, and all to shape a more just society; and

**WHEREAS**, women, many of whom are the primary breadwinners, account for roughly 50% of the nation's workforce today. In their determination to progress, women fought to secure equal pay for equal work and shattered glass ceilings, to widen the circle of opportunity for all. Their diverse contributions in areas like math, science, technology, engineering, and politics have strengthened our county, state, and nation.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby proclaim March 2020 as **Women's History Month** and encourage the citizens of Worcester County to build upon the legacy of these exemplary women who continue to shape our nation.

Executed under the Seal of the County of Worcester, State of Maryland, this 3<sup>rd</sup> day of March, in the Year of Our Lord Two Thousand and Twenty.



\_\_\_\_\_  
Joseph M. Mitrecic, President

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Theodore J. Elder, Vice President

\_\_\_\_\_  
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Madison J. Bunting, Jr.

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James C. Church

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Joshua C. Nordstrom

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Diana Purnell

*Citizens and Government Working Together*





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COMMISSIONERS  
JOSEPH M. MITRECIC, PRESIDENT  
THEODORE J. ELDER, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
MADISON J. BUNTING, JR.  
JAMES C. CHURCH  
JOSHUA C. NORDSTROM  
DIANA PURNELL

OFFICE OF THE  
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103  
SNOW HILL, MARYLAND  
21863-1195

February 24, 2020

TO: Worcester County Commissioners  
FROM: Karen Hammer, Office Assistant IV  
SUBJECT: Pending Board Appointments - Terms Beginning January 1, 2020

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Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (14) which have current or upcoming vacancies (24 total). They are as follows: Commission on Aging Board (2), Agricultural Preservation Advisory Board (1), Building Code Appeals Board (1), Ethics Board (1), Local Development Council for the Ocean Downs Casino (4), Lower Shore Workforce Development Board (1), Planning Commission (1), Property Tax Assessment Appeal Board (1, with 3 nominees to Governor for each seat = 6 total nominees), Social Services Board Advisory (2), Solid Waste Advisory Committee (4), Tourism Advisory Committee (1), Water and Sewer Advisory Councils - Mystic Harbour (2) and West Ocean City (2), and the Commission For Women (1). I have circled the members whose terms have expired or will expire on each of these boards.

Most of these Boards and Commissions specify that current members' terms will expire on December 31<sup>st</sup>. Current members will continue to serve beyond their term until they are either reappointed or a replacement is named. Please consider these reappointments or new appointments during March.



## **Pending Board Appointments - By Commissioner**

**District 1 - Nordstrom** p. 12 - Social Services Advisory Board (Wayne Ayer) - 3 year

**District 2 -** All District Appointments Received. Thank you!

**District 3 - Church** p. 14 - Solid Waste Advisory Committee ( Bob Augustine)- 4-year  
p. 16 - Water and Sewer Advisory Council - Mystic Harbour (Joseph Weitzell -  
Mystic Harbor and Bob Hunt - Deer Point) - 4-year  
p. 17 - Water and Sewer Advisory Council - West Ocean City (Deborah Maphis  
and Gail Fowler)- 4 year

**District 4 - Elder** p. 8 - Local Development Council for the Ocean Downs Casino (Charlie  
Dorman) - 4yr.

**District 5 - Bertino** p. 14 - Solid Waste Advisory Committee (James Rodenberg)- 4 yr.

**District 6 - Bunting** p. 8 - Local Development Council for the Ocean Downs Casino (Rod Murray)-  
4yr.  
p. 15 - Tourism Advisory Committee (Isabel Morris) - 4-year  
p. 18 - Commission for Women (Bess Cropper) - 4 year

**District 7 - Mitrecic** p. 6 - Building Code Appeals Board (Bill Paul) - 4-year  
p. 7 - Ethics Board (Frank Knight) - 4-year  
p. 8 - Local Development Council for Ocean Downs (Michael Donnelly) - 4-year  
p. 10 - Planning Commission (Jay Knerr) 5 -year  
p. 12 - Social Services Advisory Board (Maria Campione-Lawrence)- 3yr.

### **All Commissioners**

p. 5 - (1) Agricultural Preservation Advisory Board (Curt Lambertson) - 4-year  
p. 8 - (1) Local Development Council for Ocean Downs Casino (Mark Wittmyer - At-Large - business or  
institution representative in immediate proximity to Ocean Downs) - 4-year  
p. 9 - (1) Lower Shore Workforce Development Board (Business Representative - Berlin area) - 4-year  
p. 11 - (1) Property Tax Assessment Appeal Board (Gary M. Flater - Snow Hill Area - alternate) - must  
submit 3 nominees for each seat to Governor for his consideration in making these  
appointments 5yr.  
p. 14 - (3) Solid Waste Advisory Committee (Michael Pruitt - Town of Snow Hill and Jamey Latchum -  
Town of Berlin) 4 yr.  
p. 16 - (2) Water and Sewer Advisory Council - Mystic Harbour (Joseph Weitzell - Mystic Harbor and  
Bob Hunt - Deer Point) - 4-year  
p. 17 - (2) Water and Sewer Advisory Council - West Ocean City (Deborah Maphis and Gail Fowler)-  
4yr

### **All Commissioners (Awaiting Nominations)**

p. 3 - (2) Commission on Aging Board (Cynthia Malament- Berlin, Lloyd Parks - Girdletree) - self-  
appointed by Commission on Aging & confirmed by County Commissioners- 3-year



## COMMISSION ON AGING BOARD

Reference: By Laws of Worcester County Commission on Aging  
- As amended July 2015

Appointed by: Self-Appointing/Confirmed by County Commissioners

Function: Supervisory/Policy Making

Number/Term: Not less than 12; 3 year terms, may be reappointed  
Terms Expire September 30

Compensation: None

Meetings: Monthly, unless otherwise agreed by a majority vote of the Board

Special Provisions: At least 50% of members to be consumers or volunteers of services provided by Commission on Aging, with a representative of minorities and from each of the senior centers; one County Commissioner; and Representatives of Health Department, Social Services and Board of Education as Ex-Officio members

Staff Contact: Worcester County Commission on Aging, Inc. - Snow Hill  
Rob Hart, Executive Director (410-632-1277)

### Current Members:

<u>Member's Name</u>	<u>Resides/Represents</u>	<u>Years of Term(s)</u>
Cynthia Malament	Berlin	07-10-13-16, 16-19
Lloyd Parks	Girdletree	08-11-14-17, 17-20
Clifford Gannett	Pocomoke City	*12-14-17, 17-20
James Covington	Pocomoke City	*18-20
Bonita Ann Gisriel	Ocean City	*18-20
Carolyn Dryzga	Ocean Pines	*18-20
Tommy Tucker	Snow Hill	09-12-15-18, 18-21
Tommy Mason	Pocomoke	15-18, 18-21
Helen Whaley	Berlin	*16-18, 18-21
Rebecca Cathell	Agency - Maryland Job Service	
Lou Taylor	Agency - Worcester County Board of Education	
Roberta Baldwin	Agency - Worcester County Department of Social Services	
Rebecca Jones	Agency - Worcester County Health Department	
Madison J. Bunting, Jr.	Worcester County Commissioners' Representative	
Fred Grant	Snow Hill	*15-16, 16-19, 19-22
Joyce Cottman	Berlin	*16, 16-19, 19-22



## Prior Members:

## Since 1972

Virginia Harmon  
 Maude Love  
 Dr. Donald Harting  
 John C. Quillen  
 Violet Chesser  
 William Briddell  
 Harrison Matthews  
 John McDowell  
 Mildred Brittingham  
 Maurice Peacock  
 Father S. Connell  
 Rev. Dr. T. McKelvey  
 Samuel Henry  
 Rev. Richard Hughes  
 Dorothy Hall  
 Charlotte Pilchard  
 Edgar Davis  
 Margaret Quillen  
 Lenore Robbins  
 Mary L. Krabill  
 Leon Robbins  
 Claire Waters  
 Thelma Linz  
 Oliver Williams  
 Michael Delano  
 Father Gardiner  
 Iva Baker  
 Minnie Blank  
 Thomas Groton III  
 Jere Hilbourne  
 Sandy Facinoli  
 Leon McClafin  
 Mabel Scott  
 Wilford Showell  
 Rev. T. Wall  
 Jeaninne Aydelotte  
 Richard Kasabian  
 Dr. Fred Bruner  
 Edward Phillips  
 Dorothy Elliott  
 John Sauer  
 Margaret Kerbin  
 Carolyn Dorman  
 Marion Marshall  
 Dr. Francis Ruffo  
 Dr. Douglas Moore  
 Hibernia Carey  
 Charlotte Gladding  
 Josephine Anderson  
 Rev. R. Howe  
 Rev. John Zellman  
 Jessee Fassett  
 Delores Waters  
 Dr. Terrance A. Greenwood  
 Baine Yates  
 Wallace T. Garrett  
 William Kuhn (86-93)  
 Mary Ellen Elwell (90-93)  
 Faye Thornes

Mary Leister (89-95)  
 William Talton (89-95)  
 Sunder Henry (89-95)  
 Josephine Anderson  
 Saunders Marshall (90-96)  
 Louise Jackson (93-96)  
 Carolyn Dorman (93-98)  
 Constance Sturgis (95-98)  
 Connie Morris (95-99)  
 Jerry Wells (93-99)  
 Robert Robertson (93-99)  
 Margaret Davis (93-99)  
 Dr. Robert Jackson (93-99)  
 Patricia Dennis (95-00)  
 Rev. C. Richard Edmund (96-00)  
 Viola Rodgers (99-00)  
 Baine Yates (97-00)  
 James Shreeve (99-00)  
 Tad Pruitt (95-01)  
 Rev. Walter Reuschling (01-02)  
 Armond Merrill, Sr. (96-03)  
 Gene Theroux  
 Blake Fohl (98-05)  
 Constance Harmon (98-05)  
 Catherine Whaley (98-05)  
 Wayne Moulder (01-05)  
 Barbara Henderson (99-05)  
 Gus Payne (99-05)  
 James Moeller (01-05)  
 Rev Stephen Laffey (03-05)  
 Anne Taylor (01-07)  
 Jane Carmean (01-07)  
 Alex Bell (05-07)  
 Inez Somers (03-08)  
 Joanne Williams (05-08)  
 Ann Horth (05-08)  
 Helen Richards (05-08)  
 Peter Karras (00-09)  
 Vivian Pruitt (06-09)  
 Doris Hart (08-11)  
 Helen Heneghan (08-10)  
 Jack Uram (07-10)  
 Robert Hawkins (05-11)  
 Dr. Jon Andes  
 Lloyd Pullen (11-13)  
 John T. Payne (08-15)  
 Sylvia Sturgis (07-15)  
 Gloria Blake (05-15)  
 Dr. Jerry Wilson (Bd. of Ed.)  
 Peter Buesgens (Social Services)  
 Deborah Goeller (Health Dept.)  
 George "Tad" Pruitt (05-17)  
 Bonnie C. Caudell (09-17)  
 Larry Walton (13-18)



## AGRICULTURAL PRESERVATION ADVISORY BOARD

Reference: PGL Agriculture 2-504.1, Annotated Code of Maryland

Appointed by: County Commissioners

Functions: Advisory  
Advise the County Commissioners and State Agricultural Preservation Foundation on establishment of agricultural districts and priorities for purchase of easements; promote preservation of agriculture in the County.

Number/Term: 7/4 years\*\*\*  
Terms expire December 31st

Compensation: \$50 per meeting (policy)

Meetings: As Needed

Special Provisions: 4 members to be owner-operators of commercial farms  
Membership limited to two consecutive full terms

Staff Contact: Katherine Munson, Dept. of Environmental Programs (410-632-1220)

Current Members: (O-O = Commercial Farm Owner-Operator)

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Terms (Year)</u>
Curt Lambertson	Elder	D-4, Snow Hill	15-19
Kelley Gravenor	Elder	D-4, Snow Hill	*14-16, 16-20
Glen Holland (O-O)	Lockfaw	D-1, Pocomoke	13-17, 17-21
Kathy Drew	Bunting	D-6, Bishopville	** 06-09-13-17, 17-21
Ed Phillips (O-O)	Elder	D-4, Whaleyville	05-10-14-18, 18-22
Alan Hudson (O-O)	Elder	D-4, Berlin	14-18, 18-22
Billy Thompson (O-O)	Purnell	D-2, Berlin	19 -23

### Prior Members:

Norman Ellis	Ed Anderson (98-03)
Richard Bradford	Robert Gray (00-05)
Charles Fulton	Orlando Bishop (01-06)
Elmer Hastings	Roger Richardson (96-07)
David Stevens	Anne Hastings (06-11)
Curtis Shockley	Earl Ludey (07-13)
Gerald Redden	George Lee Clayville (00-14)
William Sirman, Jr.	Sandra Frazier (03-14)
Harold Purnell	Donnie Powell (06-15)
Chauncy Henry (96-97)	Bill Bruning(O-O) (11-19)
Lieselotte Pennewell (93-98)	
Carlton Magee (90-00)	
Harry Mitchell (90-00)	
Frank Baker (98-01)	

\* = Appointed to fill an unexpired term

\*\* = Appointed to partial term to create proper staggering of terms

\*\*\*=Membership expanded from 5 to 7 members and terms reduced from 5 to 4-years each in 2006

Updated: February 18, 2020  
Printed: February 20, 2020

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## BUILDING CODE APPEALS BOARD

Reference: PGL - Public Safety Article - Section 12-501 - 12-508 - Annotated Code of Maryland  
COMAR 05.02.07 (Maryland Building Performance Standards)  
- International Building Code, International Residential Code

Appointed by: County Commissioners

Function: Quasi-Judicial  
Hear and decide upon appeals of the provisions of the International Building Code (IBC) and International Residential Code for one- and two-family dwellings (IRC)

Number/Term: 7/4-year terms  
Terms expire December 31

Compensation: \$50 per meeting (by policy)

Meetings: As Needed

Special Provisions: Members shall be qualified by reason of experience, training or formal education in building construction or the construction trades.

Staff Contact: Edward A. Tudor, Director  
Development Review & Permitting (410-632-1200, ext. 1100)

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Bill Paul	D-7 - Mitrecic	Ocean Pines	15-19
Kevin Holland	D-1 - Lockfaw	Pocomoke	96-04-08-12-16, 16-20
James Spicknall	D-5 - Bertino	Ocean Pines	04-08-12-16, 16-20
Mike Poole	D-6 - Bunting	Bishopville	17-21
Mark Bargar	D-4 - Elder	Berlin	14-18, 18-22
Jim Wilson	D-3 - Church	Berlin	02-06-10-14-18, 18-22
Elbert Davis	D-2 - Purnell	Snow Hill	*03-03-07-11-15-19, 19-23

### Prior Members:

Robert L. Cowger, Jr. (92-95)  
Charlotte Henry (92-97)  
Robert Purcell (92-98)  
Edward DeShields (92-03)  
Sumei Prete (97-04)  
Shane C. Spain (03-14)  
Dominic Brunori (92-15)  
Richard P. Mueller (98-17)



## ETHICS BOARD

Reference: Public Local Law, Section CG 5-103

Appointed by: County Commissioners

Function: Advisory

Maintain all Ethics forms; develop procedures and policies for advisory opinions to persons subject to the Ethics Law and for processing complaints alleging violations of the Ethics Law; conduct a public information program regarding the purpose and application of the Ethics Law; annually certify compliance to the State; and recommend any changes to the Commissioners in order to comply with State Ethics Law.

Number/Term: 7/4 years  
Terms expire December 31<sup>st</sup>

Compensation: \$50 per meeting

Meetings: As Necessary

Special Provisions:

Staff Contact: Roscoe Leslie, County Attorney (410-632-1194)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Frank Knight	D-7, Mitrecic	Ocean City	*14-15, 15-19
Joseph Stigler	D-4, Elder	Berlin	16-20
Jeff Knepper	D-5, Bertino	Ocean Pines	16-20
Bruce Spangler	D-3, Church	Berlin	*02-05-09-13-17, 17-21
David Deutsch	D-6, Bunting	Ocean Pines	17-21
Faith Mumford	D-2, Purnell	Snow Hill	14-18, 18-22
Mickey Ashby	D-1, Nordstrom	Pocomoke	14-18, 18-22

Prior Members: (Since 1972)

J.D. Quillin, III	Wallace D. Stein (02-08)
Charles Nelson	William Kuhn (90-09)
Garbriel Purnell	Walter Kissel (05-09)
Barbara Derrickson	Marion Chambers (07-11)
Henry P. Walters	Jay Knerr (11-14)
William Long	Robert I. Givens, Jr. (98-14)
L. Richard Phillips (93-98)	Diana Purnell (09-14)
Marigold Henry (94-98)	Kevin Douglas (08-16)
Louis Granados (94-99)	Lee W. Baker (08-16)
Kathy Philips (90-00)	Richard Passwater (09-17)
Mary Yenney (98-05)	
Bill Ochse (99-07)	
Randall Mariner (00-08)	



**LOCAL DEVELOPMENT COUNCIL  
FOR THE OCEAN DOWNS CASINO**

Reference: Subsection 9-1A-31(c) - State Government Article, Annotated Code of Maryland

Appointed by: County Commissioners

Function: Advisory  
Review and comment on the multi-year plan for the expenditure of the local impact grant funds from video lottery facility proceeds for specified public services and improvements; Advise the County on the impact of the video lottery facility on the communities and the needs and priorities of the communities in the immediate proximity to the facility.

Number/Term: 15/4 year terms; Terms Expire December 31

Compensation: None

Meetings: At least semi-annually

Special Provisions: Membership to include State Delegation (or their designee); one representative of the Ocean Downs Video Lottery Facility, seven residents of communities in immediate proximity to Ocean Downs, and four business or institution representatives located in immediate proximity to Ocean Downs.

Staff Contacts: Kim Moses, Public Information Officer, 410-632-1194  
Roscoe Leslie, County Attorney, 410-632-1194

**Current Members:**

<u>Member's Name</u>	<u>Nominated By</u>	<u>Represents/Resides</u>	<u>Years of Term(s)</u>
Michael Donnelly	Dist. 7 - Mitrecic	Resident - Ocean City	*16-19
Mark Wittmyer	At-Large	Business - Ocean Pines	15-19
Charlie Dorman	Dist. 4 - Elder	Resident - Snow Hill	12-16, 16-20
Rod Murray °	Dist. 6 - Bunting	Resident - Ocean Pines	*09-12-16, 16-20
Mayor Rick Meehan °	At-Large	Business - Ocean City	*09-12-16, 16-20
Mayor Gee Williams °	Dist. 3 - Church	Resident - Berlin	09-13-17, 17-21
Bob Gilmore	Dist. 5 - Bertino	Resident - Ocean Pines	*19-21
David Massey °	At-Large	Business - Ocean Pines	09-13-17, 17-21
Bobbi Sample	Ocean Downs Casino	Ocean Downs Casino	17-indefinite
Cam Bunting °	At-Large	Business - Berlin	*09-10-14-18, 18-22
Matt Gordon	Dist. 1 - Nordstrom	Resident - Pocomoke	19-22
Mary Beth Carozza		Maryland Senator	14-18, 18-22
Wayne A. Hartman		Maryland Delegate	18-22
Charles Otto		Maryland Delegate	14-18, 18-22
Roxane Rounds	Dist. 2 - Purnell	Resident - Berlin	*14-15-19, 19-23

**Prior Members:**

Since 2009

J. Lowell Stoltzfus ° (09-10)	Todd Ferrante ° (09-16)
Mark Wittmyer ° (09-11)	Joe Cavilla (12-17)
John Salm ° (09-12)	James N. Mathias, Jr. ° (09-18)
Mike Pruitt ° (09-12)	Ron Taylor ° (09-14)
Norman H. Conway ° (09-14)	James Rosenberg (09-19)
Michael McDermott (10-14)	
Diana Purnell ° (09-14)	
Linda Dearing (11-15)	



**LOWER SHORE WORKFORCE DEVELOPMENT BOARD**  
(Previously Private Industry Council Board - PIC)

Reference: Workforce Innovation and Opportunity Act of 2014, Section 107

Appointed by: County Commissioners

Functions: Advisory/Regulatory  
Provide education and job training opportunities to eligible adults, youth and dislocated workers who are residents of Somerset, Wicomico and Worcester counties.

Number/Term: 26 - 5 Worcester County, 11 At-Large (by Tri-County Council), 10 Other  
2, 3 or 4-year terms; Terms expire September 30

Compensation: None

Meetings: Quarterly (March, June, September, December) on the 2<sup>nd</sup> Wednesday

Special Provisions: Board must be at least 51% business membership.  
Chair must be a businessperson

Staff Contact: Lower Shore Workforce Alliance  
Becca Webster, Workforce Director (410-341-3835, ext 6)  
American Job Center, 31901 Tri-County Way, Suite 215, Salisbury, MD 21804

Current Members (Worcester County - also members from Wicomico, Somerset and Tri-County Council):

<u>Name</u>	<u>Resides/Agency</u>	<u>Term</u>	<u>Representing</u>
(Vacant)	(Berlin area)	17-21	Business Rep.
Jason Cunha	Pocomoke	*16-19	Business Rep.
Walter Maizel	Bishopville	*12, 12-16, 16-20	Private Business Rep.
Robert "Bo" Duke	Ocean City	*17, 17-21	Business Rep.
Melanie Pursel	Ocean City	18-22	Business Rep.

Prior Members: Since

Baine Yates	Heidi Kelley (07-08)
Charles Nicholson (98-00)	Bruce Morrison (05-08)
Gene Theroux (97-00)	Margaret Dennis (08-12)
Jackie Gordon (98-00)	Ted Doukas (03-13)
Caren French (97-01)	Diana Nolte (06-14)
Jack Smith (97-01)	John Ostrander (07-15)
Linda Busick (98-02)	Craig Davis (13-17)
Edward Lee (97-03)	Donna Weaver (08-17)
Joe Mangini (97-03)	Geoffrey Failla (15-18)
Linda Wright (99-04)	
Kaye Holloway (95-04)	
Joanne Lusby (00-05)	
William Greenwood (97-06)	
Gabriel Purnell (04-07)	
Walter Kissel (03-07)	



## PLANNING COMMISSION

Reference: Public Local Law ZS §1-112

Appointed by: County Commissioners

Functions: Advisory/Regulatory  
Make investigations and recommendations regarding zoning text and map amendment applications; recommend conditional rezoning; make recommendations to the Board of Zoning Appeals; review public projects, proposed facility development plans, regulations and standards; review and approve site plans; review and make recommendations regarding residential planned communities; review and approve subdivision plats.

Number/Term: 7/5 years; Terms expire December 31st

Compensation: \$50 per meeting (policy)

Meetings: 1 regular meeting per month; additional meetings held as necessary

Special Provisions: Historically - one member from each Commissioner District, plus two At-Large members; one member per district once expanded to seven districts.

Staff Contact: Department of Development Review & Permitting  
Edward A. Tudor, Director (410-632-1200, ext. 1100)

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Jay Knerr	D-7, Mitrecic	Berlin	14-19
Jerry Barbieri	D-1, Lockfaw	Pocomoke	*12-15, 15-20
Mike Diffendal	D-3, Church	Berlin	10-15, 15-20
Richard L. Wells	D-6, Bunting	Bishopville	11-16, 16-21
Brooks Clayville	D-4, Elder	Snow Hill	02-07-12-17, 17-22
Marlene Ott	D-5, Boggs	Ocean Pines	08-13-18, 18-23
Betty M. Smith	D-2, Purnell	Berlin	*07-09-14-19, 19-24

### Prior Members:

Since 1972

David L. Johnson  
N. Paul Joyner  
Daniel Trimper, IV  
Hugh F. Wilde  
Warren Frame  
Roland E. Powell  
Harry Cherrix  
W. David Stevens  
Granville Trimper  
J. Brad Aaron  
Lester Atkinson  
Paul L. Cutler  
Edward R. Bounds  
Edward Phillips  
Vernon McCabe

R. Blaine Smith  
Edward A. Tudor  
Terry Bayshore  
Larry Widgeon  
Charles D. "CD" Hall  
Ernest "Sandy" Coyman  
Rev. Donald Hamilton  
Dale Stevens  
Marion L. Butler, Sr.  
Ron Cascio (96-97)  
Louie Paglierani (90-99)  
Robert Hawkins (96-99)  
Ilia Fehrer (94-99)  
Rob Clarke (99-00)  
W. Kenny Baker (97-02)

James Jarman (99-03)  
Harry Cullen (00-03)  
Ed Ellis (96-04)  
Troy Purnell (95-05)  
Larry Devlin (04-06)  
Tony Devereaux (03-07)  
Wilbert "Tom" Pitts (99-07)  
Doug Slingerland (07-08)  
Carolyn Cummins (90-94, 99-09)  
Madison "Jimmy" Bunting (05-10)  
Jeanne Lynch (06-11)  
H. Coston Gladding (96-12)  
Wayne A. Hartman (09-14)



## PROPERTY TAX ASSESSMENT APPEAL BOARD

Reference: Annotated Code of Maryland, Tax-Property Article, §TP 3-102

Appointed by: Governor (From list of 3 nominees submitted by County Commissioners)  
- Nominees must each fill out a resume to be submitted to Governor  
- Nominations to be submitted 3 months before expiration of term

Function: Regulatory  
- Decides on appeals concerning: real property values and assessments, personal property valued by the supervisors, credits for various individuals and groups as established by State law, value of agricultural easements, rejection of applications for property tax exemptions.

Number/Term: 3 regular members, 1 alternate/5-year terms  
Terms Expire June 1st

Compensation: \$15 per hour (maximum \$90 per day), plus travel expenses

Meetings: As Necessary

Special Provisions: Chairman to be designated by Governor

Staff Contact: Department of Assessments & Taxation- Janet Rogers (410-632-1196)  
Ext:112

Current Members:

Gary M. Flater (Alternate)	Snow Hill	13-18	Resigned
Steven W. Rakow	Ocean Pines	*19-22	
Arlene C. Page	Bishopville	18-23	
Martha Bennett	Berlin	19-24	

C) = Chairman

Prior Members: Since 1972

Wilford Showell	Delores W. Groves (96-99)
E. Carmel Wilson	Mary Yenney (98-03)
Daniel Trimper, III	Walter F. Powers (01-04)
William Smith	Grace C. Purnell (96-04)
William Marshall, Jr.	George H. Henderson, Jr. (97-06)
Richard G. Stone	Joseph A. Calogero (04-09)
Milton Laws	Joan Vetare (04-12)
W. Earl Timmons	Howard G. Jenkins (03-18)
Hugh Cropper	Robert D. Rose (*06-17)
Lloyd Lewis	Larry Fry (*10-14 alt)(14-18)
Ann Granados	
John Spurling	
Robert N. McIntyre	
William H. Mitchell (96-98)	

\* = Appointed to fill an unexpired term

Updated: May 21, 2019  
Printed: February 10, 2020



## SOCIAL SERVICES ADVISORY BOARD

Reference: Human Services Article - Annotated Code of Maryland - Section 3-501

Appointed by: County Commissioners

Functions: Advisory  
Review activities of the local Social Services Department and make recommendations to the State Department of Human Resources.  
Act as liaison between Social Services Dept. and County Commissioners.  
Advocate social services programs on local, state and federal level.

Number/Term: 9 to 13 members/3 years  
Terms expire June 30th

Compensation: None - (Reasonable Expenses for attending meetings/official duties)

Meetings: 1 per month (Except June, July, August)

Special Provisions: Members to be persons with high degree of interest, capacity & objectivity, who in aggregate give a countywide representative character.  
Maximum 2 consecutive terms, minimum 1-year between reappointment  
Members must attend at least 50% of meetings  
One member (ex officio) must be a County Commissioner  
Except County Commissioner, members may not hold public office.

Staff Contact: Roberta Baldwin, Director of Social Services - (410-677-6806)

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Maria Campione-Lawren	D-7, Mitrecic	Ocean City	16-19
Nancy Howard	D-2, Purnell	Ocean City	(09-16), 17-20
Cathy Gallagher	D-5, Bertino	Ocean Pines	*13-14-17, 17-20
Faith Coleman	D-4, Elder	Snow Hill	15-18, 18-21
Harry Hammond	D-6, Bunting	Bishopville	15-18, 18-21
Diana Purnell	ex officio - Commissioner		14-18, 18-22
Wayne Ayer	D-1, Nordstrom	Pocomoke City	*19-21
Voncelia Brown	D-3, Church	Berlin	16-19, 19-22
Mary White	At-Large	Berlin	*17-19, 19-22

*resigned*



## SOCIAL SERVICES BOARD

(Continued)

### Prior Members: (Since 1972)

James Dryden	Naomi Washington (01-02)
Sheldon Chandler	Lehman Tomlin, Jr. (01-02)
Richard Bunting	Jeanne Lynch (00-02)
Anthony Purnell	Michael Reilly (00-03)
Richard Martin	Oliver Waters, Sr. (97-03)
Edward Hill	Charles Hinz (02-04)
John Davis	Prentiss Miles (94-06)
Thomas Shockley	Lakeshia Townsend (03-06)
Michael Delano	Betty May (02-06)
Rev. James Seymour	Robert "BJ" Corbin (01-06)
Pauline Robertson	William Decoligny (03-06)
Josephine Anderson	Grace Smeerman (99-07)
Wendell White	Ann Almand (04-07)
Steven Cress	Norma Polk-Miles (06-08)
Odetta C. Perdue	Anthony Bowen (96-08)
Raymond Redden	Jeanette Tressler (06-09)
Hinson Finney	Rev. Ronnie White (08-10)
Ira Hancock	Belle Redden (09-11)
Robert Ward	E. Nadine Miller (07-11)
Elsie Bowen	Mary Yenney (06-13)
Faye Thorne	Dr. Nancy Dorman (07-13)
Frederick Fletcher	Susan Canfora (11-13)
Rev. Thomas Wall	Judy Boggs (02-14)
Richard Bundick	Jeff Kelchner (06-15)
Carmen Shrouck	Laura McDermott (11-15)
Maude Love	Emma Klein (08-15)
Reginald T. Hancock	Wes McCabe (13-16)
Elsie Briddell	Nancy Howard (09-16)
Juanita Merrill	Judy Stinebiser (13-16)
Raymond R. Jarvis, III	Arlette Bright (11-17)
Edward O. Thomas	Tracey Cottman (15-17)
Theo Hauck	Ronnie White (18-19)
Marie Doughty	
James Taylor	
K. Bennett Bozman	
Wilson Duncan	
Connie Quillin	
Lela Hopson	
Dorothy Holzworth	
Doris Jarvis	
Eugene Birckett	
Eric Rauch	
Oliver Waters, Sr.	
Floyd F. Bassett, Jr.	
Warner Wilson	
Mance McCall	
Louise Matthews	
Geraldine Thweat (92-98)	
Darryl Hagy (95-98)	
Richard Bunting (96-99)	
John E. Bloxom (98-00)	
Katie Briddell (87-90, 93-00)	
Thomas J. Wall, Sr. (95-01)	
Mike Pennington (98-01)	
Desire Becketts (98-01)	

\* = Appointed to fill an unexpired term

Updated: August 6, 2019  
Printed: February 10, 2020

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## SOLID WASTE ADVISORY COMMITTEE

Reference: County Commissioners' Resolution 5/17/94 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory  
Review and comment on Solid Waste Management Plan, Recycling Plan, plans for solid waste disposal sites/facilities, plans for closeout of landfills, and to make recommendations on tipping fees.

Number/Term: 11/4-year terms; Terms expire December 31st.

Compensation: \$50 per meeting expense allowance, subject to annual appropriation

Meetings: At least quarterly

Special Provisions: One member nominated by each County Commissioner; and one member appointed by County Commissioners upon nomination from each of the four incorporated towns.

Staff Support: Solid Waste - Solid Waste Superintendent - Mike Mitchell - (410-632-3177)  
Solid Waste - Recycling Coordinator - Mike McClung - (410-632-3177)  
Department of Public Works - John Tustin - (410-632-5623)

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Michael Pruitt	Town of Snow Hill		*15, 15-19
Bob Augustine	D-3, Church	Berlin	16-20
Granville Jones	D-7, Mitrecic	Berlin	*15-16, 16-20
Michelle Beckett-El Soloh	Town of Pocomoke City		*19-20
Vaughn White	D-2, Purnell	Berlin	*19-21
Jamey Latchum	Town of Berlin		*17, 17-21
Hal Adkins	Town of Ocean City		*20-21
George Linvill	D-1, Nordstrom	Pocomoke	14-18, 18-22
James Rosenberg	D-5, Bertino	Ocean Pines	*06-10-14-18, 18-22
George Dix	D-4, Elder	Snow Hill	*10-10-14-18, 18-22
Mike Poole	D-6, Bunting	Bishopville	11-15-19, 19-23

### Prior Members: (Since 1994)

Ron Cascio (94-96)  
Roger Vacovsky, Jr. (94-96)  
Lila Hackim (95-97)  
Raymond Jackson (94-97)  
William Turner (94-97)  
Vernon "Corey" Davis, Jr. (96-98)  
Robert Mangum (94-98)  
Richard Rau (94-96)  
Jim Doughty (96-99)  
Jack Peacock (94-00)  
Hale Harrison (94-00)

Richard Malone (94-01)  
William McDermott (93-03)  
Fred Joyner (99-03)  
Hugh McFadden (98-05)  
Dale Pruitt (97-05)  
Frederick Stiehl (05-06)  
Eric Mullins (03-07)  
Mayor Tom Cardinale (05-08)  
William Breedlove (02-09)  
Lester D. Shockley (03-10)  
Woody Shockley (01-10)

John C. Dorman (07-10)  
Robert Hawkins (94-11)  
Victor Beard (97-11)  
Mike Gibbons (09-14)  
Hank Westfall (00-14)  
Marion Butler, Sr. (00-14)  
Robert Clarke (11-15)  
Bob Donnelly (11-15)  
Howard Sribnick (10-16)  
Dave Wheaton (14-16)  
Wendell Purnell (97-18)  
George Tasker (\*15-20)  
Rodney Bailey \*19  
Steve Brown \*10-19



## TOURISM ADVISORY COMMITTEE

Reference: County Commissioners' Resolution of May 4, 1999 and 03-6 of 2/18/03

Appointed by: County Commissioners

Function: Advisory

Advise the County Commissioners on tourism development needs and recommend programs, policies and activities to meet needs, review tourism promotional materials, judge tourism related contests, review applications for State grant funds, review tourism development projects and proposals, establish annual tourism goals and objectives, prepare annual report of tourism projects and activities and evaluate achievement of tourism goals and objectives.

Number/Term: 7/4-Year term - Terms expire December 31st

Compensation: \$50 per meeting expense allowance

Meetings: At least bi-monthly (6 times per year), more frequently as necessary

Special Provisions: One member nominated by each County Commissioner

Staff Contact: Tourism Department - Lisa Challenger (410-632-3110)

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)<sup>2</sup></u>
Isabel Morris	D-6, Bunting	Bishopville	11-15, 15-19
Elena Ake	D-3, Church	West Ocean City	*16, 16-20
Josh Davis	D-5, Bertino	Berlin	*19-21
Lauren Taylor	D-7, Mitrecic	Ocean City	13-17, 17-21
Gregory Purnell	D-2, Purnell	Berlin	14-18, 18-22
Michael Day	D-4, Elder	Snow Hill	*19
Barbara Tull	D-1, Nordstrom	Pocomoke	03-11-15-19, 19-23

### Prior Members: Since 1972

Isaac Patterson <sup>1</sup>	Barry Laws (99-03)	Molly Hilligoss (15-18)
Lenora Robbins <sup>1</sup>	Klein Leister (99-03)	Denise Sawyer (*18-19)
Kathy Fisher <sup>1</sup>	Bill Simmons (99-04)	
Leroy A. Brittingham <sup>1</sup>	Bob Hulburd (99-05)	
George "Buzz" Gering <sup>1</sup>	Frederick Wise (99-05)	
Nancy Pridgeon <sup>1</sup>	Wayne Benson (05-06)	
Marty Batchelor <sup>1</sup>	Jonathan Cook (06-07)	
John Verrill <sup>1</sup>	John Glorioso (04-08)	
Thomas Hood <sup>1</sup>	David Blazer (05-09)	
Ruth Reynolds (90-95)	Ron Pilling (07-11)	
William H. Buchanan (90-95)	Gary Weber (99-03, 03-11)	
Jan Quick (90-95)	Annemarie Dickerson (99-13)	
John Verrill (90-95)	Diana Purnell (99-14)	
Larry Knudsen (95)	Kathy Fisher (11-15)	
Carol Johnsen (99-03)	Linda Glorioso (08-16)	
Jim Nooney (99-03)	Teresa Travatello (09-18)	

\* = Appointed to fill an unexpired term

1 = Served on informal ad hoc committee prior to 1990, Committee abolished between 1995-1999

2 = All members terms reduced by 1-year in 2003 to convert to 4-year terms



**WATER AND SEWER ADVISORY COUNCIL  
MYSTIC HARBOUR SERVICE AREA**

Reference: County Commissioners' Resolutions of 11/19/93 and 2/1/05

Appointed by: County Commissioners

Function: Advisory  
Advise Commissioners on water and sewer needs of the Service Area;  
review amendments to Water and Sewer Plan; make recommendations on  
policies and procedures; review and recommend charges and fees; review  
annual budget for the service area.

Number/Term: 7/4-year terms  
Terms Expire December 31

Compensation: Expense allowance for meeting attendance as authorized in the budget.

Meetings: Monthly or As-Needed

Special Provisions: Must be residents of Mystic Harbour Service Area

Staff Support: Department of Public Works - Water and Wastewater Division  
John Ross - (410-641-5251)

**Current Members:**

<u>Member's Name</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Joseph Weitzell <sup>C</sup>	Mystic Harbour	05-11-15, 15-19
Bob Hunt	Deer Point	*06-11-15, 15-19
David Dypsky	Teal Marsh Center	*10-12-16, 16-20
Stan Cygam	Whispering Woods	*18-20
Martin Kwesko	Mystic Harbour	13-17, 17-21
Richard Jendrek <sup>C</sup>	Bay Vista I	05-10-14-18, 18-22
Matthew Kraeuter	Ocean Reef	19-22

**Prior Members: (Since 2005)**

John Pinnero <sup>C</sup> (05-06)	Carol Ann Beres (14-18)
Brandon Phillips <sup>C</sup> (05-06)	
William Bradshaw <sup>C</sup> (05-08)	
Buddy Jones (06-08)	
Lee Trice <sup>C</sup> (05-10)	
W. Charles Friesen <sup>C</sup> (05-13)	
Alma Seidel (08-14)	
Gerri Moler (08-16)	
Mary Martinez (16-18)	



**WATER AND SEWER ADVISORY COUNCIL  
WEST OCEAN CITY SERVICE AREA**

Reference: County Commissioners' Resolution of November 19, 1993

Appointed by: County Commissioners

Function: Advisory  
Advise Commissioners on water and sewer needs of the Service Area;  
review amendments to Water and Sewer Plan; make recommendations on  
policies and procedures; review and recommend charges and fees; review  
annual budget for the service area.

Number/Term: 5/4-year terms  
Terms Expire December 31

Compensation: Expense allowance for meeting attendance as authorized in the budget

Meetings: Monthly

Special Provisions: Must be residents/ratepayers of West Ocean City Service Area

Staff Support: Department of Public Works - Water and Wastewater Division  
John Ross - (410-641-5251)

**Current Members:**

<u>Member's Name</u>	<u>Resides/Ratepayer of</u>	<u>Terms (Years)</u>
Deborah Maphis	West Ocean City	95-99-03-07-11-15, 15-19
Gail Fowler	West Ocean City	99-03-07-11-15, 15-19
Blake Haley	West Ocean City	*19-20
Todd Ferrante	West Ocean City	13-17, 17-21
Keith Swanton	West Ocean City	13-17, 17-21

**Prior Members: (Since 1993)**

Eleanor Kelly<sup>c</sup> (93-96)                      Andrew Delcorro (\*14-19)

John Mick<sup>c</sup> (93-95)

Frank Gunion<sup>c</sup> (93-96)

Carolyn Cummins (95-99)

Roger Horth (96-04)

Whaley Brittingham<sup>c</sup> (93-13)

Ralph Giove<sup>c</sup> (93-14)

Chris Smack (04-14)



## COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

Number/Term: 11/3-year terms; Terms Expire December 31

Compensation: None

Meetings: At least monthly (3<sup>rd</sup> Tuesday at 5:30 PM - alternating between Berlin and Snow Hill)

Special Provisions: 7 district members, one from each Commissioner District  
4 At-large members, nominations from women's organizations & citizens  
4 Ex-Officio members, one each from the following departments: Social Services, Health & Mental Hygiene, Board of Education, Public Safety  
No member shall serve more than six consecutive years

Contact: Liz Mumford and Tamara White, Co-Chair  
Worcester County Commission for Women - P.O. Box 1712, Berlin, MD 21811

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Tamara White	D-1, Lockfaw	Pocomoke City	17-20
Vanessa Alban	D-5, Bertino	Ocean Pines	17-20
Terri Shockley	At-Large	Snow Hill	17-20
Laura Morrison	At-Large	Pocomoke	*19-20
Kelly O'Keane	Health Department		17-20
Kelly Riwniak	Public Safety - Sheriff's Office		*19-20
Darlene Bowen	D-2, Purnell	Pocomoke	*19-21
Elizabeth Rodier	D-3, Church	West Ocean City	18-21
Bess Cropper	D-6, Bunting	Berlin	15-18, 18-21
Kimberly List	D-7, Mitrecic	Ocean City	18-21
Gwendolyn Lehman	At-Large	Berlin	*19-21
Mary E. (Liz) Mumford	At-Large	Ocean City	*16, 16-19, 19-22
Coleen Colson	Dept of Social Services		19-22
Hope Carmean	D-4, Elder	Snow Hill	*15-16-19, 19-22
Windy Phillips	Board of Education		19-22

### Prior Members: Since 1995

Ellen Pilchard <sup>c</sup> (95-97)	Carole P. Voss (98-00)	Gloria Bassich (98-03)
Helen Henson <sup>c</sup> (95-97)	Martha Bennett (97-00)	Carolyn Porter (01-04)
Barbara Beaubien <sup>c</sup> (95-97)	Patricia Ilczuk-Lavanceau (98-99)	Martha Pusey (97-03)
Sandy Wilkinson <sup>c</sup> (95-97)	Lil Wilkinson (00-01)	Teole Brittingham (97-04)
Helen Fisher <sup>c</sup> (95-98)	Diana Purnell <sup>c</sup> (95-01)	Catherine W. Stevens (02-04)
Bernard Bond <sup>c</sup> (95-98)	Colleen McGuire (99-01)	Hattie Beckwith (00-04)
Jo Campbell <sup>c</sup> (95-98)	Wendy Boggs McGill (00-02)	Mary Ann Bennett (98-04)
Karen Holck <sup>c</sup> (95-98)	Lynne Boyd (98-01)	Rita Vaeth (03-04)
Judy Boggs <sup>c</sup> (95-98)	Barbara Trader <sup>c</sup> (95-02)	Sharyn O'Hare (97-04)
Mary Elizabeth Fears <sup>c</sup> (95-98)	Heather Cook (01-02)	Patricia Layman (04-05)
Pamela McCabe <sup>c</sup> (95-98)	Violetus Ayres (98-03)	Mary M. Walker (03-05)
Teresa Hammerbacher <sup>c</sup> (95-98)	Terri Taylor (01-03)	Norma Polk Miles (03-05)
Bonnie Platter (98-00)	Christine Selzer (03)	Roseann Bridgman (03-06)
Marie Velong <sup>c</sup> (95-99)	Linda C. Busick (00-03)	Sharon Landis (03-06)

\* = Appointed to fill an unexpired term  
c = Charter member



Prior Members: Since 1995 (continued)

Dr. Mary Dale Craig (02-06)  
Dee Shorts (04-07)  
Ellen Payne (01-07)  
Mary Beth Quillen (05-08)  
Marge SeBour (06-08)  
Meg Gerety (04-07)  
Linda Dearing (02-08)  
Angela Hayes (08)  
Susan Schwarten (04-08)  
Marilyn James (06-08)  
Merilee Horvat (06-09)  
Jody Falter (06-09)  
Kathy Muncy (08-09)  
Germaine Smith Garner (03-09)  
Nancy Howard (09-10)  
Barbara Witherow (07-10)  
Doris Moxley (04-10)  
Evelyne Tyndall (07-10)  
Sharone Grant (03-10)  
Lorraine Fasciocco (07-10)  
Kay Cardinale (08-10)  
Rita Lawson (05-11)  
Cindi McQuay (10-11)  
Linda Skidmore (05-11)  
Kutresa Lankford-Purnell (10-11)  
Monna Van Ess (08-11)  
Barbara Passwater (09-12)  
Cassandra Rox (11-12)  
Diane McGraw (08-12)  
Dawn Jones (09-12)  
Cheryl K. Jacobs (11)  
Doris Moxley (10-13)  
Kutresa Lankford-Purnell (10-12)  
Terry Edwards (10-13)  
Dr. Donna Main (10-13)  
Beverly Thomas (10-13)  
Caroline Bloxom (14)  
Tracy Tilghman (11-14)  
Joan Gentile (12-14)  
Carolyn Donnan (13-16)  
Arlene Page (12-15)  
Shirley Dale (12-16)  
Dawn Cordrey Hodge (13-16)  
Carol Rose (14-16)  
Mary Beth Quillen (13-16)  
Debbie Farlow (13-17)  
Corporal Lisa Maurer (13-17)  
Laura McDermott (11-16)  
Charlotte Cathell (09-17)  
Eloise Henry-Gordy (08-17)

Michelle Bankert \*(14-18)  
Nancy Fortney (12-18)  
Cristi Graham (17-18)  
Alice Jean Ennis (14-17)  
Lauren Mathias Williams \*(16-18)  
Teola Brittingham \*(16-18)  
Jeannine Jerscheid \*(18-19)  
Shannon Chapman \*(17-19)  
Julie Phillips (13-19)





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HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY

COMMISSIONERS  
JOSEPH M. MITRECIC, PRESIDENT  
THEODORE J. ELDER, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
MADISON J. BUNTING, JR.  
JAMES C. CHURCH  
JOSHUA C. NORDSTROM  
DIANA PURNELL

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103  
SNOW HILL, MARYLAND  
21863-1195

February 12, 2020

TO: Harold L. Higgins, CPA, Chief Administrative Officer  
FROM: Karen Hammer, Office Assistant IV  
SUBJECT: Proposed Employee Events and Programs - 2020

\*\*\*\*\*

As you are aware, over the past several years the County Commissioners have sponsored events and programs for the Worcester County Government employees to improve morale and demonstrate their support and appreciation of County staff. These events have been extremely successful and sincerely appreciated by County employees. Therefore, I am proposing that the County Commissioners approve the following "Worcester County Government Employee Appreciation" events program for 2020:

1. **Night at The Shorebirds** – Friday, June 26, 2020 at 7:05 pm vs Hagerstown Suns. Tickets would be free for each employee with additional tickets for family and friends sold for \$5 each. Total cost to the County would be \$1,000 (for 200 tickets), less income from ticket sales. In 2019, we needed 178 tickets, 77 distributed to staff and 103 sold to family and friends for a net cost of \$485 to the County.
2. **Jolly Roger Day** – Saturday or Sunday, August (Exact Day to Be Determined), 2020 from 10:00am until 6:00 pm. This event is at **no cost to the County** as we sell wristbands to County employees and their family and friends at the generous pricing offered by Buddy Jenkins and the Jolly Roger staff. While prices have increased slightly for 2020, estimated prices are as follows: (\$13) per person for the day at Splash Mountain; with add-ons including 2-hour Go-Kart rides (\$13), Extreme Rides (\$13), Amusement Rides and Mini Golf (\$8) and /or Mini Golf (\$4). Last Year a total of 886 employees, family and friends attended.

Saturday  
August 8  
or  
Sunday  
August 9

(less crowded on Sunday) - see email - p. 3

Please present the above proposal to the County Commissioners for their review and approval. If you should have any questions or concerns, please feel free to contact me.



# Delmarva Shorebirds

P.O. Box 1557  
Salisbury, MD 21802  
Phone: 410-219-3112  
Fax: 410-219-9164



Make Checks Payable To: Delmarva Shorebirds

## Group Sales Agreement

**Karen Hammer**

Worcester County Government Office  
One West Market St  
Snow Hill, MD 21863

410-632-1194

khammer@co.worcester.md.us

02/12/2020

Order Date

70913

Contract #

Chris Borysewicz

Sales Rep

Account #: 129082

**EVENT DATE: 06/26/2020 07:05:00 PM**

Shorebirds vs.  
Hagerstown Suns

QTY	SECTION	PRICE	DISCOUNT	AMOUNT
200	211 UR	\$10 Upper Reserved Seat (Advanced)	\$5 UR Fundraiser	\$1,000.00

Credit Card #:

Expiration:

Billing Zip:

Method of Delivery

Hold

Initials

Deposit Due Date

TICKETS:

\$1,000.00

PREMIUMS:

OTHER:

SALES TAX:

S & H:

\$0

TOTAL:

\$1,000.00

DEPOSIT PD:

\$0.00

BALANCE DUE:

\$1,000.00

FINAL HEADCOUNT  
and BALANCE DUE:

06/5/2020

### Notes:

Please note that all deposits are due within 2 weeks of the contract's order date unless otherwise noted. All deposits or signatures received after 2 weeks are subject to availability. Please contact the Shorebirds' ticket services team at 410-219-3112 with any questions.

### POLICIES & PROCEDURES

- 30% of the total amount is required upon booking of the event.
- Final payment and final attendee numbers are required 3 weeks (21 days) prior to game date. There are no refunds or exchanges upon receiving full or partial payment. Additions to group size are subject to availability. Reduction in group size of more than 20% cannot be accommodated and a minimum of 80% of the original total, as provided in this contract, will be due and payable in any event.
- In the event that an official game is not completed, all rain policies apply. The rain policy for the Executive Club, Hardball Café, Picnic Deck & Suites are as follows: in the event that an official game is not completed and food was not served, tickets may be rescheduled for another date during the current season. Tickets which were validated by the attendant and/or received food may only be exchanged for Upper Reserved tickets to a future game.
- NO OUTSIDE FOOD OR BEVERAGES ALLOWED IN THE STADIUM.
- Parking is \$4 per car and \$10 per bus.

Authorized Club Representative Signature

Client Signature of Approval



## Karen M. Hammer

---

**From:** deanlangrall@jollyrogerpark.com  
**Sent:** Thursday, February 13, 2020 12:50 PM  
**To:** Karen M. Hammer  
**Subject:** RE: FW: Employee Appreciation Day 2020

Hi Karen-I was giving you a Sat or Sun option-frankly Sundays are our slowest day...but we'll put you in for 8/8:!) Just add \$1 to each of last years prices...that would cover both of us

Thanks,Dean

-----Original Message-----

**From:** "Karen M. Hammer" <khammer@co.worcester.md.us>  
**Sent:** Thursday, February 13, 2020 12:39pm  
**To:** "deanlangrall@jollyrogerpark.com" <deanlangrall@jollyrogerpark.com>  
**Subject:** FW: Employee Appreciation Day 2020

Dean,

I apologize, I meant to choose a Saturday date so that should be Aug. 8, 2020, correct?

I remember last year we went on Aug. 10, 2019 but this year is a Leap Year. So please note that event day for Worcester County, as Aug. 8, 2020.

Thank you,

Karen

*Karen Hammer, Office Assistant IV*

Worcester County Administration  
One West Market St., Rm 1103  
Snow Hill, MD 21863  
410-632-1194  
410-632-3131 (fax)

---

**From:** Karen M. Hammer  
**Sent:** Thursday, February 13, 2020 12:27 PM  
**To:** 'deanlangrall@jollyrogerpark.com' <deanlangrall@jollyrogerpark.com>  
**Subject:** RE: Employee Appreciation Day 2020

Dean,

Thank you, I will introduce the event to the Commissioners during the March 3, 2020 Commissioner's meeting. If you have the 2020 prices before February 25, 2020, can you let me know and I can put in the approximate total. I guess we should choose August 9, 2020, as the tentative date.

Thank you!

Karen

*Karen Hammer, Office Assistant IV*

Worcester County Administration  
One West Market St., Rm 1103





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HAROLD L. HIGGINS, CPA  
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OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

To: Commissioners

From: Roscoe Leslie *RLL*

Date: February 21, 2020

RE: Chesapeake Utilities/Sandpiper Franchise Agreement Extension

The County currently has a franchise agreement with Chesapeake Utilities (the successor of Eastern Shore Gas Company) that is set to expire on March 6, 2020.

Chesapeake is seeking a new 25 year agreement. The proposed agreement is substantially similar to the last agreement and maintains the same franchise fee—\$2 per customer per year.

The biggest change is that the last agreement was partially exclusive and the new agreement will be fully exclusive. Given that Chesapeake is the only natural gas distributor in the County and the significant nature of investment required to build a natural gas distribution network, an exclusive franchise is not unreasonable.

The last agreement was silent on what happens to the infrastructure if the franchise terminates. The proposed agreement provides that industry standards will be followed. We have attached these standards for reference. We have also included a copy of the past agreement, a brief historical background, and basic statistics on Chesapeake's service.

We request that the Commissioners approve the new 25 year franchise agreement with Chesapeake Utilities.



**FRANCHISE AGREEMENT**  
**(Natural Gas Distributions Services)**

This Franchise Agreement (the "Agreement") is made and entered into this \_\_\_\_\_ day of March, 2020 (the "Effective Date"), by and between the County Commissioners of Worcester County, Maryland (the "County") and Sandpiper Energy, Inc., a wholly owned subsidiary of Chesapeake Utilities Corporation, a Delaware corporation (the "Franchisee").

RECITALS

WHEREAS, the County is a political subdivision of the State of Maryland, and is empowered by Section 1-702(b)(3) of the Local Government Article of the Annotated Code of Maryland to grant franchises; and

WHEREAS, the Franchisee is a corporation duly organized pursuant to the laws of the State of Delaware, is currently registered to do business in this State and is in good standing, and is authorized to enter into this Agreement; and

WHEREAS, the Franchisee has requested the County to renew an existing franchise to enable Franchisee to continue to serve, and to install new facilities in, through, along or under County rights-of-way and other real property in order to provide natural gas and liquefied petroleum gas services to, residents and business owners throughout the County; and

WHEREAS, the Franchisee and its employees are independent contractors and are not, under this Agreement, employees or agents of the County; and

WHEREAS, the County finds that the grant of such a franchise renewal would be in the public interest by ensuring the continued availability and delivery of adequate, economical and efficient natural gas and liquefied petroleum gas distribution services to Worcester County citizens and businesses, and by utilizing efficiently the County's public rights-of-way; and

WHEREAS, subject to the terms and conditions set forth herein, the parties hereto are desirous of entering into a twenty-five (25) year exclusive franchise agreement with Franchisee providing natural gas and liquefied natural gas distribution services within the unincorporated areas of the County; and

NOW, THEREFORE, in consideration of the mutual covenants, terms, and conditions set forth herein, the parties agree as follows:

Section 1. DEFINITIONS

For the purposes of this Agreement, the following terms have the meanings set forth herein:

"County Commissioners" shall mean the County Commissioners of Worcester County, Maryland.

"County" shall mean Worcester County, Maryland, a political subdivision of the State of Maryland governed by the County Commissioners.

"Customer" shall mean a person or user of the Gas Distribution System who lawfully receives Gas Service within the service area with Franchisee's permission.

"Franchise" shall mean the authorization, or renewal thereof, by the County Commissioners, whether such authorization is designated as a franchise, permit, license, resolution, contract, certificate or



otherwise, authorizing the installation, construction, maintenance or operation of the Gas Distribution System for the purpose of offering Gas Services to Customers.

“Franchisee” shall mean Sandpiper Energy, Inc., a wholly owned subsidiary of Chesapeake Utilities Corporation, the person to whom the Franchise is granted by the County Commissioners, and the lawful agent, successor, transferee or assignee of said person, subject to such conditions as may be prescribed by the County.

“Gas Distribution System” shall mean a connected set of distribution pipes and appurtenant equipment designed to deliver and distribute Gas Services to Customers within the unincorporated areas and certain designated incorporated areas of Worcester County, Maryland.

“Gas Service” shall mean the furnishing, distribution and sale of gas whether artificial, natural, mixed, liquefied, compressed, renewable, or otherwise, for domestic, commercial, industrial and other purposes and for delivering gas into, through and beyond the jurisdictional boundaries of the County to a Customer.

“Person” shall mean any individual, firm, partnership, corporation, organization, association, trust, limited liability company or other legal entity.

“Property of Franchisee” shall mean all property owned, installed or used by Franchisee in the conduct of its Gas Service business in the County under the authority of the Franchise.

“PSC” shall mean the Maryland Public Service Commission.

“Public Way” shall mean the surface of, and space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, parkway, way, lane, drive, circle, or other public rights-of-way, including, but not limited to, public utility easements, dedicated utility strips or rights-of-way dedicated for compatible uses and any temporary or permanent fixtures or improvements located thereon now or hereafter held in fee simple title or any other lesser or conditional estate, grant or leasehold interest by the County in the Service Area which shall entitle the County and the Franchisee to the use thereof for the purpose of installing, operating, repairing, and maintaining the Gas Service.

“Service Area” shall mean the present jurisdictional boundaries of Worcester County, excluding the incorporated areas, but shall include any additions thereto by intergovernmental agreement or other legal means.

“State” shall mean the State of Maryland.

## Section 2. GRANT OF FRANCHISE

2.1 Exclusive Franchise. The County hereby grants to the Franchisee an exclusive Franchise which grants the Franchisee the right and privilege to construct and operate a Gas Distribution System in, along, among, upon, across, above, over, under or in any manner connected with Public Ways within the Service Area, and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain, or retain in, on, over, under, upon, across, or along any Public Way and all extensions thereof and additions thereto, such distribution pipes and regulator stations, wires, cables, conductors, ducts, conduits, vaults, manholes, pedestals, amplifiers, appliances, attachments, power supplies, network reliability units and other related property or equipment as may be necessary or appurtenant to the Gas Distribution System. The Franchise granted herein shall not preclude the County from using any Public Way, or limit the full power of the County



to make such changes, as the County shall reasonably deem necessary, including but not limited to the dedication, establishment, maintenance and improvement of all new or currently improved Public Ways.

2.2 Limited Grant. The Franchise herein is only intended to convey a limited right and interest. It is not a warranty of title or interest in the County's right-of-way or other public property. None of the rights granted herein shall affect the County's jurisdiction or authority over its property or Public Ways.

### Section 3. TERM

The Franchise granted hereunder shall be for the term of twenty-five (25) years commencing on the Effective Date, unless otherwise lawfully terminated in accordance with the terms of this Agreement. No later than 180 days prior to the expiration of the initial term of this Agreement, the Franchisee shall notify the County in writing of its intention to renew this Agreement. Any renewal of this Agreement is subject to the mutual consent of both the County and the Franchisee.

### Section 4. DUTIES AND RESPONSIBILITIES OF THE FRANCHISEE

4.1 Conditions of Occupancy. The Gas Distribution System installed by the Franchisee pursuant to the terms hereof shall be located so as to cause a minimum of interference with the proper use of the Public Ways. All of the Gas Distribution System presently or in the future located, maintained or installed in the Public Ways within the Service Area shall at all times be maintained in good order and condition, in accordance with standard engineering practices and in compliance with all applicable safety codes and lawful governmental regulations.

4.2 Restoration of Public Ways. If during the course of the Franchisee's construction, operation or maintenance of the Gas Distribution System there occurs a disturbance of any Public Way by the Franchisee or its employees, contractors or agents, the Franchisee shall not unnecessarily or unreasonably obstruct the use of or damage any Public Way, and shall within a reasonable time as early as practicable replace and restore such Public Way to a condition reasonably comparable to the condition of the Public Way existing immediately prior to such disturbance and in accordance with applicable County standards.

4.3 Relocation at Request of County. The Franchisee shall, at its sole expense, protect, support, raise, lower, temporarily disconnect, relocate or remove from the Public Way, as necessary, any of the Property of Franchisee when lawfully requested by the County for a public purpose. The request to relocate by the County shall be preceded by receipt of reasonable advance written notice, not to be less than sixty (60) calendar days, except in an emergency in which case shall be preceded by such notice as practicable. Whenever the County shall pave or repave a Public Way, shall change the grade or line of any Public Way or shall construct or reconstruct any conduit, sewer or water main, sewer or water connection or other public works or utility, it shall be the duty of the Franchisee when requested by the County to change any portion of the Gas Distribution System or other property of the Franchisee at its own expense so as to conform to the established grade or line of the Public Way and so as not to interfere with the conduits, sewer or water main, sewer or water connection or other public works or utility as constructed or reconstructed; however, Franchisee shall not be required to relocate pipes, mains and appurtenances when the Public Way in which they are located is vacated for the convenience of abutting property owners and not as an incident to the public improvement, unless the reasonable cost of such relocation and the loss and expenses resulting therefrom is first paid to the Franchisee. The County shall make a reasonable effort to avoid the need for such moving or changing whenever possible. In the event federal, state or other funds are available in whole or part for utility relocation or alteration purposes, the County may apply for such funds and the Franchisee shall be reimbursed to the extent any such funds are actually expended.

4.4 Permits Required. Franchisee shall secure all necessary permits for any work within the Public Ways located within the Service Area and shall be subject to all applicable ordinances and fees.



4.5 Hot Line. The Franchisee shall provide the County with a telephone number whereby the County on a twenty-four hour basis may obtain status reports from the Franchisee concerning routine or non-emergency interruptions in Gas Service from any portion of the Service Area. Calls in emergency situations shall be handled in accordance with a written emergency response plan prepared by the Franchisee for approval by the County prior to service to any Customers.

## Section 5. REGULATION BY THE COUNTY

5.1 Franchise Fee. Pending PSC approval of the exercise of this Franchise, the Franchisee shall pay to the County a franchise fee equal to \$2 per customer per year ("the Franchisee Fee") upon the Effective Date. Such payment(s) shall not be in lieu of any taxes, fees or charges levied by the County related to easements, franchises, rights-of-ways, permits, utility lines and equipment installation, maintenance and removal during the term of the Franchisee's franchise with the County, which the County may impose for the rights and privileges herein granted or for the privilege of doing business within the County. Payment of a franchise fee does not exempt the Franchisee from any lawful taxation or fee including any fee for an excavation permit, street cut permit, or similar requirement imposed by lawful ordinance upon a permittee, or from any other tax or fee not related to the Franchise or the occupation or use of a Public Way.

5.2 Local Regulations. The use of any Public Way or other County real property by the Franchisee shall be subject to such reasonable and proper ordinances, regulations, conditions and standards as the County may from time to time prescribe.

## Section 6. COMPLIANCE AND MONITORING

6.1 Inspection of Records. Upon thirty (30) days prior written notice from the County, the Franchisee shall furnish the County with a complete set of maps, including any plans, surveys, profiles or schematics of the Gas Distribution System. Within forty-five (45) days of completing any construction and only upon written request from the County, Franchisee shall provide detailed as-built design drawings showing the size, depth and location of all pipes, valves, gauges, and other service appurtenances and facilities within the Service Area.

6.2 Inspection of Facilities. The County shall be provided reasonable access to the Property of the Franchisee to ensure the health, welfare and safety of the public and to coordinate the co-location of public facilities within the Public Ways. Should the federal Office of Pipeline Safety or the PSC substantially diminish their oversight or reduce their staff during the term of this Agreement, then the parties agree to expeditiously negotiate new franchise provisions that will provide the County with increased access to information, and reports such as would be routinely submitted to the federal or state agencies.

6.3 No Duty Imposed on County. Nothing in this Agreement or the Franchise shall be deemed to impose any duty or obligation upon the County to determine the adequacy, safety or sufficiency of the Franchisee's plans, designs, or facilities, or to ascertain whether the Franchisee's proposed or actual construction, testing, maintenance, repairs, replacements or infrastructure installation or removal is adequate, sufficient or otherwise is in conformance with any plans or specifications reviewed or delivered to the County.

## Section 7. INSURANCE AND INDEMNIFICATION

7.1 Insurance Requirements. Franchisee agrees to maintain, on a primary basis and at its sole expense, at all time during the life of this Agreement the following insurance coverages, limits, including endorsements described herein. The requirements contained herein, as well as County's review or



acceptance of insurance maintained by Franchisee is not intended to and shall not in any manner limit or qualify the liabilities or obligations assumed by Franchisee under this Agreement.

A. Commercial General Liability. Franchisee agrees to maintain Commercial General Liability at a limit of liability not less than \$5,000,000 Each Occurrence and \$5,000,000 aggregate. Franchisee further agrees coverage shall not contain any endorsement excluding or limiting Product/Completed Operations, Contractual Liability or Cross Liability.

B. Additional Insured. Franchisee agrees to endorse the County as an Additional Insured to the Commercial General Liability. The Additional Insured shall read "Board of County Commissioners of Worcester County, Maryland".

C. Waiver of Subrogation. Franchisee agrees by entering into this Agreement to a Waiver of Subrogation for each required policy herein. When required by the insurer, or should a policy condition not permit Franchisee to enter into a pre-loss agreement to waive subrogation without an endorsement, then Franchisee agrees to notify the insurer and request the policy be endorsed with a Waiver of Transfer of Rights or Recovery Against Others, or its equivalent. This Waiver of Subrogation requirement shall not apply to any policy, which includes a condition specifically prohibiting such an endorsement, or voids coverage should Franchisee enter into such an agreement on a pre-loss basis.

## 7.2 Indemnification/Hold Harmless.

A. The Franchisee covenants and agrees to indemnify, defend and hold the County harmless from and against any and all claims, demands, causes of action, suits, losses, liabilities, damages; costs and expenses, including attorney fees, sustained by the County and caused, directly or indirectly, by any act or omission on the part of Franchisee; its agents, employees, assigns or anyone subcontracting with Franchisee in the installation, construction, operation, or maintenance of the Gas Distribution System. The County shall notify, in writing Franchisee within ten (10) days after presentation of any claim or demand, either by suit or otherwise, made against the County caused by any of the aforesaid acts or omissions on the part of the Franchisee. The Franchisee shall thereupon have the duty to appear and defend such demand, claim, suit or action on behalf of the County, without cost or expense to the County.

B. The County covenants and agrees, to the extent permitted by law, to indemnify, defend and hold Franchisee harmless from and against any and all claims, demands, causes of action, suits, losses, liabilities, damages; costs and expenses, including attorney fees, sustained by the Franchisee and caused, directly or indirectly, by any act or omission on the part of the County; its agents, employees, assigns in the installation, construction, operation, or maintenance of the Public Ways. The Franchisee shall notify, in writing the County within ten (10) days after presentation of any claim or demand, either by suit or otherwise, made against the Franchisee caused by any of the aforesaid acts or omissions on the part of the County. The County shall thereupon have the duty to appear and defend such demand, claim, suit or action on behalf of the Franchisee, without cost or expense to the Franchisee.

7.3 Longevity. The indemnity, insurance and bond requirements contained herein shall survive the termination of this Agreement and shall continue for as long as the Property of the Franchisee shall remain in the Service Area or until the parties execute a new Franchise Agreement which modifies or terminates these indemnity and insurance requirements.

## Section 8. JURISDICTIONAL AREA

In the event the County by agreement or by any other action should acquire regulatory authority and control over the Public Ways or other real property held in *fee* simple title or *any* other lesser or



conditional estate, grant or leasehold interest by another local government (e.g., an incorporated city or town), the Franchisee shall have the exclusive authority and privilege to engage in Gas Services in the acquired territory for the remainder of this Agreement unless stated otherwise in the municipality's local law or an applicable intergovernmental agreement.

Section 9. DEFAULT AND REMEDIES

9.1 Termination for Cause. Either party may terminate this Agreement for cause if the other party fails or defaults on any material duties or responsibilities set forth in this Agreement.

9.2 Corrective Action. If either party finds that the other party has failed to perform or defaulted on any or all of the material duties or responsibilities set forth in this Agreement, the non-defaulting party shall provide the defaulting party a written "Notice of Default". The Notice of Default shall describe with sufficient detail the defaulting party's failure to perform and/or default. The defaulting party shall have a period of sixty (60) days from the receipt or delivery of the Notice of Default to correct the failure to perform or default. If the defaulting party fails to correct the failure to perform and/or default within sixty (60) days, the non-defaulting party may terminate this Agreement. If the County decides to terminate this Agreement, the County may revoke the Franchise in accordance with the procedures described in Section 9.4 of this Agreement.

9.3 Enforcement. Subject to applicable federal and State law, in the event either party is in default of any provision of the Franchise, the other party may:

A. Seek specific performance of any provision that reasonably lends itself to such remedy, as an alternative to money damages;

B. Commence an action at law for monetary damages or seek other equitable relief, and/or

C. In the case of a substantial default of a material provision of this Agreement or the Franchise, the County may seek to terminate this Agreement and revoke the Franchise in accordance with Section 9.4 of this Agreement.

9.4 Revocation.

A. Should the County seek to revoke the Franchise after complying with the procedures set forth in Section 9.2 of this Agreement, the County shall give written notice to the Franchisee of its intent to terminate this Agreement and to revoke the Franchise ("Notice of Intent to Revoke") based on a substantial default of a material provision of this Agreement or the Franchise. The Notice of Intent to Revoke shall contain the following:

- (1) A description of the specific nature of the default(s);
- (2) A statement of intent to revoke the Franchise;
- (3) A statement that a public hearing shall be held to consider the grounds for the termination of this Agreement and the revocation of the Franchise; and
- (4) The date, time and place of the hearing.



B. The public hearing described herein shall be scheduled between ninety (90) days and one hundred twenty (120) days from the date of the Franchisee's receipt of the Notice of Intent to Revoke. The Franchisee shall have ninety (90) days of receipt of such notice to object in writing and to state its reasons for such objection.

C. At the designated hearing, the County shall give the Franchisee a full and fair opportunity to state its position on the matter, including without limitation the right to introduce evidence, to require the production of evidence, to question witnesses and to obtain a transcript of the proceeding, after which the County shall determine whether this Agreement shall be terminated and the Franchise revoked. The Franchisee shall have a right to judicial review of the decision in the appropriate court in Worcester County.

#### Section 10. MISCELLANEOUS PROVISIONS

10.1. Paragraph Headings. The headings in this Agreement are inserted for convenience and identification only and are in no way intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any of the provisions of the Agreement.

10.2. Provisions Severable. Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

10.3. Rights and Remedies are Cumulative. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude nor waive its rights to use any or all other remedies. Any rights provided to the parties under this Agreement are given in addition to any other rights the parties may have by law, statute, ordinance or otherwise.

10.4. Successors and Assigns. This Agreement and the terms and provisions hereof shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties hereto.

10.5. Entire Agreement. This Agreement contains the entire agreement between the parties respecting the matters herein set forth and supersedes all prior agreements between the parties hereto respecting such matters.

10.6. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Maryland.

10.7. Preparation of Agreement. No presumption shall exist in favor of or against any party to this Agreement as a result of the drafting and preparation of this document.

10.8. No Waiver. No waiver of any breach by either party of the terms of this Agreement shall be deemed a waiver of any subsequent breach of this Agreement.

10.9. Counterparts. This Agreement shall be executed simultaneously in one or more counterparts, each of which shall be deemed as original, but all of which together shall constitute one and the same instrument.

10.10. Amendment. No amendment of this Agreement shall be effective unless the amendment is in writing, signed by each of the parties. Neither party may unilaterally alter the material rights nor obligations set forth in this Agreement.



10.12. Notices. All notices and demands of any kind which either party hereto may be required or desires to serve upon the other party under the terms of this Agreement shall be in writing and shall be served upon such other party by personal service, or by leaving a copy of each notice or demand at the address hereinafter set forth, whereupon service shall be deemed complete, or by mailing a copy thereof by certified or registered mail, postage prepaid, with return receipt request, addressed as follows:

If to Franchisee: Chesapeake Utilities Corporation  
500 Energy Lane, Suite 100  
Dover, Delaware 19904  
Attn: Shane Breakie, Vice President

10.13. **Force Majeure.** Neither party shall be liable for failure to perform hereunder, in whole or in part, due to contingencies beyond the party's reasonable control, including but not necessarily limited to acts of God, the public enemy, fire, floods, epidemics, earthquakes, quarantine restrictions, and strikes not created by Franchisee, whether now existing or hereafter created.

10.15. Publication Costs. Franchisee shall assume all costs of publication required by law for the grant of the Franchise.

10.17. Surrender of Franchise. In the event natural gas at any time shall cease to be available to Franchisee for the distribution and sale hereunder, Franchisee reserves the right to surrender the Franchise. In the event of such surrender, or of the expiration or termination of the Franchise, or in any of such events, Franchisee reserves the right to salvage all of its property and will restore the Public Ways damaged by such salvage operation to substantially the same order and condition, as deemed by the County, as they were before the salvage was made. Franchisee may choose to make safe and abandon any below grade infrastructure in accordance with industry best practices. Franchisee shall remove all above grade infrastructure. Should the Franchisee fail to remove its above grade infrastructure from the Public Ways or other property of the County, the County after reasonable notice may remove the above grade infrastructure



and restore the premises at the Franchisee's expense. This remedy shall not prevent the County from seeking a court order directing that the above grade infrastructure or facilities be removed by the Franchisee.

10.18. Changes, Alterations and Amendments. In the event of an amendment to the laws, rules or regulations of the State and/or the PSC applicable to this Agreement and the Franchise, the terms of this Agreement and the Franchise and the right and privileges thereby conferred and reserved, may be changed, altered, amended or modified upon mutual agreement between the County and the Franchisee, which agreement shall not be unreasonably withheld.

10.19. Waiver of Trial by Jury. Franchisee and the County each hereby agrees not to elect a trial by jury of any issue triable of right by jury, and waives any right to trial by jury fully to the extent that any such right shall now or hereafter exist and regard to this Franchise or any claim counterclaim or other action arising in connection therewith. This waiver of right to trial by jury is given knowingly and voluntarily by Franchisee and the County, and is intended to encompass individually each instance and each issue as to which the right to a trial by jury would otherwise accrue. The County or Franchisee, as applicable, is hereby authorized to file a copy of this section in any proceeding as conclusive evidence of this waiver by Franchisee or the County, as applicable.

IN WITNESS WHEREOF, the parties hereto have executed this Franchise Agreement on the day and year first above written.

ATTEST:

\_\_\_\_\_  
COUNTY COMMISSIONERS  
OF WORCESTER COUNTY, MARYLAND

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Joseph M. Mitrecic, President

\_\_\_\_\_  
ATTEST:

CHESPEAKE UTILITIES CORPORATION

\_\_\_\_\_  
Name:

  
\_\_\_\_\_  
Shane Breakie, Vice President

STATE OF MARYLAND  
COUNTY OF WORCESTER



BE IT REMEMBERED that on this \_\_\_\_ day of \_\_\_\_\_, 2020, personally appeared before me, a Notary Public for the State and County aforesaid, Joseph M. Mitrecic, who being by me duly sworn, did depose and say that he is President of the County Commissioners of Worcester County, Maryland that he has executed this Franchise Agreement on behalf of the County Commissioners of Worcester County, Maryland.

\_\_\_\_\_  
Joseph M. Mitrecic

SWORN TO AND SUBSCRIBED before me the day and year above written.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

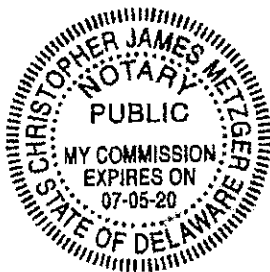
STATE OF Delaware  
COUNTY OF Kent

BE IT REMEMBERED that on this 21<sup>st</sup> day of February, 2020, personally appeared before me, a Notary Public for the State and County aforesaid, Shane Breakie, who being by me duly sworn, did depose and say that he is Vice President, Chesapeake Utilities Corporation that he has executed this Franchise Agreement on behalf of Sandpiper Energy, Inc., a wholly owned subsidiary of Chesapeake Utilities Corporation.

\_\_\_\_\_  
Shane Breakie

SWORN TO AND SUBSCRIBED before me the day and year above written.

\_\_\_\_\_  
Notary Public  
My Commission expires: July 05, 2020





## **CUC Franchise History**

- The current franchise Chesapeake Utilities Corporation (CUC), via its wholly owned subsidiary Sandpiper Energy, operates under was initially issued to Eastern Shore Gas (ESG).
- ESG was a privately owned, liquefied petroleum gas (also referred to as LPG or propane) service company that provided piped and individual tank LPG service in Worcester County ("County").
- ESG provided service in Berlin, Ocean City, Pocomoke City, Snow Hill and unincorporated areas of the County.
- CUC acquired ESG in 2013 and in coordination with the Maryland Public Service Commission (PSC) began operation of ESG services under its Sandpiper Energy Division.
- By the end of 2020, over 10,000 customers will have been converted from LPG to natural gas.
- Other portions of the County including Pocomoke City and Snow Hill are still served by LPG.

## **Industry Best Practices**

Underground utility piping (including water, wastewater, communication, natural gas and LPG infrastructure) is almost without fail, always abandoned in place due to the ability to make it safe and to mitigate the enormous disruption and cost removal would demand. Also, as discussed, CUC's rate structure approved by the PSC specifically does not include the costs associated with future infrastructure removal. When looking for national industry "best practices," we typically look toward the *Gas Piping Technology Committee* (GPTC) and the *United States Department of Transportation Pipeline and Hazardous Materials Safety Administration* (PHMSA).

PHMSA, from their website: "PHMSA's mission is to protect people and the environment by advancing the safe transportation of energy and other hazardous materials that are essential to our daily lives. To do this, the agency establishes national policy, sets and enforces standards, educates, and conducts research to prevent incidents."

GPTC was formed in the late 1960s with a mission to develop performance-based regulations and to identify "best practices." The Gas Piping Technology Committee Z380 is an accredited ANSI committee. The American Gas Association is the Secretariat for GPTC, providing support staff for the committee work. The GPTC has about 100 members from gas distribution, gathering and transmission systems, manufacturers, general interest and federal and state regulators. Today one of GPTC's primary roles is to



write guidance for complying with Parts 191 & 192 of PHMSA regulations and guidance.

PHMSA provides direction on gas lines taken out of service in: ***PHMSA O&M Enforcement Guidance §192.727 Abandonment or Deactivation of Facilities***. This section is available on the internet: [https://www.ecfr.gov/cgi-bin/text-idx?SID=c6d4bc6ed5e10f249ef1e175ae936bd6&mc=true&node=se49.3.192\\_1727&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=c6d4bc6ed5e10f249ef1e175ae936bd6&mc=true&node=se49.3.192_1727&rgn=div8)

GPTC offers guidance on how to comply with §192.727. That guidance is attached.

Both envision abandonment in place and provide means and methods to accomplish such.

#### **Franchise Fee Payments and Future Estimates**

- 2013: \$21,942
- 2014: \$21,656
- 2015: \$21,252
- 2016: \$21,266
- 2017: \$21,426
- 2018: \$21,588
- 2019: \$21,808 (Estimate: Actual to be paid March 7, 2020 based on February 2020 customer counts)
- 2020: \$22,312 (Estimate)
- 2021: \$22,660 (Estimate)
- 2022: \$22,984 (Estimate)
- 2023: \$23,308 (Estimate)
- 2024: \$23,632 (Estimate)



## 1 GENERAL

- (a) The following general procedures cover the maintenance of pipelines (including service lines) not actively being used to transport gas and the permanent abandonment of transmission pipelines, distribution mains, and distribution service lines. See 5 below for information regarding inactive pipelines.
- (b) For planned shutdown in connection with abandonment or deactivation, see Guide Material Appendix G-192-12.

## 2 ABANDONMENT OF TRANSMISSION PIPELINES AND DISTRIBUTION MAINS

### 2.1 *Check prior to abandonment.*

Office records should be checked and necessary field checks should be made to ensure the pipelines or mains scheduled for abandonment are disconnected from all sources and supplies of gas, such as other pipelines, mains, crossover piping, meter stations, customer piping, control lines, and other appurtenances.

### 2.2 *Residual gas or hydrocarbons.*

Abandonment should not be completed until it has been determined that the volume of natural gas or liquid hydrocarbons contained within the abandoned section poses no potential hazard. Generally, it is advisable to purge 8-inch and larger pipe and long segments of smaller diameter pipe.

### 2.3 *Purging.*

Pipelines or mains may be purged using air, inert gas, or water. If air is used as the purging agent, precautions should be taken to ensure that no liquid hydrocarbons are present. See §192.629 and AGA XK1801, "Purging Manual" for purging of natural gas and liquid hydrocarbons.

### 2.4 *Sealing.*

Acceptable methods of sealing pipeline or main openings include, as applicable, the following.

- (a) Using normal end closures, such as welded or screwed caps, screwed plugs, blind flanges, and mechanical joint caps and plugs.
- (b) Welding steel plate to pipe ends.
- (c) Filling ends with a suitable plug material.
- (d) Pinching the ends closed.



### *2.5 Additional considerations in addition to purging and sealing.*

In addition to purging and sealing, consideration should be given to the following.

- (a) Filling the abandoned segment with water or an inert gas to prevent potential combustion hazard.
- (b) Other action designed to prevent hazardous cave-ins resulting from pipe collapse caused by corrosion or external loading.

### *2.6 Segmenting the abandoned sections.*

All valves left in the abandoned segment should be closed. If the segment is long and there are few line valves, consideration should be given to plugging the segment at intervals.

### *2.7 Removal of above-grade facilities and filling voids.*

All above-grade valves, risers, and vault and valve box covers should be removed. Vault and valve box voids should be filled with suitable compacted backfill material.

## **3 ABANDONMENT OF DISTRIBUTION SERVICE LINES IN CONJUNCTION WITH MAIN ABANDONMENT**

### *3.1 Curb valves and curb boxes.*

All curb valves should be closed. The top section of curb boxes located in dirt areas should be removed and the void filled with suitable compacted backfill material. If boxes are set in concrete or asphalt, they should be filled with suitable compacted backfill material to an appropriate distance from the top of the box and the fill completed with suitable paving material.

### *3.2 Meter risers and headers.*

Meter risers and headers should be dismantled and removed from the premises.

### *3.3 Service lines below grade through a basement wall.*

Where a service line enters below grade through a basement wall, the end of the service line should be plugged and a cap should be installed as close to the face of the wall as practical. It is not necessary to remove pipe from the wall unless required by particular circumstances.

### *3.4 Outside meter set assembly and above-grade entrances.*

Service lines terminating at an outside meter set assembly or an above-grade entrance should be cut and capped at an appropriate depth below grade.

## **4 ABANDONMENT OF SERVICE LINES FROM ACTIVE MAINS**

### *4.1 Disconnecting.*



Service lines abandoned from active mains should be disconnected as close to the main as practical.

#### *4.2 Sealing.*

The end of the abandoned portion of the service line nearest the main should be plated, capped, plugged, pinched, or otherwise effectively sealed.

#### *4.3 Other actions.*

- (a) The remainder of the service line should be abandoned as recommended in 3 above.
- (b) The operator should consider the development of criteria to map or otherwise document service line stubs that are not disconnected within close proximity to the main.



FRANCHISE AGREEMENT

This Franchise Agreement, entered into by and between **THE EASTERN SHORE GAS COMPANY**, a Maryland Corporation (hereinafter sometimes referred to as "Eastern Shore") and **COUNTY COMMISSIONERS OF WORCESTER COUNTY**, a body politic and corporate of the state of Maryland (hereinafter sometimes referred to as "County Commissioners"), in and for the consideration of the mutual promises and covenants set forth herein, the adequacy of which is hereby acknowledged:

WHEREAS, it is the desire and intention of Eastern Shore to secure the exclusive right and Franchise build, construct, extend, maintain, and operate, in Worcester County, Maryland, a pipeline system with necessary appurtenances for the conversion, storage and/or distribution of liquefied petroleum or artificial gas through mains, as well as the non-exclusive right to conduct such activities for natural gas and to sell same to the public, which said activities shall require the laying, operation, and maintenance of pipe, conduits, conductors, and/or other appurtenances through and under County owned road rights-of-way and County owned properties in Worcester County, Maryland; and

WHEREAS, it is the desire and intent of the County Commissioners to grant unto Eastern Shore such exclusive right and franchise for liquified petroleum and artificial gas and a non-exclusive right and franchise for natural gas subject to certain conditions, as more fully described herein, infra.

WHEREFORE, it is hereby agreed, by and between the parties, as follows:

Section I. County Commissioners do hereby grant unto Eastern Shore and unto its successors and assigns the exclusive right (as to liquified petroleum and artificial gas and non-exclusive right as to natural gas) and franchise to build, construct, extend, maintain and operate on County road rights-of-way and on County owned properties in Worcester County, Maryland, a pipeline system with necessary appurtenances for the conversion and/or distribution of such gases; to distribute same within the boundaries of Worcester County through mains and sell and deliver it to the public; and to lay pipes, conduits, conductors and/or other appurtenances of whatsoever kind or nature through and under the County road rights-of-way and County owned properties, as is reasonably necessary to effectuate the distribution of the gases.



Section II. Pursuant to the Franchise hereby granted, Eastern Shore shall have the right, subject to normal permitting procedures, to enter upon and use any one or more of all of the public roads, streets, alleys and other County owned areas within Worcester County for the purposes of distribution and sale of natural, liquefied petroleum or manufactured gas, subject to the terms and conditions herein provided. (exclusive as to liquified petroleum and manufactured gas and non-exclusive as to natural gas).

Section III.

(A) This franchise shall be exercised in such manner as not unnecessarily to interfere with or hinder public travel or the use of such public roads, streets, and/or alleys, and not more than 2,000 feet of said streets or public areas shall be, at one time, excavated for the use or uses aforesaid, and the surface of all such streets where used for the purpose of said franchise shall be restored and left in as good condition as they were before such use. To this end, it is agreed that all possible effort will be made to avoid the open cutting of any road surfaces in accordance with any applicable resolutions regarding utility construction and maintenance passed by County Commissioners.

(B) Before commencing any work pursuant to Section II hereof, supra, Eastern Shore shall submit a plan of such work consisting of a description thereof together with a sketch showing the location(s) thereof to the County Public Works Department and shall obtain approval for such work. In the event that an emergency grade I leak occurs, and there is not adequate time to comply with the application requirements of this section, for the protection of life and property, then the Company will notify the Worcester County Sheriff's Department before beginning repairs, and then comply with this section as soon as possible.

Section IV. In accepting this Franchise, Eastern Shore agrees and covenants to indemnify and save harmless County Commissioners from and against any and all liability for any and all damages arising out of the negligent construction, maintenance and/or operation of any gas plant or establishment and/or the laying, maintenance and/or use of said gas mains, pipes, conduits and conductors together with any and all appurtenances and equipment used in connection therewith.

Section V.

(A) Subject to the other provisions of this Agreement, the franchise hereby granted



is limited to a period of twenty (20) years from the effective date of this Agreement, which period may, in the discretion of the County Commissioners, be renewed for an additional period of years, on such terms and conditions as are negotiated at that time, on application by Eastern Shore, its successors, or assigns, at least six (6) months prior to the expiration of the period of time for which this franchise or any renewal hereof is granted, such applications to be in writing and to be addressed to County Commissioners, Court House, One West Market Street, Snow Hill, MD 21863; provided, however, that at any time during the period of this franchise, County Commissioners shall have the right, upon two (2) years advance written notice to change the exclusive provisions of this franchise to non-exclusive for the remainder of its term, and further provided that at any time during the period of this franchise the County Commissioners shall have the right upon one (1) years advance written notice to revoke the non-exclusive franchise herein for natural gas and to grant a franchise to a third party for the transportation and provision of natural gas.

(B) During the term of this franchise, Eastern Shore will provide gas service to County owned or operated buildings pursuant to a Special Arrangement For Liquefied Petroleum Gas Sales Contract at the lowest price charged by Eastern Shore to any customer having a Special Arrangement For Liquefied Petroleum Gas Sales Contract. Eastern Shore will provide reasonable authentication that the price is such lowest price upon request.

(C) During the term of this franchise and any renewal thereof, Eastern Shore shall render all services related to the connection of gas mains and installation of a customer service line to the foundation wall of any County owned/controlled property, which is located within one thousand (1,000) feet of any existing Eastern Shore main line system, free of charge. Installation beyond said distance shall be installed on a shared cost basis, for a distance not to exceed one (1) mile. Eastern Shore shall furnish and install or cause to be installed any interior piping necessary for any and all gas appliances within any County owned or controlled building located upon any County owned or controlled property, free of charge up to a maximum cost of Three Thousand Dollars (\$3,000). Moreover, during the term of the within franchise and of any renewal thereof, Eastern Shore shall waive all customer connection related fees or then current applicable connection charges. County Commissioners shall pay only the costs related to metered gas provided under this



franchise, and for parts/materials to repair existing appliances which are not under warranty.

(D) In the event that County Commissioners desire to grant a franchise to any third party for natural gas, they shall grant Eastern Shore a right of first refusal to match the terms and conditions of the offer of any third party, which offer shall be accepted in writing by Eastern Shore within sixty (60) days of full disclosure of the franchise terms. If not accepted it, shall be considered rejected.

(E) In the event that County Commissioners, after satisfying the notice provisions of Section V(A) hereof, grant a franchise to a third party for natural gas (after satisfying the right of first refusal provisions hereof) or grant a franchise to a third party liquified petroleum or manufactured gas; such franchise shall be no more favorable to the franchisee with respect to the per customer fee of Two Dollars (\$2.00) per year, the lowest of the price for gas provided to the County Commissioners and the obligations of Eastern Shore hereunder with respect to customer service including the installation benefits to County Commissioners herein set forth, except as set forth below.

In the event County Commissioners and a third party enter into such a more favorable franchise, then in such event, County Commissioners shall release Eastern Shore of such obligations hereunder that County Commissioners propose to not require of the third party in the third party gas franchise.

Section VI. In addition, Eastern Shore, its successors or assigns shall pay to County Commissioners as a franchise fee during the existence of this exclusive franchise, the sum of Two Dollars (\$2.00) per customer, per year to be paid on the anniversary date of this Agreement, and shall be liable for any and all other lawful taxes or fees which may be legally imposed on the said franchise holder. In the event that this franchise becomes non-exclusive as to liquified petroleum or artificial gas, any future fees set forth in this Section VI, shall, in their entirety, be waived.

Section VII. In case it is judicially determined that any word, phrase, clause, item, sentence, paragraph or section of this Franchise Agreement or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to the other persons or circumstances shall not be affected thereby.



### Section VIII.

(A) Eastern Shore, shall carry and at all times maintain reasonable amounts of property damage and liability insurance with a responsible insurance company qualified and duly licensed to do business in the State of Maryland. The minimum amount of such insurance for bodily injury, death and property damage shall be One Million Dollars (\$1,000,000.00) for each person and Three Million Dollars (\$3,000,000.00) for each occurrence.

(B) Evidence of such insurance policy shall be delivered to the Administrative Director for Worcester County, within ninety (90) days after the effective date hereof, together with written evidence of the payment of the required premium. Proof of payment of the required premium, annual certification of the effectiveness of such insurance, and documentary evidence of any necessary renewals of such insurance shall be tendered to County Commissioners, in a prompt and timely fashion during the remainder of the term of the franchise and any renewal of the said franchise.

Section IX. Eastern Shore shall file with the County Commissioners a performance bond or irrevocable letter of credit, or other surety device acceptable to the County Commissioners, in the amount of Ten Thousand Dollars (\$10,000.00), which said bond shall be maintained for a term of five (5) years and either extended through a continuation certificate or renewed for the duration of the term of the within franchise or any renewal of the franchise, as security for the performance and discharge of all obligations of Eastern Shore under the franchise or any renewal thereof. The bond, irrevocable letter of credit or other surety device approved by County Commissioners shall be conditioned upon faithful performance of all terms of the franchise or any renewal thereof and of all legal obligations, and shall provide that, in the event Eastern Shore shall fail faithfully to perform or is in default under any of its obligations, then and in such event the obligor shall make good or otherwise meet the obligations of Eastern Shore or its successor or assign under the franchise, under any renewal thereof and under the requirements of law, up to the limit of the undertaking. Failure by Eastern Shore to establish and maintain the full amount of either the performance bond, or letter of credit, or other acceptable surety device, for the term of the franchise or of any renewal thereof, shall constitute a material breach of this franchise or of any renewal thereof.



Section X. It is not the intent of this Agreement to grant an exclusive franchise for natural gas or for the distribution and sale of bottled gas in Worcester County.

Section XI. This Agreement shall cancel and supersede and replace the terms of the previous Agreement between the parties dated June 10, 1930 and September 13, 1950.

Section XII. This Agreement shall take effect from and after the 10<sup>th</sup> day of March, 2000, upon execution by both parties. The Franchise hereby conferred, which said Franchise shall thereupon become a binding contract between the County Commissioners and Eastern Shore, their respective successors and assigns.

Agreed upon and granted this 7<sup>th</sup> day of March, in the year two thousand (2000).

ATTEST:

COUNTY COMMISSIONERS OF WORCESTER  
COUNTY, MARYLAND

By: [Signature]

By: [Signature]  
Jeanne Lynch, President

Agreed upon and accepted this 10<sup>th</sup> day of March, in the year two thousand (2000).

WITNESS:

THE EASTERN SHORE GAS COMPANY

By: [Signature]

By: [Signature]  
Steven J. Ashcraft, Vice President

March 8, 2000  
UNC:\COURT\CURRENT\WKS\COUNTY.COM\East Shore Gas Co\Franchise Agreement-wpd





**Worcester County**  
Department of Recreation & Parks

Tom Perlozzo, Director

6030 Public Landing Road, Snow Hill, Maryland 21863  
410.632.2144 • Fax: 410.632.1585



6

To: Harold Higgins

From: Kelly Rados, Director of Recreation & Parks  
Tom Perlozzo, Director of Recreation, Parks, Tourism & Economic Development

Subject: Power Boat Race Request – September 25-27<sup>th</sup>, 2020

Phil Houck, owner of Crab Alley, is requesting permission again this year to use the West Ocean City commercial parking lot and boat ramp for the proposed Offshore Powerboat Association National Championship Offshore Power Boat Race, September 25<sup>th</sup> – 27<sup>th</sup>, 2020. He has also provided a list of activities, etc. for each day of the race.

His request includes:

1. Use of two-thirds of the east end of the parking lot to accommodate trailers and racing boats.
2. Use of one (1) recreational boat launch.
3. Use of traffic cones and barriers by the county

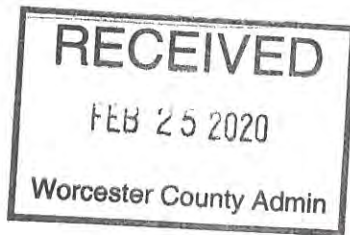
In as much, if you approve, we are recommending the following information for Mr. Houck to be required:

1. Work with the Parks Department on the parking lot set-up
2. Work with the Parks Department on trash removal daily with final clean up inspection
3. Continued use of the recreational boating side of the ramp (2 – ramps by County)
4. Provide for any security and traffic control during use and coordination with the County Sheriff's department including overnight hours.
5. On site Point of Contact name, telephone number, etc. to handle any unforeseen issues.
6. Not to block any of the handicapped parking spaces available next to the public restrooms
7. Provides the required insurance naming Worcester County as insured.
8. Acknowledges all the required permitting for the operation of the event.
9. Provide promotion to Worcester County.
10. Operation of any music or public address system in accordance to any and all Worcester County codes.

Should you have any questions, please feel free to reach out at your convenience.

Cc: Bill Rodriguez, Parks Superintendent  
Matt Crisafulli, Worcester County Sherriff






EMERGENCY SERVICES  
**Worcester County**  
GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1002  
SNOW HILL, MARYLAND 21863-1193  
TEL: 410-632-1311  
FAX: 410-632-4686

7

BILLY BIRCH  
DIRECTOR

To: Harold Higgins, Chief Administrative Officer

From: Billy Birch, Director of Emergency Services 

Re: Central Square Conference 2020

Date: 25 February 2020

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The Department of Emergency Services is seeking permission to send, Communications Manager, Tim Coale, to the Central Square 2020 Conference in Las Vegas, NV which will be March 16<sup>th</sup> until 21<sup>nd</sup>. The total amount of the request is \$3,172.00 which was included in our FY20 approved budget. This amount will cover all costs associated with the conference including: Conference fee, hotel, meals, airfare/baggage, transportation and parking.

I am available to answer any questions at your convenience.

Attachments (1)



## Central Square Conference 2020

Attendees: Tim Coale

When: March 16<sup>th</sup> until 21<sup>th</sup> 2020

Where: Las Vegas, NV

Approximate Costs:

Travel: Flight – \$550

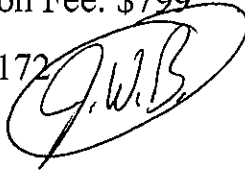
Parking: \$80

Lodging: \$225 per room per person (5 nights) - \$1125

Meals: Per Diem \$103 per day (6 days) - \$618

Registration Fee: \$799

Total: \$3,172







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DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863

TEL: 410-632-1200 / FAX: 410-632-3008  
<http://www.co.worcester.md.us/departments/drpf>

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

To: Harold Higgins, Chief Administrative Officer  
From: Edward A. Tudor, Director, DRP *EAT*  
Date: February 24, 2020  
Re: Rental License Program status report

\*\*\*\*\*

This memorandum is in response to the request by the County Commissioners to provide a comprehensive update on the new Rental License program, which became effective on January 1, 2020. As you know, Bill 19-4 Taxation and Revenue – Rental Licenses, Bill 19-5 Taxation and Revenue – Hotel Rental Tax, and Bill 19-6 Taxation and Revenue – Mobile and Manufactured Home Park Licenses were adopted on August 20, 2019, with an effective date of January 1, 2020. These bills established the requirement for a rental license for all properties offered for rent, established the room tax at 5%, and eliminated the license and excise tax requirements that were limited to manufactured home parks. Bill 19-3 Zoning – Boarding and Lodging Rentals was adopted on October 15, 2019, also with an effective date of January 1, 2020. This bill provided specific standards for short-term rentals within the Zoning Code, cleaned up outdated terminology and streamlined various uses that had been listed in the code.

On November 19, 2019, the County Commissioners approved the purchase of the software module from Tyler Technologies which is compatible with existing Munis systems utilized by the Treasurer's Office. Typically, Tyler Technologies requires a six- to eight-week window before implementation can begin. However, their team was able to fit us in and staff from my department, the Treasurer's Office, and MIS/Document Imaging began working with them on December 4, 2019. All work was completed via Go To Meeting and by phone to eliminate the requirement for travel expenses for Tyler's implementation staff. The setup was completed in early January 2020.

Public outreach was conducted by the department by sending notifications to existing trailer camp and tourist permit holders on December 2, 2019, advising them of the new regulations and that additional information would be forthcoming as it was developed. Additionally, on Friday, January 10, 2020, email and paper mailings were sent to all interested parties and former license holders with a copy of the rental license guide and all applicable forms. A lot of credit goes to the local real estate companies as well for notifying their clients of the need for a rental license.



Since the selected candidate for the Rental License Program Coordinator position was able to begin immediately on Monday, January 13, 2020, the department formally began to accept rental license applications on that date.

On any given day, there are between three (3) to ten (10) applications that are entered into the database. Attached you will find a summary of the total numbers of license applications received (including a breakdown by type), licenses that have issued, and revenue generated. A significant amount of the staff time is spent each day conducting research of our records for floor plans and site plans in an effort to assist the applicants with their submittals, calculating occupancy for the short-term rentals, as well as answering phone calls and meeting with applicants in person. Frequently, staff is following up on items that were not included with the initial submission packet. Staff also coordinates with the Treasurer's Office on room tax accounts for short- and mid-term rental applications to avoid duplicate entries.

Given the current workload, there is no extra time that can be allocated to thoroughly researching and contacting unlicensed properties with as many submittals as are made on a regular basis. I would anticipate that the initial wave of applications will continue through spring, as it is likely that more short-term rental applications will be submitted before the tourist season begins in full swing. I would anticipate that the Rental License Program Coordinator would likely be able to start conducting online research in the mid- to late-summer of 2020. In the meantime, if there is an interval in the current submittals, it can be used to reach out to the low-hanging fruit – those mobile home parks, hotels or motels or other former tourist permit holders that haven't yet submitted their licenses, and for whom we have contact information easily at hand.

All the credit for organizing and implementing this important program in my office goes to Zoning Administrator Jennifer Keener. Without her dedication, thorough organization and writing skills, we could have never pulled this off in a timely manner. Likewise, recognition also goes to Jennifer Swanton, Assistant Finance Officer and Missy Mason MIS/ Document Imaging Supervisor for all of their work in getting the software component in place and operational in incredible time. All three women's work is a real example of cooperation in getting a big job done effectively and should not go without recognition.

In order to be truly effective at implementing the program, I believe that some additional resources will still be necessary. I have included these requests and recommendations in my FY 2021 budget submission for consideration.

As always, I will be available to discuss the matter in greater detail with you at your convenience.

Attachment

cc: Jennifer Keener, Zoning Administrator  
Phil Thompson, Finance Officer  
Jennifer Swanton, Assistant Finance Officer  
Missy Mason, MIS/Document Imaging Supervisor



<b>Rental Licenses as of February 24, 2020</b>	
Total Applications Received	96
Total Licenses Issued	76
Total Revenue Generated	\$37,355

<b>License Applications by Type</b>	
Short-term	24
Long-term	59
Roomers/Boarders	1
Mobile Home Parks	6
Hotel, motel, campground	6
Bed and Breakfast Establishments	0
Group Homes, Assisted Living Facilities (single operating entity)	0
Group Homes, Assisted Living Facilities (individually owned and rented units)	0
<b>Total Applications Received</b>	<b>96</b>





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ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

GOVERNMENT CENTER  
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ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

### MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer  
FROM: Edward A. Tudor, Director of Development Review and Permitting *EAT*  
DATE: February 19, 2020  
RE: 2018 Building Codes Adoption

\*\*\*\*\*

As I am sure you will recall, I presented the attached memorandum to the County Commissioners at their meeting of August 6, 2019. As a result of the ensuing discussion the Commissioners elected not to adopt the 2018 version of the Building Code with our local amendments at that time but to instead wait until March 2020, since our absolute deadline to begin enforcing the new versions is March 25, 2020. The attached resolution carries forward all of our previous local amendments. The only change I made in the resolution from the draft I transmitted last July is that it now will apply to all building permit applications accepted for submittal on or after March 25, 2020. In addition, since there was some question as to the history and makeup of the International Code Council, I have attached a copy of the page entitled "About ICC" from the Council's website. This page explains what the Council is and how it came to be from the three previous national code organizations.

As always, I will be available to discuss the changes with you and the County Commissioners at your convenience.

cc: Bill Bradshaw, Building Administrator/County Engineer



# About ICC

The International Code Council (ICC) is a member-focused association with over 64,000 Members. It is dedicated to developing model codes and standards used in the design, build and compliance process to construct safe, sustainable, affordable and resilient structures. Most U.S. communities and many global markets choose the ICC-published International Codes® (I-Codes®).

The I-Codes® provide minimum safeguards for people at home, at school and in the workplace. The I-Codes are a complete set of comprehensive, coordinated building safety and fire prevention codes. Building codes benefit public safety and support the industry's need for one set of codes without regional limitations.

Fifty states and the District of Columbia have adopted the I-Codes at the state or jurisdictional level. Federal agencies including the Architect of the Capitol, General Services Administration, National Park Service, Department of State, U.S. Forest Service and the Veterans Administration. The Department of Defense references the *International Building Code*® for constructing military facilities, including those that house U.S. troops around the world and at home. Amtrak uses the *International Green Construction Code*® for new and extensively renovated sites and structures. Puerto Rico and the U.S. Virgin Islands enforce one or more of the I-Codes.

## VISION & MISSION

**Vision:** Protect the health, safety and welfare of people by creating safe buildings and communities.

**Mission:** To provide the highest quality codes, standards, products and services for all concerned with the safety and performance of the built environment.

## VALUES:

- Customer Value
- Integrity and Trust
- Member Focus
- Professionalism
- Public Service
- Quality

## HISTORY

The ICC was established in 1994 as a non-profit organization dedicated to developing a single set of comprehensive and coordinated national model construction codes. The founders of the ICC are Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International, Inc. (SBCCI). In the early part of the last century, these non-profit organizations developed three separate sets of model codes used throughout the United States. Although regional code development had been effective and responsive to our country's needs, the time came for a single set of codes. The nation's three model code groups responded by creating the ICC and by developing codes without regional limitations; the I-Codes.

## ICC FAMILY OF COMPANIES



1b



RESOLUTION NO. 20 - \_\_\_\_

**A RESOLUTION ESTABLISHING LOCAL AMENDMENTS  
TO THE MARYLAND BUILDING PERFORMANCE STANDARDS  
FOR WORCESTER COUNTY, MARYLAND**

WHEREAS, pursuant to State law the Maryland Codes Administration has established the 2018 International Building Code and 2018 International Residential Code, et al, as the Maryland Building Performance Standards by COMAR Regulation 09.12.51 ; and

WHEREAS, each local jurisdiction within the State must enforce these Standards within twelve months of the State's adoption of these codes; and

WHEREAS, local jurisdictions may make local amendments to modify the provisions of the Standards to address conditions peculiar to the local jurisdiction's community; and

WHEREAS, the County Commissioners have determined it necessary and appropriate to amend said Standards to carry forward certain local amendments to prior building codes and to ensure consistency with other regulations, both state and local;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that the following local amendments to the Maryland Building Performance Standards are hereby adopted:

**IRC CODE AMENDMENTS**

- 1) *R105.2 Work exempt from permit* is amended to read as follows:

**R105.2 Work exempt from the submission of construction plans.** Where permits are required by the terms of other Public Local Law for various construction activities, construction plans shall not be required for the following.

**Building:**

1. Detached accessory structures such as sheds, playhouses, garages and similar uses, provided the floor area is less than 500 square feet.
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 liters) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.



7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet in area, not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by section R311.4.

2) R105.2 is furthermore amended by the deletion of the Electrical, Gas, Mechanical and Plumbing provisions previously contained in the section.

3) R105.5 Expiration is amended to read as follows:

**R105.5 Expiration.** The expiration date for any issued permit shall be in accordance with the provisions of Section ZS 1-115(g) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County as may be amended from time to time. Any permit application which remains unissued after six months from the date of notice to the applicant of its availability shall expire and be considered null and void.

4) R110.1 Use and occupancy is amended by the deletion of exceptions 1 and 2.

5) Table R301.2(1) Climatic and Geographic Design Criteria is amended by the insertion of the following building design parameters:

Ground snow load – 20 pounds per square foot

Wind design speed/topographic effect – 125 mph/no topographic effect

Seismic design category – A

Subject to damage from:

Weathering – Severe

Frost line depth – 18 inches

Termite – Moderate to Heavy

Winter design temperature – 18 degrees

Ice barrier underlayment required – No

Flood Hazard – As identified by the FIRM maps

Air freezing index – 250

Mean annual temperature – 56 Degrees Fahrenheit



6) R311.7.5.1 Risers is amended to read as follows:

**R311.7.5.1 Risers.** The maximum riser height shall be 8 ¼ inches. The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.55 mm). Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch-diameter (102 mm) sphere.

**Exceptions:**

1. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less.
2. The opening between adjacent treads is not limited on spiral stairways.
3. The riser height of spiral stairways shall be in accordance with Section R311.7.10.1.

7) R311.7.5.2 Treads is amended to read as follows:

**R311.7.5.2 Treads.** The minimum tread depth shall be 9 inches (229 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

8) R318.1 Subterranean termite control methods is amended to read as follows:

**R318.1 Subterranean termite control methods.** In areas subject to damage from termites as indicated by table R301.2(1), methods of protection shall employ a physical barrier as provided in Section R318.3 or construction utilizing cold-formed steel framing in accordance with Sections R505.2.1 and R603.2.1. Additional methods of protection as required by Section R318.3 shall use as least one of the following:

1. Chemical termiticide treatment, as provided in Section R318.2.
2. Termite baiting system installed and maintained according to the label.
3. Pressure-preservative-treated wood in accordance with the provisions of Section R317.1.
4. Naturally durable termite-resistant wood.

9) R322. Flood resistant construction is deleted in its entirety and replaced with the following:



**R322. Flood resistant construction.** For flood-resistant construction regulations, refer to the Building Regulations Article, Title 2 Construction Regulations, Subtitle III Floodplain Management, of the Code of Public Local Laws of Worcester County, Maryland.

- 10) R403.1.1 Minimum size is amended by the addition of the following sentence at the end of the section: In no case shall the footing be less than 20 inches in width and 10 inches in thickness with a minimum compressive strength of 2500 pounds per square inch and contain no less than two pieces of #4 reinforcement bar laid longitudinally throughout the entire footing.
- 11) R403.1.4 Minimum depth is amended to read as follows:  
  
**R403.1.4 Minimum depth.** All exterior footings shall be placed at least 18 inches below the finished exterior grade. Where applicable, the depth of footings shall also conform to Section R403.1.4.1.
- 12) Appendices E – Manufactured Housing and K – Sound Transmission are specifically adopted.

### **IBC CODE AMENDMENTS**

- 1) [A] 105.2 Work exempt from permit is amended to read as follows:

**[A] 105.2 Work exempt from the submission of construction plans.** Where permits are required by the terms of other Public Local Laws for various construction activities, construction plans shall not be required for the following.

#### **Building:**

1. Detached accessory structures such as sheds, playhouses, garages and similar uses, provided the floor area is less than 500 square feet.
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 liters) and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks and driveways not more than 30 inches(762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish



work.

8. Temporary motion picture, television and theatre sets and scenery.
  9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18925 L) and are installed entirely above ground.
  10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
  11. Swings and other playground equipment accessory to one- and two-family dwellings.
  12. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Groups R3 and U occupancies.
  13. Nonfixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
- 2) [A] 105.2 is furthermore amended by the deletion of the Electrical, Gas, Mechanical and Plumbing provisions previously contained in the section.
- 3) [A] 105.5 Expiration is amended to read as follows:
- [A] 105.5 Expiration.** The expiration date for any issued permit shall be in accordance with the provisions of Section ZS 1-115(g) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County as may be amended from time to time. Any permit application which remains unissued after six months from the date of notice to the applicant of its availability shall expire and be considered null and void.
- 4) Pursuant to Section .06 Application of Standards, Subsection C., of the Maryland Building Performance Standard, COMAR 09.12.51 as amended from time to time, Worcester County shall be added the list of Counties whereby the standards for agricultural buildings used for agritourism are modified pursuant to the standards contained therein.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage and shall apply to all building permit applications accepted for submittal on or after March 25, 2020.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.





DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1201

SNOW HILL, MARYLAND 21863

TEL: 410-632-1200 / FAX: 410-632-3008

[www.co.worcester.md.us/drp/drpindex.htm](http://www.co.worcester.md.us/drp/drpindex.htm)

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

## MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer  
FROM: Edward A. Tudor, Director of Development Review and Permitting *EAT*  
DATE: July 30, 2019  
RE: 2018 International Codes Adoption

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Pursuant to the regulations concerning the Maryland Building Performance Standards (MBPS) as contained in COMAR 09.12.51.06, we must begin enforcing the International Building Code (IBC), the International Residential Code (IRC) and the International Energy Conservation Code (IEC) within twelve months of the effective date of the adoption of the regulations at the State level. For this Code cycle the regulations became effective on March 25, 2019, thus making our last effective date no later than March 25, 2020. While we still have plenty of time to begin enforcing the new Codes, there is one small change at the State level that I believe makes it beneficial to adopt the Codes sooner rather than later. The change is with regard to the number of air exchanges per hour as limited by the Energy Code. While there has been no outright increase in the allowable number of air exchanges per hour, a provision has been added whereby the air exchange rate could be increased to five exchanges per hour from the current limit of three when it is used in what is known as the Energy Rating Index Compliance Alternative. Basically put, when increasing the allowable air exchanges per hour, other means must be used to reduce energy consumption in the structure to offset that which is lost by the increased air exchanges allowed. Compliance must be completed by an approved third party using approved software rating tools at both permit application and final testing.

The standards do allow local jurisdictions to make limited local amendments to the Codes, which we have done at the beginning of each three-year Code cycle for many years. The local amendments are generally necessary to align the provisions of the Building Codes with other provisions of our Zoning Ordinance for things like permit expiration times and submittal requirements. Other local amendments are necessary to establish in writing from the maps



contained in the Codes things such as frost depth, wind design speeds and snow loads. One amendment deletes the flood resistant construction requirements since they are already provided for in our local Floodplain Management Ordinance.

The attached draft resolution serves to carry forward all of the local amendments we have had in place for the last several Code cycles with the addition of the Floodplain Management Section described above. The draft resolution is proposed to take effect upon its passage and shall apply to all building permit applications accepted for submittal on or after September 30, 2019.

As always, I will be available to discuss the changes with you and the County Commissioners at your convenience.

cc: Bill Bradshaw, Building Administrator/County Engineer



# **Title 09 MARYLAND DEPARTMENT OF LABOR**

## **Subtitle 12 BUILDING AND MATERIAL CODES**

### **Chapter 50 Model Performance Code**

**Authority: Public Safety Article, §12-201(f), Annotated Code of Maryland**

#### **.01 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Department" means the Maryland Department of Labor.

(2) "ICC" means the organization known as the International Code Council.

(3) "High performance home" has the meaning stated in Public Safety Article, §12-509(a), Annotated Code of Maryland.

(4) Hotel.

(a) "Hotel" means an establishment that offers sleeping accommodations for compensation.

(b) "Hotel" does not include a bed and breakfast establishment.

(5) "Industrialized building" has the meaning stated in Public Safety Article, §12-301(d), Annotated Code of Maryland.

(6) "Master control device" means:

(a) A control that is activated when a person enters the room through the primary room-access method; or

(b) An occupancy sensor control that is activated by a person's presence in the room.

(7) "Model Performance Code" or "Model Code" means the Model Performance Code for building construction as detailed in Regulation .03 of this chapter.

(8) "NFPA" means National Fire Protection Association, Inc.



(9) "Person" means any private individual, firm, or corporation and any public officer or agency.

(10) "Regulations" means the regulations as defined in Regulation .02 of this chapter.

(11) "Secretary" means the Secretary of Labor or a designated representative.

(12) "State certified inspector" means an individual qualified by reason of experience, training, and/or examination, to inspect buildings for compliance with the State Model Performance Code, and certified pursuant to Regulation .07 of this chapter.

## **.02 General.**

A. Title. These regulations shall be known and may be cited as the Model Performance Code. Except as otherwise indicated, "regulations" as used in this chapter shall mean the Model Performance Code.

### **B. Application.**

(1) These regulations may not be binding upon any subdivision of the State unless the subdivision adopts the Model Performance Code, by law, ordinance, or resolution of its governing body referring to the Model Performance Code.

(2) For industrialized buildings approved by an approved testing facility under COMAR 09.12.52 after the effective date of these regulations:

(a) This chapter and the codes incorporated by reference apply to any approved building provided that construction begins prior to 6 months after the Department's adoption of the 2021 edition of the International Building Code; and

(b) The approved testing facility shall state in its approval letter to the Department and the manufacturer of the building:

(i) The date of approval; and

(ii) That approval will expire for a building unless construction begins prior to 6 months after Department's adoption of the 2021 edition of the International Building Code.

(3) For industrialized buildings approved by an approved testing facility under COMAR 09.12.52 prior to the effective date of these regulations, the previous version of this chapter and the 2015 International Building Code shall apply provided that construction begins prior to 6 months after the effective date of these regulations.



C. Equivalency. Nothing in the Model Performance Code is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety to those prescribed by the Model Code, providing technical documentation is submitted to the authority having jurisdiction to demonstrate equivalency, and the system, method, or device is approved for the intended purpose.

D. The Department encourages home builders to construct new high performance homes.

## **02-1 Incorporation by Reference.**

A. In this chapter, the following documents are incorporated by reference, except as modified in Regulation .03 of this chapter.

B. Documents Incorporated.

(1) International Building Code (International Code Council), which is incorporated by reference in COMAR 09.12.51.04A(1).

(2) 2018 International Plumbing Code (International Code Council).

(3) National Electric Code, 2017 Edition (NFPA 70).

(4) International Residential Code for One- and Two-Family Dwellings (International Code Council), which is incorporated by reference in COMAR 09.12.51.04A(2).

(5) 2018 International Mechanical Code (International Code Council).

(6) International Energy Conservation Code (International Code Council), which is incorporated by reference in COMAR 09.12.51.04A(3).

(7) 2012 International Green Construction Code (International Code Council, 500 New Jersey Avenue, N.W., 6th Floor, Washington DC 20001).

## **.03 Model Performance Code.**

A. The standards incorporated by reference in Regulation .02-1 of this chapter, and modified as follows, constitute the Model Performance Code for building construction in the State:

(1) For industrialized building construction:

(a) International Building Code with the following modifications:

(i) Chapter 1. Delete Section 101.2.1 Appendices and replace with the following:



101.2.1 Appendices: All the provisions in the Appendices are adopted as part of the IBC except those in Appendices A, B, D, E, and K;

(ii) Chapter 9. Add note to Section 901.1 Scope: Fire protection system requirements of Chapter 9 may be concurrently covered in the State Fire Prevention Code, Public Safety Article, §§6-101—6-202, Annotated Code of Maryland, and COMAR 29.06.01;

(iii) Chapter 10. Add note to Section 1001.1 General: Means of egress requirements of Chapter 10 may be concurrently covered in the State Fire Prevention Code, Public Safety Article, §§6-101—6-602, Annotated Code of Maryland, and COMAR 29.06.01;

(iv) Chapter 11. Chapter 11, related to accessibility requirements, is hereby replaced with the Maryland Accessibility Code set forth in COMAR 09.12.53;

(v) Chapter 24. The requirements for safety glazing set forth in Public Safety Article, Title 12, Subtitle 4, Annotated Code of Maryland, are in addition to Chapter 24, Section 2406, of the IBC related to safety glazing. In the event of a conflict between Chapter 24 of the IBC and the Annotated Code of Maryland, the requirements of the Annotated Code of Maryland prevail;

(vi) Chapter 30. The provisions of Chapter 30 of the IBC relate to elevators and conveying systems and are in addition to and not instead of the requirements set forth in Public Safety Article, Title 12, Subtitle 8, Annotated Code of Maryland. In the event of a conflict between the IBC and the Annotated Code of Maryland, the provisions of the Annotated Code of Maryland prevail;

(b) International Plumbing Code with the following modification: Delete all of §404.0 — the subject matter is covered by Maryland Accessibility Code, COMAR 09.12.53;

(c) National Electrical Code,

(d) International Mechanical Code;

(e) International Residential Code for One- and Two-Family Dwellings with the following modifications:

(i) Chapter 1. Delete the Section 102.5 Appendices and replace with the following: 102.5 Appendices: All the provisions in the Appendices are adopted as part of the IRC except those in Appendices E, J, and L;

(ii) Add to Section N1102.4.1.2 (R402.4.1.2): Except as provided for in the Simulated Performance Path listed in Section N1105 (R405);



(iii) Add to Section N1102.4.1.2 (R402.4.1.2): Except as provided for in the Energy Rating Index Compliance Alternative Section N1106 (R406);

(iv) Modify Table N1105.5.2(1) (R405.5.2(1)) for Air Exchange Rate line item under the proposed design add "not to exceed 5 air changes per hour with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for Standard Reference Design" after "The measured air exchange rate"; and

(v) Add exception to Section N1106.2 (R406.2): The maximum of 5 air changes per hour tested in accordance with Section N1102.4.1.2 (R402.4.1.2) may be used to determine the Energy Rating index score with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for ERI Reference Design;

(f) International Energy Conservation Code with the following modification:

(i) Add a note to Section C405.2.4 Specific Application Controls: For the new construction of hotels, each hotel guest room shall be equipped with a master control device in compliance with COMAR 09.12.51.04D(2);

(ii) Add to Section R402.4.1.2: Except as provided for in the Simulated Performance Path listed in Section R405;

(iii) Add to Section R402.4.1.2: Except as provided for in the Energy Rating Index Compliance Alternative in Section R406;

(iv) Modify Table R405.5.2(1) for Air Exchange Rate line item under the proposed design add "not to exceed 5 air changes per hour with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for Standard Reference Design" after "The measured air exchange rate"; and

(v) Add exception to Section R406.2: The maximum of 5 air changes per hour tested in accordance with Section R402.4.1.2 may be used to determine the Energy Rating index score with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for ERI Reference Design;

(g) If an industrialized building manufacturer desires to or has been requested to construct a building to the International Green Construction Code (IGCC) standards they may use the IGCC in addition to the other codes in §A(1) with the following modifications:

(i) Chapter 1. Delete Section 101.4 Appendices and replace with the following: All the provisions in the appendices are adopted as part of the IGCC except those in the appendices C and D;

(ii) Chapter 3. Add following note to Section 302.1 Item 1: In Table 302.1, Select "Yes" for residential buildings as indicated in Exception 1 to Section 101.3; and



(iii) The §A(1)(g) does not preempt the authority reserved to local jurisdictions to regulate matters in the IGCC including land use, site placement, and other matters that do not affect the structure or design of the industrialized building; and

(h) The Department encourages home builders to construct new high-performance homes.

(2) For all other building construction:

(a) The International Building Code with modifications related to building standards, as adopted under COMAR 09.12.51.04;

(b) Plumbing Code requirements adopted under Business Occupations and Professions Article, §§12-101—12-702, Annotated Code of Maryland;

(c) National Electrical Code;

(d) International Mechanical Code;

(e) The International Residential Code for One- and Two-Family Dwellings with modifications related to building standards, as adopted under COMAR 09.12.51.04;

(f) International Energy Conservation Code with modifications related to building standards, as adopted under COMAR 09.12.51.04; and

(g) If a builder desires to or has been requested to construct a building to the International Green Construction Code (IGCC) standards they may use the IGCC in addition to the other codes in §A(2).

B. Copies of these documents are filed in special public depositories located throughout the State. A list of these depositories is available online at [www.dsd.state.md.us](http://www.dsd.state.md.us).

#### **04 Modifications to Model Performance Code.**

A. As stated in Regulation .02B of this chapter, the Model Performance Code is not binding on any subdivision of the State unless specifically adopted by it. A copy of the law, ordinance, or resolution adopting the Model Code shall be sent by the governing body of the adopting subdivision to the Secretary. Copies of all subsequent laws, ordinances, or resolutions pertaining to the Model Code shall similarly be sent by the governing body to the Secretary.

B. After adoption by a subdivision, alteration or modification of the Model Code is prohibited without prior concurrence of the Secretary.



C. The Department will regularly consult with local officials to review the application and effectiveness of the Model Code in each adopting subdivision.

**D. Requests for Changes.**

(1) Requests for changes, modifications, or exceptions to make the Model Code more effective and useful in any subdivision shall be submitted in writing by certified mail, return receipt requested, to the Secretary by the appropriate authority in the subdivision, together with the reasons for the request.

(2) Upon receipt of a request, the Secretary may:

(a) Concur with it;

(b) Take no action for a period of 30 days after receipt of the request, which shall be deemed concurrence; or

(c) Deny the request and notify the requesting subdivision in writing. The Secretary may utilize the 30-day period provided hereby for informal consultation with the requesting subdivision and with any other individuals or groups.

(3) Concurrence with requests for special Model Code provisions to meet local conditions will not be unreasonably withheld.

E. The administrative sections of Article 1 of the International Building Code are entirely administrative and may require alteration to adapt them to local use. Alterations to these sections of Article 1 are therefore excluded from the requirement of concurrence by the Secretary. However, any alterations shall be forwarded to the Secretary for the Department's records.

**.05 Appeals of Code Interpretations or Applications.**

A. If a subdivision provides for a body and procedures to hear building appeals, any person aggrieved by any application or interpretation of the Model Code may obtain review under the procedures.

B. Review by this Department shall be granted:

(1) If requested by the appeals body referred to in §A.

(2) If requested by the aggrieved party before commencement of appeal procedures provided by the subdivision. In that case, the Director of the Building Codes Administration may, in the Director's discretion, decline to review the question of interpretation or application and remand the question to the subdivision, because the question is of insufficient importance or can be resolved more readily at a local level, or for other reasons. The action is not reviewable.



(3) When a building appeals procedure is not provided by the subdivision.

C. An aggrieved person requesting review by the Department of an application or interpretation of the Model Code shall do so in writing, addressed to the Director of the Building Codes Administration in the Department, together with a full statement of the circumstances and the reasons for challenge.

D. The Director of the Building Codes Administration will normally refer the question of interpretation or application to ICC or NFPA, as the case may be, for answer by their respective interpretation services. The Director is not required to refer the question to ICC or NFPA. The Director shall notify the parties of the referral.

E. Within 10 days from the receipt by the Director of the Building Codes Administration of the request for review, or within 10 days from receipt by the Director of an answer from ICC or NFPA when the question has been referred, the Director shall notify the parties of the Director's decision, with a statement of the reasons for it, including a copy of any communication from ICC or NFPA.

F. Review of an adverse decision of the Director of the Building Codes Administration shall be by appeal to the Secretary, filed within 30 days after issuance of the decision by the Director.

## **06 Code Improvements.**

Any recommendations for changes to improve these regulations should be submitted to the Secretary with an explanation of the modification desired.

## **.07 Training and Certification of Building Inspectors.**

In order to assist local jurisdictions to effectively administer the Model Performance Code, the Department has the responsibility to train and certify building code enforcement officials in any jurisdiction where the Model Performance Code is in effect.

## **Administrative History**

### **Effective date: April, 1973**

Regulation .01 amended effective December 30, 1985 (12:26 Md. R. 2542)

Regulation .02C adopted effective December 30, 1985 (12:26 Md. R. 2542)

Regulation .03 amended effective August 6, 1975 (2:17 Md. R. 1188); March 3, 1976 (3:5 Md. R. 295); June 29, 1979 (6:13 Md. R. 1124); March 1, 1983 (10:3 Md. R. 208); December 30, 1985 (12:26 Md. R. 2542)

Regulations .04 and .05 amended effective November 3, 1978 (5:22 Md. R. 1671)



Regulations .04E and .05C amended effective December 30, 1985 (12:26 Md. R. 2542)

Regulation .07A amended effective December 30, 1985 (12:26 Md. R. 2542)

Regulation .07B amended effective August 6, 1975 (2:17 Md. R. 1188) and November 3, 1978 (5:22 Md. R. 1671); repealed effective December 30, 1985 (12:26 Md. R. 2542)

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Chapter recodified from COMAR 05.01.03 to COMAR 05.02.01

Regulation .01B amended effective June 1, 1988 (15:11 Md. R. 1329); July 28, 1997 (24:15 Md. R. 1061); October 15, 2001 (28:1 Md. R. 25); September 20, 2004 (31:6 Md. R. 507); January 1, 2012 (38:24 Md. R. 1499); January 7, 2013 (39:26 Md. R. 1663)

Regulation .02B amended effective January 1, 2012 (38:24 Md. R. 1499); January 1, 2015 (41:25 Md. R. 1476)

Regulation .02D adopted effective January 1, 2012 (38:24 Md. R. 1499)

Regulation .02-1 adopted effective July 28, 1997 (24:15 Md. R. 1061)

Regulation .02-1B amended effective October 15, 2001 (28:1 Md. R. 25); September 20, 2004 (31:6 Md. R. 507); July 1, 2007 (34:7 Md. R. 696); January 1, 2010 (36:22 Md. R. 1722); January 1, 2012 (38:24 Md. R. 1499); January 7, 2013 (39:26 Md. R. 1663); January 1, 2015 (41:25 Md. R. 1476)

Regulation .03 amended effective June 1, 1988 (15:11 Md. R. 1329); July 22, 1991 (18:14 Md. R. 1609); July 28, 1997 (24:15 Md. R. 1061); October 15, 2001 (28:1 Md. R. 25)

Regulation .03A amended effective January 1, 2010 (36:22 Md. R. 1722); January 1, 2012 (38:24 Md. R. 1499); January 7, 2013 (39:26 Md. R. 1663); January 1, 2015 (41:25 Md. R. 1476)

Regulation .04D amended effective July 1, 2007 (34:7 Md. R. 696)

Regulation .04E amended effective June 1, 1988 (15:11 Md. R. 1329); October 15, 2001 (28:1 Md. R. 25); September 20, 2004 (31:6 Md. R. 507); July 1, 2007 (34:7 Md. R. 696); January 1, 2012 (38:24 Md. R. 1499); January 1, 2015 (41:25 Md. R. 1476)

Regulation .05D, E amended effective October 15, 2001 (28:1 Md. R. 25)

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Chapter recodified from COMAR 05.02.01 to COMAR 09.12.50 effective March 25, 2019 (46:6 Md. R. 345)

Regulation .01B amended effective March 25, 2019 (46:6 Md. R. 345)

Regulation .02A, B amended effective March 25, 2019 (46:6 Md. R. 345)

Regulation .02-1B amended effective March 25, 2019 (46:6 Md. R. 345)

Regulation .03 amended effective March 25, 2019 (46:6 Md. R. 345)

Regulation .04A, E amended effective March 25, 2019 (46:6 Md. R. 345)

Regulation .05 amended effective March 25, 2019 (46:6 Md. R. 345)

Regulation .07 amended effective March 25, 2019 (46:6 Md. R. 345)



# **Title 09 MARYLAND DEPARTMENT OF LABOR**

## **Subtitle 12 BUILDING AND MATERIAL CODES**

### **Chapter 51 Maryland Building Performance Standards**

**Authority:** Public Safety Article, §§12-503, 12-507(a)(2), 12-508(g), and 12-510(d),  
Annotated Code of Maryland

#### **.01 Title.**

This chapter shall be known and may be cited as the Maryland Building Performance Standards Regulations.

#### **.02 Purpose and Scope.**

The purpose of this chapter is to adopt the International Building Code (IBC), the International Residential Code (IRC), and the International Energy Conservation Code (IECC), as may be modified by the Department, as the Maryland Building Performance Standards, which will provide reasonable protection to the public against hazards to life, health, and property, and to establish the policies and procedures associated with the operation of a data base that contains the Standards, the local amendments, and other related information.

#### **.03 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) Agricultural Building.

(a) "Agricultural building", for purposes of Regulation .06B of this chapter only, means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products.

(b) "Agricultural building" does not include a place of human residence.

(2) Agritourism.

(a) "Agritourism" means tourism of agricultural farms and buildings by members of the general public for recreational, entertainment, or educational purposes for which tourists may or may not pay fees.



(b) Agritourism includes the following activities, when performed by a tourist:

- (i) Viewing rural activities, farming, ranching, and wine making;
- (ii) Viewing natural, historical, and cultural resources; and
- (iii) Harvesting agricultural products.

(3) "Building" has the meaning and interpretation set forth in the International Building Code.

(4) "Codes Administration" means the Building Codes Administration, an administration within the Department.

(5) "County" means any of the 23 counties of the State and the Mayor and City Council of Baltimore.

(6) "Department" means the Maryland Department of Labor.

(7) "High performance home" has the meaning stated in Public Safety Article, §12-509(a), Annotated Code of Maryland.

(8) Hotel.

(a) "Hotel" means an establishment that offers sleeping accommodations for compensation.

(b) "Hotel" does not include a bed and breakfast establishment.

(9) "IBC" means the International Building Code, as incorporated by reference in this chapter.

(10) "ICC" means the organization known as the International Code Council.

(11) "Local amendment" means:

(a) An amendment to the Standards that has been adopted by a local jurisdiction in accordance with applicable local laws and regulations; and

(b) A copy of the amendment has been provided to the Department for inclusion in the data base within the following time period:

(i) At least 15 days before the effective date of the amendment, or

(ii) In the case of an emergency adoption of an amendment, within 5 days of the emergency amendment's adoption.



(12) "Local jurisdiction" means the county or municipality responsible for implementation and enforcement of the Maryland Building Performance Standards.

(13) "Master control device" means:

(a) A control that is activated when a person enters the room through the primary room-access method; or

(b) An occupancy sensor control that is activated by a person's presence in the room.

(14) "MBPS" or "Standards" means the Maryland Building Performance Standards established by these regulations.

(15) "Municipality" means a municipal corporation subject to the provisions of Article XI-E of the State Constitution.

(16) "Person" means an individual, corporation, partnership, association, or any other legal entity authorized to do business in the State.

(17) "Structure" has the meaning and interpretation set forth in the IBC.

#### **.04 Incorporation by Reference.**

A. In this chapter, the following documents are incorporated by reference:

(1) 2018 International Building Code (International Code Council);

(2) 2018 International Residential Code for One- and Two-Family Dwellings (International Code Council);

(3) 2018 International Energy Conservation Code (International Code Council); and

(4) 2012 International Green Construction Code (International Code Council, 500 New Jersey Avenue, N. W., 6th Floor, Washington DC 20001).

B. Modifications to the International Building Code.

(1) Chapter 1. Add note to Chapter 1 of the IBC: Local jurisdictions are responsible for the implementation and enforcement of the Maryland Building Performance Standards. Refer to each local jurisdiction for local amendments to Chapter 1 of the IBC. Each local jurisdiction having authority shall establish, on or before the application date in Regulation .06 of this chapter, implementation and enforcement procedures that include:

(a) Review and acceptance of appropriate plans;



- (b) Issuance of building permits;
- (c) Inspection of the work authorized by the building permits; and
- (d) Issuance of use and occupancy certificates.

(2) Chapter 1. Delete Exception in the Section 101.2 Scope and replace with the following:

(a) Exception: 1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code;

(b) Exception: 2. Existing buildings undergoing repair, alterations or additions, and change of occupancy shall comply with the Maryland Building Rehabilitation Code set forth in COMAR 09.12.58; and

(c) Exception: 3. Maintenance of residential structures and premises shall comply with the Minimum Livability Code COMAR 09.12.54.

(3) Chapter 1. Delete the Section 101.2.1 Appendices and replace with the following:

101.2.1 Appendices: All the provisions in the Appendices are adopted as part of the IBC except those in Appendices A, B, D, E, and K.

(4) Chapter 9. Add note to Section 901.1 Scope Fire protection system requirements of Chapter 9 may be concurrently covered in the State Fire Prevention Code, Public Safety Article, §§6-101—6-202, Annotated Code of Maryland, and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official.

(5) Add note to Section 1001.1 General: Means of egress requirements of Chapter 10 may be concurrently covered in the State Fire Prevention Code, Public Safety Article, §§6-101—6-602, Annotated Code of Maryland, and COMAR 29.06.01. The State Fire Prevention Code is enforced by the State Fire Marshal or authorized fire official.

(6) Chapter 11. Chapter 11 of the IBC related to accessibility requirements is hereby replaced with the Maryland Accessibility Code set forth in COMAR 09.12.53. A local jurisdiction may adopt and enforce the requirements of Chapter 11 of the IBC to the extent the requirements meet or exceed the requirements set forth in COMAR 09.12.53.

(7) Chapter 24. The requirements for safety glazing set forth in Public Safety Article, Title 12, Subtitle 4, Annotated Code of Maryland, are in addition to Chapter 24, Section



2406 of the IBC related to safety glazing. In the event of a conflict between Chapter 24 of the IBC and the Annotated Code of Maryland, the requirements of the Annotated Code of Maryland prevail.

(8) Chapter 27. **ELECTRICAL**. Add note to Section 2701.1 Scope: The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards. For the applicable electrical requirements, refer to the local electrical code and the National Electrical Code as adopted and enforced by the State Fire Marshal, authorized fire officials, or building officials pursuant to the provisions of Public Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland.

(9) Chapter 28. **MECHANICAL SYSTEMS**. Add note to Section 2801.1 Scope: The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards. For the applicable requirements concerning the mechanical systems, refer to the local mechanical code and the mechanical code adopted pursuant to the provision of Business Regulation Article, §9A-205, Annotated Code of Maryland.

(10) Chapter 29. **PLUMBING SYSTEMS**. Add note to Section 2901.1 Scope: The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards. For the applicable requirements concerning the plumbing systems, refer to the local plumbing code and the plumbing code adopted pursuant to the provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

(11) Chapter 30. The provisions of Chapter 30 of the IBC relate to elevators and conveying systems and are in addition to and not instead of the requirements set forth in Public Safety Article, Title 12, Subtitle 8, Annotated Code of Maryland. In the event of a conflict between the IBC and the Annotated Code of Maryland, the provisions of the Annotated Code of Maryland prevail.

(12) Chapter 34. Any rehabilitation work undertaken in an existing building as defined in COMAR 9.12.58 shall comply with the requirements of Maryland Building Rehabilitation Code set forth in COMAR 09.12.58.

#### C. Modifications to the International Residential Code for One- and Two-Family Dwellings:

(1) Chapter 1. Delete the Section 102.5 Appendices and replace with the following:

102.5 Appendices: All the provisions in the Appendices are adopted as part of the IRC except those in Appendices E, J, and L.

(2) **ENERGY**. Chapter 11. **ENERGY EFFICIENCY**.

(a) Add to Section N1102.4.1.2 (R402.4.1.2): Except as provided for in the:



(i) Simulated Performance Path listed in Section N1105 (R405); and

(ii) Energy Rating Index Compliance Alternative in Section N1106 (R406);

(b) Modify Table N1105.5.2(1) (R405.5.2(1)) for Air Exchange Rate line item under the proposed design add "not to exceed 5 air changes per hour with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for Standard Reference Design" after "The measured air exchange rate"; and

(c) Add exception to Section N1106.2 (R406.2): The maximum of 5 air changes per hour tested in accordance with Section R402.4.1.2 may be used to determine the Energy Rating index score with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for ERI Reference Design.

(3) MECHANICAL. Chapter 12. MECHANICAL ADMINISTRATION. Add note to Section M1201.1 Scope: The subject matter of chapters 12 through 24 is not within the scope of the Maryland Building Performance Standards. For the applicable requirements concerning the mechanical systems, refer to the local mechanical code and the mechanical code adopted pursuant to the provisions of Business Regulation Article, §9A-205, Annotated Code of Maryland.

(4) PLUMBING. Chapter 25. PLUMBING ADMINISTRATION. Add note to Section P2501.1 Scope: The subject matter of chapters 25 through 33 is not within the scope of the Maryland Building Performance Standards. For the applicable requirements concerning the plumbing systems, refer to the local plumbing code and the plumbing code adopted pursuant to the provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

(5) ELECTRICAL. Chapter 34. GENERAL REQUIREMENTS. Add note to Section E3401.1 Applicability: The subject matter of chapters 34 through 43 is not within the scope of the Maryland Building Performance Standards. For the applicable electrical requirements, refer to the local electrical code and the National Electrical Code as adopted and enforced by the State Fire Marshal, authorized fire officials, or building officials pursuant to the provisions of Public Safety Article, Title 12, Subtitle 6, Annotated Code of Maryland.

#### D. Modifications to the International Energy Conservation Code.

(1) Add a note to Section C101, Scope and General Requirements: Additional requirements concerning energy conservation for buildings and structures may be required by the Energy Conservation Building Standards, Public Utility Companies Article, §§7-401—7-408, Annotated Code of Maryland, as amended.

(2) Add a note to Section C405.2.4 Specific Application Controls: For the new construction of hotels:



(a) Each hotel guest room shall be equipped with a master control device that automatically turns off the power to all of the lighting fixtures in the guest room no more than 30 minutes after the room has been vacated; and

(b) A master control device may also control the heating, ventilation, or air conditioning default settings in hotel guest rooms 30 minutes after a room has been vacated by:

(i) Increasing the set temperature by at least 3 degrees Fahrenheit when in the air conditioning mode; or

(ii) Decreasing the set temperature by at least 3 degrees Fahrenheit when in the heating mode.

(3) Add to Section R402.4.1.2: Except as provided for in the:

(a) Simulated Performance Path listed in Section R405;

(b) Energy Rating Index Compliance Alternative in Section R406;

(4) Modify Table R405.5.2(1) for Air Exchange Rate line item under the proposed design add "not to exceed 5 air changes per hour with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for Standard Reference Design" after "The measured air exchange rate"; and

(5) Add exception to Section R406.2: The maximum of 5 air changes per hour tested in accordance with Section R402.4.1.2 may be used to determine the Energy Rating index score with baseline of 3 air changes per hour in climate zones 4 and 5 maintained for ERI Reference Design.

E. The Department encourages:

(1) Home builders to construct new high performance homes; and

(2) Local jurisdictions to amend these standards to allow builders to construct high performance homes.

## **.05 Maryland Building Performance Standards.**

A. The IBC, IRC, and IECC, as modified in Regulation .04 of this chapter, shall constitute the Maryland Building Performance Standards.

B. Local Amendments.

(1) Each local jurisdiction:



(a) May by local amendment modify the provisions of the Standards to address conditions peculiar to the local jurisdiction's community;

(b) May adopt and amend the IGCC to be part of the Standards applicable in the local jurisdiction.

(c) May not adopt any amendments that weaken the requirements of the IECC or Chapter 13 of the IBC;

(d) Except as set forth in Public Safety Article, §12-504(a)(1)(iii), Annotated Code of Maryland, may not adopt any amendments that weaken the automatic fire sprinkler systems provisions for townhouses and one- and two-family dwellings contained in the Standards; and

(e) May not adopt amendments that weaken the wind design and wind-borne debris provisions contained in the Standards.

(2) If a local jurisdiction adopts a local amendment, the Standards as amended by the local jurisdiction shall apply in that local jurisdiction.

(3) If a local amendment conflicts with the provisions of the Standards, the provisions of the local amendment shall prevail in the local jurisdiction.

(4) Local amendments shall be submitted to the Department:

(a) At least 15 days before the effective date of the amendment; or

(b) In the case of an emergency adoption of a local amendment, within 5 days after the local amendment's adoption.

#### **.06 Application of the Standards.**

A. Except as provided in §§B and C of this regulation, the Standards shall apply to all buildings and structures within the State for which a building permit application is received by a local jurisdiction.

B. A local jurisdiction shall implement and enforce the Standards and any local amendments within 12 months of the effective date of any amendments by the Department to this chapter.

C. The provisions of Public Safety Article, §12-508, Annotated Code of Maryland, modify and determine the applicability of the Standards to agritourism.

#### **.07 Utilization of Standards.**

A. Central Data Base.



(1) The Department shall establish an automated central data base which shall contain or provide a link to access the following information:

(a) The Standards;

(b) Local amendments;

(c) State Fire Prevention Code and amendments to the State Fire Prevention Code promulgated by the State Fire Prevention Commission, or the State Fire Prevention Commission's successor;

(d) The fire codes adopted by the local jurisdictions and any amendments to them;

(e) The electrical code required under Public Safety Article, §12-603, Annotated Code of Maryland;

(f) Local amendments to the electrical code required under Public Safety Article, §12-603, Annotated Code of Maryland;

(g) Local code provisions that are more restrictive than the IECC as modified in Regulation .04 of this chapter and the energy code defined under Public Utilities Article, §7-401, Annotated Code of Maryland;

(h) The Maryland Building Rehabilitation Code; and

(i) Local amendments to the Maryland Building Rehabilitation Code.

(2) The Department may compile and include in the central data base:

(a) Any information provided by the local jurisdiction on the implementation and interpretation of the Standards by the local jurisdiction;

(b) Interim amendments to the IBC and IRC, including subsequent printing of the most recent edition; and

(c) Any other information the Department determines is relevant to the construction or rehabilitation of buildings and structures in the State.

(3) Software.

(a) The Department shall be responsible for the development and distribution among the local jurisdictions of software related to the operation of the central data base.

(b) Any software developed by or on behalf of the Department shall be owned by the Department, or the developer of the software.



(c) Neither the local jurisdiction nor any other user acquires any proprietary right in any of the ICC copyrighted material or ICC trademark contained in the software.

#### **B. Voluntary Dispute Resolution.**

(1) Upon the written request of a local jurisdiction and any person aggrieved by the Standards or any local amendments to them, the Codes Administration shall conduct an informal mediation or conciliation with the local jurisdiction and any person aggrieved by the Standards or any local amendments to them.

(2) The aggrieved person and the local jurisdiction shall each submit to the Codes Administration a written statement of the dispute and include any related material either party feels is appropriate. In addition to the written statement, either party may request a meeting with the other party and the Codes Administration to discuss the dispute.

(3) Within the latter to occur of 30 days of receipt of both statements of the disputed and any related material, or 30 days after a meeting conducted in accordance with §B(2) of this regulation, the Director of the Codes Administration shall issue a decision on behalf of the Department regarding resolution of the dispute.

(4) Within 15 days of the date of the decision of the Director of the Codes Administration, either party may appeal to the Secretary of the Department or the Secretary's designee, in writing. The Secretary of the Department or the Secretary's designee shall respond to the appeal within 15 days of receipt of the appeal.

(5) Neither a decision by the Codes Administration nor the Department under §B(3) or (4) of this regulation shall constitute a contested case proceeding under the Maryland Administrative Procedure Act and is not subject to the provisions of COMAR 09.01.02.

#### **.08 Enforcement of the Standards.**

Enforcement of the Standards shall be the responsibility of the local jurisdiction in which the building or structure is located.

#### **.09 Enforcement of State Fire Code Requirements.**

There is a State Fire Code, Public Safety Article 38A, §§6-101—6-602, Annotated Code of Maryland, and COMAR 29.06.01, which requires enforcement of the Fire Code by the State Fire Marshal or authorized fire official.

### **Administrative History**

#### **Effective date:**

Regulations .01—.09 adopted as an emergency provision effective January 13, 1995 (22:3 Md. R. 148); adopted permanently effective June 5, 1995 (22:11 Md. R. 818)



Regulation .02 amended effective October 15, 2001 (28:5 Md. R. 548); September 20, 2004 (31:6 Md. R. 507); January 1, 2010 (36:22 Md. R. 1722)

Regulation .03B amended effective April 7, 1997 (24:7 Md. R. 552); October 15, 2001 (28:5 Md. R. 548); September 20, 2004 (31:6 Md. R. 507); July 16, 2007 (34:14 Md. R. 1245); January 1, 2012 (38:24 Md. R. 1500)

Regulation .04 amended effective October 15, 2001 (28:5 Md. R. 548); September 20, 2004 (31:6 Md. R. 507); July 1, 2007 (34:7 Md. R. 696); January 1, 2010 (36:22 Md. R. 1722); January 1, 2012 (38:24 Md. R. 1500); October 29, 2012 (39:21 Md. R. 1377); January 1, 2015 (41:25 Md. R. 1476)

Regulation .04A, B amended and C adopted effective April 7, 1997 (24:7 Md. R. 552)

Regulation .04A, D amended effective October 29, 2012 (39:21 Md. R. 1377)

Regulation .05 amended effective March 15, 2001 (28:5 Md. R. 548); September 20, 2004 (31:6 Md. R. 507); January 1, 2010 (36:22 Md. R. 1722)

Regulation .05B amended effective October 29, 2012 (39:21 Md. R. 1377); January 1, 2015 (41:25 Md. R. 1476)

Regulation .05C adopted effective October 29, 2012 (39:21 Md. R. 1377)

Regulation .05C repealed effective January 1, 2015 (41:25 Md. R. 1476)

Regulation .06 amended effective April 7, 1997 (24:7 Md. R. 552); October 15, 2001 (28:5 Md. R. 548); September 20, 2004 (31:6 Md. R. 507); July 16, 2007 (34:14 Md. R. 1245)

Regulation .06B amended effective January 1, 2010 (36:22 Md. R. 1722)

Regulation .07 amended effective April 7, 1997 (24:7 Md. R. 552); October 15, 2001 (28:5 Md. R. 548); September 20, 2004 (31:6 Md. R. 507)

Regulation .07A amended effective January 1, 2010 (36:22 Md. R. 1722)

Regulation .09 amended effective April 7, 1997 (24:7 Md. R. 552)

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Chapter recodified from COMAR 05.02.07 to COMAR 09.12.51 effective March 25, 2019 (46:6 Md. R. 345)

Regulation .03B amended effective March 25, 2019 (46:6 Md. R. 345)



Regulation .04 amended effective March 25, 2019 (46:6 Md. R. 345)

Regulation .06B, C amended effective March 25, 2019 (46:6 Md. R. 345)

Regulation .07B amended effective March 25, 2019 (46:6 Md. R. 345)



# 2018 IRC Update

*Based on the 2018 International Residential Code,<sup>®</sup> (IRC<sup>®</sup>)*



The *International Residential Code*<sup>®</sup> (IRC<sup>®</sup>) establishes minimum regulations for residential construction. This handout will identify important changes in the IRC from 2015 to 2018 edition. Participants will be presented with those changes that will most impact their use of the code when they adopt these I-Codes. The learner will receive an overview of the most important code changes.

## Goal

Participants will be able to use this document to identify changes between the 2015 and 2018 IRC allowing them to apply these code requirements to design, plan submittals and/or inspection.

The lecture and activity format allows participants to discuss the changes, reasons for the changes, and answer knowledge review questions. Information presented will allow participants to apply these new code requirements to design, plan review, and/or inspection.

## Objectives

Upon completion, participants will be better able to:

- Identify the most significant differences between the 2015 and the 2018 IRC.
- Explain the differences between the current and previous edition.
- Identify changes in organization and code requirements.
- Identify the applicability of design, plan review and inspection requirements.

## Content

Chapters of the IRC included in this handout:

- |  |   |   |
|--|---|---|
| • Chapter 1, Scope and Administration  | • Chapter N11, Energy Efficiency                      | • Chapter P30, Sanitary Drainage                      |
| • Chapter 3, Building Planning         | • Chapter M13, General Mechanical System Requirements | • Chapter P31, Vents                                  |
| • Chapter 4, Foundations               | • Chapter M16, Duct Systems                           | • Chapter E37, Branch Circuit and Feeder Requirements |
| • Chapter 5, Floors                    | • Chapter M21, Hydronic Piping                        | • Chapter E39, Power and Lighting Distribution        |
| • Chapter 6, Wall Construction         | • Chapter G24, Fuel Gas                               | • Chapter E41, Appliance Installation                 |
| • Chapter 7, Wall Covering             | • Chapter P 25, Plumbing Administration               | • Appendix Q, Tiny Homes                              |
| • Chapter 8, Roof-ceiling Construction | • Chapter P27, Plumbing Fixtures                      |   |
| • Chapter 9, Roof Assemblies           | • Chapter P28, Water Heaters                          |   |
| • Chapter 10, Chimneys and Fireplaces  | • Chapter P29, Water Supply and Distribution          |   |



Chapter 1: Scope and Administration			
Code Section		Section Title	Description of Change
2018	2015		
Modification R101.2	R101.2	<b>Scope</b>	All instances where the International Building Code (IBC) permits construction under the IRC are now listed in the exception to the scope of the IRC.
Clarification R105.1, R110.1, R202	R105.1, R110.1, R202	<b>Change of Occupancy</b>	A definition for "Change of Occupancy" has been added and the requirement for a certificate of occupancy when there is a change of occupancy or use has been clarified.

Chapter 3: Building Planning			
Code Section		Section Title	Description of Change
2018	2015		
Modification Table R301.2(1)	Table R301.2(1)	<b>Climatic and Geographic Design Criteria</b>	The requirement for a Manual J assessment or engineered equivalent has been in the International Residential Code for several editions. To assist the designer, jurisdictions will now include variables for Manual J assessments with other climatic and geographic design criteria available from the building department.
Modification R301.2.2.1	R301.2.2.1	<b>Seismic Design Category</b>	New seismic design category (SDC) maps are included in the 2018 IRC. One map contains the most conservative 'good quality' soil type, assuming Site Class C or D, and may increase the local SDC. The second map is allowed if the site is identified as being Site Class A, B or D by geotechnical report or known local soil conditions; this map may lower the design spectral response acceleration, $S_{DS}$ , potentially lowering the seismic design category.
Modification R302.1	R302.1	<b>Exterior Walls</b>	References to the International Building Code (IBC) offer additional options and provide flexibility in determining the fire resistance rating of exterior wall assemblies. Table footnotes have been revised to clarify the correlation between gable end vents and the fire resistance requirements for projections.
Modification R302.2	R302.2	<b>Townhouse Separation</b>	Two paths for achieving the fire-resistant separation between townhouse dwelling units – two 1-hour walls or a common wall – are spelled out in the townhouse provisions.
Modification R302.13	R302.13	<b>Fire Protection of Floors above Crawl Spaces</b>	Fire-resistant membrane protection is now required for the applicable floor framing materials above crawl spaces containing fuel-fired or electric-powered heating appliances.



Chapter 3: Building Planning, Continued			
Code Section		Section Title	Description of Change
2018	2015		
Modification R308.4.2	R308.4.2	<b>Glazing Adjacent to Doors</b>	Glazing within 24 inches of the hinge side of an in-swinging door now requires safety glazing where the glazing is at an angle less than 180 degrees from the plane of the door.
Modification R308.4.4	R308.4.4	<b>Glazing in Guards and Railings</b>	Unless laminated glass is used, structural glass baluster panels in guards now require an attached top rail or handrail.
Clarification R308.4.7	R308.4.7	<b>Glazing Adjacent to the Bottom Stair Landing</b>	Figure R308.4.7 has been replaced with a new figure and the caption modified to more accurately reflect when safety glazing is required near the bottom landing.
Modification R310.1	R310.1	<b>Emergency Escape and Rescue Openings</b>	Emergency escape and rescue openings are no longer required for bedrooms in basements when the dwelling unit is protected with an automatic fire sprinkler system and other conditions are met.
Modification R310.3	R310.3	<b>Area Wells for Emergency Escape and Rescue Doors</b>	For emergency escape and rescue doors in basements, a change in terminology replaces "bulkhead enclosures" with "area wells" and provisions for ladders and steps for area wells are added.
Modification R311.7.1, R311.7.8	R311.7.1, R311.7.8	<b>Handrail Projection</b>	A new exception to the handrail projection limitation provides for adequate clearance behind the handrail when it passes the projection of a floor, landing or tread return.
Modification R311.7.3	R311.7.3	<b>Maximum Stair Rise between Landings</b>	The maximum rise of a flight of stairs has increased by 4 inches, from 147 to 151 inches.
Modification R311.7.11, R311.7.12	R311.7.11, R311.7.12	<b>Alternating Tread Devices and Ships Ladders</b>	Alternating tread devices and ships ladders are now permitted as a means of egress for lofts with an area that does not exceed 200 square feet.
Clarification R312.1	R312.1	<b>Guards</b>	The guard requirements only apply to the specific portion of a walking surface that exceeds 30 inches above grade.
Modification R314	R314	<b>Smoke Alarms</b>	The exemption for interconnection of alarms during alterations based on feasibility has been removed from the code.
Modification R315	R315	<b>Carbon Monoxide Alarms</b>	Interconnection is now required where multiple carbon monoxide alarms are required in a dwelling unit.



## Chapter 3: Building Planning, Continued

Code Section		Section Title	Description of Change
2018	2015		
Modification R322.3	R322.3	<b>Coastal High-Hazard Flood Zones</b>	In coastal high-hazard areas (V Zones) and Coastal A Zones, the IRC now provides specific guidance for the design and construction of concrete slabs, stairs, guards, decks and porches to reduce damage to the dwelling in a flood event.
Addition R324.6		<b>Roof Access for Photovoltaic Solar Energy Systems</b>	Requirements for roof access and pathways for firefighters have been introduced into the IRC provisions for rooftop mounted photovoltaic solar energy systems.
Addition R324.6.2.2		<b>Solar Panels near Emergency Escape and Rescue Openings</b>	Rooftop mounted photovoltaic solar energy panels and modules are not permitted to be installed below emergency escape and rescue openings.
Modification R325.3		<b>Mezzanine Area Limitation</b>	The area limitation for mezzanines has been increased from one-third to one-half of the area of the room containing the mezzanine under certain conditions.
Addition R325.6, R202		<b>Habitable Attics</b>	The definition of habitable attic has been revised and the technical requirements have been placed with mezzanines.

## Chapter 4: Foundations

Code Section		Section Title	Description of Change
2018	2015		
Modification Table R403.3(1)	Table R403.3(1)	<b>Insulation requirements for frost protected footings</b>	Insulation thickness requirements for Type II and IX extruded polystyrene (EPS) have changed. The minimum R-value for specific types of EPS has been clarified while requirements for horizontal insulation were added.
Modification Table R403.4	Table R403.4	<b>Crushed stone footings</b>	Table R403.4 is updated to include both the minimum depth and width of a crushed stone footing for a precast concrete wall.
Modification R408.3	R408.3	<b>Unvented crawl space</b>	Ventilation of the under-floor space is not required when an adequately-sized dehumidifier is provided.



Chapter 5: Floors			
Code Section		Section Title	Description of Change
2018	2015		
Modification R507	R507	<b>Decks</b>	Section R507 is reorganized for ease of use and additional provisions are added to simplify prescriptive construction of a deck.
Modification R507.2	R507.2, R507.3	<b>Deck materials</b>	Section R507.2 adds requirements for fasteners and fastener connections, flashing and alternative materials.
Addition R507.3		<b>Deck footings</b>	A new section on footing minimum size is added to help describe minimum prescriptive (non-engineered) requirements for an exterior deck footing based on snow load, soil quality, and footing shape and size.
Clarification R507.6	R507.5	<b>Deck joists</b>	Maximum joist spacing and total length have been clarified. In Table R507.6, maximum span length is listed followed by maximum cantilever length.
Clarification R507.7- R507.9	R507.2, R507.4	<b>Decking, Vertical and Lateral Support</b>	Decking material options and fastener systems are clarified. Vertical and horizontal support of an exterior deck is updated while support and attachment of ledgers is added to the decking section.

Chapter 6: Wall Construction			
Code Section		Section Title	Description of Change
2018	2015		
Addition Table R602.3(6)		<b>Alternate Stud Height</b>	To help clarify when studs greater than 10 feet long may be used, an exception is added to Section R602.3.1 as well as a reference to new Table R602.3(6) which applies only to 11- and 12-foot tall walls in one- and two-story buildings.
Modification Tables R602.7(1), R602.7(2)	Tables R602.7(1), R602.7(2)	<b>Girder and Header Spans</b>	Girder and header spans are updated assuming No. 2 Southern Pine rather than No. 1 Southern Pine as used in the 2015 IRC. A footnote is added to clarify that headers and girders are assumed to be braced; for headers with pony walls above, a further reduction in span is taken for 2x8 and larger headers.
Modification Table R602.7.5	Table R602.7.5	<b>Support for headers</b>	The 2015 IRC full height stud table is significantly altered. The table increases the number of king studs in higher wind regions and requires only one or two king studs at each end of a header in regions with 115 mph wind speeds.
Modification Table R602.10.3 (4)	Table R602.10.3 (4)	<b>Seismic Adjustment Factors</b>	Attempts to clarify roof and ceiling dead loads in the top story of a multi-story dwelling and use of the BV-WSP bracing method have been added. Table R602.10.3(4) now allows use of Methods WSP and CS-WSP with brick veneer in the second story of a dwelling.



## Chapter 6: Wall Construction, Continued

Code Section		Section Title	Description of Change
2018	2015		
Modification R602.10.4.1	R602.10.4.1	<b>Mixing bracing methods</b>	Mixing of continuous sheathing methods with an intermittent alternate bracing method is clarified. Braced wall line(s) containing an alternate method must have sufficient bracing length for an intermittent method, not just for the continuous sheathing method when the alternate method is Method PFH, PFG or ABW.
Modification R602.10.6.5	R602.10.6.5	<b>Method BV-WSP</b>	An attempt to clarify use of the BV-WSP method is made. New limits are added to Section R602.10.6.5.
Modification Tables R603.3.1, R603.3.1.1 (2)	Tables R603.3.1, R603.3.1.1 (2)	<b>Cold-Formed Steel Wall Construction</b>	Cold-formed steel connection tables are updated for wind speeds less than 140 miles per hour. Values in the IRC tables now match AISI S230, Standard for Cold-Formed Steel Framing - Prescriptive Method for One- and Two-Family Dwellings.

## Chapter 7: Wall Covering

Code Section		Section Title	Description of Change
2018	2015		
Modification R703.2	R703.2	<b>Water-resistive barrier</b>	Water-resistive barrier materials other than No. 15 asphalt felt must be installed following the manufacturer's installation instructions. The exemption for detached accessory buildings is deleted.
Modification R703.3.1	R703.3.1, R703.11.1.4	<b>Soffit installation</b>	Requirements for wood structural panel soffits are added to Section R703.3.1 and vinyl soffit requirements are clarified.
Modification R703.8.4	R703.8.4	<b>Veneer anchorage through insulation</b>	Masonry veneer is explicitly allowed to attach to through insulation into the underlying wood structural panels. Attachment must follow Table R703.8.4(2).
Modification R703.11.2	R703.11.2	<b>Vinyl siding installation over foam plastic sheathing</b>	Testing has been done on vinyl siding over insulation in an attempt to determine fastener requirements for vinyl siding attachment in high wind regions. New Table R703.11.2 gives design wind pressures for vinyl siding resisting all wind loads without reliance on wood structural panel sheathing.



Chapter 8: Roof-Ceiling Construction			
Code Section		Section Title	Description of Change
2018	2015		
Modification R802	R802	<b>Roof Framing</b>	Section R802, Design and construction of roofs, has been clarified by dividing the content into three separate sections on roof ridges, rafters and ceiling joists.
Modification R802.1.5.4	R802.1.5.4	<b>Labeling</b>	Each stick of fire-retardant-treated lumber and individual wood structural panel will be labeled with eight specific items of information
Modification R806.2	R806.2	<b>Minimum vent area</b>	The minimum vent area exception is clarified, stating that net free ventilation may be less than 1/150 only if two required conditions are met. Lower vents must be located in the bottom third of the attic space.

Chapter 9: Roof Assemblies			
Code Section		Section Title	Description of Change
2018	2015		
Addition R905.17		<b>Building Integrated Photovoltaic Panels</b>	New Section R905.17 addresses installation and attachment of building-integrated photovoltaic (BIPV) roof panels.

Chapter 10: Chimneys and Fireplaces			
Code Section		Section Title	Description of Change
2018	2015		
Addition R1005.8		<b>Chimney insulation shield</b>	Factory-built chimneys, which have been required to maintain a minimum clearance to insulation, are now required to have an insulation shield to provide the clearance to the insulation.

Chapter 11: Energy Efficiency			
Code Section		Section Title	Description of Change
2018	2015		
Clarification N1101.6, Tables N1101.10.3 (1) and N1101.10.3 (2)	N1101.6, Tables N1101.10.3 (1) and N1101.10.3 (2)	<b>Fenestration Definitions and U-Factors</b>	The definitions for skylights and vertical fenestration have been moved under the definition for fenestration, and a definition for opaque door has been added.



Chapter 11: Energy Efficiency, Continued			
Code Section		Section Title	Description of Change
2018	2015		
Modification N1102.1	N1102.1	<b>Building Thermal Envelope for Log Homes</b>	Log homes are now exempt from the prescriptive building thermal envelope requirements when designed in accordance with ICC-400, <i>Standard on the Design and Construction of Log Structures</i> .
Modification N1102.1.2 and N1102.1.4	N1102.1.2 and N1102.1.4	<b>Insulation and Fenestration Requirements</b>	The prescriptive U-factors for fenestration have been lowered to improve the energy efficiency of dwellings and townhouses.
Modification N1102.2.2	N1102.2.2	<b>Reduction of Ceiling Insulation</b>	When applying the exception for insulation in ceilings without attics, the insulation must extend to the outside of the top plate.
Clarification N1102.2.5	N1102.2.5	<b>Mass Walls</b>	The mass wall provisions have been itemized in a numbered list to bring accuracy and clarity to the technical requirements.
Modification N1102.2.6	N1102.2.6	<b>Cold-Formed Steel Framing R-Values</b>	Conflicting entries have been removed from the table establishing cold-formed steel R-values equivalent to those for wood framing.
Modification N1102.4	N1102.4	<b>Testing for Air Leakage</b>	A new standard for air-leakage testing, RESNET/ICC 380, is now referenced in the IRC to provide flexibility for the testing industry.
Addition N1103.3.6 and N1103.3.7		<b>Ducts Buried within Ceiling Insulation</b>	New provisions address the methods, minimum coverage requirements and thermal benefits for ducts buried within ceiling insulation, and when those ducts are considered inside the building thermal envelope.
Modification N1104.1	N1104.1	<b>Lighting</b>	The required percentage of permanent lighting fixtures having high-efficacy lamps has increased from 75 to 90 percent.
Modification N1106.3, N1106.4	N1106.3, N1106.4	<b>Maximum Energy Rating Index</b>	The maximum rating index values based on climate zone have increased slightly to make the ERI provisions less restrictive and improve the flexibility of the energy provisions.



Chapter M13: General Mechanical System Requirements			
Code Section		Section Title	Description of Change
2018	2015		
Deletion M1305.1.1	M1305.1.1	<b>Access to Furnaces within Compartments</b>	The appliance access requirements for furnaces in compartments have been removed from the code in favor of other code provisions and the manufacturer's instructions.
Modification M1305.1.3.2	M1305.1.4.2	<b>Appliances Installed in Pits</b>	The requirements for appliance installation in pits has been expanded to provide more detail and to be similar to language found in other ICC codes. The minimum bottom clearance has been reduced from 6 inches to 3 inches.

Chapter 15: Exhaust Systems			
Code Section		Section Title	Description of Change
2018	2015		
Modification M1502.3.1	M1502.3.1	<b>Dryer Exhaust Duct Termination</b>	A minimum area of 12.5 square inches has been established for the terminal outlet of dryer duct exhaust.
Modification M1502.4.2	M1502.4.2	<b>Concealed Dryer Exhaust Ducts</b>	Wall and ceiling cavities enclosing dryer exhaust duct must provide sufficient space that the 4-inch duct is not squeezed out of its round shape.
Modification M1503.6	M1503.6	<b>Makeup Air for Kitchen Exhaust Systems</b>	Makeup air for domestic cooking exhaust systems is no longer required if all fuel-burning appliances in the dwelling unit have a direct vent or mechanical draft vent system.

Chapter M16: Duct Systems			
Code Section		Section Title	Description of Change
2018	2015		
Modification M1601.1.2	M1601.1.2	<b>Underground Duct Systems</b>	Underground ducts, including both direct-burial ducts and those encased in concrete, require sealing and testing.



Chapter M21: Hydronic Piping			
Code Section		Section Title	Description of Change
2018	2015		
Modification M2101.10	M2101.10	<b>Pressure Tests for Hydronic Piping</b>	Compressed air testing of PEX hydronic piping is now allowed when testing is in accordance with the manufacturer's instructions.
Modification M2103.2	M2103.2	<b>Thermal Barrier for Radiant Floor Heating Systems</b>	For hydronic floor heating systems, the minimum insulation R-values have been removed from Section M2103.2 and a reference to the energy provisions of Chapter 11 has been added.

Chapter G24: Fuel Gas			
Code Section		Section Title	Description of Change
2018	2015		
Modification G2406.2	G2406.2	<b>Prohibited Locations for Appliances</b>	A gas-fired clothes dryer is now allowed to be installed in a bathroom and toilet room where a permanent opening communicates with other permitted spaces.
Modification G2411.2, G2411.3	G2411.2, G2411.3	<b>Electrical Bonding of CSST</b>	The existing provisions for electrical bonding apply to CSST without an arc-resistant jacket or coating and a new section addresses electrical continuity and bonding of arc-resistant CSST.
Modification G2414.4.2, G2414.10.1	G2414.4.2, G2414.10.1	<b>Schedule 10 Steel Gas Piping</b>	The code now allows Schedule 10 steel pipe to be used for fuel gas piping.
Modification G2415.11	G2415.11	<b>Protection against Corrosion</b>	Reorganization of this section includes new provisions to address corrosion protection of underground steel gas piping and protection for steel risers other than anodeless risers.
Clarification G2420.5.1	G2420.5.1	<b>Shutoff Valve Location</b>	Shutoff valves located behind movable appliances are considered as meeting the requirement for access.
Addition G2420.6		<b>Support for Shutoff Valves in Tubing Systems</b>	Shutoff valves in gas tubing systems require rigid support separate from the tubing to prevent damage at the valve connection.
Deletion G2442.2	G2442.2	<b>Forced Air Furnace Duct Size</b>	The prescriptive duct size requirements for forced air furnaces have been deleted in favor of other sizing methods specific to the appliance.
Modification G2447.2	G2447.2	<b>Commercial Cooking Appliances</b>	Commercial cooking appliances are now permitted in dwelling units when installed in accordance with an engineered design and the manufacturer's instructions.



Chapter P25: Plumbing Administration			
Code Section		Section Title	Description of Change
2018	2015		
Modification P2503.7	P2503.7	<b>Air Testing of PEX Piping</b>	Compressed air testing of PEX water supply piping is now allowed when testing is in accordance with the manufacturer's instructions.

Chapter P26: General Plumbing Requirements			
Code Section		Section Title	Description of Change
2018	2015		
Modification P2602.1	P2602.1	<b>Connections to Public Sewer or Private Sewage Disposal System</b>	The International Private Sewage Disposal Code (IPSDC) is referenced for installation of private sewage disposal systems where there are no state or local requirements for such systems.

Chapter P27: Plumbing Fixtures			
Code Section		Section Title	Description of Change
2018	2015		
Modification P2704	P2704	<b>Slip Joint Connections</b>	Slip joint connections are permitted anywhere between the fixture outlet and the drainage piping, and are no longer limited to the trap inlet, outlet and trap seal locations.
Modification P2713.1	P2713.1	<b>Bathtub Overflow</b>	Bathtub overflow outlets are no longer required.

Chapter P28: Water Heaters			
Code Section		Section Title	Description of Change
2018	2015		
Modification P2801.6	P2801.6	<b>Plastic Pan for Gas-Fired Water Heaters</b>	Plastic safety pans are now allowed under gas water heaters provided the material falls within the prescribed flame spread and smoke developed indices.



Chapter P29: Water Supply and Distribution			
Code Section		Section Title	Description of Change
2018	2015		
Modification P2902.5.4, P2904.	P2902.5.4, P2904.	<b>Backflow Protection for Fire Sprinkler Systems</b>	Sections P2902.5.4 and P2904.1 are revised and coordinated to clarify that stand-alone and multipurpose fire sprinkler systems complying with Section P2904 or NFPA 13D do not require backflow protection under most circumstances.
Modification P2903.5	P2903.5	<b>Water Hammer Arrestors</b>	A water hammer arrestor is now required where quick-closing valves are used in the water distribution system.
Addition P2906.6.1	P2906.6.1	<b>Saddle Tap Fittings on Water Distribution Piping</b>	Saddle tap fittings are no longer permitted on water distribution system piping.
Modification P2906.18.2	P2906.18.2	<b>Joints between PVC and CPVC Piping</b>	A single solvent-cement transition joint is now an acceptable method for connecting a CPVC water distribution system to a PVC water service pipe.

Chapter P30: Sanitary Drainage			
Code Section		Section Title	Description of Change
2018	2015		
Modification P3003.2	P3003.2	<b>Prohibited Joints for Sanitary Drainage</b>	A solvent cement joint is now permitted for joining ABS and PVC piping at the connection of the building drain to the building sewer.
Modification P3005.1.6	P3005.1.6	<b>Reduction in Pipe Size</b>	Water closet flanges, offset bend fittings and offset flanges are now specifically listed as exceptions to the provision that drainage piping must not be reduced in size in the direction of flow.

Chapter P31: Vents			
Code Section		Section Title	Description of Change
2018	2015		
Modification P3103.1	P3103.1	<b>Vent Pipe Terminations</b>	The provisions for vent terminals have been reorganized and a new option has been added to allow a 2-inch vent extension through a sloped roof when the vent is covered.
Modification P3111	P3111	<b>Combination Waste and Vent System</b>	Food waste disposers and drinking fountains are now permitted to connect to a combination waste and vent system.
Modification P3114.8	P3114.8	<b>Prohibited Installations for Air Admittance Valves</b>	An air admittance valve cannot be used to resolve the problem of an open vent terminal that is too close to a building air intake.



Chapter E37: Branch Circuit and Feeder Requirements			
Code Section		Section Title	Description of Change
2018	2015		
Addition E3703.5		<b>Garage Branch Circuits</b>	A separate 20-ampere branch circuit is now required to serve receptacle outlets of attached garages and detached garages with electric power.

Chapter E39: Power and Light Distribution			
Code Section		Section Title	Description of Change
2018	2015		
Modification E3901.2	E3901.2	<b>Wall Space for Receptacle Distribution</b>	Cabinets with countertops are now considered wall space in determining required locations for general purpose receptacle outlets.
Modification E3901.3	E3901.3	<b>Appliances on 15 Amp Circuits</b>	An individual 15-ampere branch circuit is permitted to serve any specific kitchen appliance.
Addition E3902.4		<b>GFCI Protection for Crawl Space Lighting Outlets</b>	Ground-fault circuit-interrupter (GFCI) protection is now required for lighting outlets of crawl spaces.
Addition E3905.2.1		<b>Nonmetallic-Sheathed Cable and Metal Boxes</b>	Where entering a metal box, nonmetallic-sheathed cable must extend into the box at least 1/4 inch and extend past the cable clamp.

Chapter E41: Appliance Installation			
Code Section		Section Title	Description of Change
2018	2015		
Modification E4101.3	E4101.3	<b>Cord- and-Plug-Connected Appliances</b>	The maximum cord lengths for range hoods and built-in dishwashers have increased and the code clarifies that the receptacle outlet for the dishwasher has to be in the space adjacent to the appliance.

Appendix Q: Tiny Houses			
Code Section		Section Title	Description of Change
2018	2015		
Appendix Q Addition		<b>Tiny Houses</b>	A new Appendix Q covers provisions for tiny houses, defined as dwellings with a maximum floor area of 400 square feet.



# 2018 IBC Update

*Based on the 2018 International Building Code,® (IBC®)*



The *International Building Code*® (IBC®), establishes minimum regulations for building safety.

This handout will identify important changes in the IBC from 2015 to 2018 edition. Participants will be presented with those changes that will most impact their use of the code when they adopt these I-Codes. The learner will receive an overview of the most important code changes.

## Goal

Participants will be able to use this document to identify changes between the 2015 and 2018 IBC allowing them to apply these code requirements to design, plan submittals and/or inspection.

The lecture and activity format allows participants to discuss the changes, reasons for the changes, and answer knowledge review questions. Information presented will allow participants to apply these new code requirements to design, plan review, and/or inspection.

## Objectives

Upon completion, participants will be better able to:

- Identify the most significant differences between the 2015 and the 2018 IBC.
- Understand the intent and purpose of the changes.
- Identify changes in organization and formatting.
- Identify the application to design, plan review and inspection functions.

## Content

Chapters of the IBC included in this handout:

- Chapter 2, Definitions
- Chapter 3, Occupancy Classification and Use
- Chapter 4, Special Detailed Requirements Based on Use and Occupancy
- Chapter 5, General Building Heights and Areas
- Chapter 6, Types of Construction
- Chapter 7, Fire and Smoke Protection Features
- Chapter 8, Interior Finishes
- Chapter 9, Fire Protection and Life Safety Systems
- Chapter 10, Means of Egress
- Chapter 11, Accessibility
- Chapter 12, Interior Environment
- Chapter 13 Energy Efficiency
- Chapter 14, Exterior Walls
- Chapter 15, Roof Assemblies and Rooftop Structures
- Chapter 16, Structural Design
- Chapter 17, Special Inspections and Tests
- Chapter 22, Steel
- Chapter 23, Wood
- Chapter 30, Elevators and Conveying Systems
- Chapter 31, Special Construction
- Appendix N, Replicable Buildings



Chapter 2: Definitions			
Code Section		Section Title	Description of Change
2018	2015		
202	202	<b>Definitions</b>  (Several definitions have been added to this edition of the IBC, as well as deleting and revising existing definitions.)	<p>New definitions include "Greenhouse" and "Repair Garage".</p> <p>The definition for "Sleeping Unit" has been clarified</p> <p><b>GREENHOUSE.</b> A structure or thermally isolated area of a building that maintains a specialized sunlit environment used for, and essential to, the cultivation, protection or maintenance of plants.</p> <p><b>REPAIR GARAGE.</b> A building, structure or portion thereof used for servicing or repairing motor vehicles.</p> <p><b>SLEEPING UNIT.</b> A room or space in which people sleep, which can also include single unit providing rooms or spaces for one or more persons that includes permanent provisions for sleeping, and can include provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.</p>

Chapter 3: Occupancy Classification and Use			
Code Section		Section Title	Description of Change
2018	2015		
302.1 Clarification	302.1	<b>Classification of Outdoor Areas</b>	It has been clarified that occupied roofs are to be assigned one or more occupancy classifications in a manner consistent with the classification of uses inside the building, based upon the fire and life safety hazards posed by the rooftop activities.
303.4 Clarification	303.4	<b>Assembly Use of Greenhouses Classification</b>	Where the use of the greenhouse is assembly in nature due to public access for the viewing of plants, classification as a Group A-3 occupancy is appropriate.
309.1 Clarification	309.1	<b>Mercantile Use of Greenhouses Classification</b>	Where a greenhouse is provided with public access for the purpose of the display and sale of plants, a Group M occupancy shall be assigned.
310.3 310.4 Modification	310.4 310.5	<b>Classification of Congregate Living Facilities</b>	Dormitories and similar nontransient uses now are to be considered as Group R-3 occupancies where the occupant load is 16 or less. In addition, transient lodging houses, such as bed-and-breakfast establishments, can only be considered as Group R-3 occupancies where their total occupant load is 10 or less.



Chapter 3: Occupancy Classification and Use, continued			
Code Section		Section Title	Description of Change
2018	2015		
310.4.2 Modification	310.5.2	<b>Owner-Occupied Lodging Houses</b>	The criteria permitting compliance with the IRC for the design and construction of owner-occupied lodging houses has been expanded by now also requiring that the total number of lodging house occupants be limited to 10.
311.1.1 Modification	311.1.1	<b>Classification of Accessory Storage Rooms</b>	Regardless of size, storage rooms and spaces that are accessory to other uses are to be classified as part of the occupancy to which they are accessory.
312.1.1 Clarification	312.1	<b>Classification of Agricultural Greenhouses</b>	Because a Group U occupancy includes those low-hazard structures that do not conform to any other specific occupancy classification, it has been clarified that greenhouses are only to be considered as Group U where they are not more appropriately classified as one of the other occupancies established in the IBC.

Chapter 4: Special Detailed Requirements Based on Use and Occupancy			
Code Section		Section Title	Description of Change
2018	2015		
403.2.1.1 Modification	403.2.1.1	<b>Type of Construction in High-Rise Buildings</b>	The reduction in the minimum required fire-resistance ratings for certain building elements of high-rise buildings is no longer applicable to Group H-2, H-3 and H-5 occupancies due to the high physical hazard level such uses pose.
406.1 Clarification	406	<b>Motor Vehicle- Related Occupancies</b>	Provisions specific to motor-vehicle-related uses have been reformatted in a manner such that those requirements that apply to all such uses have been relocated in a single Section 406.1.
407.5 Modification	407.5	<b>Maximum Smoke Compartment Size</b>	The allowance for larger smoke compartments in hospitals and other Group I-2, Condition 2 occupancies has now been modified to only include compartments containing single-patient sleeping rooms and suites, as well as those compartments without patient sleeping rooms.
407.5.4 Modification		<b>Required Egress from Smoke Compartments</b>	In Group I-2 occupancies, any smoke compartment that does not have an exit from the compartment must now provide direct access to a minimum of two adjacent smoke compartments.
420.7 Modification		<b>Corridor Protection in Assisted Living Units</b>	Shared living spaces, group meeting spaces and multipurpose therapeutic spaces are now permitted to be open to fire-rated corridors in Group I-1 assisted living housing facilities provided specific conditions are met.
420.8 Addition		<b>Group I-1 Cooking Facilities</b>	A room or space containing a cooking facility with domestic cooking appliances is now permitted to be open to a corridor in Group I-1 occupancies provided nine specific conditions are met.
420.10 Addition		<b>Dormitory Cooking Facilities</b>	The installation and use of domestic cooking appliances are now regulated in both common areas and sleeping rooms of Group R-2 college dormitories.



Chapter 4: Special Detailed Requirements Based on Use and Occupancy, continued			
Code Section		Section Title	Description of Change
2018	2015		
427 Addition		<b>Medical Gas Systems</b>	In order to provide a more comprehensive and efficient compilation of construction regulations, those IFC medical gas system requirements related directly to building construction have now been replicated in the IBC.
428 Addition		<b>Higher Education Laboratories</b>	Higher education laboratories using hazardous materials can now be considered Group B occupancies provided such laboratories comply with new Section 428 which provides an alternative approach to the existing control area provisions.

Chapter 5: General Building Heights and Areas			
Code Section		Section Title	Description of Change
2018	2015		
503.1 706.1 Modification	503.1 706.1	<b>Scope of Fire Wall Use</b>	The use of fire walls to create separate buildings is now limited to only the determination of permissible types of construction, based upon allowable building area and height.
503.1.4 Addition		<b>Allowable Height and Area of Occupied Roofs</b>	New criteria is now provided establishing the appropriate methodology in the regulation of building height in stories above grade plane where one or more occupancies is located on the roof.
Table 506.2, Note i Modification	Table 506.2	<b>Allowable Area of Type IIB, IIIB, and VB Greenhouses</b>	The tabular allowable area for nonsprinklered single-story greenhouses classified as Group U occupancies has been substantially increased for Type VB buildings to be consistent with those greenhouses classified as Group B, M, F-2 and E. Small increases also apply to Type IIB and IIIB buildings. The increase raises the allowable area in these three construction types to 9,000 square feet.
510.2 Clarification	510.2	<b>Horizontal Building Separation</b>	Vertical offsets are permitted in the horizontal fire-resistance-rated separation mandated for "podium buildings" provided the minimum required fire-resistance rating is maintained for the offsets and their supporting elements.

Chapter 6: Types of Construction			
Code Section		Section Title	Description of Change
2018	2015		
Table 601, Note b Modification	Table 601, Note b	<b>Fire Protection of Structural Roof Members</b>	All portions of the roof construction, including primary structural frame members such as girders and beams, are now selectively exempted from fire-resistance requirements based on Table 601 where every portion of the roof construction is at least 20 feet above any floor below.
602.3 602.4.1 Clarification	602.3 602.4.1	<b>FRT Wood Sheathing in Exterior Wall Assemblies</b>	It has now been clarified that wood sheathing, as well wood framing, is permitted in exterior walls of Type III and IV buildings where fire-retardant-treated wood is used.



Chapter 7: Fire and Smoke Protection Features			
Code Section		Section Title	Description of Change
2018	2015		
704.2 704.4.1 Modification	704.2 704.4.1	<b>Column Protection in Light-Frame Construction</b>	In walls of light-frame construction where primary structural frame members require fire-resistive protection, columns extending only between the bottom and top plates do not need to be provided with individual encasement protection.
705.2.3 705.2.3.1 705.2.4 Clarification	1406.3 1406.4	<b>Combustible Balconies, Projections, and Bay Windows</b>	Construction requirements for balconies, porches, decks, bay windows and oriel windows have been relocated from Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) to Section 705.2.3 (Combustible Projections).
706.1.1 Modification	706.1.1	<b>Party Walls Not Constructed as Fire Walls</b>	Construction as a fire wall is no longer required for a party wall provided the aggregate height and area of the buildings on each side of the party wall are compliant with Chapter 5 and applicable easements and agreements are established addressing the maintenance of all fire and life safety systems of both buildings.
706.2 Modification	706.2	<b>Structural Continuity of Double Fire Walls</b>	In Seismic Design Categories D through F, floor and roof sheathing is permitted to continue through light-frame double fire wall assemblies where the sheathing does not exceed a thickness of ¾ inch.
708.4 Clarification	708.4	<b>Continuity of Fire Partitions</b>	The continuity requirements for fire partitions have been reformatted to provide for increased clarity of their construction requirements.
713.8.1 Modification	713.8.1	<b>Membrane Penetrations of Shaft Enclosures</b>	Membrane penetrations not related to the purpose of a shaft enclosure are no longer prohibited from penetrating the outside of the enclosure.
716.2.6.5 Addition		<b>Delayed-Action Self-Closing Doors</b>	Self-closing doors that are not also required to be automatic-closing are now permitted to be equipped with delayed-action closers.

Chapter 8: Interior Finishes			
Code Section		Section Title	Description of Change
2018	2015		
803.3 Modification	803.3	<b>Interior Finish Requirements for Heavy Timber Members</b>	Materials considered heavy timber members must now comply with interior finish requirements where exposed in interior exit stairways and exit passageways.
803.11 803.12 Addition		<b>Flame Spread Testing of Laminates and Veneers</b>	Specific flame-spread testing provisions have been added to the IBC to address the use of factory-produced laminated products with a wood substrate as well as facings and wood veneers applied over a wood substrate on site.



Chapter 9: Fire Protection and Life Safety Systems			
Code Section		Section Title	Description of Change
2018	2015		
901.6.2 Addition		<b>Integrated Fire Protection System Testing</b>	Test criteria have been added to the code with a reference to new NFPA 4, <i>Standard for Integrated Fire Protection and Life Safety System Testing</i> , to ensure that where multiple fire protection systems or life safety systems are integrated, the acceptance process and subsequent testing must evaluate all of the integrated systems as a whole.
903.2.3 Modification	903.2.3	<b>Sprinklers in Group E occupancies</b>	Criteria for occupant load threshold and location within the building have been added as conditions that could require sprinkler protection in an Group E educational occupancy.
903.3.1.2.3 Addition		<b>Protection of Attics in Group R Occupancies</b>	Sprinkler protection or acceptable alternative methods for the protection of attics are now addressed for mid-rise buildings housing multi-family occupancies and equipped with an NFPA 13R sprinkler system.
904.13 Modification	904.13	<b>Domestic Cooking Protection in Institutional and Residential Occupancies</b>	Where domestic-type cooking operations are present in Group I-1 occupancies and college dormitories classified as Group R-2, an automatic fire-extinguishing system is now mandated in conjunction with the required hood over any cooktop or range.
905.3.1 Modification:	905.3.1	<b>Class III Standpipes</b>	Standpipe system protection is now required in those buildings having four or more stories above or below grade plane regardless of the vertical distance between the floor level of the highest story and the level of the fire department vehicle access.
905.4 Modification	905.4	<b>Class I Standpipe Connection Locations</b>	Modifications have been made regarding the location of hose connections within interior exit stairway enclosures as well as the minimum number of connections required where open breezeways and open stairs are provided.
907.2.1 Modification	907.2.1	<b>Fire Alarms in Group A Occupancies</b>	An additional criterion now mandates the installation of a manual fire alarm system where there is a Group A occupant load of more than 100 located above or below the level of exit discharge.
Deleted	907.2.10	<b>Group R-4 Fire Alarm Systems</b>	The installation of a manual fire alarm system and an automatic smoke detection system are no longer required in Group R-4 occupancies.



Chapter 10: Means of Egress			
Code Section		Section Title	Description of Change
2018	2015		
Table 1004.5 1004.8 Modification	Table 1004.1.2	<b>Occupant Load Calculation in Business Use Areas</b>	The method of calculating occupant load in business areas has been revised which will typically result in reduced design occupant loads. The general factor has been established at 1 occupant per 150 square feet, however, higher design occupant loads can be now be assigned to concentrated business areas such as telephone call centers and similar uses.
1009.7.2 Modification	1009.7.2	<b>Protection of Exterior Areas of Assisted Rescue</b>	The exterior wall rating and protection of exterior openings is not required adjacent to an exterior area of assisted rescue where the building is sprinklered throughout.
1010.1.1 Clarification	1010.1.1	<b>Size of Doors</b>	Provisions addressing limits to the width and height of door openings have been selectively reformatted and revised as necessary to correlate with the technical accessibility requirements of ICC A117.1.
1010.1.4.4 Addition		<b>Locking Arrangements in Educational Occupancies</b>	Guidance has been provided to allow for enhanced security measures on educational classroom egress doors and yet still continue to comply with applicable means of egress requirements.
1010.1.9.8 Modification	1010.1.9.7	<b>Use of Delayed Egress Locking Systems in Group E Classrooms</b>	The allowance for the use of delayed egress locking systems has been expanded to also include egress doors serving Group E classrooms with an occupant load of less than 50, as well as secondary exits or exit access doors serving courtrooms.
1013.2 Modification	1013.2	<b>Floor Level Exit Sign Location</b>	The permitted location for low-level exit signs selectively required in Group R-1 occupancies has been expanded to now allow the bottom of such sign to be mounted up to 18 inches above the floor.

Chapter 11: Accessibility			
Code Section		Section Title	Description of Change
2018	2015		
1103.2.14 Modification	1103.2.14	<b>Access to Walk-In Coolers and Freezers</b>	Revised conditions have now been placed on the use of walk-in cooler and freezers exempted from accessibility provisions by requiring them to be accessed from only employee work areas and limiting the scope to only pieces of equipment.
1109.2.1.2 Modification	1109.2.1.2	<b>Fixtures in Family or Assisted-Use Toilet Rooms</b>	Family or assisted-use toilet rooms may now also contain a child height water closet and lavatory in order to provide a higher level of accommodation.



Chapter 12: Interior Environment			
Code Section		Section Title	Description of Change
2018	2015		
1207.2 1207.3 Modification	1207.2 1207.3	<b>Engineering Analysis of Sound Transmission</b>	A performance-based alternative approach for meeting the required sound transmission class ratings for unit separation walls and floor/ceiling assemblies in residential buildings has been introduced which allows for the use of an engineering analysis based upon a comparison to previously-tested assemblies.

Chapter 15: Roof Assemblies and Rooftop Structures			
Code Section		Section Title	Description of Change
2018	2015		
1504.3.3 Addition		<b>Metal Roof Shingles</b>	Metal roof shingles are now addressed separately from other metal panel roof systems with reference made to applicable standards for the labeling and testing of wind resistance for the shingles.
1507.1.1 Clarification	1507	<b>Underlayment</b>	Reorganization: Underlayment and ice barrier requirements have been relocated from sections describing each type of roofing material and placed into one new section describing the type, attachment and application of underlayment.

Chapter 16: Structural Design			
Code Section		Section Title	Description of Change
2018	2015		
1604.10 Addition		<b>Storm Shelters</b>	The development of loads for storm shelters is to be based on ICC 500 which provides wind speeds for tornado and hurricane shelter design using ASCE 7 load combinations.
Table 1607.1 Modification	Table 1607.1	<b>Deck Live Load</b>	Table 1607.1 is now consistent with the provisions in the 2010 and 2016 editions of ASCE 7 for minimum uniformly distributed live loads on decks and balconies by increasing the deck live load to one and one-half times the live load of the area served.
1609 Modification	1609	<b>Wind Loads</b>	Section 1609 now has updated wind speed maps, including maps for the state of Hawaii. Terminology for describing wind speeds has been changed again with ultimate design wind speeds now called basic design wind speeds.
1613.2.1 Modification	1613.3.1	<b>Seismic Maps</b>	The IBC seismic maps have been updated to match new maps in the 2015 NEHRP Provisions and 2016 ASCE 7 standard.
1613.2.3 Modification	1613.3.3	<b>Earthquake Loads</b>	The site coefficients contained in the IBC have now been brought into alignment with the newest generation of ground motion attenuation equations.
1615 Addition		<b>Tsunami Loads</b>	There are many coastal communities in the western United States and on islands in the Pacific Ocean which need tsunami-resistant design of critical infrastructure and essential facilities. New IBC Section 1615, Tsunami Loads, has been added to address design of these facilities.



Chapter 17: Special Inspections and Tests			
Code Section		Section Title	Description of Change
2018	2015		
1704.6 Modification	1704.6	<b>Structural Observations</b>	Section 1704.6.1 has been added requiring structural observation of buildings that are considered a high-rise or assigned to Risk Category IV.
1705.2.2 Modification	1705.2.2	<b>Metal-plate-connected Wood Trusses</b>	Five-foot tall wood trusses requiring permanent bracing now require a periodic special inspection to verify that the required bracing has been installed.
1705.12.6 Item 6 Addition		<b>Fire Sprinkler Clearance</b>	Section 1705.12.6 adds a provision for minimum clearance of fire sprinkler components considered as a designated seismic system.

Chapter 22: Steel			
Code Section		Section Title	Description of Change
2018	2015		
2207.1 2211 Chapter 35 Modification	2207.1 2211 Chapter 35	<b>SJI standard and Cold-formed Steel Light-frame Construction</b>	The 2015 edition of the combined SJI-100, Standard Specification for K-Series, LH-Series, and DLH-Series Open Web Steel Joists and Joist Girders, is the new referenced standard for steel joists. The 2015 editions of the AISI standards for cold-formed steel are now adopted, including AISI S240, AISI S400 and AISI S202.

Chapter 23: Wood			
Code Section		Section Title	Description of Change
2018	2015		
2303.2.2 Modification	2203.2.2	<b>Fire-retardant treated wood</b>	Engineered lumber of FRT wood is to be impregnated, as paints, coatings, stains and other surface treatments are not approved methods.
2304.11 Clarification	602.4	<b>Heavy-timber Construction</b>	The heavy-timber provisions of Chapter 23 have been reorganized. In addition, a new Table 2304.11, identifies the minimum dimensions of heavy-timber structural members and engineered lumber dimensional equivalencies.
2304.12.2.5 2304.12.2.6 Modification	2304.12.2.5 2304.12.2.6	<b>Supporting Members for Permeable Floors and Roofs</b>	The provisions for permeable floors and roofs are modified to require positive drainage of water and ventilation below the floor or roof to protect supporting wood construction.
Tables 2308.4.1.1 (1) and (2) Modification	Tables 2308.4.1.1 (1) and (2)	<b>Header and Girder Spans –Bearing Walls</b>	The header and girder spans for the exterior and interior bearing wall tables have been updated to allow #2 Southern Pine design values rather than #1 Southern Pine thereby reducing span lengths.



**Chapter 30: Elevators and Conveying Systems**

Code Section		Section Title	Description of Change
2018	2015		
3006.2.1 Clarification		<b>Corridors Adjacent to Elevator Hoistway Openings</b>	Elevator hoistway openings must be protected per Section 3006.3 where the elevator opens directly into a fire-resistance-rated corridor. Opening protection shall consist of an enclosed elevator lobby, additional door(s), or pressurization of the hoistway.
3008.1.1 Modification	3008.1	<b>Required Number of Occupant Evacuation Elevators</b>	A reduction in the minimum number of elevators that must be considered as occupant evacuation elevators now reflects a more reasonable performance-based approach while still retaining the capacity to evacuate a high-rise building more quickly than stairs alone.

**Chapter 31: Special Construction**

Code Section		Section Title	Description of Change
2018	2015		
3112 Addition		<b>Relocatable Buildings</b>	A process of acceptance for relocatable modular buildings has been established in order to provide clear and consistent direction in the relocation, reuse and/or repurposing of such buildings.

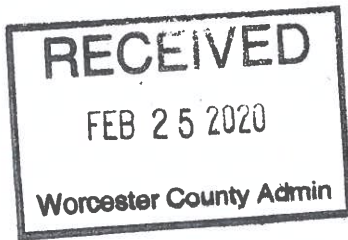
**Chapter 33: Safeguards During Construction**

Code Section		Section Title	Description of Change
2018	2015		
3314 Addition		<b>Fire Watch During Construction</b>	In order to protect adjacent properties from fire in a building of considerable height when under construction, new provisions have been established to give authority to the fire code official to require a fire watch during those hours where no construction work is being done.

**Appendix N: Replicable Buildings**

Code Section		Section Title	Description of Change
2018	2015		
Appendix N Addition		<b>Guidelines for Replicable Buildings</b>	Guidelines for replicable buildings have been added to the appendix in order to give jurisdictions a tool they can adopt to help streamline the plan review process in regard to code compliance.






10

**Worcester County**  
Department of Environmental Programs

Memorandum

**To:** Harold L. Higgins, Chief Administrative Officer  
**From:** Robert J. Mitchell, LEHS   
Director, Environmental Programs  
**Subject:** Coastal Bays Watershed Plan  
Assawoman Bay Watershed Plan  
**Date:** February 25, 2020

Full Plan included in  
February 4, 2020 meeting  
Package (112 pages). Copies  
available upon request in  
County Administration office

We have attached a short presentation for the Assawoman Bay Watershed Plan for your review. We would appreciate the opportunity to discuss this plan to the County Commissioners so that they get an overview of the specifics on watershed impairments, solutions, and future restoration opportunities for this particular watershed.

As we have detailed before, this plan is structured to follow the nine elements for watershed planning known as the "a-i criteria" that were established by the U.S. Environmental Protection Agency (USEPA) to address non-point source management measures. This criteria is required information that must be included in our watershed-based plans to restore waters impaired by nonpoint source pollution if Worcester County and our partners desire to utilize Section 319 funds in our restoration efforts. Section 319 funds are defined under the Federal Clean Water Act Section §319(h), and grant funds are available to reduce or eliminate water quality impairments that are associated with nonpoint source pollution. In Maryland, this grant program is administered by the Maryland Department of the Environment (MDE).

The Assawoman Bay Watershed Plan is focused on meeting the nonpoint source TMDL load reductions from the Maryland portion of the Coastal Bays watersheds, although additional loads may come from areas outside of Maryland. That is being addressed with interagency agreements between the state environmental agencies of Maryland and Delaware and supervised by USEPA. The primary nonpoint sources of pollution in the Maryland Coastal Bays watersheds include runoff from urban, agricultural and forest/barren land, on-site wastewater disposal systems (also known as septic systems), atmospheric deposition, and shoreline erosion. These plans are used as the basis for planning future restoration projects to meet the nutrient reductions in the established Total

**Citizens and Government Working Together**



Maximum Daily Limit (TMDL) for the Coastal Bays in its sub-watersheds. TMDLs are sometimes referred to as a "pollution diet".

Original grant funding and supplemental, pass-through funding from the Maryland Coastal Bays Program were to be used to prepare a baseline for all the Coastal Bays subwatersheds and proceed with a specific plan for one or more of these subwatersheds. That task is finished and the first such subwatershed completed is Assawoman Bay.

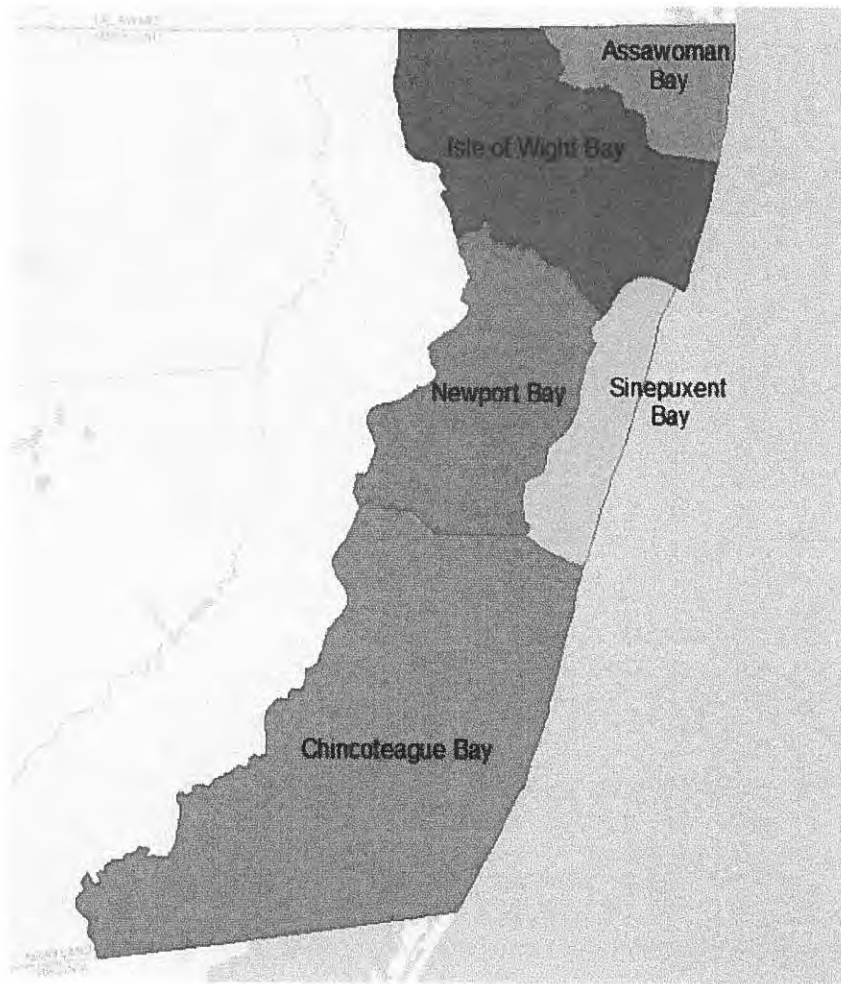
As I detailed to the County Commissioners in their meeting on February 4, 2020, we recently received word that both MDE and USEPA have approved this specific subwatershed plan as meeting the required elements, which would entitle the county and our partners the ability to apply for Section 319 funding opportunities for restoration practices within the watershed. They wanted the plan name changed to reflect Assawoman Bay and they want to add the Delaware portion of the Assawoman Bay to the plan. Delaware will be completely responsible to report on nutrient reduction efforts in that portion of the watershed.

If you have any questions or need any additional information please let me know. Both Ms. Munson and I will be available to discuss this presentation with you and the County Commissioners at your convenience.

#### Attachment

cc: Katherine Munson  
David Bradford





# Maryland Coastal Bays Watershed Plan

Contractor: Center for Watershed Protection

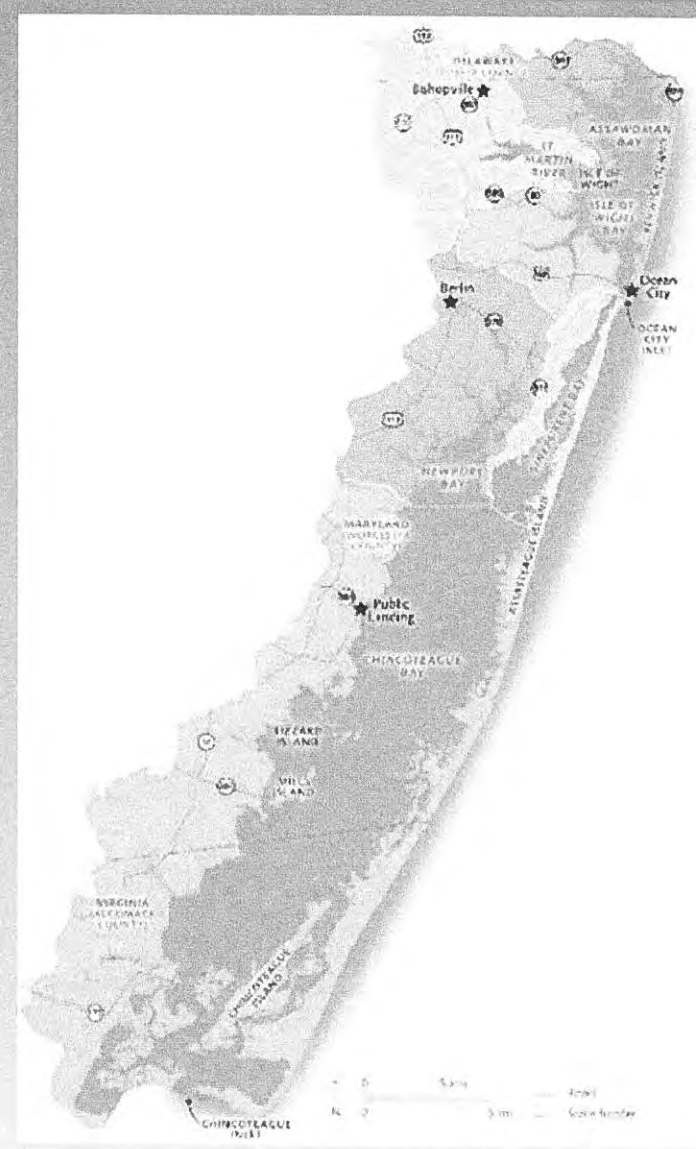
Funding: EPA via MDE and MCBP





## Purpose of plan

- Provide information to address nutrient and sediment TMDLs (Total Maximum Daily Loads) for the five (5) watersheds and show how to meet the TMDL reductions
- Meet EPA's nine element ("a-i") criteria to address nonpoint source management
- EPA approval—eligibility for Section 319(h) non-point source funding





## **“a-i” Criteria**

- a. An identification of the causes and sources, or groups of sources, that will need to be controlled to achieve the load reductions estimated in the watershed plan
- b. Estimates of pollutant load reductions expected through implementation of proposed nonpoint source (NPS) management measures
- c. A description of the NPS management measures that will need to be implemented
- d. An estimate of the amount of technical and financial assistance needed to implement the plan
- e. An information/education component that will be used to enhance public understanding and encourage participation
- f. A schedule for implementing the NPS management measures
- g. A description of interim, measurable milestones for the NPS management measures
- h. A set of criteria to determine load reductions and track substantial progress towards attaining water quality standards
- i. A monitoring component to evaluate effectiveness of the implementation records over time





## Project History

- Draft Plan for all 5 basins was done by CWP with MDE funding in 2015.
- Updated N, P and Sediment load reductions necessary for all basins since the 2005 TMDL baseline data was established.
- Incomplete data on BMP's in all watersheds since baseline.
- After extensive discussions w EPA and MDE determined that path forward was to complete 1 basin plan and not all 5 at once. Assawoman was selected due to limited size and smaller effort to successfully meet TMDL.
- Early FY 2019 with EPA funding through MCBP allowed CWP to complete updates to meet EPA requirements for the plan.
- 2020: EPA approval of Assawoman Plan with caveats
- Plan to complete plans for other four watersheds for EPA approval





## Plan: Section A. Causes of Impairment

- August 2014: new TMDLs for nitrogen and phosphorus were approved for the Worcester County portion of the Coastal Bays Watersheds that supersede the previous nutrient TMDLs. (Model timeframe was 2000-2005). (Phosphorus and sediment TMDLs were approved for Big Mill Pond in Chincoteague Bay in April 2002. )
- Sources of impairment are:
  - *Stormwater runoff from Agricultural land*
  - *Stormwater runoff from urban land*
  - *Atmospheric deposition*
  - *Shoreline erosion*
  - *Septic systems*
  - *Point source (WWTPs)*





## Plan: Section B. Expected Load Reductions

- TMDL provides a baseline or starting point for the required nutrient and sediment reductions: Load allocations from TMDL subtracted from baseline load to determine the required reduction to meet the TMDL





## Plan: Section C. Proposed Management Measures

- BMPs implemented since the TMDL baseline: data collected from MDA/SCD, Berlin, OC, WC, OP
  - Agricultural BMPs
  - Urban BMPs
  - Other BMPs
  - Septic Systems
- Pollutant reductions achieved were calculated
- The estimated pollutant reductions from BMPs implemented since the TMDL baseline are not sufficient to meet the required reductions in many of the watersheds, including Assawoman Bay.

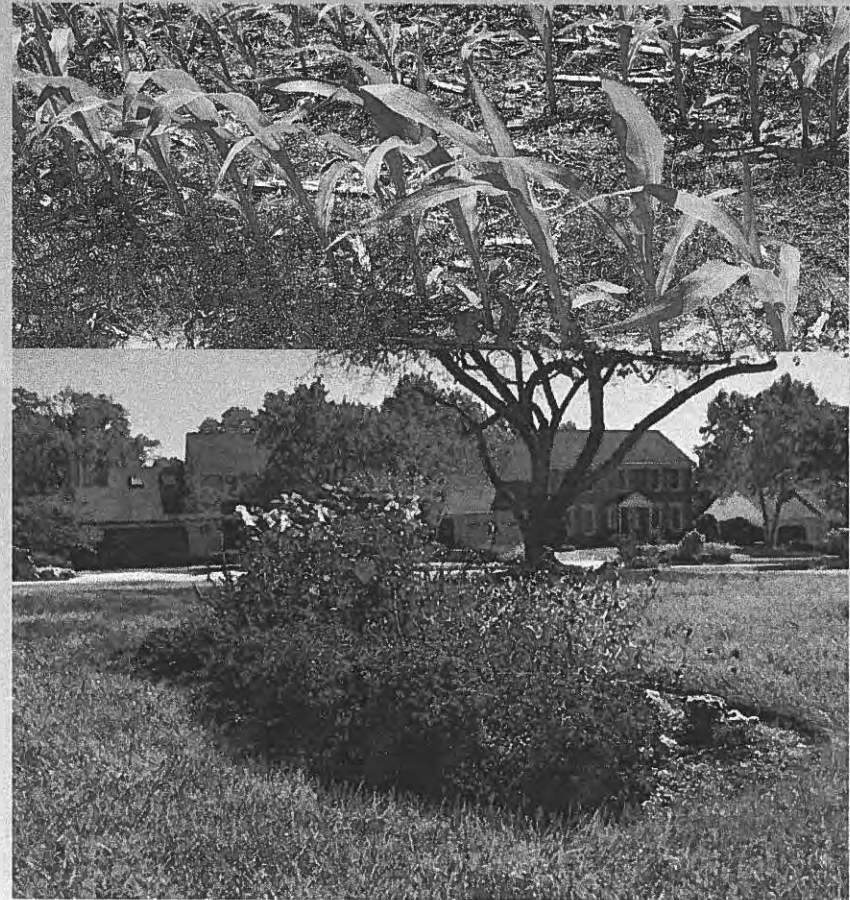




Table 1. NPS Nutrient Load Reductions Achieved from BMPs Implemented Since the TMDL Baseline					
Tidal Basin	TMDL Watershed <sup>1</sup>	Total NPS Load Reduction from Existing BMPs <sup>2</sup>			
		TN (lbs/yr)	TP (lbs/yr)	TN (% of Required)	TP (% of Required)
Assawoman Bay	Assawoman Bay	5,061.1	399.1	48.44%	0 lbs required
	Greys Creek	3,708.3	211.5	147.87%	0 lbs required
Isle of Wight Bay	Isle of Wight Bay	29,220.0	1,108.2	22.85%	20.09%
	Manklin Creek	820.2	14.2	12.06%	2.83%
	Herring Creek	1,012.2	32.5	14.67%	7.19%
	Turville Creek	4,988.8	48.2	39.77%	7.38%
	St. Martin River	22,044.6	945.9	23.74%	28.07%
	Bishopville Prong	6,624.8	300.3	26.04%	146.16%
	Shingle Landing Prong	13,235.7	577.5	23.47%	22.74%
Newport Bay	Newport Bay	23,087.7	874.1	81.27%	66.11%
	Newport Creek	3,379.4	105.5	106.59%	97.06%
	Marshall Creek	4,102.1	110.6	119.08%	93.67%
	Ayer Creek/Kitts Branch	10,407.0	502.0	71.62%	63.82%
Sinepuxent Bay	Sinepuxent Bay	8,470.0	41.0	383.00%	0 lbs required
Chincoteague Bay	Chincoteague Bay	34,971.4	1,043.0	73.92%	59.96%
Chincoteague Bay	Big Mill Pond (Separate TMDL with 2001 baseline year)	N/A	488.0	N/A	29.72%

<sup>1</sup> Values shown for Assawoman Bay include those for Greys Creek; Values shown for Isle of Wight Bay include those for Manklin, Herring and Turville Creek and St. Martin River; Values shown for St. Martin River include those for Bishopville Prong and Shingle Landing Prong; Values shown for Newport Bay include those for Newport Creek, Marshall Creek and Ayer Creek/Kitts Branch.

<sup>2</sup> Green shaded cells indicate the load reduction goal has been met.



## Plan: Section C. Proposed Management Measures: Assawoman Bay

- Gap of 5,387 lbs/yr to meet the nonpoint source nitrogen required load reduction for Assawoman Bay.
- No nonpoint source phosphorus reduction requirement due to the load allocation being higher than the baseline load.

**Table 1. Maryland NPS TMDL Required and Achieved Reductions for Nitrogen**

<b>Tidal Basin</b>	<b>TMDL Watershed</b>	<b>Baseline Loads (lbs/yr)</b>	<b>Load Allocation (lbs/yr)</b>	<b>Required Reduction (lbs/yr)</b>	<b>Reduction from Existing BMPs (lbs/yr)</b>	<b>Remaining Required Reduction (lbs/yr)</b>
Assawoman Bay	Assawoman Bay (includes Greys Creek)	105,182	94,734	10,448	5,061	<b>5,387</b>
	Greys Creek	38,019	35,511	2,508	3,708	Requirement Met



## Plan: Section C. Proposed Management Measures: Assawoman Bay

- Proposed plan to meet the remaining required nitrogen load reduction includes a mix of reductions from septic, urban, agricultural, and stream/shoreline erosion sources

Table 1. Proposed BMPs to Meet the Remaining NPS Nitrogen Required Reduction		
BMP	TN Load Reduction (lbs/yr)	Percent of Gap Filled
Septic Conversions	1,203	22%
Urban BMPs	1,535	29%
Agricultural BMPs	1,351	25%
Stream and shoreline BMPs	1,298	24%
<b>TOTAL</b>	<b>5,387</b>	<b>100%</b>



## Plan: Section D. Technical and Financial Assistance Needed—Assawoman Bay

Table 1. Estimated Cost for BMP Implementation in Assawoman Bay				
BMP	Number of Units	Unit Value	Unit Cost/Year	Total Annual Cost
<b>Agricultural BMPs</b>				
Soil Conservation and Water Quality Management Plans	86.5	acres	\$1.94	\$168
Core Nutrient Management Plans	54.26	acres	\$16.55	\$898
Other agricultural BMPs * Wetland creation/restoration * Filter strips/grassed waterways * Riparian forest/herbaceous cover * Roof runoff structures * Heavy use protection * Denitrifying ditch bioreactors	10	acres	\$419.90 <sup>1</sup>	\$4,199
<b>Urban BMPs</b>				
Stormwater retrofits/redevelopment BMPs * Bioretention/rain gardens * Infiltration practices * Permeable pavement * Bioswales	196	acres	\$4,306.95 <sup>1</sup>	\$844,162
<b>Other BMPs</b>				
Tree planting	20.5	acres	\$84.63	\$1,735
Riparian buffers	3	acres	\$91.90	\$276
Stream restoration	9707	feet	\$76.08	\$738,509
Shoreline restoration	7000	feet	\$28.45	\$199,150
<b>Septic Systems</b>				
Septic conversions	103	systems	\$526.84	\$54,265
<b>TOTAL</b>				<b>\$1,843,360</b>



## **Plan: Section D. Technical and Financial Assistance Needed— Assawoman Bay**

Potential Funding Sources identified include

319 Nonpoint Source Grant Program

Chesapeake Bay Trust

MD Coastal Bays Program

MD DNR

MD Chesapeake and Atlantic Coastal Bays Trust Fund

USDA/NRCS

MDA

WQRLF

MDE Bay Restoration Fund

Note: Maryland costs only.





## Plan: Section E. Information, Education and Public Participation

Identifies communication avenues and process for communication

- MCBP Citizens Advisory Committee/Implementation Committee/Other identified stakeholder groups
- Progress report via MDE
- MCBP annual report card
- 5-year state of the Bays report (MCBP)
- Press releases
- BMP sites used for public education
- MCBP projects that involve volunteers
- Website





## Section F/G: Schedule and Milestones

Table 1. Measurable Goals for the Maryland Coastal Bays Watershed Plan

Component	Measurable Goals		
	Short Term Phase (2020-2024)	Mid-Term Phase (2025-2029)	Long Term Phase (2030-2040)
Watershed assessment and plan refinement	Assawoman Bay/Isle of Wight Bay assessment completed	Newport Bay and Chincoteague Bay assessments completed	N/A
Project implementation	103 septic conversions; 86.5 acres with SCWQMPs, 54.26 acres with core NMPs; and three demonstration BMPs in Assawoman Bay	Continue work on implementation in Assawoman Bay; begin work on implementation in Isle of Wight Bay	Complete implementation in Assawoman Bay; continue work on implementation in Isle of Wight Bay; begin work on implementation in Newport Bay and Chincoteague Bay
Load reductions	25% of load reductions achieved in Assawoman Bay	75% of load reductions achieved in Assawoman Bay; 25% of load reductions achieved in Isle of Wight Bay	100% of load reductions achieved in Assawoman Bay, Isle of Wight Bay; Newport Bay and Chincoteague Bay
Monitoring	Monitoring efforts will begin to show trends toward improvements	Monitoring efforts will show trends toward improvement	
Documentation of results	County/MCBP will develop spreadsheet tool for tracking results	County/MCBP will implement spreadsheet tool for tracking and reporting of results	



## Section H: Load Reduction Evaluation Criteria

County and MCBP will work together to develop a tracking tool for tracking implementation that all watershed partners report into

After 2-5 years the implementation goal will be reevaluated and adjustments made to BMP implementation plans as needed





## Plan: Section I: Monitoring Component

- Significant on-going monitoring is conducted by MCBP, DNR and the county
- Note that EPA is investing over \$500K annually into the MD Coastal Bays Program which is a major resource for Worcester County
- State funding cuts for monitoring are a concern





## Next Steps?

- Completion of DE component of Assawoman Plan
- Completion of other four watershed plans
- Identification of opportunities for BMP implementation and funding (Center for Watershed Protection is already at work on this)
- Development of tracking tool involving all partners







11

HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY

COMMISSIONERS  
JOSEPH M. MITRECIC, PRESIDENT  
THEODORE J. ELDER, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
MADISON J. BUNTING, JR.  
JAMES C. CHURCH  
JOSHUA C. NORDSTROM  
DIANA PURNELL

OFFICE OF THE  
COUNTY COMMISSIONERS

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

February 24, 2020

TO: County Commissioners  
Harold L. Higgins, Chief Administrative Officer  
FROM: Kathy Whited, Budget Officer *Kathy*  
RE: FY2021 Budget Requests- Municipalities and Ocean Pines

Attached please find the Fiscal Year 2021 letters from the Towns and Ocean Pines: Pocomoke City, Snow Hill, Berlin and Ocean Pines Association. We have scheduled to meet with the Towns and Ocean Pines Association at 10:30 a.m. on Tuesday, March 3, 2020 to discuss their grant requests. We have rescheduled the Town of Ocean City to March 17, 2020 as they will be in Annapolis on March 3<sup>rd</sup>.

Also included is the following:

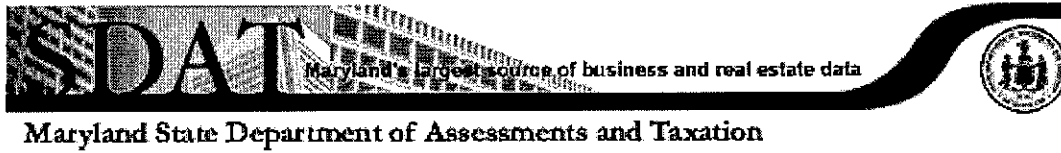
P.23

- Page 2 Attachment A: -FY2020 tax rates for the municipalities
- Page 3 Attachment B: -FY2021 constant yield tax rates for municipalities as provided by Maryland Department of Assessments & Taxation
- Page 4 Attachment C: FY2021 letter sent in January, 2020 (Pocomoke City attached)
- Behind each Town and Ocean Pines Association letter is a worksheet which summarizes the FY2020 total paid County grants and pass thru monies and FY2021 Request:  
Page 5 Pocomoke City  
Page 7 Town of Snow Hill  
Page 16 Town of Berlin  
Page 19 Ocean Pines Association

:kw  
Attachments



## Attachment A



Below is a list of counties in Maryland, and their property tax rates in effect on July 1, 2019. \*All rates are shown per \$100 of assessment.

### Municipal Tax Rates

	FY2020		
JURISDICTION	REAL	PERSONAL	UTILITY
Berlin	.80	1.70	1.70
Ocean City	.4656	1.29	1.29
Pocomoke City			
Owner	.9375	0	0
Non-Owner	1.1311	2.0	2.40
Snow Hill	.86	1.82	1.82
STATE	.112	0	.28

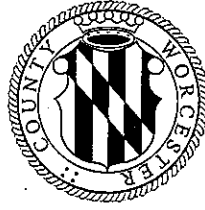


**CONSTANT YIELD TAX RATE 2020**

This is a summary of the constant yield tax rate certification (CYTR) sheets that were emailed to local governments on Tuesday, February 14, 2020. The constant yield tax rate is the tax rate that a jurisdiction would have to impose in order to obtain the same amount of property tax revenue in fiscal year 2021 as it received in fiscal year 2020. If a jurisdiction plans to set a tax rate higher than the constant yield rate, the jurisdiction must advertise the tax increase and hold a public hearing before setting the tax rate for fiscal 2021. Municipalities are exempt from these requirements if maintaining the same tax rate would raise less than \$25,000 more revenue in fiscal 2021 than in fiscal 2020. In some parts of some counties, there may be additional taxes levied for special purposes. These tax levies are not included in these tax rates.

Jurisdiction	7/1/2019 Net Assessable Real Property Base		7/1/2019 Tax Rate		7/1/2019 Potential Revenue		7/1/2020 Net Assessable Real Property Base		7/1/2020 Constant Yield Tax Rate
Berlin	447,513,345	X	0.8000	=	3,580,107	÷	456,764,633	=	0.7838
Ocean City	9,011,395,240	X	0.4656	=	41,957,056	÷	9,202,475,979	=	0.4559
Pocomoke City -Owner Occupied	97,007,546	X	0.9375	=	909,446	÷	98,490,480	=	0.9234
Pocomoke City -NonOwner Occupied	145,554,240	X	1.1311	=	1,646,364	÷	147,843,058	=	1.1136
Snow Hill	107,424,036	X	0.8600	=	923,847	÷	108,181,992	=	0.8540





**Attachment C**

COMMISSIONERS  
DIANA PURNELL, PRESIDENT  
JOSEPH M. MITRECIC, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
MADISON J. BUNTING, JR.  
JAMES C. CHURCH  
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COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
MAUREEN F.L. HOWARTH  
COUNTY ATTORNEY

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

January 7, 2020

Mr. David J. Deutsch, Acting City Manager  
Pocomoke City Mayor & Council  
P. O. Box 29  
Pocomoke City, MD 21851

Dear Mr. Deutsch:

The County Commissioners cordially invite you and the Mayor and Council to our usual meeting with municipal officials to discuss grant requests on Tuesday, March 3, 2020 at 10:30 a.m. in the Commissioners Meeting Room of the County Government Center.

We recognize the County's obligation to provide a certain level of service to the citizens of Worcester County and it is our hope to be able to provide some level of funding to each of the municipalities. Please submit your request for any County grant funding to our Budget Officer, Kathy Whited, by Friday, February 21, 2020.

The Commissioners and I will do our very best to ensure that the financial resources available to the County are allocated in a manner, which will bring about the best possible service to all of the people.

Sincerely,

Joseph M. Mitrecic  
President

JM/kw



# POCOMOKE CITY, MARYLAND



Commissioners and Mr. Higgins,

We greatly appreciate the opportunity to present our budget requests for County Funding for FY 2021. The Mayor and Council of Pocomoke City certainly understand the difficulties faced in funding requests with limited revenue. Therefore, our funding requests for this coming year are limited to the items described below:

\*In unrestricted grant money, the County approved \$465,000.00 for FY 2019 as well as 2020. The City would like to request that the County match that amount again. These funds are extremely important in maintaining the City General Fund that supports our Public Works Department, Police Force, EMS and also the economic development of our City.

\*Lift Stations and Water System- The City's Public Works staff is perpetually working on sewer lift station repairs. Some of the lift stations are outdated and in need of a full replacement. These lift stations move the majority of the sewage waste across town to the main pumping station, and then to the Waste Water Management Plant. The replacement of these stations will cost the City approximately \$1,000,000.00. If the existing lift stations fail, the City could be faced with the dilemma of sewage overflow on some streets, and sizeable fines from MDE. In addition, the water tower at the Waste Water Management Plant is in need of a new mixer and will need to be replaced as soon as possible. Public Works has been working diligently replacing water lines throughout town to update the water system and improve the water quality for our residents. We understand that the County cannot be expected to fully fund these projects. However, any assistance from the County would be greatly appreciated.

\*Pocomoke City is formally requesting an additional allocation in the amount of \$42,854, the equivalent of 10% of funds received by Worcester County from table games revenue in FY2019.

On behalf of the Mayor and Council, we thank you for your past support of our City, and we look forward to continuing our work with the County to improve the quality of life for the residents of Pocomoke City and all of Worcester County. We look forward to meeting with the Commissioners on March 3, 2020 so we can discuss these funding requests in more detail.

Sincerely,

A handwritten signature in dark ink, appearing to be "JM" or "Jeremy J. Mason", written over a circular stamp or seal.

Jeremy J. Mason  
Interim City Manager- Pocomoke City, Maryland



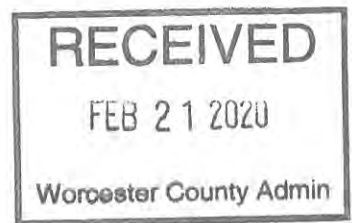
**GRANTS TO TOWNS - FY2021**  
Request March 3, 2020

	<u>Pocomoke City FY20 Approved</u>	<u>Pocomoke City FY21 Request</u>
<b><u>COUNTY GRANTS TO TOWNS</u></b>		
Unrestricted Grant	465,000	465,000
Table Games 10% revenue share	-	42,854
(1) Ambulance Grant- Vol Fire Co ***Included in 1105 Budget	490,457	497,659
(2) Sewer Lift Stations and Water System Repairs	-	-
Restricted Fire Grant	56,000	63,000
	1,011,457	1,068,513
* Cnty Grant Vol. Fire Dept - based on code	212,159	217,819
(3) Supplemental Cnty Grant Vol. Fire Dept	37,841	32,181
<b>Sub-Total County Grants &amp; Debt</b>	<b>1,261,457</b>	<b>1,318,513</b>
Tourism Marketing On-Behalf	4,500	4,500
<b><u>SHARED REVENUES</u></b>		
* Income Tax	245,000	245,000
* Liquor License Distribution	7,031	7,031
	252,031	252,031
<b><u>STATE AID PASS THRU</u></b>		
* Fire Co. Aid-State Pass Thru Vol Fire-est	33,219	33,271
* Fire Co. Aid-State Pass Thru Towns-est	887	512
<b>TOTAL</b>	<b>\$ 1,552,094</b>	<b>\$ 1,608,827</b>

\* Mandated by State or County Code

- (1) Ambulance Grant calculated at adopted budget FY2020 rates based on CY2019 runs  
 (2) Sewer Life Stations and Water System Repair request not identified with specific funding  
 (3) Supplement approved from General Fund FY14-FY20 and FY21 Request





## MAYOR AND COUNCIL OF SNOW HILL

February 21, 2020

Mr. Joseph Mitrecic, President  
Worcester County Government Building  
One West Market Street  
Snow Hill, Maryland 21863

Dear Commissioner Mitrecic:

Thank you for the opportunity to present our request for County Funding for FY'20-21. We recognize that Snow Hill is one of 4 municipalities for whom you provide funding; however, like no other municipality in the County, we are an integral part of the day-to-day operations of Worcester County. We are physically part of one another. We share streets, parking, even the restaurants where we eat lunch.

In maintaining our Waste Water Treatment Plant, we spend thousands of dollars on chemicals and repairs every month. Not only do we accommodate two thousand citizens' needs, we also process waste water for County, State and Federal employees, as well as jurors, attorneys and defendants. We understand that you know all too well the cost of maintaining a Waste Water treatment plant, as you have several of them. Were the County to pay Snow Hill the same rate they charge, we would already be receiving over twice as much as the increase in funds we are asking for today.

One example is the correctional facility: if we were to charge what the County charges for water and sewer, we would receive \$160,000 more per year for their water and sewer usage alone, not to mention the Health Department, Recreation Center or any of the many government buildings we service.

We would like to request the following funding amounts for Fiscal Year 2020-2021:

- \$500,000 in unrestricted grant funding (\$35,000 increase)
- \$200,000 payment in lieu of taxes (\$25,000 increase)
- \$100,000 – new request (see attachments showing total project cost is \$1.4 million; our hope is to cover most of the cost with grant funding and the Town making up the shortfall; your funding would reflect a joint effort, which, as you are aware, would be appreciated by the state)
- \$42,854 – amount equivalent to 10% of the table games of Ocean Downs
- \$110,000 – for the restricted fire grant (\$31,000 increase to help fund additional EMT's)



**Payment In-Lieu of Taxes** – The Town of Snow Hill currently has ninety-two (92) tax-exempt properties, 23 of which are owned by Worcester County. We greatly appreciate the \$175,000 that you provided last year in-lieu of taxes; however, the actual total taxes that we would receive from the County-owned properties would be \$320,209.82. An increase in the amount of \$25,000 over last year would significantly assist the town with the increased costs of day-to-day operations.

We are exploring the possibility of Riverboat Gambling between Snow Hill and Pocomoke, as we receive no funds from Ocean Downs gambling revenues. This could go a long way to benefit Snow Hill and Pocomoke without any cost to the County. We will continue our efforts to seek other funding sources and perhaps, one day, Snow Hill will be a major contributor in tax revenue to the County.

We are very appreciative of the funding you continue to provide to Snow Hill. It greatly assists us with many of the functions that are necessary to maintain our municipality. I look forward to working together to make Our Worcester County Seat a place all Worcester Countians can be proud of.

Of all the municipalities, our income is lower and our expenses are greater per person. Our rural location and low population limit us on what we can afford to do.

I highly respect this commission. I have had the opportunity to work with County staff for over 20 years, and I have consistently been impressed with their knowledge and professionalism.

Snow Hill is truly blessed to be the County seat.

On behalf of the Town Council and myself, we thank you for your time and consideration of this request. We look forward to meeting with you on March 3, 2020 to discuss our request in more detail and answer any questions that you may have.

Sincerely,



Gary Weber  
Mayor

*Enclosures:*

Successes and Goals, Purnell Street Project materials, Snow Hill Volunteer Fire Co. budget request





## **SUCCESSSES:**

**Toy Town** – New agreement and renewed relationship with the Town led to this business reopening while their new windows were installed, scaffolding taken down, and all lawsuits dismissed.

**New restaurants and businesses opened:** Elliott's Tavern, DelVecchio's Bakery, Pop-Up Palette – Taco Time

**Expansion of existing business,** Mirror Salon through loan from Town

**Revival of Town's popular fund-raiser,** The Snow Hill Blues Jam

**Newly Renovated Lift Station at Coulbourne Lane**

## **PROJECTS - EXISTING & IN-PROGRESS:**

- 50-Unit Development
- New 5-year Capital Improvement Budget reconstruction and implementation
- Community outreach: (i.e., Shuttle aiding those without transportation to Worcester County Recreation Center programs on Saturday and through the Summer months; expand partnerships with area organizations, churches, and government entities)
- Oaked 110, a full-service restaurant projected to open in June 2020

## **GOALS BEING EXPLORED:**

- Beautification/Infrastructure of County Seat:
  - Street-paving and sidewalks
  - Purnell Street renovation/ reconstruction
  - Improving landlord management of properties' exteriors
  - Vacant buildings
  - Explore more grant opportunities
- Return to Goat Island: Build into a National Event
- Riverwalk to connect Downtown to Shad Landing State Park Hiking/Biking Trail
- Streetscaping Plan – Planters/hanging baskets, trees, trash receptacles
- Traffic and Parking Flow and Walk/Bike/Drive Studies
- Wayfarer Signs in Downtown Area
- World-Class Bass Fishing Tournament



Michael R. Wigley, AIA, LEED AP  
W. Zachary Crouch, P.E.  
Michael E. Wheedleton, AIA  
Jason P. Loar, P.E.  
Ring W. Lardner, P.E.  
Jamie L. Sechler, P.E.

### **III. - PROJECT PURPOSE AND SUMMARY**

**Purnell Street Sewer Improvements  
MWQFA APPLICATION FOR FFY 2020/2022 CAPITAL PROJECT  
Town of Snow Hill, MD  
JANUARY 29, 2020**

#### **III a. Project Purpose and Summary**

*What is the proposed Project?*

The Town has made many improvements over the past few years to the Town streets and utilities up to the proposed project boundaries. The Purnell Street Sewer Improvements Project begins at the intersection of Federal Street south east past Martin Street and Belt Street to the end of Purnell Street. It is desired to continue with these projects to greatly reduce the I&I and sewer leaks, as well as improve infrastructure conditions and reduce annual operating expenses. The Town is requesting grant funding through MDE's 2020 SRF program for all of the sewer related construction improvements for the project. The project includes costs to replace sewer mains and lateral connections and to restore the street, gutters, curbs, and storm drain facilities associated with the sewer main replacement. The preliminary engineering investigation has been completed to determine that the most cost-effective solution is to replace the existing utilities in place. The final design and permitting can be completed by February 2021. The Town of Snow Hill maintains the sewer and roadway infrastructure systems in the project location and will continue with these responsibilities after capital improvements are in place.

#### **III b. Project Need and Problem to be Corrected**

*What is the purpose of the project, why is the project needed, and what problem is being corrected?*

The Town of Snow Hill requires sewer improvements on Purnell Street as a result the aged piping, flow constrictions, high maintenance costs and extremely high I&I (Infiltration and Inflow). The Town is planning on performing the required work when an adequate level of funding assistance is available to make the project affordable to the community. This funding application is for project expenses associated with the necessary sewer improvement work, along with associated restoration within the roadway. This project is for infrastructure improvements to existing users and not for new development or growth. This project is consistent with providing enhancements to the existing Town's sewer system in priority funding areas based on need. It was recommended through preliminary engineering investigation that the gravity sewer main on Purnell Street be replaced to resolve issues including inflow, sewer piping leaks, and blockages.



**Resulting Public Benefits:**

Replacement of the existing sewer on this street will provide the following public benefits:

1. Minimize the potential for sanitary sewage contamination of the groundwater supply due to the deteriorated pipe and pipe breaks/repairs.
2. Minimize potential for cross contamination of the sanitary sewer and potable water distribution system.
3. Reduction of I&I, and subsequent reduction of wastewater treatment expenses.
4. Reduction of sewer operation and maintenance expenses associated with the replacement areas.
5. Inherently improve sewer flow velocity and capacity in the system.

**III c. Previous Submittal to MWQFA for funding consideration?**

*Has the project been previously submitted to MWQFA for funding consideration? If so, by what project name, has the scope of work changed since that submittal (explain how, if so), and was the project selected to receive funding.*

The project has not been submitted for funding to the MWQFA.

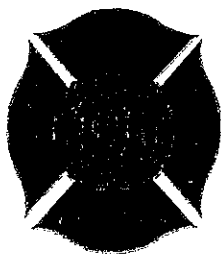


**PROJECT BUDGETARY ESTIMATE**

 Purnell Street Rehabilitation Town of Snow Hill - Water, Sewer and Street  
 -Federal Street to End of Road

ITEM NO.	DESCRIPTION OF WORK	SIZE OR DEPTH	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE
1	Mobilization (Max. 5%)	--	LS	--		60,000.00
2	Sediment and Erosion Control Measures (1%)	--	LS	--		12,000.00
3	Traffic Control (1%)	--	LS	--		12,000.00
<b>Sewer and Stormwater West of Railroad</b>						
4	Furnish and Install SDR 35 Gravity Sanitary Sewer, Fittings, and Appurtenances	8" Dia	LF	950	80.00	76,000.00
5	Furnish and Install SDR-35 Sewer Clean Out and Appurtenances	6"	EA	20	450.00	9,000.00
6	Furnish and Install SDR-35 Sewer Lateral and Appurtenances	6"	LF	306	45.00	13,770.00
7	Furnish and Install SDR-35 Sewer Terminal Clean Out and Appurtenances	8"	EA	1	650.00	650.00
8	Remove and Install Standard Sanitary Sewer Manholes	4' Dia	EA	2	4,300.00	8,600.00
9	Furnish and Install Standard Stormwater Catch Basin	--	EA	4	4,500.00	18,000.00
10	Install 8" RCP Stormdrain Pipe	8"	LF	255	75.00	19,125.00
11	Provide bypass pumping	--	LS	1	2,000.00	2,000.00
<b>ESTIMATE FOR SEWER AND STORMWATER WEST OF RAILROAD:</b>						<b>147,145.00</b>
<b>Sewer and Stormwater East of Railroad</b>						
12	Furnish and Install SDR 35 Gravity Sanitary Sewer, Fittings, and Appurtenances	8" Dia	LF	900	80.00	72,000.00
13	Furnish and Install SDR-35 Sewer Clean Out and Appurtenances	6"	EA	17	450.00	7,650.00
14	Furnish and Install SDR-35 Sewer Lateral and Appurtenances	6"	LF	260	45.00	11,700.00
15	Furnish and Install SDR-35 Sewer Terminal Clean Out and Appurtenances	8"	EA	1	650.00	650.00
16	Remove and Install Standard Sanitary Sewer Manholes	4' Dia	EA	3	4,300.00	12,900.00
17	Abandoned and Fill Existing 6" Sewer with Flowable Fill	6"	LF	70	50.00	3,500.00
18	Furnish and Install Standard Stormwater Catch Basin	5' Dia	EA	2	4,500.00	9,000.00
19	Install 24" ADS Stormdrain Pipe	24"	LF	85	91.00	7,735.00
20	Install Concrete Headwall for Stormdrain Pipe	--	EA	2	10,000.00	20,000.00
21	Provide bypass pumping	--	LS	1	2,000.00	2,000.00
<b>ESTIMATE FOR SEWER AND STORMWATER EAST OF RAILROAD:</b>						<b>147,135.00</b>
<b>Water Main Portion of Project - Items 24-28</b>						
22	Replace and install 8" water main, fittings and Appurtenances	--	LF	2250	100.00	225,000.00
23	Furnish and Install Gate Valves and Appurtenances	8"	EA	9	3,000.00	27,000.00
24	Furnish and install tapping saddle, corp. stop, curb box, service pipe, & lawn restoration for water service	--	EA	36	1,500.00	54,000.00
25	Furnish and Install Water Meter Pit with Setter and Frame and Cover	--	EA	35	2,000.00	70,000.00
26	Furnish and Install Hydrants	--	EA	4	6,000.00	24,000.00
<b>BUDGETARY ESTIMATE FOR WATER:</b>						<b>400,000.00</b>
<b>Roadway and Contingencies:</b>						
27	Miscellaenous Excavation and Test Pitting	--	CY	100	60.00	6,000.00
28	Field In-Place Density Tests	--	LS	--		2,800.00
29	Furnish and Place Select Fill	--	CY	400	29.00	11,600.00
30	Remove and Replace Curb and Gutter	--	LF	2650	35.00	92,750.00
31	Furnish and install 6" concrete sidewalk handicap accessible ramp in sidewalk and 6" select fill sub-base	--	EA	1	5,000.00	5,000.00
32	Roto Milling Existing Asphalt and Dispose of Millings (in areas not with water or sewer replacement)	--	SY	5500	6.50	35,750.00
33	Furnish and Install Graded Aggregate Subbase	Varies	TONS	1900	21.00	39,900.00
34	Furnish and Install Bituminous Base Course for Water/Sewer realignment	3"	SY	4200	41.00	172,200.00
35	Furnish and Install Bituminous Surface Course for Water/Sewer realignment	1.5"	SY	5500	14.00	77,000.00
<b>TOTAL BUDGET ESTIMATE - WATER, SEWER, STORM AND STREET:</b>						<b>1,221,280.00</b>
<b>Estimate for Construction of the Project</b>						<b>\$1,221,280.00</b>
36	Survey, Engineering, Permitting (8%)					<b>\$ 97,702.40</b>
37	Bidding, Construction Administration (5%)					<b>\$ 61,064.00</b>
38	Contingency 5%					<b>\$ 61,064.00</b>
<b>TOTAL PROJECT BUDGETARY ESTIMATE for ENGINEERING &amp; CONSTRUCTION</b>						<b>\$1,441,110.40</b>





## **SNOW HILL VOLUNTEER FIRE COMPANY, INC.**

4718 Snow Hill Road • P.O. Box 83 • Snow Hill, Maryland 21863  
410-632-2110 • Fax 410-632-3911

Mayor and Council,

I wrote a letter addressed to the Mayor and Council in November 2019 requesting a meeting with you all but have not heard any response. I'd like to try and set a meeting up sometime in March to discuss funding for the Fire Company. I invite you to come to the firehouse for dinner, tour of the facility and discussion on services to the town.

	In-Town EMS Calls	In-Town Fire Calls	Total
Proposed Town Funding	\$500	\$250	
# of Calls	368	52	
Total	\$184,000	\$13,000	\$197,000

Just to give you an idea of what we are asking for this coming budget year. Last year I presented a matrix to the Mayor and Council requesting funds for multiple different functions within the firehouse's operations. For example, funding for staff, calls and EMS units and more. After speaking with the Mayor last year, he recommended making the matrix a little easier to follow and understand. So, what I would like to present to you all is a matrix based on calls we run inside town limits.

**In Town EMS Calls-** 42% of our EMS calls were in town limits for 2019. We had 368 "credit calls". What Credit calls are is when an EMS unit responds and transports a patient. The county currently funds us \$795 per credit call for out of town calls. For in town credit calls the county funds us \$190 per calls. That's a difference of \$605 a call. We are short \$222,640.00 for in town calls because of the \$605 shortage. We are asking the town to fund us \$500 per credit call in town limits to help with this shortfall.

**In Town Fire Calls-** Currently the county funds us \$1,000 per every out of town credit fire call. A credit fire call is when a fire unit responds and gets on location of an incident. We get \$0 for in town credit fire calls. We ask the town to fund us \$250 for in town credit fire calls to help cover expenses associated with calls in town.

Our goal is to take these funds and increase our service to Snow Hill residents. Currently if a resident in Snow Hill calls 911 and request an EMS unit, one will be dispatched.





## **SNOW HILL VOLUNTEER FIRE COMPANY, INC.**

4718 Snow Hill Road • P.O. Box 83 • Snow Hill, Maryland 21863  
410-632-2110 • Fax 410-632-3911

If you happen to be the person who calls 911 when the staffed unit is available, you will have an EMS unit at your door in roughly 3-6 minutes from the time of dispatch. If you are the unlucky person who calls 911 when a staffed unit is not available, you will still get an EMS unit, but it will be roughly 10-25 minutes from the time of dispatch as a volunteer crew responds or possibly a unit from Newark Vol Fire Co responds. Our goal is to stop that delayed response by adding more staffing to our daily shifts.

Please contact me so we can arrange a date to meet with you all. We feel it will be very beneficial for you to come by and see the station, apparatus and equipment Snow Hill Vol Fire Co has available to the Snow Hill residents when they are in need. Thanks in advance.

*William E. Heiser*

Trey Heiser  
Chief, SHVFC  
[theiser@snowhillfire.com](mailto:theiser@snowhillfire.com)  
(443) 614-5127



**GRANTS TO TOWNS - FY2021**  
**Request March 3, 2020**

	<b>Snow Hill FY20 Approved</b>	<b>Snow Hill FY21 Request</b>
<b><u>COUNTY GRANTS TO TOWNS</u></b>		
Unrestricted Grant	465,000	500,000
Other Grants - in lieu	175,000	200,000
Infrastructure - Water & Sewer Improvements		100,000
Table Games 10% revenue share		42,854
Additional Request - Restricted Fire Grant-EMT		23,000
Restricted Fire Grant	79,000	87,000
	719,000	952,854
* Cnty Grant Vol. Fire Dept	212,159	217,819
(1) Supplemental Cnty Grant Vol. Fire Dept	37,841	32,181
(2) Ambulance Grant- Vol Fire Co ***Included in 1105 Budget	518,989	616,798
	768,989	866,798
<b>Sub-Total County Grants &amp; Debt</b>	<b>1,487,989</b>	<b>1,819,652</b>
Tourism Marketing On-Behalf	4,500	4,500
<b><u>SHARED REVENUES</u></b>		
Income Tax	125,000	125,000
* Liquor License Distribution	4,688	4,688
	129,688	129,688
<b><u>STATE AID PASS THRUS</u></b>		
* Fire Co. Aid-State Pass Thru Vol Fire-est	33,219	33,271
* Fire Co. Aid-State Pass Thru Towns-est	37	44
<b>TOTAL</b>	<b>\$ 1,655,433</b>	<b>\$ 1,987,155</b>

\* Mandated by State or County Code

(1) Supplement approved from General Fund FY14-FY20 and FY21 Request

(2) Ambulance Grant calculated at adopted budget FY2020 rates based on CY2019 runs





# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

Phone 410-641-2770 Fax 410-641-2316

www.berlinmd.gov



*'America's Coolest Small Town'*

**Mayor**

Wm. Gee Williams, III

**Vice President**

Elroy Brittingham, Sr.

**Council Members**

Dean Burrell, Sr.

Troy Purnell

Thomas L. Gulyas

Zackery Tyndall

**Town Attorney**

David Gaskill

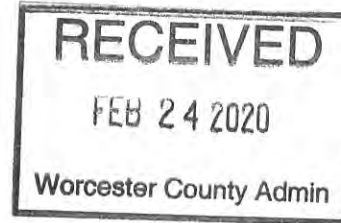
**Town Administrator**

Jeffrey Fleetwood



February 21, 2020

Hon. Joseph Mitrecic, President  
Worcester County Commissioners  
1 Market St. Room 1103  
Snow Hill, MD 21863



Dear Commissioner Mitrecic:

I am writing on behalf of the Mayor and Council to make the Town of Berlin's annual request for grant funding from the Worcester County Commissioners for Fiscal 2020. <sup>2021</sup> We appreciate the financial support we have received from Worcester County and feel that our ongoing investments in public safety and public facilities has been money well spent.

The Town of Berlin is experiencing ongoing financial stress as we contend with ever increasing costs for essential services. The demands on our budget have accelerated in recent years as we spent much money and time to work with the Berlin Fire Company to help them meet greatly increasing costs in providing emergency medical services (EMS) to the citizens and property owners of Berlin.

In Berlin's current budget (FY 20) our annual grant to the Berlin Fire Company is \$540,500. This reduction from the previous two years of annual town grants of \$605,000 to the Berlin Fire Company was the result of the Mayor and Council reducing all budgeted expenses across the board by 10 percent for the current fiscal year. Berlin's current budget also enacted increases for municipal real property tax rates and our fees for our sewer and water utilities.

In the Town of Berlin, \$2.3 million, or 38 percent, of our \$6.1 million general fund budget is spent for police, fire and emergency medical services

The Mayor and Council raised property taxes by 18 percent across the board this fiscal year and we raised water and wastewater utility rates to cover ever rising costs for these essential services. Even with the additional commitment from our town taxpayers and utility customers, the Town of Berlin needs an increase this year in our annual grant from Worcester County to help fund Fire and EMS Services.

The Mayor and Council of Berlin consider public safety our most important municipal responsibility. But the cost of public safety in our community continues to rapidly increase. We respectfully request an increase in our annual grant from the County Commissioners from \$465,000 to \$480,000 for the FY 21 budget. This represents an increase of \$15,000, or 3.2 percent over the county grant we currently receive.



Even when assigning 100 percent of our county grant to all public safety, we are told that a much greater amount is needed for replacement of EMS vehicles, equipment and rising operational cost. The Town of Berlin is committed to maintaining our greatest assets, public safety, economic vitality and a quality of life, that are the result of generations of effort and investment.

But we need your help.

Thank you for your consideration of this year's grant request.

Sincerely,

A handwritten signature in black ink that reads "W. G. Williams, III". The signature is written in a cursive style with a horizontal line extending from the end.

Wm. Gee Williams, III  
Mayor

Cc: Town Council Members  
Jeff Fleetwood, Town Administrator  
Natalie Saleh, Finance Director



**GRANTS TO TOWNS - FY2021**  
Request March 3, 2020

	<b>Berlin FY20 Approved</b>	<b>Berlin FY21 Request</b>
<b><u>COUNTY GRANTS TO TOWNS</u></b>		
Unrestricted Grant	465,000	480,000
Restricted Fire Grant	195,000	204,000
	660,000	684,000
* Cnty Grant Vol. Fire Dept	212,159	217,819
(1) Supplemental Cnty Grant Vol. Fire Dept	37,841	32,181
(2) Ambulance Grant- Vol Fire Co ***Included in 1105 Budget	698,163	716,565
	948,163	966,565
<b>Sub-Total County Grants &amp; Debt</b>	<b>1,608,163</b>	<b>1,650,565</b>
Tourism Marketing On-Behalf	4,500	4,500
<b><u>SHARED REVENUES</u></b>		
* Income Tax	422,000	422,000
* Liquor License Distribution	20,438	20,438
	442,438	442,438
<b><u>STATE AID PASS THRU</u></b>		
* Fire Co. Aid-State Pass Thru Vol Fire-est	33,219	33,271
* Fire Co. Aid-State Pass Thru Towns-est	9,281	10,891
<b>TOTAL</b>	<b>\$ 2,097,601</b>	<b>\$ 2,141,665</b>

\* Mandated by State or County Code

(1) Supplement approved from General Fund FY14-FY20 and FY21 Request

(2) Ambulance Grant calculated at adopted budget FY2020 rates based on CY2019 runs





# OCEAN PINES ASSOCIATION, INC.

239 Ocean Parkway • Ocean Pines, Maryland 21811  
Telephone: 410-641-7717 • Fax: 410-641-5581

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February 21, 2020

Ms. Kathy Whited, Budget Officer  
Worcester County Government Center  
One West Market Street  
Snow Hill, Maryland 21863

Dear Ms. Whited:

This request is being submitted to you in accordance with the letter dated January 7, 2020 from President Joseph Mitrecic. President Mitrecic asked that the Ocean Pines Association provide details on funding requests to assist with developing the Worcester County Budget for the coming fiscal year.

The 8,452 properties within Ocean Pines include a year-round population of approximately 12,000 which represents a significant percentage of the overall county population. In addition to the county residents that live and own property in Ocean Pines, the Association shares the use of its physical assets with thousands of guests who come to the area to visit each year. These physical assets include eighty-two miles of road, associated bridges, five pools, a golf course, several restaurants, and numerous parks and playgrounds. Additional services that the Association provides to the residents of the county when they are in Ocean Pines include public safety services and various recreation programming that include classes for physical fitness and wellness, educational forums, along with children's camps and other activities.

The summary information noted above is the general reference regarding our request for funding. We believe the Commissioners and other members of the leadership team recognize the Association for the asset that it is to the County through its consideration of funding for this upcoming year.

As we have requested in the past, and to align with the County's budget structure, our requests fall into three categories: Public Safety, Roads and Bridges, and Tourism/Parks and Recreation.

## **Public Safety**

The County has consistently provided grant funding for the dedicated purpose of supporting the Ocean Pines Police Department. We appreciate this financial support and request that the



County continue to provide a level of funding commensurate with the importance of this public safety service.

The annual report submitted by the Ocean Pines Police Department shows the number of calls in 2019 for mutual aid at 344 and a total number of service calls at 11,653. These service calls generated by citizens and police personnel in the field included both criminal and non-criminal incidents. Throughout most of the year the department was down as much as 3 officers. Your help in providing much needed funding is imperative to meet the related and growing needs for recruitment, training, and time.

To assist us in meeting the current and increasing demands on our police force, we respectfully request Public Safety funding in the form of a grant in the amount of \$525,000 and ask for your consideration.

### **Roads & Bridges**

The 82 miles of roads in Ocean Pines carry the traffic load for thousands of both resident and non-resident vehicles every day. Along with the responsibility to maintain 4 bridges to comply with the appropriate safety standards, we also have 387 drainage pipes that cross under existing roads. As that infrastructure is more than 50 years old, much of it is in dire need of replacement. We must also maintain each of the residential driveway pipes throughout our community.

This past year Ocean Pines has taken a more aggressive approach in maintaining our roadways and repairing drainage pipes. Specific plans have been developed and work is being done in these areas in conjunction with those plans. If funding from the County were to be made available, these projects could continue, and we would be able to alleviate road and drainage problems that currently impact many of our property owners. Also, should the County open any discussions regarding available Casino funds and the impact associated with the establishment of table games, Ocean Pines would be very interested in participating in the hopes that we could potentially share benefits with the County residents in Ocean Pines if such funding became available.

To assist us in meeting the infrastructure needs of our portion of the county, we respectfully request funding in the amount of \$100,000 and ask for your consideration.

### **Tourism / Parks & Recreation**

Tourism is a vital part of the economic engine of Worcester County and the assets of Ocean Pines play a key part in helping the County with its tourism objectives. Thousands of tourists stay in Ocean Pines and participate in activities throughout the year, not just during the summer. Besides our proximity to the beach, visitors are drawn to Ocean Pines by our many



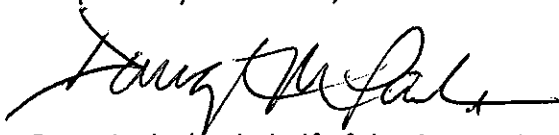
amenities, programs, sporting events, and special events. The Fourth of July celebration is one such special event that has been lauded as one of best fireworks shows in the area and draws over 20,000 spectators, many from other parts of Worcester County and beyond.

Our Recreation & Parks Department operates seven days a week, year-round, to meet the needs of our residents, visitors, and tourists. We offer many no-fee amenities and activities, including concerts and movies in the park, holiday events, basketball courts, soccer fields, playgrounds, a skate park, walking trails and other special event programs that are open to the public and well attended by residents and non-residents alike. However, there are considerable maintenance and operational costs associated with these "free" amenities; most of which is considerably borne by the residents.

To assist us in continuing to execute high-quality events and programming for the community at-large and our visiting guests to the county, we respectfully request Tourism funding in the amount of \$25,000 and Recreation & Parks funding in the amount of \$40,000.

We appreciate your consideration of our funding request and look forward to continuing the role that the Ocean Pines Association has in the overall success and quality of life achieved in Worcester County.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Doug Parks", with a stylized flourish at the end.

Doug Parks (on behalf of the Ocean Pines Board of Directors)  
President, Ocean Pines Association



**GRANTS TO TOWNS - FY2021**  
**Request March 3, 2020**

	<b>Ocean Pines FY20 Approved</b>	<b>Ocean Pines FY21 Request</b>
<b><u>COUNTY GRANTS TO TOWNS</u></b>		
County Street Grants By Agreement	123,856	128,162
Recreation Grant	10,000	40,000
Roads & Bridge Repairs	0	100,000
Tourism - July 4 celebration	10,000	25,000
Police Aid	475,000	525,000
Restricted Fire Grant	47,000	50,000
	665,856	868,162
* Cnty Grant Vol. Fire Dept	212,159	217,819
(1) Supplemental Cnty Grant Vol. Fire Dept	37,841	32,181
(2) Ambulance Grant- Vol Fire Co ***Included in 1105 Budget	477,110	498,990
	727,110	748,990
<b>Sub-Total County Grants &amp; Debt</b>	<b>1,392,966</b>	<b>1,617,152</b>
<b><u>STATE AID PASS THRU</u></b>		
* Fire Co. Aid-State Pass Thru Vol Fire-est	33,219	33,271
<b>TOTAL</b>	<b>\$ 1,426,185</b>	<b>\$ 1,650,423</b>

\* Mandated by State or County Code

(1) Supplement approved from General Fund FY14-FY20 and FY21 Request

(2) Ambulance Grant calculated at adopted budget FY2020 rates based on CY2019 runs



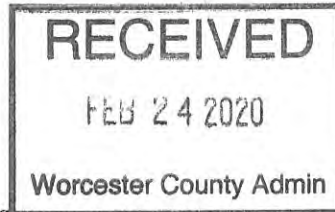


# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

February 20, 2020

Joseph Mitrecic, President  
Worcester County Commissioners  
1 West Market Street – Room 1103  
Snow Hill, MD 21863



Dear President Mitrecic,

Thank you for your letter dated January 7, 2020 inviting the Town of Ocean City to appear before the County Commissioners to discuss grant requests on Tuesday, March 3, 2020.

Unfortunately, we will be in Annapolis on that day for meetings pertaining to House Bill 1493. This bill has been introduced by Delegate Hartman to increase our ability to enforce specific motor vehicle violations during times when we enact a Special Event Zone in Ocean City. As you know, addressing some of the recent problems we have experienced during specific events is a priority and this is a very important piece of legislation.

We would respectively request that we be rescheduled to meet at your next meeting on March 17, 2020. We apologize for this inconvenience and thank you in advance for your consideration.

Sincerely,

Rick Meehan  
Mayor

cc: Harold Higgins, Chief Administrative Officer for Worcester County, MD  
City Manager Doug Miller

**MAYOR**  
RICHARD W. MEEHAN

**CITY COUNCIL**

LLOYD MARTIN  
*President*

MARY P. KNIGHT  
*Secretary*

DENNIS W. DARE  
ANTHONY J. DELUCA  
JOHN F. GEHRIG, JR.  
MATTHEW M. JAMES  
MARK L. PADDACK

**CITY MANAGER**  
DOUGLAS R. MILLER

**CITY CLERK**  
DIANA L. CHAVIS, CMC

[www.oceancitymd.gov](http://www.oceancitymd.gov)

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2001

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# Atlantic General Hospital & Health System

## 2019 In Review What's Coming in 2020

12





## ATLANTIC GENERAL 2020 VISION

# care.coordination

### VISION

To be the leader in caring for people and advancing health for the residents of and visitors to our community.

### MISSION

To create a coordinated care delivery system that will provide access to quality care, personalized service and education to improve individual and community health.





# Atlantic General 2020 Goals

## Focused on the “Quadruple Aim”

- Improving the health of the population
- Enhancing patient experience and patient outcomes
- Reducing the healthcare costs of the population
- Care of the Physicians/Providers

## AGH Goals and Strategic Planning

- Continue to build on the progress achieved under our 2020 Vision 5-Year Strategic Plan
- Developed by considering how we can improve caring for our community in a more patient/community centered model of care to meet the “quadruple aim.”
  - **Right Care**
  - **Right People**
  - **Right Place**
  - **Right Partners**
  - **Right Hospital**



# FY20 Strategic Initiatives

➤ **Ambulatory Surgery Center (Planning)**

**Goals:** *Provide Right Care in the Right Place  
Reduce Costs*

➤ **Breast Diagnostic Services**

**Goals:** *Provide Right Care in the Right Place  
Improve patient satisfaction & outcomes*

➤ **Integrated Behavioral Health**

**Goals:** *Provide Right Care in the Right Place, at the  
Right Time*

➤ **School-Based Telehealth**

**Goals:** *Improve Population Health  
Reduce Costs*



# FY20 Strategic Initiatives

## ➤ Outpatient Rehabilitation Services

**Goals:** *Provide Right Care in the Right Place  
Reduce Costs*

## ➤ Clinical Communications System

**Goals:** *Provide Right Care at the Right Time  
Improve patient experience and provider/clinician  
experience*

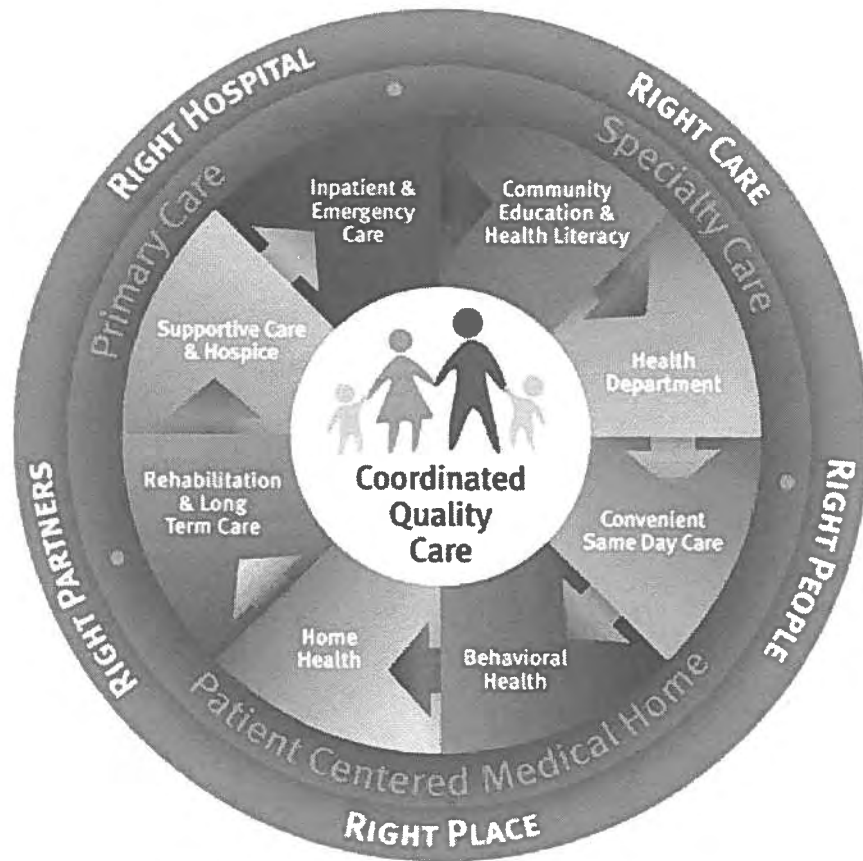
## ➤ Ocean Pines Strategy (Planning)

**Goals:** *Provide Right Care in the Right Place  
Reduce Costs*

## ➤ Safe Seniors

**Goals:** *Provide Right Care in the  
Right Place at the  
Right Time  
Reduce Costs*



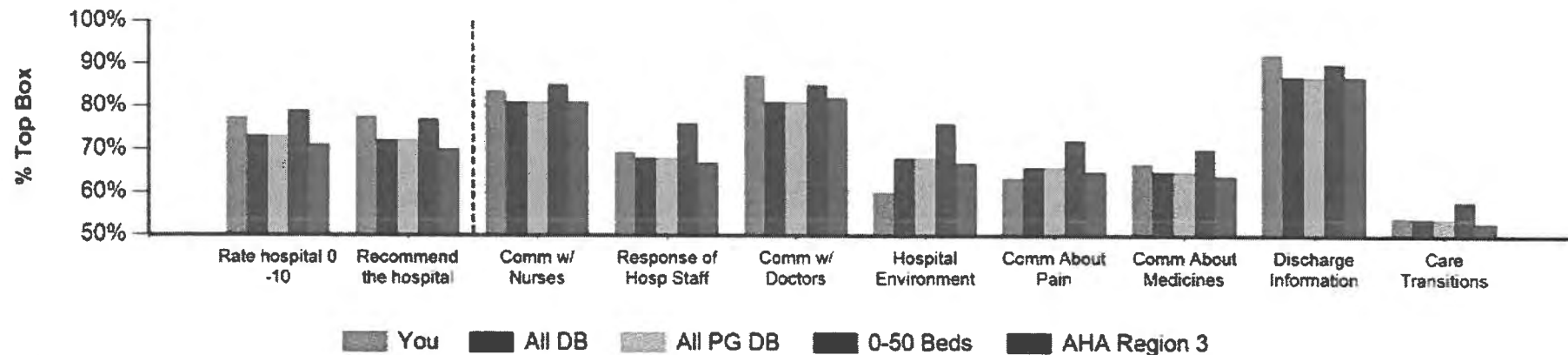


# How has our strategic focus affected our community?



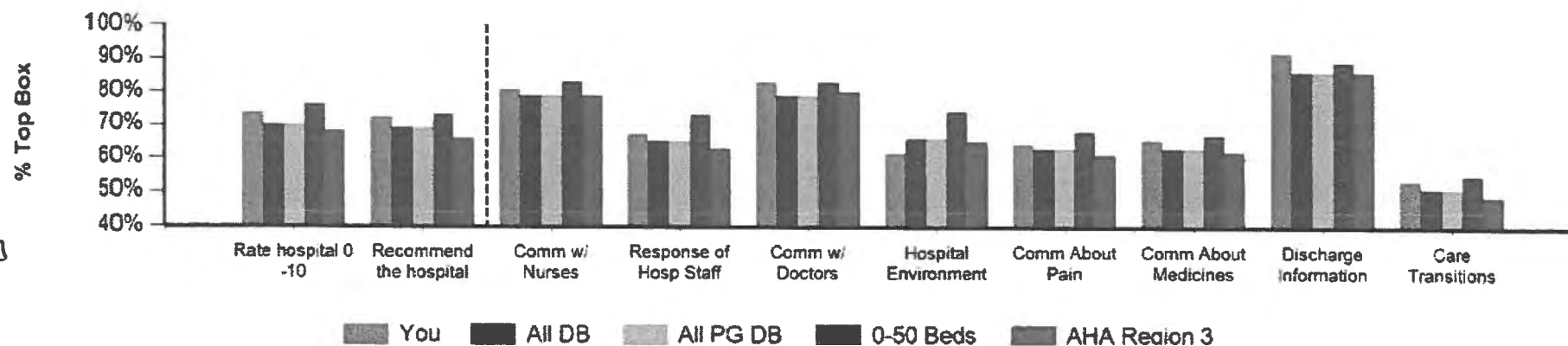
**Global Comparison**

**Domain Comparison**



**Global Comparison**

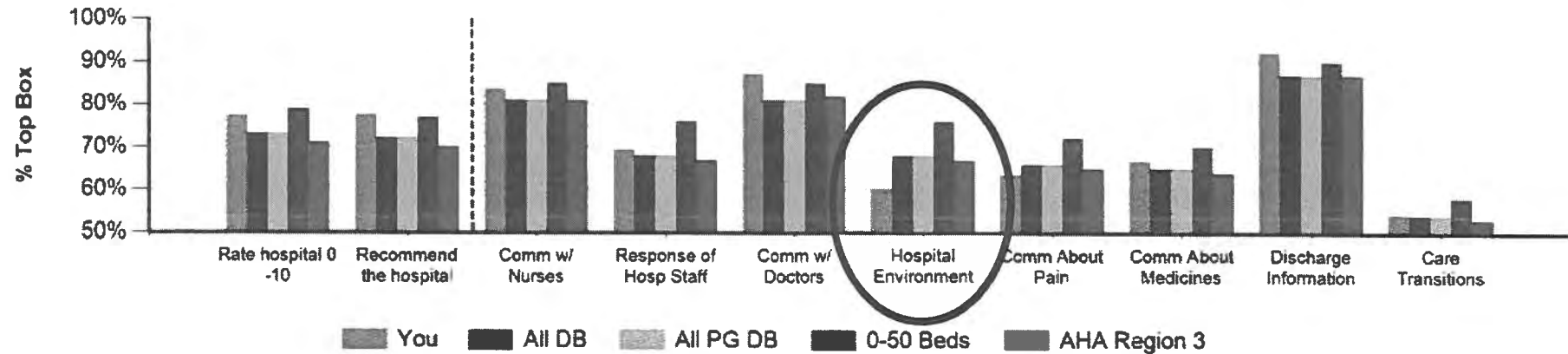
**Domain Comparison**





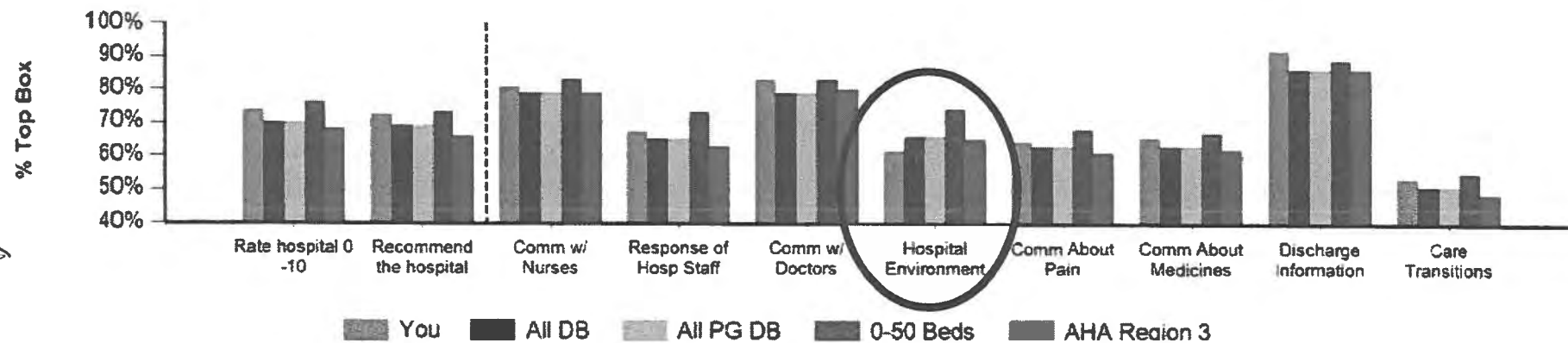
**Global Comparison**

**Domain Comparison**



**Global Comparison**

**Domain Comparison**



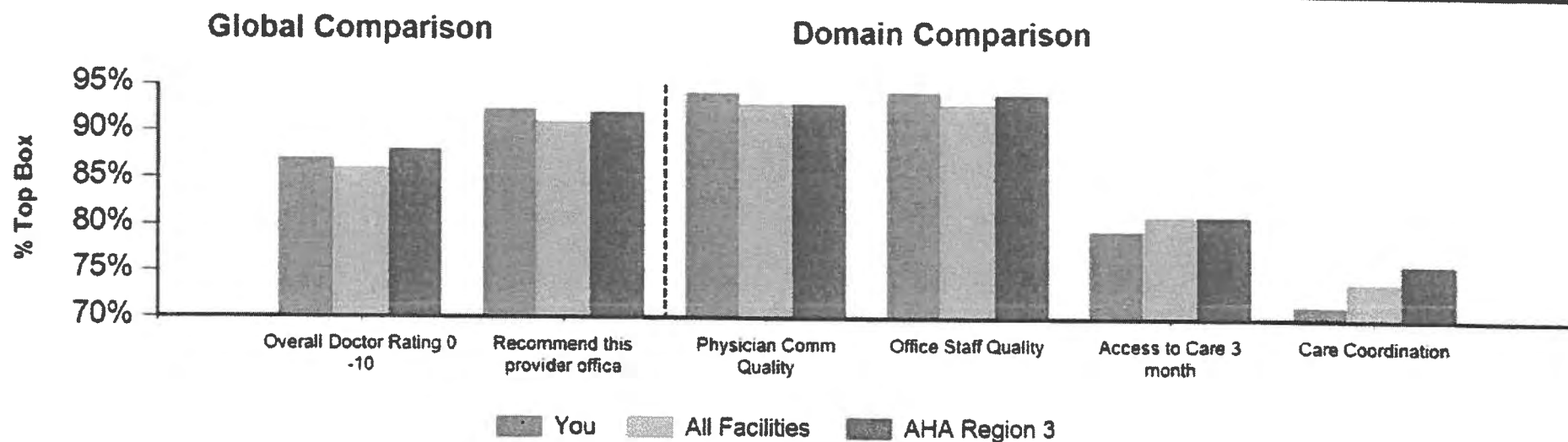




## Atlantic General Hospital Corporati

## CGCAHPS Summary Report

Surveys Returned: April 2019 - September 2019



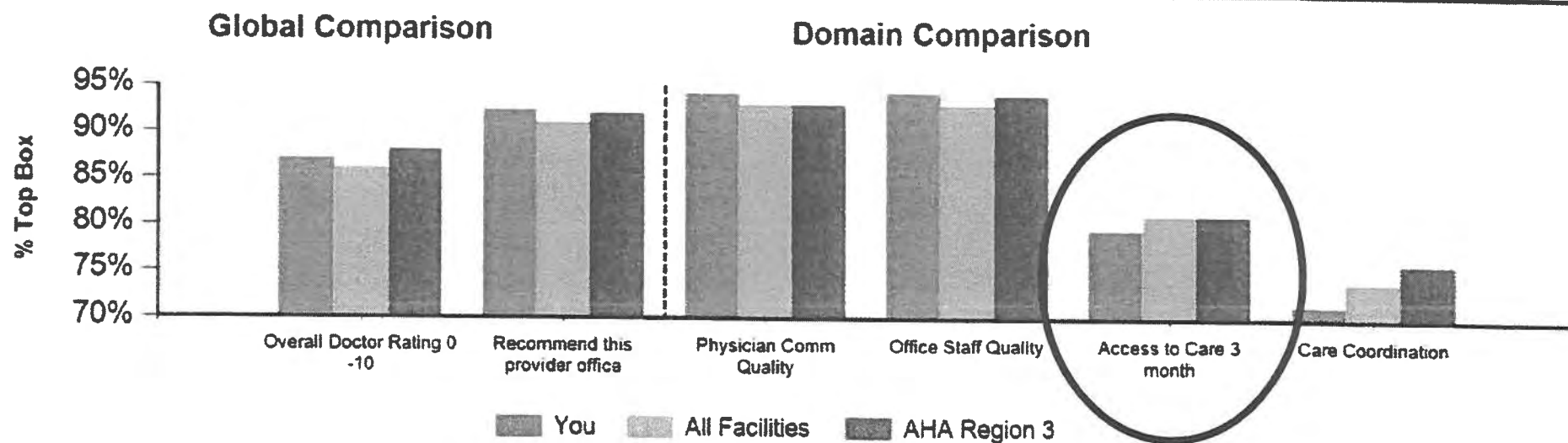




## Atlantic General Hospital Corporati

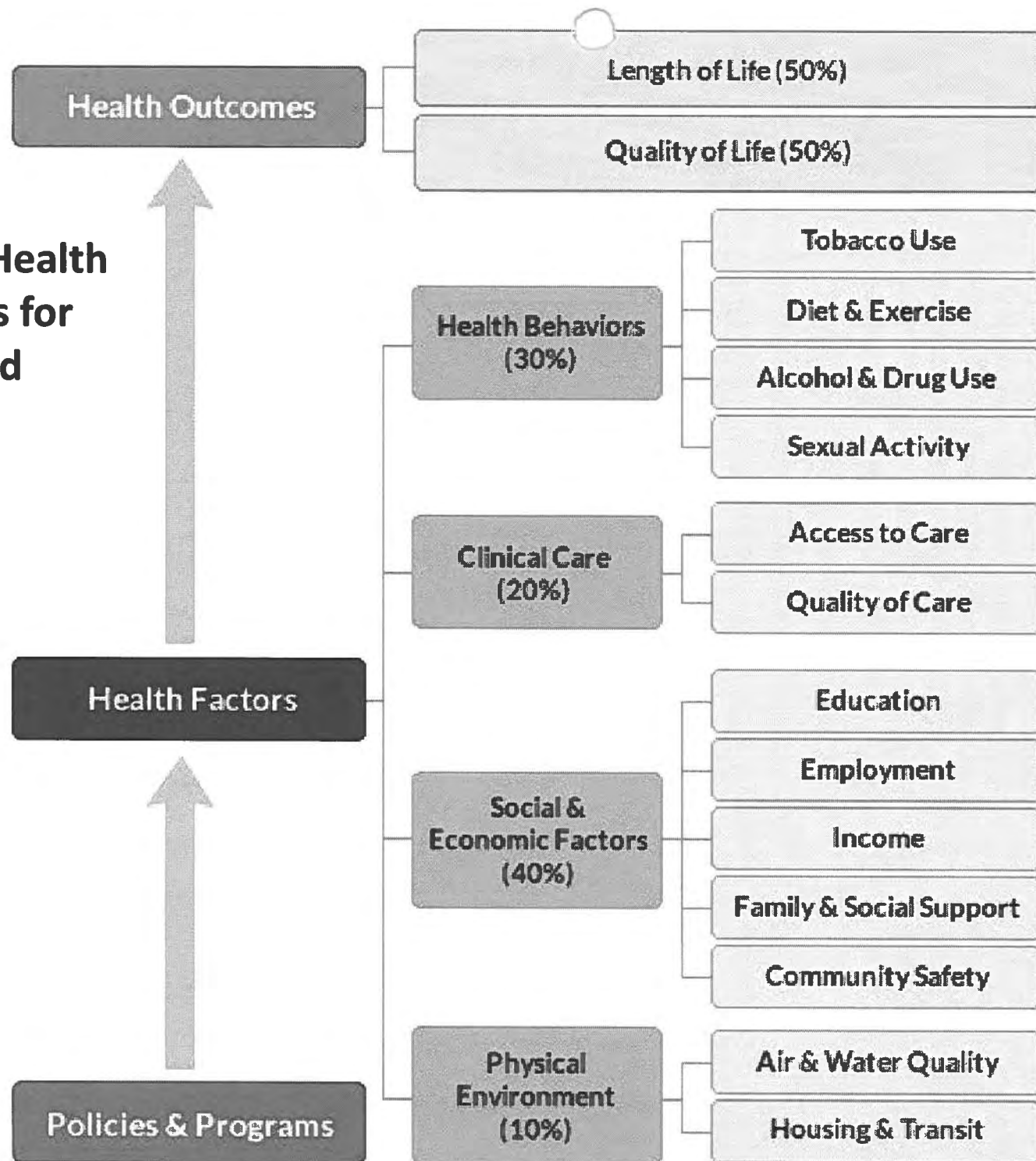
## CGCAHPS Summary Report

Surveys Returned: April 2019 - September 2019





# 2019 County Health Rankings for Maryland





# HOW DO COUNTIES RANK FOR HEALTH FACTORS?

The blue map displays Maryland's summary ranks for health factors, based on weighted scores for health behaviors, clinical care, social and economic factors, and the physical environment.

Lighter shades indicate better performance in the respective summary rankings. Detailed information on the underlying measures is available at [countyhealthrankings.org](http://countyhealthrankings.org)



Rank 1-6

Rank 7-12

Rank 13-18

Rank 19-24

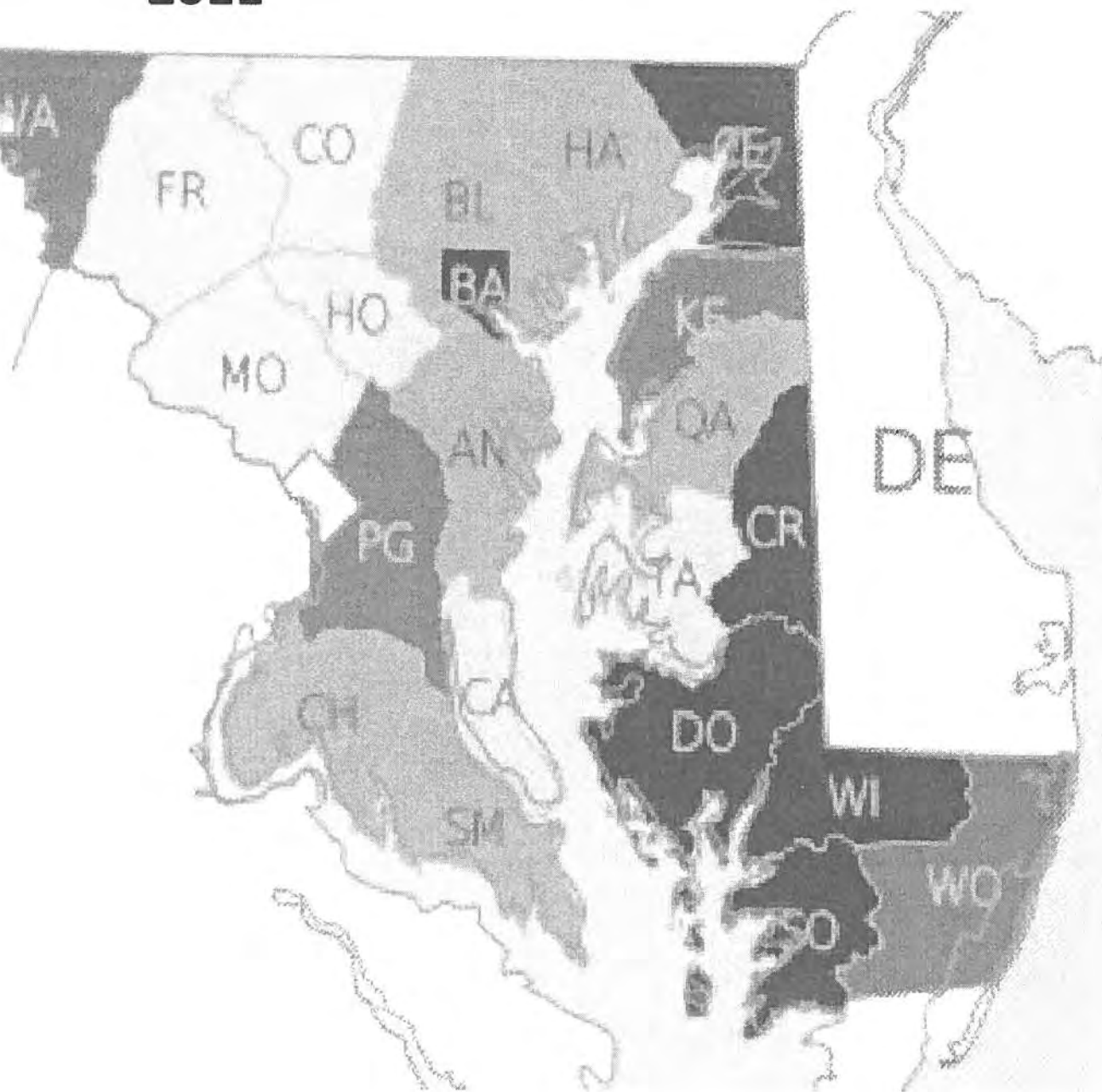
County	Rank	County	Rank	County	Rank	County	Rank
Alegany	19	Carroll	4	Harford	8	Somerset	23
Anne Arundel	9	Cecil	18	Howard	1	St. Mary's	10
Baltimore	11	Charles	13	Kent	12	Talbot	5
Baltimore City	24	Dorchester	22	Montgomery	2	Washington	17
Calvert	7	Frederick	3	Prince George's	16	Wicomico	20
Caroline	21	Garrett	14	Queen Anne's	6	Worcester	15



# HOW DO COUNTIES RANK FOR HEALTH FACTORS?

## 2011

Rank	County
1	Howard (HO)
2	Montgomery (MO)
3	Carroll (CO)
4	Frederick (FR)
5	Talbot (TA)
6	Calvert (CA)
7	Queen Anne's (QA)
8	Harford (HA)
9	Anne Arundel (AN)
10	Baltimore (BL)
11	Charles (CH)
12	St. Mary's (SM)
13	Kent (KE)
14	Garrett (GA)
15	Washington (WA)
16	Worcester (WO)
17	Allegany (AL)
18	Prince George's (PG)
19	Wicomico (WI)
20	Cecil (CE)
21	Caroline (CR)
22	Dorchester (DO)
23	Somerset (SO)
24	Baltimore City (BA)





# HOW DO COUNTIES RANK FOR HEALTH OUTCOMES?

The green map below shows the distribution of Maryland's health outcomes, based on an equal weighting of length and quality of life.

Lighter shades indicate better performance in the respective summary rankings. Detailed information on the underlying measures is available at [countyhealthrankings.org](http://countyhealthrankings.org).



Worcester County = 10

Rank 1-6

Rank 7-12

Rank 13-18

Rank 19-24

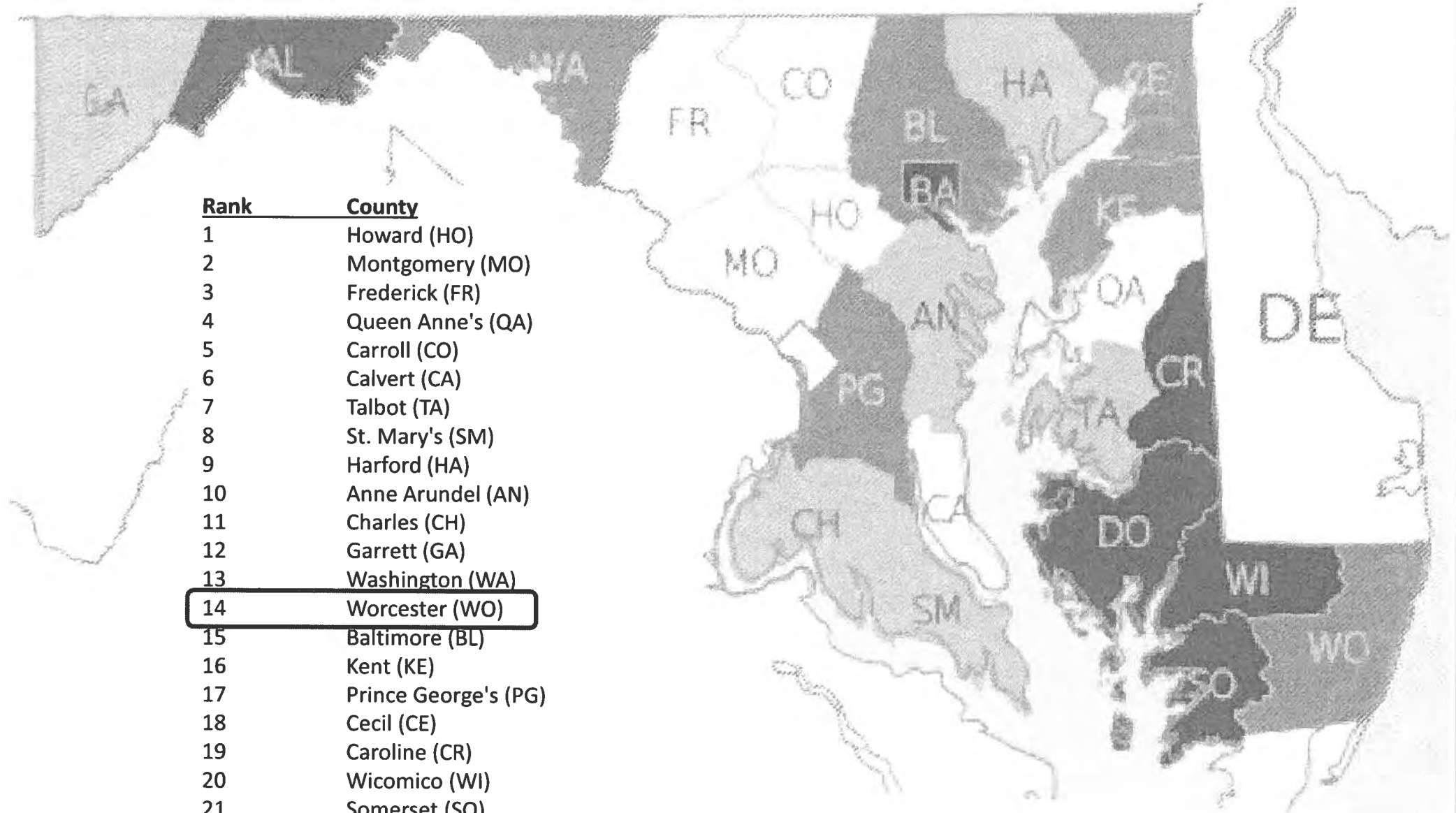
County	Rank	County	Rank	County	Rank	County	Rank
Allegany	19	Carroll	3	Harford	9	Somerset	22
AnneArundel	11	Cecil	15	Howard	2	St Mary's	8
Baltimore	13	Charles	12	Kent	18	Talbot	5
BaltimoreCity	24	Dorchester	23	Montgomery	1	Washington	17
Calvert	6	Frederick	4	Prince George's	14	Wicomico	20
Caroline	21	Garrett	16	Queen Anne's	7	Worcester	10



# HOW DO COUNTIES RANK FOR HEALTH OUTCOMES?

## 2011

Rank	County
1	Howard (HO)
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12	Garrett (GA)
13	Washington (WA)
14	Worcester (WO)
15	Baltimore (BL)
16	Kent (KE)
17	Prince George's (PG)
18	Cecil (CE)
19	Caroline (CR)
20	Wicomico (WI)
21	Somerset (SO)
22	Dorchester (DO)
23	Allegany (AL)
24	Baltimore City (BA)





State of Maryland  
Department of Health

Nelson J. Sabatini  
Chairman

Joseph Antos, PhD  
Vice-Chairman

Victoria W. Bayless

Stacia Cohen

John M. Colmers

James N. Elliott, M.D.

Adam Kane



**Health Services Cost Review Commission**

4160 Patterson Avenue, Baltimore, Maryland 21215

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Toll Free: 1-888-287-3229

[hscrc.maryland.gov](http://hscrc.maryland.gov)

Katie Wunderlich  
Executive Director

Allan Pack, Director  
Population Based  
Methodologies

Chris Peterson, Director  
Payment Reform &  
Provider Alignment

Gerard J. Schmith, Director  
Revenue & Regulation  
Compliance

William Henderson, Director  
Medical Economics &  
Data Analytics

To: Hospital CFOs

Cc: Case Mix Liaisons, Hospital Quality Contacts

From: Alyson Schuster, Ph.D., Deputy Director, Quality Methodologies

Date: September 6, 2019

Re: Rate Year 2020 Quality-Based Reimbursement (QBR) Program Revenue Adjustments

Revenue adjustments for the RY 2020 QBR program were calculated using the preset scale established in the RY 2020 QBR Policy; hospitals with scores above 45% are rewarded, and hospitals with scores below 45% are penalized. The statewide average total QBR score for RY 2020 was 33.76 percent; there were \$62,675, 974 in penalties and \$3,042,440 in rewards statewide, totaling a net penalty of approximately \$59,633,534 (see Appendix B for by-hospital revenue adjustment results).

16



Hospital ID	Hospital Name	HCAHPS + ED Final Points	HCAHPS Denominator	HCAHPS Final Score	Mortality Final Points	Mortality Denominator	Mortality Final Score	Safety Total Points	Safety Denominator	Safety Final Score	Total Score
210034	MedStar Harbor	23	120	0.1916667	9	10	0.9	14	60	0.2333	31.25%
210035	UM-Charles Regional	38	120	0.3166667	9	10	0.9	29	60	0.4833	46.25%
210037	UM-Easton	27	100	0.27	4	10	0.4	27	60	0.45	35.25%
210038	UMMC Midtown	18	120	0.15	10	10	1	12	40	0.3	33.00%
210039	Calvert	41	120	0.3416667	10	10	1	32	40	0.8	60.08%
210040	Northwest	17	120	0.1416667	10	10	1	10	50	0.2	29.08%
210043	UM-BWMC	31	120	0.2583333	9	10	0.9	19	60	0.3167	37.50%
210044	GBMC	27	120	0.225	7	10	0.7	26	60	0.4333	36.92%
210048	Howard County	27	120	0.225	7	10	0.7	32	60	0.5333	40.42%
210049	UM-Upper Chesapeake	41	120	0.3416667	7	10	0.7	34	60	0.5667	47.42%
210051	Doctors	16	120	0.1333333	4	10	0.4	41	50	0.82	41.37%
210055	UM-Laurel*	9	120	0.075	2	10	0.2				10.38%
210056	MedStar Good Sam	18	120	0.15	6	10	0.6	19	50	0.38	29.80%
210057	Shady Grove	38	120	0.3166667	0	10	0	27	60	0.45	31.58%
210060	Ft. Washington	15	120	0.125	4	10	0.4				18.83%
210061	Atlantic General	55	120	0.4583333	7	10	0.7	18	30	0.6	54.42%
210062	MedStar Southern MD	19	120	0.1583333	2	10	0.2	27	60	0.45	26.67%
210063	UM-St. Joe	31	100	0.31	8	10	0.8	38	60	0.6333	49.67%
210065	HC-Germantown	23	120	0.1916667	9	10	0.9	4	40	0.1	26.58%

\*The PG Hospital and Laurel scores are both presented here; however for the revenue adjustments the PG score was used.



**Appendix B. RY 2020 QBR Revenue Adjustments**

<b>HOSPID</b>	<b>HOSPITAL NAME</b>	<b>RY19 Permanent Inpatient Revenue</b>	<b>RY 2020 Final QBR Points</b>	<b>% Revenue Impact</b>	<b>\$ Revenue Impact</b>
210001	MERITUS	\$ 219,551,750	21.25%	-1.06%	-\$2,327,249
210002	UNIVERSITY OF MARYLAND	\$ 1,203,673,856	20.50%	-1.09%	-\$13,120,045
210003	PRINCE GEORGE*	\$ 282,929,188	10.67%	-1.53%	-\$4,328,817
210004	HOLY CROSS	\$ 355,608,692	21.83%	-1.03%	-\$3,662,770
210005	FREDERICK MEMORIAL	\$ 232,665,827	39.75%	-0.23%	-\$535,131
210006	HARFORD	\$ 54,181,186	49.92%	0.28%	\$151,707
210008	MERCY	\$ 226,492,002	34.58%	-0.46%	-\$1,041,863
210009	JOHNS HOPKINS	\$ 1,456,687,424	32.08%	-0.57%	-\$8,303,118
210010	DORCHESTER	\$ 22,653,845	36.75%	-0.37%	-\$83,819
210011	ST. AGNES	\$ 238,757,730	26.17%	-0.84%	-\$2,005,565
210012	SINAI	\$ 399,817,673	22.98%	-0.98%	-\$3,918,213
210013	BON SECOURS	\$ 64,363,349	30.83%	-0.63%	-\$405,489
210015	FRANKLIN SQUARE	\$ 306,898,504	51.63%	0.38%	\$1,166,214
210016	WASHINGTON ADVENTIST	\$ 164,197,283	37.17%	-0.35%	-\$574,690
210017	GARRETT COUNTY	\$ 23,714,400	30.16%	-0.66%	-\$156,515
210018	MONTGOMERY GENERAL	\$ 84,721,645	33.42%	-0.51%	-\$432,080
210019	PENINSULA REGIONAL	\$ 249,228,264	39.50%	-0.24%	-\$598,148
210022	SUBURBAN	\$ 208,954,270	19.55%	-1.13%	-\$2,361,183
210023	ANNE ARUNDEL	\$ 294,544,506	39.33%	-0.25%	-\$736,361
210024	UNION MEMORIAL	\$ 243,156,679	13.71%	-1.39%	-\$3,379,878
210027	WESTERN MARYLAND	\$ 169,462,000	34.75%	-0.46%	-\$779,525
210028	ST. MARY	\$ 79,141,046	35.75%	-0.41%	-\$324,478
210029	HOPKINS BAYVIEW MED CTR	\$ 366,607,627	24.42%	-0.91%	-\$3,336,129
210030	CHESTERTOWN	\$ 17,859,942	55.90%	0.62%	\$110,732



HOSPID	HOSPITAL NAME	RY19 Permanent Inpatient Revenue	RY 2020 Final QBR Points	% Revenue Impact	\$ Revenue Impact
210032	UNION HOSPITAL OF CECIL	\$ 65,426,887	30.46%	-0.65%	-\$425,275
210033	CARROLL COUNTY	\$ 140,291,849	39.58%	-0.24%	-\$336,700
210034	HARBOR	\$ 110,392,040	31.25%	-0.61%	-\$673,391
210035	CHARLES REGIONAL	\$ 76,930,098	46.25%	0.07%	\$53,851
210037	EASTON	\$ 103,481,053	35.25%	-0.43%	-\$444,969
210038	UMMC MIDTOWN	\$ 111,141,002	33.00%	-0.53%	-\$589,047
210039	CALVERT	\$ 67,111,996	60.08%	0.86%	\$577,163
210040	NORTHWEST	\$ 138,719,920	29.08%	-0.71%	-\$984,911
210043	BALTIMORE WASHINGTON	\$ 250,217,336	37.50%	-0.33%	-\$825,717
210044	G.B.M.C.	\$ 237,787,317	36.92%	-0.36%	-\$856,034
210048	HOWARD COUNTY	\$ 182,870,977	40.42%	-0.20%	-\$365,742
210049	UPPER CHESAPEAKE HEALTH	\$ 128,686,091	47.42%	0.14%	\$180,161
210051	DOCTORS COMMUNITY	\$ 141,094,311	41.37%	-0.16%	-\$225,751
210055	LAUREL REGIONAL *		10.38%		
210056	GOOD SAMARITAN	\$ 146,901,579	29.80%	-0.68%	-\$998,931
210057	SHADY GROVE	\$ 251,748,234	31.58%	-0.60%	-\$1,510,489
210060	FT. WASHINGTON	\$ 19,890,383	18.83%	-1.16%	-\$230,728
210061	ATLANTIC GENERAL	\$ 36,931,910	54.42%	0.54%	\$199,432
210062	SOUTHERN MARYLAND	\$ 162,087,856	26.67%	-0.81%	-\$1,312,912
210063	UM ST. JOSEPH	\$ 223,399,907	49.67%	0.27%	\$603,180
210065	HC-GERMANTOWN	\$ 59,062,315	26.58%	-0.82%	-\$484,311

\*PG Hospital revenue includes a portion of revenue from Laurel; because the scores were very similar the QBR score for PG Hospital was used to calculate the revenue adjustment.



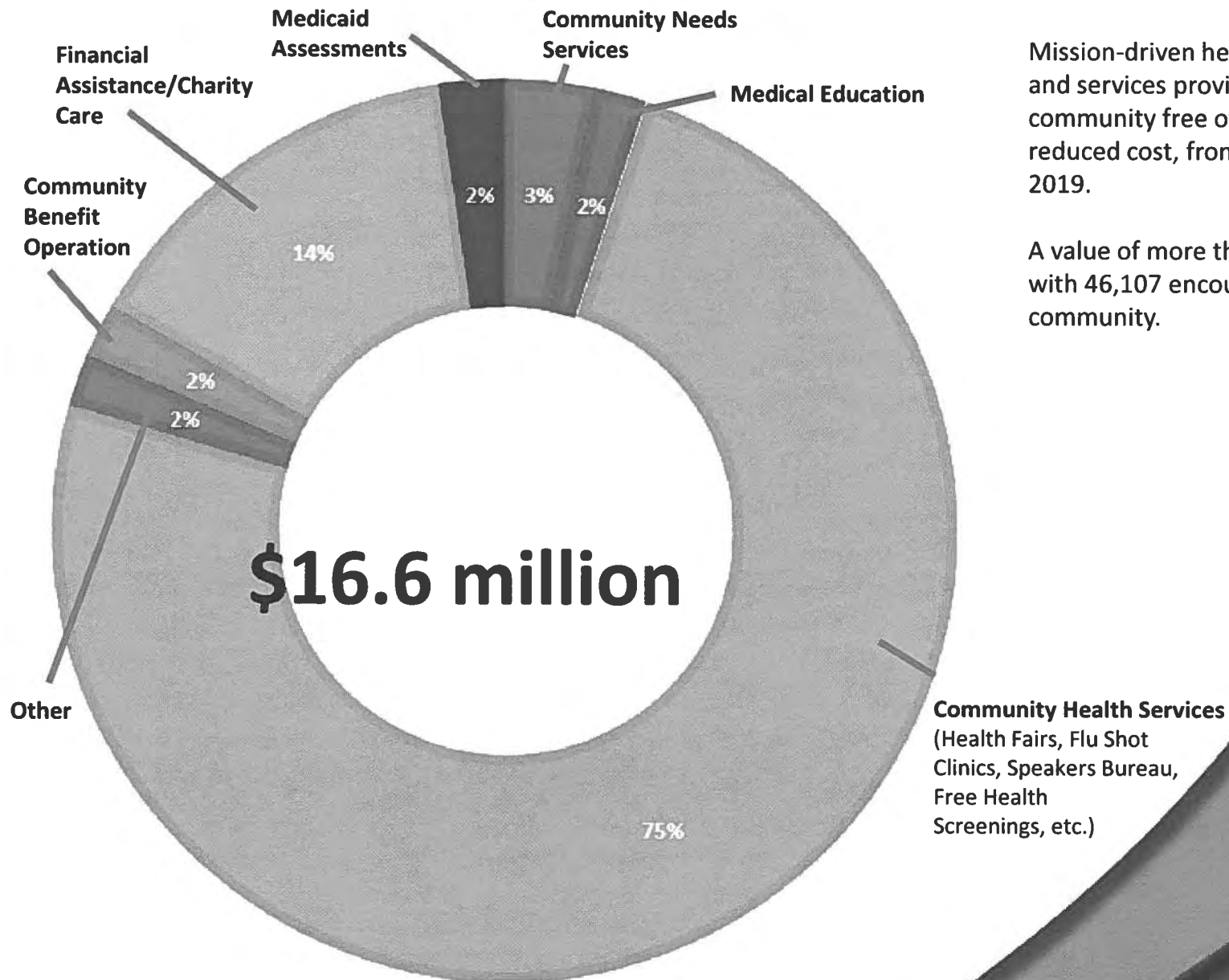
# Rate Impact: Positive Scaling for MHAC, RRIP & QBR

Total net scaling in FY20 rates for quality initiatives is a positive increase of **\$709,060** for AGH:

- The MHAC scaling: positive .38% or \$140,341
- The RRIP scaling: positive 1% or \$369,319
- The QBR scaling: positive .54% or \$199,400



# Community Impact



Mission-driven health education and services provided to the community free of charge, or at reduced cost, from July 2018 – June 2019.

A value of more than \$16.6 million, with 46,107 encounters with the community.

**Community Health Services**  
(Health Fairs, Flu Shot Clinics, Speakers Bureau, Free Health Screenings, etc.)



# Community Impact

## Atlantic General Hospital and Health System

### The Economy & Quality of Life

Maintains more than **925 positions** for local residents.

**Total payroll of over \$58 million**, which is spent in the Eastern Shore communities of Maryland, Virginia and Delaware.

### Medical Staff of **254** includes:

Anesthesiologists/Pain

Management

Cardiologists

Dermatologists

Emergency Medicine

Physicians

Endocrinologist

Family Practitioners

Gastroenterologists

General Surgeons

Gynecologists

Hospitalists

Infectious Disease

Specialist

Intensivists

Internists

Nephrologist

Neurodevelopmental

Disabilities Specialists

Neurologists

Nurse Practitioners

Oncologists/Hematologists

Ophthalmologists

Orthopedic Surgeons

Pediatricians

Physician Assistants

Psychiatrists

Pulmonologists

Radiologists

Rheumatologist

Urologists



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# Year over Year Comparison - Hospital

## FY18

**We Billed:** \$111,537,424  
**We Received:** \$99,793,207

**Cost of Care:** \$86,425,081

**Operating Margin:** \$13,368,125

**Community Support:** \$ 1,144,162\*

**Total Margin:** \$16,914,018

**(State Assessment: \$2,363,472)**

Admissions	3,200
Ave. Length of Stay (days)	3.5
Patient Days of Care	11,311
Emergency Visits	36,689
Laboratory Visits (outpatient)	26,711
Radiology Visits (outpatient)	27,250
Surgeries (inpatient/outpatient)	7,955
Cardiologist/Pulmonary	3,207
EKG/EEG visits (outpatient)	

## FY19

**We Billed:** \$111,747,738  
**We Received:** \$101,243,306

**Cost of Care:** \$85,767,497

**Operating Margin:** \$15,475,810

**Community Support:** \$1,165,302\*

**Total Margin:** \$13,711,007\*\*

**(State Assessment: \$2,125,082)**

\* Does not include Campaign for the Future funds

\*\* Includes investment loss due to market downturn

Admissions	3,112
Ave. Length of Stay (days)	3.4
Patient Days of Care	10,463
Emergency Visits	36,541
Laboratory Visits (outpatient)	26,769
Radiology Visits (outpatient)	26,227
Surgeries (inpatient/outpatient)	6,822
Cardiologist/Pulmonary	3,129
EKG/EEG visits (outpatient)	



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# Year over Year Comparison – Consolidated

(Includes Hospital and All Health System Activities)

**FY18**

**We Billed:** \$174,118,989  
**We Received:** \$125,013,624

**Cost of Care:** \$127,458,282

**Operating Margin:** \$(2,444,658)

**Community Support:** \$ 1,144,162\*

**Total Margin:** \$1,101,234

**(State Assessment: \$2,363,472)**

**FY19**

**We Billed:** \$180,090,295  
**We Received:** \$129,566,006

**Cost of Care:** \$134,838,095

**Operating Margin:** \$(5,272,089)

**Community Support:** \$1,165,302\*

**Total Margin:** \$(7,036,891)\*\*

**(State Assessment: \$2,125,082)**

\* Does not include Campaign for the Future funds

\*\* Includes investment loss due to market downturn

Admissions	3,200
Ave. Length of Stay (days)	3.5
Patient Days of Care	11,311
Emergency Visits	36,689
Laboratory Visits (outpatient)	26,711
Radiology Visits (outpatient)	27,250
Surgeries (inpatient/outpatient)	7,955
Physician Visits (AGHS)	112,137
Cardiologist/Pulmonary	3,207
EKG/EEG visits (outpatient)	

Admissions	3,112
Ave. Length of Stay (days)	3.4
Patient Days of Care	10,463
Emergency Visits	36,541
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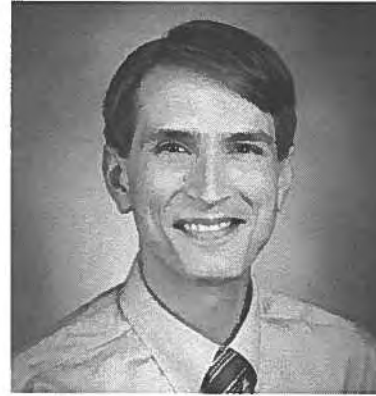
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# Expanding Access to Care



Jason Smith, DO  
Urology



Bryce Blanton, MD  
Psychiatry

## Primary and Specialty Care Access through Advanced Practice Providers

- |                         |                  |
|-------------------------|------------------|
| • Craig Mullen, CRNP    | Urgent Care      |
| • Gena Swift, FNP       | Gastroenterology |
| • Michael Boyle, CRNP   | Primary Care     |
| • Teresa Gilliland, FNP | Urgent Care      |
| • Kathleen Morris, DNP  | Primary Care     |
| • Sarah Abdella, PA-C   | Primary Care     |

## Expanding Care in the Community

- Homeless Outreach Team (HOT)



# Strategic Investment In Our Community

## The Atlantic General Hospital Foundation

~~\$10 million~~ capital campaign → **\$12.5 Million!**

Support will allow us to achieve our total investment of \$35,000,000 investment into 5 facility upgrades improving health care for our community.



Atlantic General

*Capital Campaign*  
FOR THE  
*Future*





# 1. Women's Health

**COMPLETE!**

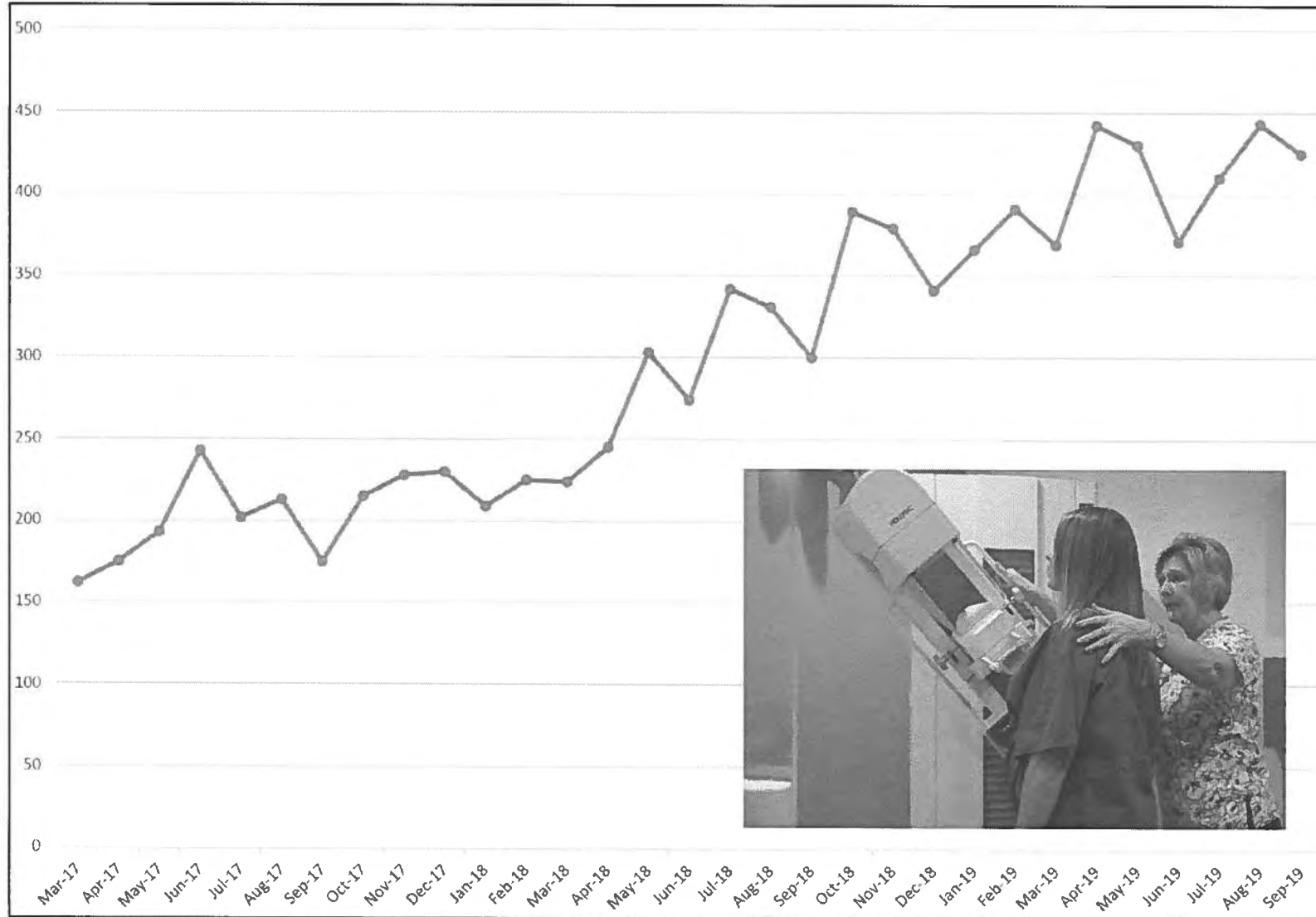
The Atlantic General Women's Health Center is equipped to provide the following diagnostic and therapy treatments:

- 3-D Mammography screening
- Bone density screening
- Ultrasound services
- Lab services
- Private rooms for physician counseling
- Pre-conception counseling
- Pregnancy testing





# The Impact





## 2. Vision for Regional Cancer Care



**Groundbreaking  
First Day of Care**

**July, 2017  
June 27, 2018**



# The Impact

	July/Aug./Sept. '17	July/Aug./Sept. '18	July/Aug./Sept. '19
New Patients	54	77	153
Total Patients	563	797	1,368



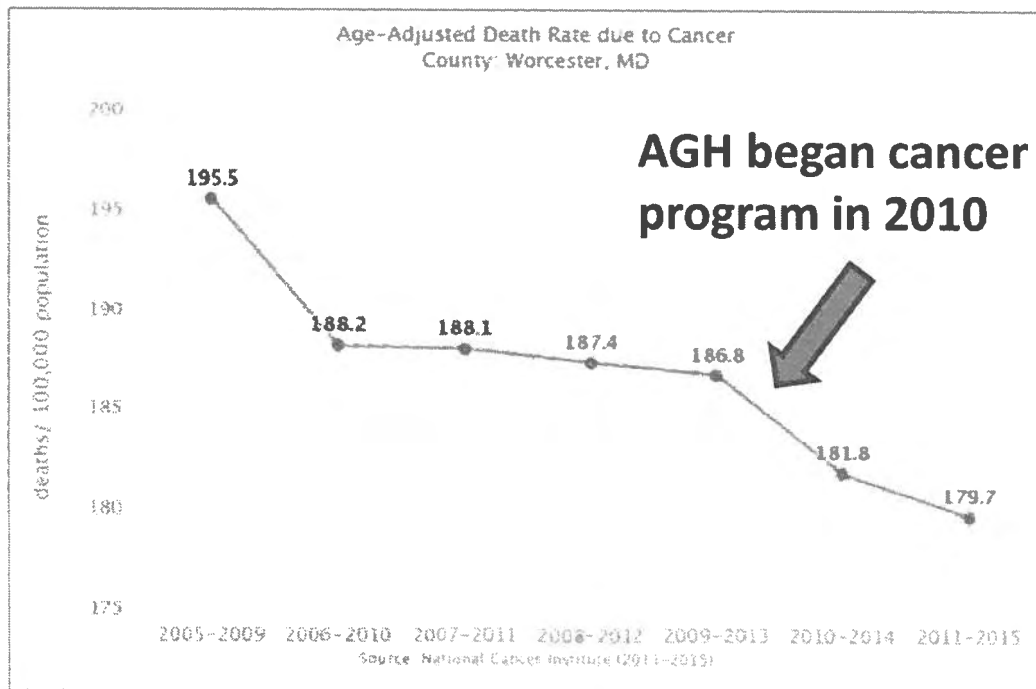
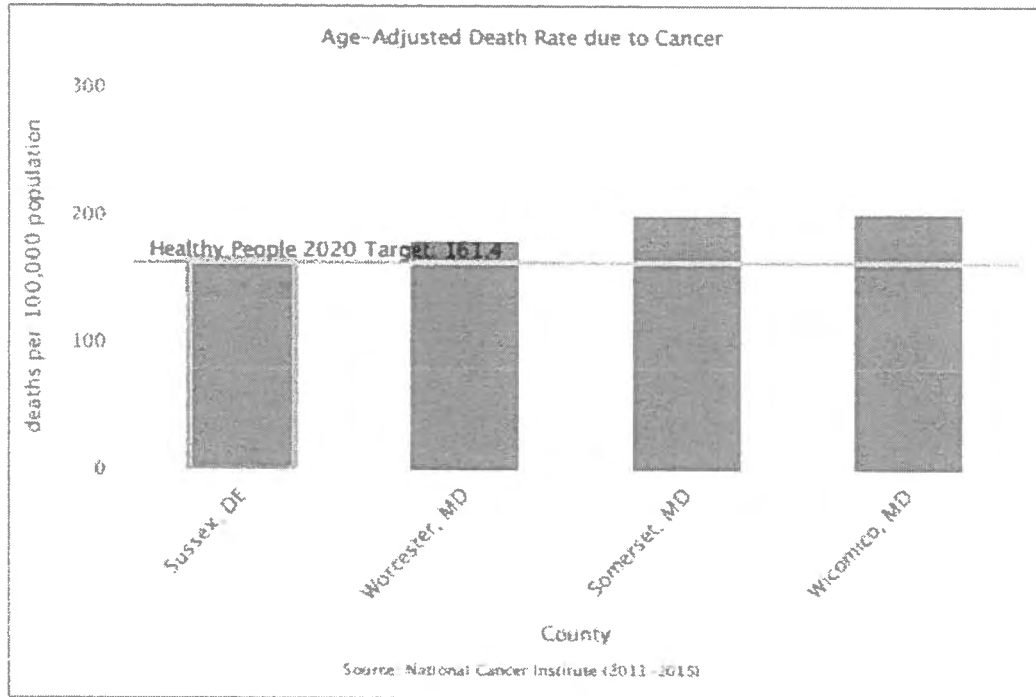
*Patient Pearl Robbins, left,  
with pharmacy financial  
navigator Kelli Bosic.*



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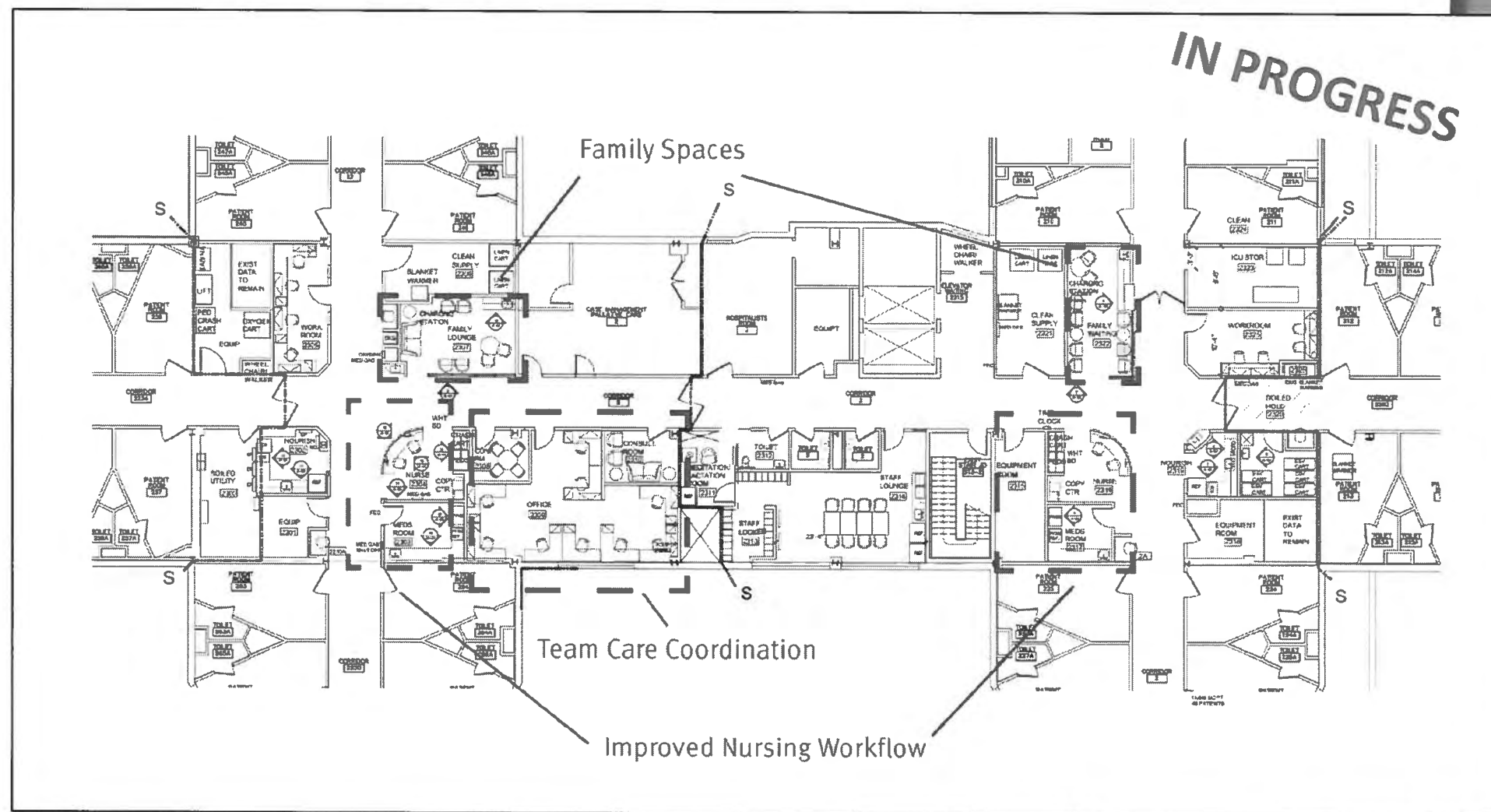
## Priority Area: Cancer



The *Healthy People* 2020 target is to reduce the overall cancer death rate to 161.4 deaths per 100,000 population.



# 3. Inpatient Care Redesign



32 **Project Kickoff: July 2019**  
**Completion: July 2020**



# Master Facility Planning

## **4. Surgical Services/Ambulatory Surgery Center**

Planning & design continue in FY20

## **5. Emergency Department Expansion**

Furthering design concepts



# Design Concepts for Ocean Pines Facility

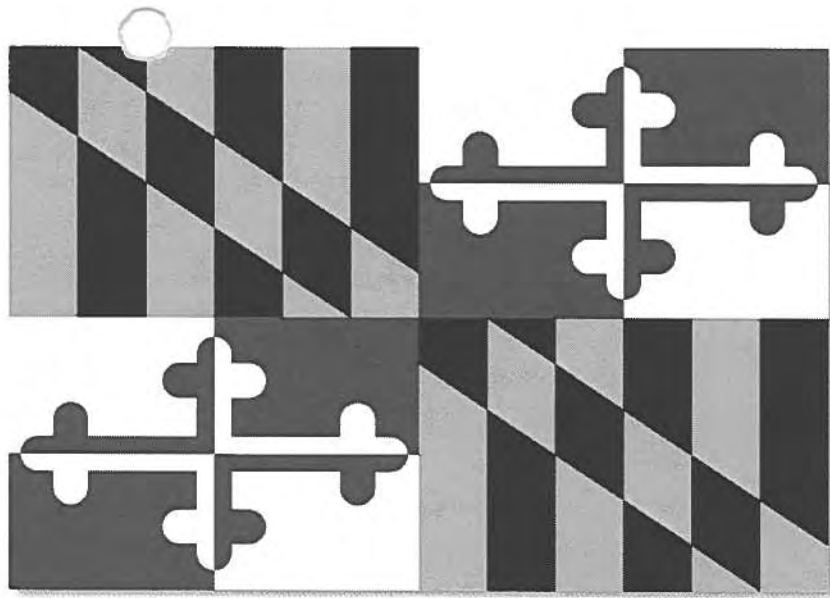
Outpatient Surgery Center • Specialty Offices • Atlantic ImmediCare • Primary Care • Wellness & Integrative Health • Imaging and Laboratory Services



View from Rt. 589





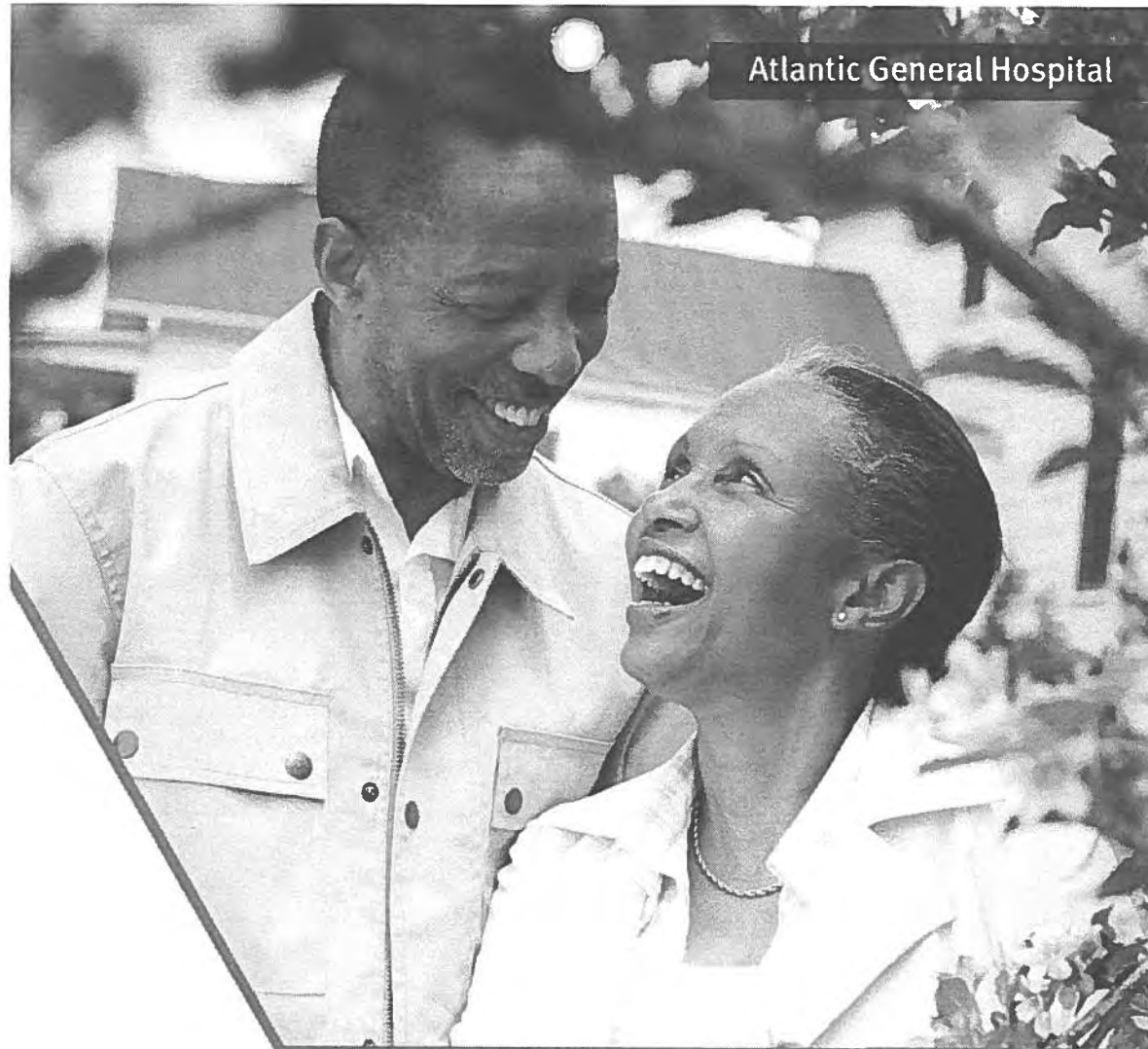


# HEALTHCARE IN MARYLAND:

## 2020 and Beyond



Atlantic General Hospital



# Community Health Needs Assessment

2019-2021



Approved by the Atlantic General Hospital Board of Trustees 5/2/19



# GrayShore

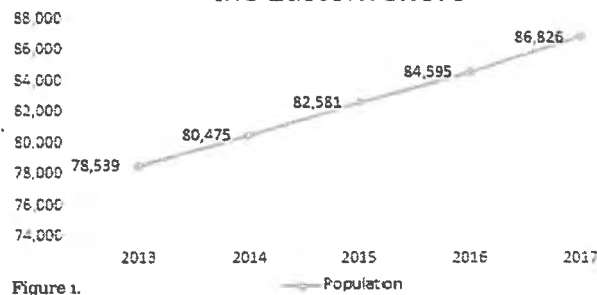
## What is GraySHORE?

GraySHORE is an initiative created by BEACON at Salisbury University designed to bring awareness to the increasingly aging population or "graying" of the Eastern Shore of Maryland. It is a coalition of private, non-profit, and public sector organizations that discuss issues of interest or concern to the aging population and take action to affect meaningful change.

## Why GraySHORE?

The Eastern Shore population is not only aging faster than the rest of the state, but the Shore counties are also a popular in-migration destination for the 65+ population throughout the Mid-Atlantic Region.

Total Population of Persons 65+ for the Eastern Shore



### Key Topics of Interest

- Healthcare
- Housing
- Workforce Needs
- Senior Employment
- Transportation Issues
- Recreation & Leisure
- Wellness Programs
- Lifelong Learning

Figure 1 illustrates the consistent increase in the 65+ population over the past 5 years.

Percentage of Population 65+ Years of Age in 2017

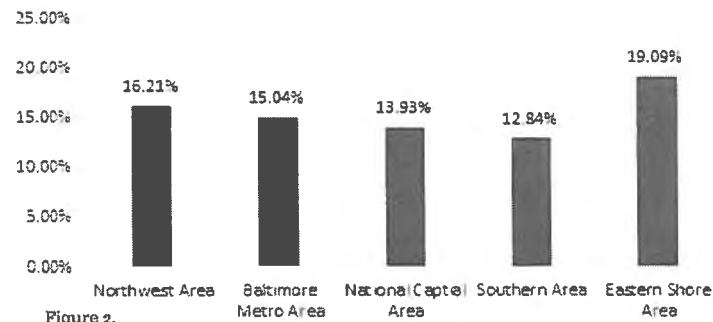
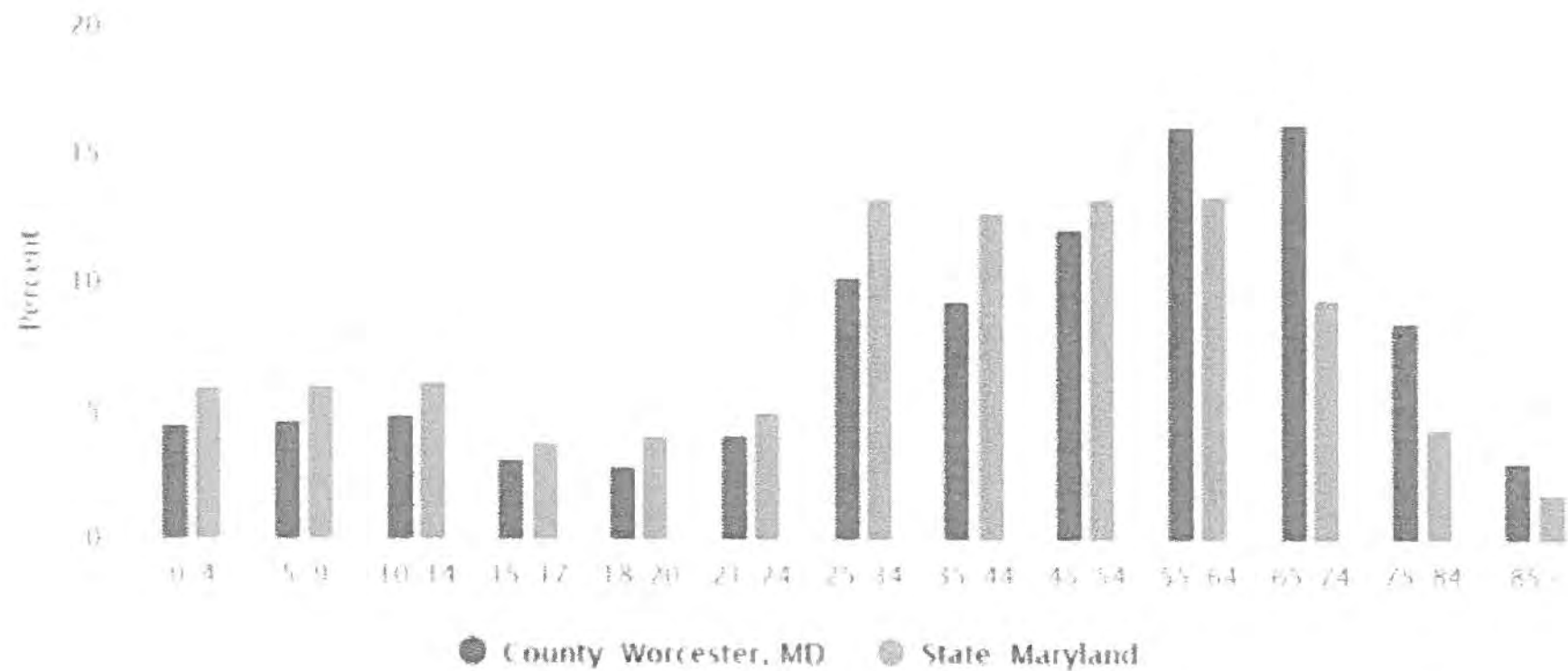


Figure 2 illustrates the percentage of the 65+ population in each region of the state.



# Population by Age Group

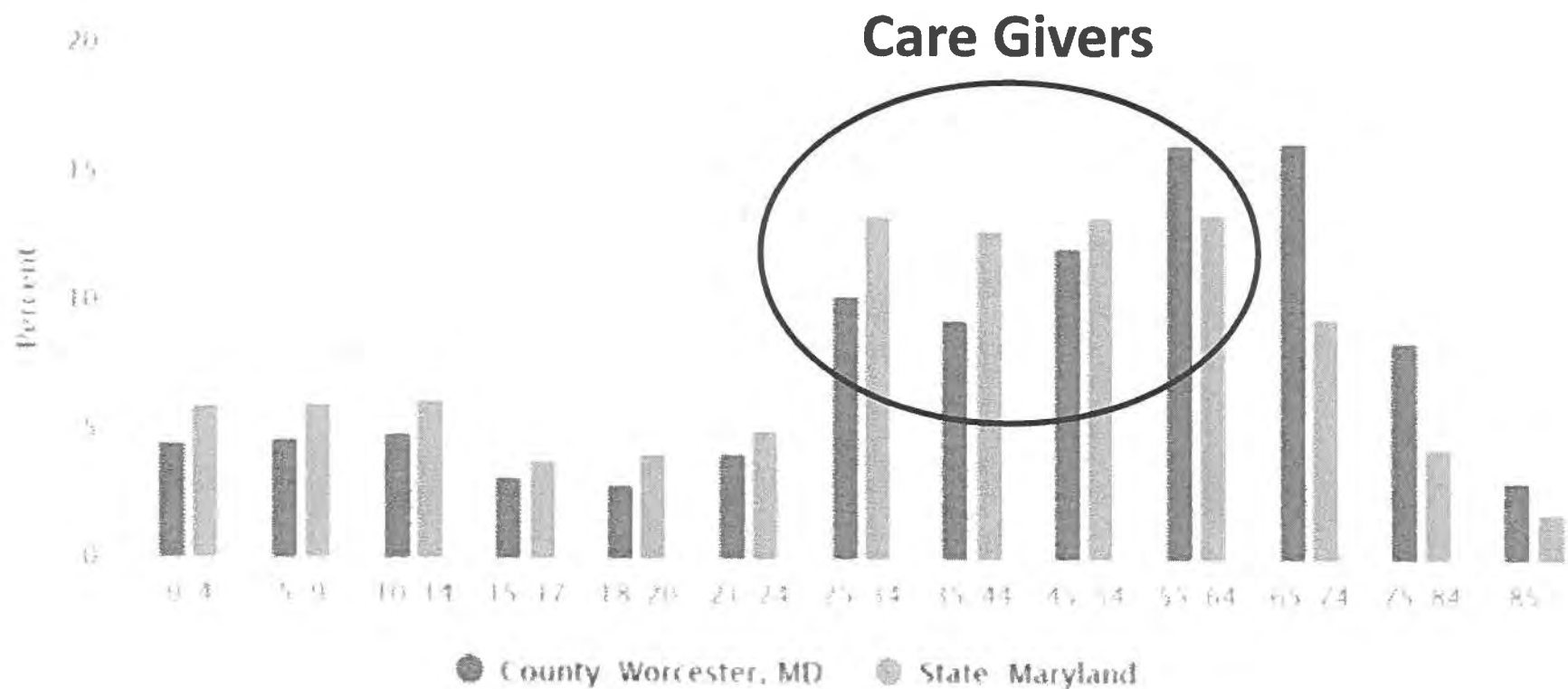
County: Worcester, MD





# Population by Age Group

County: Worcester, MD





# Population by Age Group

County: Worcester, MD

**Care Receivers**





# Bienvenidos

a Delmarva

## What is it?

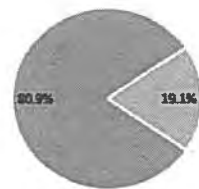
Bienvenidos a Delmarva is an initiative started by BEACON along with 70+ organizations dedicated to enhancing the quality of life for the Delmarva immigrant community. The initiative encourages community members to collaborate on and address their most pressing issues for the immigrant community: Language, Education, Health, Transportation and Legal Aid.

## Why Bienvenidos a Delmarva?

Maryland is in the Top 10 states for largest growing Hispanic markets in both population and spending power

Today, there are **4.37 million** Hispanic-owned business that contribute over to the U.S. economy each year **\$700 billion**

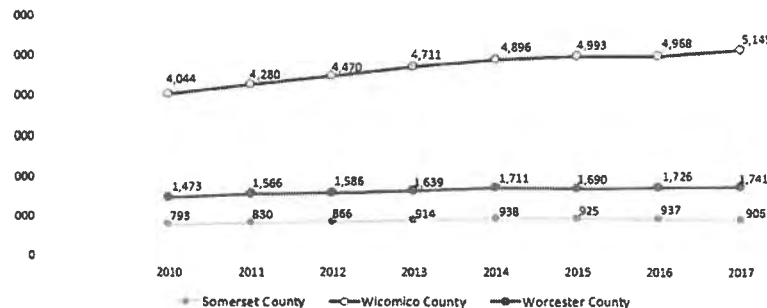
Language Spoken at Home for State of Maryland Population



Selected Languages

Spanish: 44.8%  
Haitian: 1.48%  
Korean: 3.65%  
Hindi: 1.74%  
Bengali: 0.92%  
Russian: 1.82%

Total Hispanic/Latino Population for the Eastern Shore



Median age for Hispanics:  
**28 Years Old**  
(10 years younger than the median age for the U.S. as a whole)

Estimated Population of Hispanics in the United States

**60 Million**

(largest minority group in the country)

Hispanics make up  
**16%**  
of Maryland's population



Only  
**1 in 10**  
Hispanic students have obtained a GED...

Compared to  
**3 in 10**  
students in the white population.

**BEACON**  
Business Economic and Community Outreach Network  
At Salisbury University

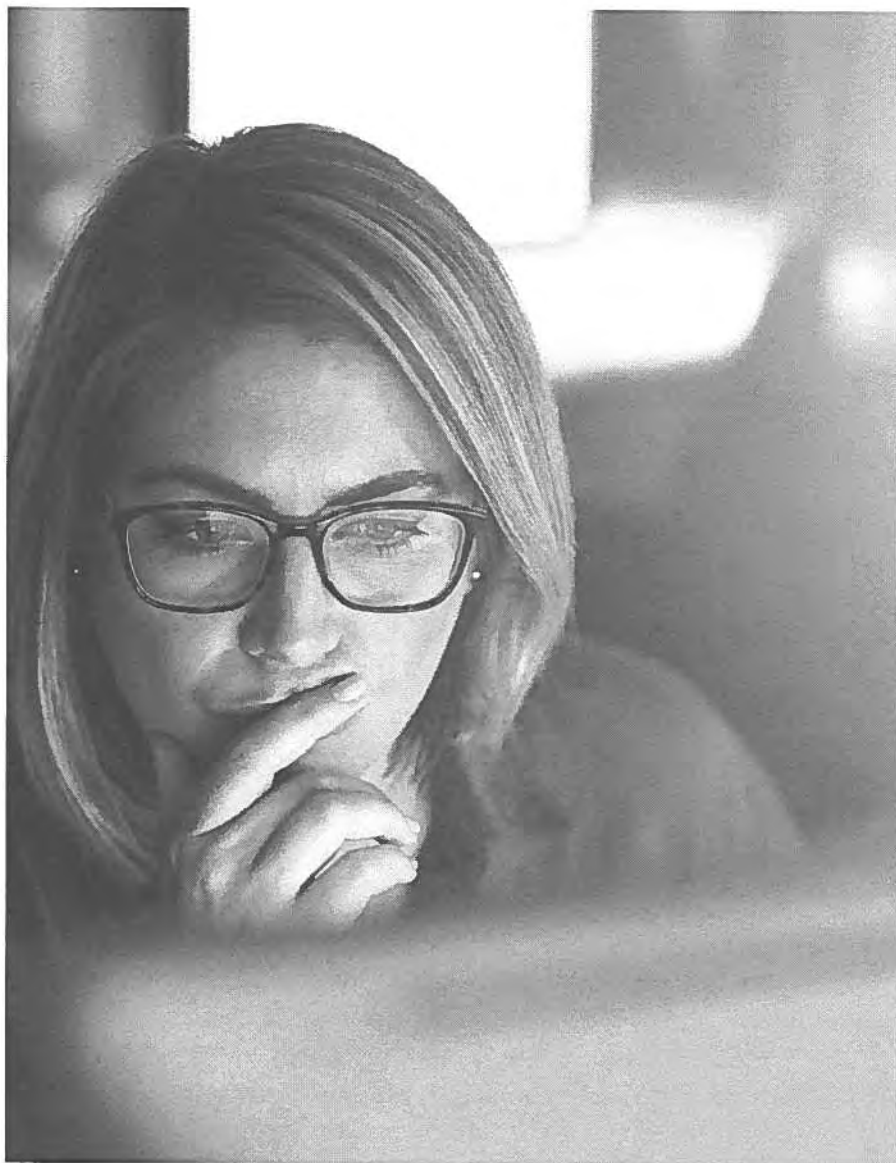


# Areas of Opportunity

		Ø size and severity of the problem determined by what percentage of the population is effected by risks	Ø health system's ability to impact the need	Ø availability of resources	Total
<b>Access to Health Services</b>	Difficulty getting a physician appointment Physician recruitment Cost of care	high	high	high	9
<b>Cancer</b>	Prevalence of Cancer	high	high	high	9
<b>Diabetes</b>	Prevalence of Diabetes Borderline/Pre-Diabetes	high	mod	high	8
<b>Respiratory Disease</b>	COPD Asthma diagnosis	mod	mod	high	7
<b>Nutrition, Physical Activity &amp; Weight</b>	Prevalence of overweight & obesity Meeting physical activity guidelines lack of leisure time physical activity	high	mod	mod	7
<b>Heart Disease &amp; Stroke</b>	Heart Disease Prevalence High Blood Pressure High blood cholesterol Overall Cardiovascular Risk	high	mod	mod	7
<b>Behavioral Health</b>	Mental Health, Suicide prevention Substance Abuse	high	mod	low	6
<b>Arthritis, Osteoporosis &amp; Chronic back conditions</b>	Prevalence of Sciatica/Chronic Back Pain	mod	low	high	6
<b>Dental Health</b>	Adolescents & Adults	mod	low	low	4
<b>Injury &amp; Violence Prevention</b>	Use of Seatbelts	low	low	low	3

\*Dental Health Injury & Violence Prevention will not be areas of priority to address. Planning Committee decision





## PARTNERS: ONLINE ACCESS AND VIRTUAL CARE

Health care providers recognize that individuals are connecting in ways that make sense in a digital world.

### ➤ Consumers utilize hospitals' online services

- **93 percent** access their health information
- **78 percent** pay bills
- **68 percent** securely message with providers
- **57 percent** who have not used virtual visits are willing to try them
- **50 percent** request prescription refills
- **48 percent** schedule appointments
- **23 percent** have had a virtual visit with a doctor

Source: "Expanding Electronic Patient Engagement," TrendWatch, American Hospital Association and Milken Institute School of Public Health at the George Washington University, AHA Annual Survey IT Supplement Brief #1, March 2018; "What can health systems do to encourage physicians to embrace virtual care?" Ken Abrams, M.D. et al., 2018 Survey of U.S. Physicians, Deloitte Insights, July 18, 2018.



*Advancing Health in America*

©2019 American Hospital Association





## PARTNERS: ONLINE ACCESS AND VIRTUAL CARE

Health care providers recognize that individuals are connecting in ways that make sense in a digital world.

### ➤ Consumers say they are likely to use virtual care for

- ➡ After-hours appointments: **73 percent**
- ➡ Discussing specific health concerns: **73 percent**
- ➡ Taking a class on a specific medical condition: **71 percent**
- ➡ Follow-up care: **65 percent**
- ➡ In-home follow-up after a hospital stay: **62 percent**
- ➡ Participating in a family member's appointment: **59 percent**
- ➡ Being examined for non-emergency conditions: **57 percent**

Source: "Expanding Electronic Patient Engagement," TrendWatch, American Hospital Association and Milken Institute School of Public Health at the George Washington University, AHA Annual Survey IT Supplement Brief #1, March 2018; "What can health systems do to encourage physicians to embrace virtual care?" Ken Abrams, M.D. et al., 2018 Survey of U.S. Physicians, Deloitte Insights, July 18, 2018.



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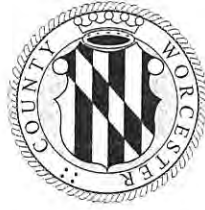
# Atlantic General Hospital & Health System

**2019 In Review  
What's Coming in 2020**

**Questions???**







13

HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY

COMMISSIONERS  
JOSEPH M. MITRECIC, PRESIDENT  
THEODORE J. ELDER, VICE PRESIDENT  
ANTHONY W. BERTINO, JR.  
MADISON J. BUNTING, JR.  
JAMES C. CHURCH  
JOSHUA C. NORDSTROM  
DIANA PURNELL

OFFICE OF THE  
COUNTY COMMISSIONERS

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

February 19, 2020



**FAXED**  
2/19/20 @ 11:29am

TO: *The Daily Times Group and Ocean City Today Group*  
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*

Please print the attached Notice of Introduction of Emergency Bill 20-1 in *The Daily Times/ Worcester County Times/Ocean Pines Independent and Ocean City Digest/Ocean City Today* on February 27, 2020. Thank you.

NOTICE OF INTRODUCTION OF EMERGENCY BILL 20-1  
WORCESTER COUNTY COMMISSIONERS

Take Notice that Emergency Bill 20-1 (Zoning - Off-Premises Parking) was introduced by Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell on February 18, 2020.

A fair summary of the bill is as follows:

§ ZS 1-320(h). (Repeals and reenacts this subsection to increase the percentage of permitted off-premises parking permitted in a CM Commercial Marine zoning district from 50% to 90%..)

A Public Hearing

will be held on Emergency Bill 20-1 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, on Tuesday, March 3, 2020 at 11:20 a.m.

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center and is available on the County Website at www.co.worcester.md.us.

THE WORCESTER COUNTY COMMISSIONERS

1a



COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

EMERGENCY BILL 20-1

---

BY: Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell  
INTRODUCED: February 18, 2020

---

AN EMERGENCY BILL ENTITLED

AN ACT Concerning

Zoning - Off-Premises Parking

For the purpose of amending the provisions for off-premises parking in the CM Commercial Marine District to increase the allowable percentage of off-premises parking permitted.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection ZS 1-320(h) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows.

- (h) Off-premises parking. In a C or I District and in a unified development located in any District, up to fifty percent of the parking required by Subsection (a) hereof may be provided off-premises, or where the use or structure is located in a CM District, up to ninety percent of the parking required by Subsection (a) hereof may be provided off-premises, provided that:
- (1) It is not located greater than five hundred feet from the building or use served by any off-premises parking. Distances shall be measured by the shortest walking path, using sidewalks and crosswalks, from the farthestmost point of the off-premises parking area.
  - (2) The off-premises parking area is not separated from the buildings or uses by an arterial or collector highway as listed in § ZS 1-326 hereof.
  - (3) Prior to the issuance of any building or zoning permit for any use or structure utilizing off-premises parking the owners shall execute a written contract, easement or agreement, acceptable to the County Attorney, providing for the continued use of any off-premises parking and all terms and conditions as originally approved by the Planning Commission which shall be recorded in the land records of Worcester County. Any certificate of occupancy issued for any use or structure utilizing off-premises parking shall be conditioned upon the continued availability of the required parking spaces. Any applicant and their successors shall annually provide the Department with certification that the required parking spaces are still available.



Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill, having been declared an Emergency Bill, shall take effect immediately upon its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

\_\_\_\_\_  
Harold L. Higgins  
Chief Administrative Officer

\_\_\_\_\_  
Joseph M. Mitrecic, President

\_\_\_\_\_  
Theodore J. Elder, Vice President

\_\_\_\_\_  
Anthony W. Bertino, Jr.

\_\_\_\_\_  
Madison J. Bunting, Jr.

\_\_\_\_\_  
James C. Church

\_\_\_\_\_  
Joshua C. Nordstrom

\_\_\_\_\_  
Diana Purnell





COMMISSIONERS  
JOSEPH M. MITRECIC, PRESIDENT  
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DIANA PURNELL

OFFICE OF THE  
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA  
CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

February 10, 2020

Introduced as  
Emergency Bill 20-1  
Public Hearing on  
March 3, 2020

TO: Harold L. Higgins, Chief Administrative Officer  
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*  
SUBJECT: Emergency Bill - Zoning - Off-Premises Parking

\*\*\*\*\*

As requested by the County Commissioners at their meeting on February 4, 2020, attached is a draft Emergency Bill entitled Zoning - Off-Premises Parking which effectively increases the percentage of permitted off-premises parking permitted in a CM Commercial Marine zoning district from 50% to 90%. This bill may be introduced by the County Commissioners at their next legislative session on February 18, 2020 and a hearing may be scheduled for their next regularly scheduled Legislative Session on March 17, 2020, or they could schedule a Special Legislative Session on March 3, 2020 to conduct the public hearing. As an Emergency Bill, at least five of the Commissioners are required to pass the bill which will become effective immediately upon passage.

I understand that the Commissioners have been requested to introduce and adopt this legislation as quickly as possible for a pending project in the Commercial Marine District of the West Ocean City Harbor area. In case the Commissioners are inclined to schedule a Special Legislative Session to hear the bill on March 3, 2020, I asked Development Review & Permitting (DRP) Director Ed Tudor to present the draft bill to the Worcester County Planning Commission for their review as our code requires that all Zoning text amendments be first reviewed by the Planning Commission for comment before passage by the County Commissioners. The Planning Commission reviewed the draft bill at their meeting on February 6, 2020 and provided a unanimous unfavorable recommendation due to concerns regarding persistent illegal parking and traffic congestion in the West Ocean City Harbor area and the excessive nature of this request (see attached memo). - p.13

If you or the County Commissioners should have any questions or concerns with regard to this matter, please feel free to contact either me or DRP Director Ed Tudor.



## EMERGENCY BILL 20-

BY:  
INTRODUCED:

## AN EMERGENCY BILL ENTITLED

AN ACT Concerning

## Zoning - Off-Premises Parking

For the purpose of amending the provisions for off-premises parking in the CM Commercial Marine District to increase the allowable percentage of off-premises parking permitted.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection ZS 1-320(h) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows.

(h) Off-premises parking. In a C OR I ~~or CM~~ District and in a unified development located in any District, up to fifty percent of the parking required by Subsection (a) hereof may be provided off-premises, OR WHERE THE USE OR STRUCTURE IS LOCATED IN A CM DISTRICT, UP TO NINETY PERCENT OF THE PARKING REQUIRED BY SUBSECTION (A) HEREOF MAY BE PROVIDED OFF-PREMISES, provided that:

- (1) It is not located greater than five hundred feet from the building or use served by any off-premises parking. Distances shall be measured by the shortest walking path, using sidewalks and crosswalks, from the farthest point of the off-premises parking area.
- (2) The off-premises parking area is not separated from the buildings or uses by an arterial or collector highway as listed in § ZS 1-326 hereof.
- (3) Prior to the issuance of any building or zoning permit for any use or structure utilizing off-premises parking the owners shall execute a written contract, easement or agreement, acceptable to the County Attorney, providing for the continued use of any off-premises parking and all terms and conditions as originally approved by the Planning Commission which shall be recorded in the land records of Worcester County. Any certificate of occupancy issued for any use or structure utilizing off-premises parking shall be conditioned upon the continued availability of the required parking spaces. Any applicant and their successors shall annually provide the Department with certification that the required parking spaces are still available.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER



COUNTY, MARYLAND, that this Bill, having been declared an Emergency Bill, shall take effect immediately upon its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**DRAFT**

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

\_\_\_\_\_  
Harold L. Higgins  
Chief Administrative Officer

\_\_\_\_\_  
Joseph M. Mitrecic, President

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\_\_\_\_\_  
Madison J. Bunting, Jr.

\_\_\_\_\_  
James C. Church

\_\_\_\_\_  
Joshua C. Nordstrom

\_\_\_\_\_  
Diana Purnell



- (7) Utility rights-of-way.
- (8) Public transportation facilities.
- (9) Any other such reservations, dedications and agreements as deemed necessary by the approving authority so that the purpose and intent of this section is fulfilled.

Current Code

**§ ZS 1-320. Off-street parking areas.**

- (a) Off-street parking; required amounts. In every district, space for off-street parking of vehicles and bicycles shall be provided on the premises in accordance with the requirements of this section, except as otherwise modified. Where the calculation of required parking spaces results in a fraction of less than one-half, it shall be disregarded. Any fraction of one-half or more shall be rounded up to the next whole number. Where required, a bicycle rack shall hold a minimum of five bicycles. Off-street parking areas may occupy all or a portion of any required yard, unless otherwise prohibited or specified, in accordance with the following schedule of minimum and maximum requirements: [Amended 6-20-2017 by Bill No. 17-6]

Use Category	Minimum Motor Vehicle Spaces Required	Maximum Motor Vehicle Spaces Allowed	Bicycle Spaces Required
<b>Household living:</b>			
Manufactured/mobile homes	2	N/A	N/A
Single-family dwellings	2	N/A	N/A
Multi-family dwellings	2 per unit	2.5 per unit	1 rack per each 50 units or fraction thereof
Townhouses	2 per unit	2.5 per unit	1 rack per each 50 units or fraction thereof if units do not have garages
Accessory apartments	1 per unit	2 per unit	N/A
<b>Group living:</b>			
Group homes	0.25 per sleeping room plus 1 per each 2 staff persons	0.50 per sleeping room plus 1 per each staff person	1 rack
Nursing homes, rest homes, and dependent care living units	0.25 per bed plus 1 per each 2 staff persons	0.50 per bed plus 1 per each staff person	N/A



for the times of normal business hours on each property. Joint parking may only be approved where:

- (1) The number of parking spaces credited to any property or use does not exceed what is reasonably anticipated to be available as may be determined by the Planning Commission.
- (2) Any joint parking spaces intended to serve customers are located less than five hundred feet and spaces reserved for employees are located less than seven hundred fifty feet from the entrance of the building or use served by the joint parking. Distances shall be measured by the shortest walking path, using sidewalks and crosswalks, from the farthestmost point of the remote parking area.
- (3) The joint parking area is not separated from the buildings or uses by an arterial or collector highway as listed in § ZS 1-326 hereof.
- (4) Signage is provided that identifies the parking being jointly used, who those spaces are available to, and any restrictions that may apply.
- (5) Prior to the issuance of any building or zoning permit all parties execute a written agreement, acceptable to the County Attorney, providing for the joint use of any parking. The agreement shall be executed by all parties concerned and shall provide for the continuing joint use of the parking area according to the terms and conditions as originally approved by the Planning Commission and shall be recorded in the land records of Worcester County. Any certificate of occupancy issued pursuant to a joint parking agreement shall be conditioned upon the continued availability of the required parking spaces. Any applicant and his/her successors shall annually provide the Department with certification that the required parking spaces are still available.

(h) Off-premises parking. In a C, I or CM District and in a unified development located in any District, up to fifty percent of the parking required by Subsection (a) hereof may be provided off-premises, provided that:

- (1) It is not located greater than five hundred feet from the building or use served by any off-premises parking. Distances shall be measured by the shortest walking path, using sidewalks and crosswalks, from the farthestmost point of the off-premises parking area.
- (2) The off-premises parking area is not separated from the buildings or uses by an arterial or collector highway as listed in § ZS 1-326 hereof.
- (3) Prior to the issuance of any building or zoning permit for any use or structure utilizing off-premises parking the owners shall execute a written contract, easement or agreement, acceptable to the County Attorney, providing for the continued use of any off-premises parking and all terms and conditions as originally approved by the Planning Commission which shall be recorded in the land records of Worcester County. Any certificate of occupancy issued for any use or structure utilizing off-premises parking shall be conditioned upon the continued availability of the required parking spaces. Any applicant and his/her successors shall annually



provide the Department with certification that the required parking spaces are still available.

- (i) Parking in other than commercial, industrial or commercial marine districts. Parking in the A, E, V, R or RP Districts shall be permitted only for uses permitted in those districts.

**§ ZS 1-321. Off-street loading spaces.**

- (a) Number of loading spaces. Any commercial, industrial, business or other use requiring the receipt or distribution of materials or merchandise by tractor and trailer vehicles during normal business hours as determined by the approving authority shall be provided with off-street loading space(s) as follows: [Amended 7-22-2014 by Bill No. 14-5]
- (1) 5,000 to 50,000 square feet of gross floor area: 1 loading space required, with a maximum of 2 allowed.
  - (2) 50,001 to 100,000 square feet of gross floor area: 2 loading spaces required, with a maximum of 3 allowed.
  - (3) Greater than 100,000 square feet of gross floor area: 3 loading spaces required, with a maximum of 4 allowed.
- (b) Loading space size. Each loading space shall be not less than ten feet in width, sixty-five feet in length and fourteen feet in clear height.
- (c) Loading space location. Such space shall be located adjacent to the structure and may occupy part of any required yard except a front yard and shall not intrude into required landscape areas. They shall be designed to permit vehicle ingress and egress and required on-site turning of both delivery and customer vehicles without infringement on any public rights-of-way or other lot. Additionally, they shall not interfere with the access to or use of any required parking space or vehicular travelway. No loading area or space shall be located within twenty feet of any public street, public walkway or pedestrian walkway internal to a development or within any required or designated fire lane.
- (d) Loading space modifications. The loading space requirement specified in Subsection (a) hereof may be modified or waived by the Planning Commission where it is deemed that strict compliance would cause undue hardship on the applicant. [Added 7-22-2014 by Bill No. 14-5]

**§ ZS 1-322. Landscaping, buffering and screening requirements.**

- (a) Purpose. The purpose and intent of this section is to protect, preserve and promote the aesthetic appeal, scenic beauty, character and value of Worcester County; to promote the public health and safety through the reduction of noise pollution, flooding, stormwater runoff, air pollution, visual pollution or clutter, and light trespass or glare; to maintain, preserve and improve the appearance of the vehicular use areas and property abutting public rights-of-way; and to require buffering between incompatible land uses.



I need your help with the redevelopment of Mad Fish Restaurant. There are currently 19 parking spaces adjacent to the Mad Fish Restaurant. The remainder of the required parking is across South Harbor Road.

Cole Taustin has designed a new building. The new building is smaller, but it is pushed back from the water, to provide open space along the harbor. As a result, there are 9 or 10 parking spaces on the same side of South Harbor Road, as opposed to 19 parking spaces previously.

The Code states that up to 50% of the required parking may be off-premises subject to certain conditions (i.e. located not greater than 500 feet from the building; not separated by an arterial or collector highway; deed restricted as an accessory to the building). So, even the existing restaurant is non-conforming.

Mad Fish has more than the required parking, and the redevelopment will have even more parking, because the building will be smaller.

Unfortunately, almost 90% of the required parking is across the road.

This is a situation with all of the lots on the West Ocean City Harbor. They are surrounded by a road, so any substantial parking needs to be across the road.

I would request that you propose a text amendment to permit up to 90% of the required parking across the road. We would limit this to a Commercial Marine District, which only exists around the West Ocean City Commercial Harbor.

This would allow the Mad Fish Restaurant to redevelop in a much better way. It will allow that redevelopment to move forward.

It will also encourage the provision of more parking around the West Ocean City Harbor.

Believe it or not, if Mad Fish will be open for the summer of 2021, we need to get started right away. Could you line up a couple of Commissioners and sponsor this legislation so I do not have to go through the text amendment process?

I am happy to meet to discuss it further.

My handwritten revisions to the Code are attached. Thank you.

Hugh Cropper IV  
Booth Cropper & Marriner, P.C.  
923 Stephen Decatur Highway, D-2  
Ocean City, Maryland 21842  
410-213-2681  
[www.bbcmllaw.com](http://www.bbcmllaw.com)



Could you propose this as a Text Amendment this Tuesday? It doesn't need to be voted on Tuesday, I am just hoping that you can propose it. I am sure the Staff will want to re-write it.

Thank you, and have a great weekend.

Hugh Cropper IV  
Booth Cropper & Marriner, P.C.  
9923 Stephen Decatur Highway, D-2  
Ocean City, Maryland 21842  
410-213-2681  
[www.bbcmllaw.com](http://www.bbcmllaw.com)

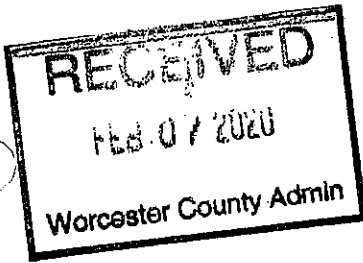
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provided parking, a listing of the peak hour(s) of parking demand for each property or site, a statement as to the nature of use of each site and its hours of operation, a statement as to the hours of service or resupply for the business located on each site, and any additional information required by the Planning Commission to effectively evaluate the request. In addition the applicants shall conduct no less than three site surveys, on different days and under different weather conditions, at least one of which shall be conducted on the busiest day of operation for each site, if one can be determined. The surveys shall depict the usage of the parking areas on an hourly basis for the times of normal business hours on each property. Joint parking may only be approved where:

- (1) The number of parking spaces credited to any property or use does not exceed what is reasonably anticipated to be available as may be determined by the Planning Commission.
  - (2) Any joint parking spaces intended to serve customers are located less than five hundred feet and spaces reserved for employees are located less than seven hundred fifty feet from the entrance of the building or use served by the joint parking. Distances shall be measured by the shortest walking path, using sidewalks and crosswalks, from the farthestmost point of the remote parking area.
  - (3) The joint parking area is not separated from the buildings or uses by an arterial or collector highway as listed in § ZS 1-326 hereof.
  - (4) Signage is provided that identifies the parking being jointly used, who those spaces are available to, and any restrictions that may apply.
  - (5) Prior to the issuance of any building or zoning permit all parties execute a written agreement, acceptable to the County Attorney, providing for the joint use of any parking. The agreement shall be executed by all parties concerned and shall provide for the continuing joint use of the parking area according to the terms and conditions as originally approved by the Planning Commission and shall be recorded in the land records of Worcester County. Any certificate of occupancy issued pursuant to a joint parking agreement shall be conditioned upon the continued availability of the required parking spaces. Any applicant and their successors shall annually provide the Department with certification that the required parking spaces are still available.
- (h) Off-premises parking. In a C, I or CM District and in a unified development located in any District, up to fifty percent of the parking required by Subsection (a) hereof may be provided off-premises, provided that:
- and where the principal permitted use is located in a ED District, up to ninety percent of the parking required by Subsection (a) hereof may be provided off-premises,*
- (1) It is not located greater than five hundred feet from the building or use served by any off-premises parking. Distances shall be measured by the shortest walking path, using sidewalks and crosswalks, from the farthestmost point of the off-premises parking area.
  - (2) The off-premises parking area is not separated from the buildings or uses by an arterial or collector highway as listed in § ZS 1-326 hereof.
  - (3) Prior to the issuance of any building or zoning permit for any use or structure utilizing off-premises parking the owners shall execute a written contract, easement or agreement, acceptable to the County Attorney, providing for the continued use of any off-premises parking and all terms and conditions as originally approved by the Planning Commission which shall be recorded in the land records of Worcester County. Any certificate of occupancy issued for any use or structure utilizing off-premises parking shall be conditioned upon the continued availability of the required parking spaces. Any applicant and their successors shall annually provide the Department with certification that the required parking spaces are still available.





DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

GOVERNMENT CENTER  
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ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

## MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer  
FROM: Edward A. Tudor, Director *EAT*  
DATE: February 7, 2020  
RE: Planning Commission Recommendation -  
Text Amendment - Off-Premises Parking

\*\*\*\*\*

Pursuant to your direction, I forwarded the emergency text amendment requested by the County Commissioners at their meeting on February 4, 2020 to the Planning Commission for its review and recommendation. The Planning Commission reviewed the proposed text amendment at its meeting on February 6, 2020.

Attached herewith you will find a memorandum from Phyllis H. Wimbrow, Deputy Director, outlining the Planning Commission's discussion in arriving at a unanimous unfavorable recommendation. I believe you will find it self-explanatory.

If you have any questions or need additional information, please let me know.

Attachments

cc: Phyllis H. Wimbrow, Deputy Director  
Jennifer Keener, Zoning Administrator





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## MEMORANDUM

TO: Edward A. Tudor, Director  
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*  
DATE: February 6, 2020  
RE: Planning Commission Recommendation - Text Amendment -  
§ ZS 1-320(h) - Off-Premises Parking

The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding the text amendment requested by the County Commissioners which seeks to amend the Zoning and Subdivision Control Article to increase the percentage of parking that may be provided off-premises for principal uses in the CM Commercial Marine District. At present, in a C, I or CM District and in a unified development located in any District, up to 50 percent of the required parking may be provided off-premises provided certain conditions are met. The text amendment as proposed will increase this percentage to 90 percent where the principal permitted use is located in a CM District.

The Planning Commission reviewed the proposed text amendment at its meeting on February 6, 2020. The Planning Commission noted that the proposed amendment affects all properties in the CM District, not just a single property, and that most of the properties adjoining the West Ocean City Harbor are zoned CM District. Additionally, several restaurants are located in this area as well as other uses and some uses already have parking reductions and/or off-premises parking. The Planning Commission concluded that parking is already at a premium in this popular area and vehicles are oftentimes parked in public streets, on private property without appropriate permission, or elsewhere in the residential areas located around the Harbor, thus exacerbating frequent congestion. Although the conditions for off-premises parking require an contract, easement or agreement between the landowners providing for its continued availability and use, the Planning Commission is concerned about the true enforceability of this and whether a certificate of occupancy would be voided in the event the off-premises parking area was no longer available. Following the discussion the Planning Commission unanimously gave a unfavorable recommendation to the text amendment, concluding that allowing 90 percent of the required parking to be off-premises was excessive.

Should you have any questions or require additional information, please do not hesitate to contact me.





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DEVELOPMENT REVIEW AND PERMITTING

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### MEMORANDUM

TO: Worcester County Planning Commission  
FROM: Edward A. Tudor, Director *EAT*  
DATE: February 5, 2020  
RE: Text Amendment - Off-Premises Parking

\*\*\*\*\*

Attached herewith you will find a copy of a text amendment requested by the County Commissioners at their meeting on February 4, 2020. It is my understanding that the Commissioners intend to introduce this bill as emergency legislation at their next meeting on February 18, 2020 and possibly hold the required public hearing as early as their meeting of March 3, 2020. Given that this date falls two days prior to your next meeting on March 5, 2020, your review and recommendation on the proposed bill at tomorrow's Planning Commission meeting is requested.

Should you have any questions or require additional information, please do not hesitate to contact me.

cc: Roscoe Leslie  
Phyllis Wimbrow  
Jennifer Keener



COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

EMERGENCY BILL 20-

BY:

INTRODUCED:

AN EMERGENCY BILL ENTITLED

**DRAFT**

AN ACT Concerning

Zoning - Off-Premises Parking

For the purpose of amending the provisions for off-premises parking in the CM Commercial Marine District to increase the allowable percentage of off-premises parking permitted.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection ZS 1-320(h) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows.

(h) Off-premises parking. In a C, I or CM District and in a unified development located in any District, up to fifty percent of the parking required by Subsection (a) hereof may be provided off-premises, AND WHERE THE PRINCIPAL PERMITTED USE IS LOCATED IN A CM DISTRICT, UP TO NINETY PERCENT OF THE PARKING REQUIRED BY SUBSECTION (A) HEREOF MAY BE PROVIDED OFF-PREMISES, provided that:

- (1) It is not located greater than five hundred feet from the building or use served by any off-premises parking. Distances shall be measured by the shortest walking path, using sidewalks and crosswalks, from the farthestmost point of the off-premises parking area.
- (2) The off-premises parking area is not separated from the buildings or uses by an arterial or collector highway as listed in § ZS 1-326 hereof.
- (3) Prior to the issuance of any building or zoning permit for any use or structure utilizing off-premises parking the owners shall execute a written contract, easement or agreement, acceptable to the County Attorney, providing for the continued use of any off-premises parking and all terms and conditions as originally approved by the Planning Commission which shall be recorded in the land records of Worcester County. Any certificate of occupancy issued for any use or structure utilizing off-premises parking shall be conditioned upon the continued availability of the required parking spaces. Any applicant and their successors shall annually provide the Department with certification that the required parking spaces are still available.



Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill, having been declared an Emergency Bill, shall take effect immediately upon its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**DRAFT**

ATTEST:

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

\_\_\_\_\_  
Harold L. Higgins  
Chief Administrative Officer

\_\_\_\_\_  
Joseph M. Mitrecic, President

\_\_\_\_\_  
Theodore J. Elder, Vice President

\_\_\_\_\_  
Anthony W. Bertino, Jr.

\_\_\_\_\_  
Madison J. Bunting, Jr.

\_\_\_\_\_  
James C. Church

\_\_\_\_\_  
Joshua C. Nordstrom

\_\_\_\_\_  
Diana Purnell