

OXFORD TOWN CODE



Adopted by Ordinance 1219 (4.23.13)
Amended through 2.13.17

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CHAPTER 1. GENERAL PROVISIONS

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- 1.4. Repeal of ordinances
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- 1.6. Provisions deemed continuations of existing ordinances
- 1.7. Severability of parts of Code
- 1.8. Amendment to Code; effect of new ordinances; amendatory language
- 1.9. Authority of Code
- 1.10. General penalty for misdemeanors; continuing violations, civil penalties for municipal infractions.
- 1.11. Administrative Search Warrants; Right of Entry.

Section 1.1 How Code is designated and cited.

The ordinances embraced in the following chapters and sections shall constitute and be designated as “The Code of Ordinances of the Town of Oxford”, and may be so cited. The Code may also be cited as “Oxford Town Code”.

Section 1.2 Definitions and rules of construction.

In the construction of this Code and all ordinances, the following definitions and rules shall be observed, unless such definitions and rules would be inconsistent with the manifest intent of the Town of Oxford or the context clearly requires otherwise.

Charter – shall mean the Charter of the Town of Oxford.

Commissioners – means the Commissioners of the Town of Oxford.

County - when used as “the County” or “this County” shall mean Talbot County, Maryland.

Owner - The word “owner”, applied to a building or land, shall include any part owner, joint owner, tenant in common, tenant in partnership, or joint tenant or tenant by the entirety, of the whole or part of such building or land.

Person - shall include a corporation, company, partnership, association or society as well as a natural person.

Property - shall include real and personal property.

Shall; May – The word “shall” is mandatory, and the word “may” is permissive.

Sidewalk - is any path or way, paved or unpaved, whether publicly or privately owned, intended for public use by pedestrians.

State – when used as “the State” or “this State” shall mean the State of Maryland.

Street – shall include any public ways, roads, highways, avenues, alleys and lanes within the Town.

Tenant; Occupant – when applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.

Time – when used in the past or present tense, include the future as well as the past and present.

Town – when used as “the Town” or “this Town” shall mean the Town of Oxford, in the County of Talbot and the State of Maryland.

Year – shall mean a calendar year except when referring to the fiscal year.

Section 1.3 Catchlines of sections.

The catchlines or titles of the several sections of this Code are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be a legal part of such sections, nor as any other part of such sections, nor unless expressly so provided, shall they be deemed when any of such sections, including the catchlines, are amended or re-enacted.

Section 1.4 Repeal of ordinances.

All ordinances or portions of ordinances in conflict with the provisions of this Code are hereby repealed to the extent of such conflict.

Section 1.5 Effect of repeal.

The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect. The repeal set forth in subsection 1.4. shall not affect any of the following:

- A. Any offense or act committed or done or any penalty or forfeiture incurred before the enactment date.
- B. Any contract or right established or accruing before the enactment date.
- C. Any ordinance or resolution promising or guaranteeing the payment of money for the Town of Oxford or authorizing the issuance of any bonds of the Town or any evidence of the Town's indebtedness or any contract or obligation assumed by the Town.
- D. Any annual tax levy, rates, charges, or fees or schedules of the same adopted by resolution or ordinance that are not inconsistent with the provisions of this Code.
- E. Any right, permit, license, or franchise conferred by the Town upon any person or corporation.
- F. Any ordinance or resolution of the Town adopted for purposes which have been consummated.
- G. Any ordinance which is temporary although general in effect, or special although permanent in effect.
- H. Any ordinance or resolution relating to the salaries of the town officers or employees.
- J. Any ordinance or resolution annexing territory to the Town.
- K. Any ordinance naming, renaming, opening, accepting or vacating streets or alleys in the Town.
- L. Any ordinance adopted after the effective date.
- M. The Zoning Ordinance of the Town, and the Comprehensive Plan.
- N. The Oxford Charter.

Section 1.6 Provisions deemed continuations of existing ordinances.

The provisions appearing in this Code, so far as they are the same in substance as ordinances existing at the effective date of this Code, shall be considered as continuation thereof and not as new enactments.

Section 1.7 Severability of parts of Code.

It is hereby declared to be the intention of the Commissioners that the sections, paragraphs, sentences, clauses and words of this section of this Code are severable, and if any word, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment of decree of any court of competent jurisdiction, that unconstitutionality or invalidity shall not affect any of the remaining words, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted by the Commissioners without the incorporation in this Code of any unconstitutional or invalid word, clause, sentence, paragraph or section.

Section 1.8 Amendment to Code; effect of new ordinance; amendatory language.

All ordinances passed subsequent to this Code which repeal or in any way affect this Code or Ordinances, may be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsection ordinances repeal any chapter, section or subsection or any portion thereof, those repealed portions may be excluded from this Code by omission from reprinted pages. All sections, articles, chapters, titles or provisions of this Code desired to be replaced should be specifically repealed by section, chapter or title number, as the case may be.

Section 1.9 Authority of Code.

This Code is a revision and a codification of the general regulatory ordinances of the Town of Oxford which have been enacted and published in accordance with the provisions of the laws of Maryland and which have not been repealed, and is done by virtue of authority granted in Maryland Code Annotated, Article 23A, § 23A, Section 2(b)(13).

Section 1.10 General penalty for misdemeanors; municipal infractions.

A. Misdemeanors. Unless otherwise specifically provided by this Code or Town ordinance, whenever in this Code or in any ordinance, the Town Commissioners shall declare that any act or failure to act is a misdemeanor or is declared unlawful, and is not specifically declared to be an infraction, the violation of any such provision shall be punishable by a fine not to exceed the maximum allowable fine for misdemeanors as set forth in Article 23A, § 3 of the Maryland Annotated Code, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment as determined in the discretion of the Court. Where this Code or ordinance sets forth a specific fine for a particular misdemeanor, that fine shall apply. If no specific fine is set by this Code or by ordinance of the Town Commissioners for a misdemeanor, the fine for the first offense shall be One Hundred Dollars (\$100.00), and shall be Two Hundred

Dollars (\$200.00) for each additional offense within a 12 month period. Each and every day such violation occurs shall be considered a separate offense, and subject to separate penalties and fines.

B. Municipal Infractions. The Commissioners of Oxford shall by official act declare the violation of which Code provisions or ordinances shall be an infraction or infractions, and for each such violation a fine shall be set. This fine shall never exceed the maximum allowable fine for each municipal infraction as set forth in Article 23A, § 3 of the Maryland Annotated Code. Unless this Code or any ordinance of the Town sets forth a different fine amount for the particular infraction, the penalty for the first infraction shall be One Hundred Dollars (\$100.00), and Two Hundred Dollars (\$200.00) for the second violation. Where this Code or any ordinance sets forth a specific fine for a particular municipal infraction, that fine amount shall apply. Each day that such a violation continues shall be considered a separate offense.

Section 1.11 Administrative Search Warrants; Right of Entry.

The Town of Oxford, or its designated code official or other authorized agent or employee, may apply to a judge of the District Court or Circuit Court for Talbot County, for an administrative search warrant to enter any premises to conduct any inspections required or authorized by this Code or applicable law.

A. Form. The application for an administrative search warrant shall be in writing and sworn to by the applicant and shall particularly describe the place, structure, premises, to be inspected and the nature, scope and purpose of the inspection to be performed by the applicant.

B. Findings. A judge of a court referred to in this section may issue the warrant based upon information set forth in subsection A upon a finding that:

1. The applicant has sought access to the property for the purpose of making an inspection;
2. after requesting, at a reasonable time, that the owner, tenant or other individual in charge of the property allow the applicant access, the applicant has been denied access to the property, or after making a reasonable effort the applicant has been unable to locate an of these individuals;
3. The Town or its designated code officials(s) is authorized by law to make an inspection of the property for which the warrant is sought; and

4. Probable cause for the issuance of the warrant has been demonstrated by the applicant by specific evidence of a public nuisance that affects the health, safety and welfare of the Town's citizens, or that the property to be inspected falls within the Town's inspection process pursuant to the Property Maintenance Code.

C. An administrative search warrant issued under this section shall specify the place, structure, or premise to be inspected. The inspection conducted may not exceed the limits specified in the warrant.

D. An administrative search warrant issued under this section authorizes the applicant and other designated officials or employees of the Town to enter specified property to perform an inspection, sampling and other functions authorized by law to determine compliance with the provision of the code or other law.

E. An administrative search warrant issued under this section shall be executed and returned to the judge by whom it was issued within:

1. The time specified in the warrant, not to exceed thirty days; or
2. If no time period is specified in the warrant, fifteen days from the date of its issuance.

F. Information obtained in accordance with an administrative search warrant under this section is confidential and may not be disclosed except:

1. To the extent used in an administrative or judicial proceeding that arises out of a violation that relates to the purposes for which the warrant was issued and within the scope of the warrant; or
2. To the owner or occupant of the building or premises.

(History – Ordinance No. 1008, adopted 9/14/10)

CHAPTER 2. ANIMALS

- 2.1 Adoption of Talbot County Standards
- 2.2 Additional Standards Applicable Within the Town
- 2.3 Stricter Standard Shall Apply

Section 2.1 Adoption of Talbot County Standards.

A. Chapter 15 of the Talbot County Code titled “Animals”, as adopted by the County Council of Talbot County by Bill No. 974 is hereby adopted as the “Oxford Animal Control Ordinance”. Chapter 15 of the Talbot County Code, and as further amended by this Ordinance, shall be effective and enforced within the Town of Oxford by the Talbot County Animal Control Officer and by any duly authorized law enforcement officer or other duly authorized official of Talbot County or the Town of Oxford.

B. Any and all amendments to the Talbot County Animal Control Ordinance (currently codified as Chapter 15 of the Talbot County Code), as adopted by the Talbot County Council, shall apply to and shall be enforceable within the Town of Oxford, regardless of whether those amendments have been adopted by the Commissioners of Oxford in a separate legislative action, it being the intent of the Commissioners of Oxford that the county-wide plan for animal control apply within the Town of Oxford.

Section 2.2 Additional Standards Applicable Within the Town.

Notwithstanding any contrary or different provision of the Talbot County Animal Control Ordinance, the following provisions shall apply within the Town of Oxford.

A. Restraint. All animals need to be secured by a leash and in the custody of a responsible person who is capable of, and does, retain continuous control of the animal.

B. Animal Waste. No pet owner or custodian of any animal shall cause or permit such animal to deposit waste upon public property, or upon any property not owned or leased by the pet owner, unless such owner or custodian:

1. immediately collects the waste by placing such waste in a paper or plastic bag, or other appropriate container; and
2. removes and disposes the waste in a matter otherwise permitted by law.

C. Violations. A violation of this subsection 2.2 shall be considered a municipal infraction subject to the civil penalties and fines set forth in the Talbot County Animal Control Ordinance, as amended from time to time.

Section 2.3 Stricter Standard Shall Apply.

Where there is a conflict between a provision of this Ordinance or a provision of the Talbot County Animal Control Ordinance, the stricter standard shall apply.

(History, Ordinance 1211, adopted October 9, 2012)

CHAPTER 3. BUILDING CONSTRUCTION

ARTICLE I One-and Two-Family Dwellings

- 3.1 Adoption of standards by reference
- 3.2 Amendments
- 3.3 Copies on File
- 3.4 Repealer
- 3.5 Severability

ARTICLE II Building Code

- 3.6 Adoption of standards by reference
- 3.7 Amendments
- 3.8 Repealer
- 3.9 Copies on File
- 3.10 Severability

ARTICLE III Energy Code

- 3.11 Adoption of standards by reference
- 3.12 Amendments
- 3.13 Copies on File
- 3.14 Repealer
- 3.15 Severability

ARTICLE IV. Existing Building Code

- 3.16 Adoption of standards by reference
- 3.17 Amendments
- 3.18 Repealer
- 3.19 Copies on file
- 3.20 Severability

ARTICLE I. ONE-AND TWO-FAMILY DWELLINGS

Section 3.1 Adoption of standards by reference.

The 2015 Edition of the International Residential Code for One- and Two-Family Dwellings, as published by the International Code Council, Inc., as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), is hereby adopted as the Town of Oxford Residential Code for One and Two Family Dwellings (sometimes referred to as the “Residential Code”). The Residential Code shall regulate the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family

dwellings (town houses) no more than three stories in height with separate means of egress in the Town of Oxford. All of the regulations, provisions, terms, and conditions, of the Residential Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in COMAR 05.02.07 and as further set forth in Section 3.2 herein.

Section 3.2 Amendments.

The following sections of the 2015 Edition of International Residential Code for One- and Two- Family Dwellings are modified, deleted, substituted, or added as follows:

CHAPTER 1-SCOPE AND ADMINISTRATION

**SECTION R101
GENERAL**

Section R101.1. Title. These regulations shall be known as the “Town of Oxford Residential Building Code for One- and Two-Family Dwellings”. Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Oxford”.

. . . .

**SECTION R102
APPLICABILITY**

Section R102.5. Appendices. All the provisions in the Appendices are adopted as part of the IRC except those in Appendices, E, J and L.

. . . .

**SECTION R112
BOARD OF APPEALS**

Section R112.1. General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Oxford Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

. . . .

Section R112.2. Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established in the Town of Oxford Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance, and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

. . . .

Section R.112.3. Qualifications. Deleted.

. . . .

**SECTION R113
VIOLATIONS**

Section 113. Delete this section in its entirety and substitute the following:

Section R113.1. Unlawful acts. It shall be a municipal infraction for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section R113.2. Notice of violation. The building official or other authorized designee of the Town of Oxford is authorized to serve a notice of violation or other order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or a structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Section R113.3. Prosecution of violation. If the notice is not complied with in the time prescribed by such notice, the building official or other authorized designee of the Town of Oxford is authorized to issue a civil municipal citation and to institute the appropriate proceedings at law or in equity to restrain, correct

or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The Town Attorney is authorized to prosecute or file a civil action in connection with a violation of any provision of this code.

Section R113.4. Violation penalties. Violation of this code shall be a municipal infraction subject to a fine of Five Hundred Dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to said fine, the Town may request during the adjudication of the infraction that the defendant abate the violation or in the alternative to permit the Town to abate the violation at the defendant's expense. Enforcement of this section shall be in accordance with Md. Code Annotated Local Government Article §6-102, et. seq., as amended from time to time. This provision is not an exclusive remedy, and the Town may seek injunctive or other relief as necessary.

Section R113.5. Unpaid expenses as a lien against real estate. Whenever pursuant to this code, a building official directs a property owner to take an action to abate a violation of this code and the property owner fails to do so in the time frame set forth in the notice or pursuant to an order of the court, the building official may cause such action to be performed and the costs thereof shall be a lien against the real estate and shall be collectible in the same manner in which real estate taxes are collected, or the Town may collect it by such other action at law, in the Town's discretion.

. . . .

CHAPTER 3. BUILDING PLANNING

SECTION R-301 DESIGN CRITERIA

Section R301.2. Climatic and geographic design criteria. This subsection shall be amended as follows:

**Table R301.2(1)
Climatic and Geographic Design Criteria**

Ground Snow Load	25PSF
Roof Snow Load	20PSF
Wind Speed (c)	90/100 MPH
Seismic Design Category	0
Weathering (a)	Severe
Front Line Depth (b)	24"
Termite	Moderate
Decay	Slight to Moderate
Winter Design Temp.	75 degrees F
Flood Hazards	The Oxford Flood Hazard Areas, which have been identified by the Federal Emergency Management Agency, as amended or revised by the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM), in addition to other applicable ordinances related to flood plain regulation and stormwater management

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from this code. The grade of masonry units shall be determined from ASTM C 34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1 (1).
- c. Wind exposure category shall be determined on a site specific basis in accordance with Section R301.2.1.4.

CHAPTER 12. MECHANICAL ADMINISTRATION

Section M.1201.1. Scope. The subject matter of chapters 12 through 24 is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements concerning the mechanical systems, refer to the mechanical code adopted pursuant to the provisions of Business Regulation Article, §9A-205, Annotated Code of Maryland.

. . . .

CHAPTER 25. PLUMBING ADMINISTRATION

Section P.2501.1. Scope. The subject matter of chapters 25 through 33 is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable requirements concerning the plumbing systems, refer to the plumbing code adopted pursuant to the provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

. . . .

CHAPTER 34. ELECTRICAL – GENERAL REQUIREMENTS

Section E3401.2. Scope. The subject matter of chapters 34 through 43 is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable electrical requirements, refer to 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.

Section 3.3 Copies on file.

The Clerk-Treasurer of the Town of Oxford shall maintain two (2) copies of the Town Residential Code on file in the Town Office.

Section 3.4 Repealer.

All prior residential code ordinances or parts of residential code ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning ordinance and this ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 3.5 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

(History, Ordinance 1601, adopted February 23, 2016)

ARTICLE II. BUILDING CODE

Section 3.6 Adoption of standards by reference.

The 2015 Edition of the International Building Code, as published by the International Code Council, Inc., as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07), is hereby adopted as the Town of Oxford Building Code, for the control of buildings and structures as herein provided. All of the regulations, provisions, terms, and conditions of the Building Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in Section 3.7 herein.

Section 3.7 Amendments.

The following sections of the 2015 Edition of the International Building Code are modified as follows:

CHAPTER 1. SCOPE AND ADMINISTRATION

**SECTION 101
GENERAL**

Section 101.1 Title. These regulations shall be known as the “Town of Oxford Building Code”. Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Oxford”.

Section 101.2 Scope. The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or

structure or any appurtenances connected or attached to such buildings or structures.

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.

Exception 2. Existing buildings undergoing repair, alterations or additions, and change of occupancy shall comply with Maryland Building Rehabilitation Code set forth in COMAR 05.16.

Exception 3. Maintenance of residential structures and premises shall comply with the State Minimum Livability Code (Chapter 4, Article 1 of the Oxford Town Code).

Section 101.2.1. Appendices. All of the Appendices are adopted as part of the Oxford Building Code except those in Appendices A, B, D, E, and K.

. . . .

**SECTION 104
DUTIES AND POWERS OF BUILDING OFFICIAL**

. . . .

Section 104.6. Right of Entry. Delete this subsection entirely, and replace with the following:

Section 104.6. Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises is occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry, including acquiring an administrative search warrant.

. . . .
SECTION 107
SUBMITTAL DOCUMENTS

. . . .

Section 107.2.1. Information on Construction documents. Amend Section 107.2.1. to include the following paragraph:

Section 107.2.1. Information on Construction documents. For new buildings, additions and alterations to buildings other than detached one and two family dwellings, the application for the building permit shall be accompanied by: two (2) complete sets of architectural, structural, mechanical (heating, ventilation, air conditioning-HVAC) plumbing and electrical plans, drawn to scale with sufficient clarity and detail to show the nature and character of work to be performed. The plans shall be prepared in compliance with this Code, and shall have the seal and signature of a Maryland state professional engineer or architect affixed to each and every sheet of all sets at least one of which shall bear the original (not reproduced) seal and signature.

. . . .
SECTION 109
FEES

. . . .

Section 109.6. Refunds. Delete subsection 109.6 and substitute the following:

Section 109.6. Refunds. When an unissued permit has been denied by the building official or withdrawn by property owner or agent, a 50% refund is due on building codes and zoning fees paid. No refund will be given on issued permits.

Section 109.7. Inspection Fees. Add a new subsection 109.7, to read as follows:

Section 109.7. Re-Inspection Fees. A re-inspection fee may be charged for each re-inspection if the work has to be re-inspected because:

1. The work was not ready for inspection at the pre-arranged time for inspection;
2. The inspector did not have access to the work at the pre-arranged time for inspection; or

3. The inspector discovers a flagrant noncompliance during a requested inspection.

. . . .

SECTION 110 INSPECTIONS

. . . .

Section 110.3. Required Inspections. Add a new subsection 110.3.1. Replace with the following:

Section 110.3.1. Foundation Inspections. Foundation inspection shall be made when the foundation is complete with all required anchors, vents and termite shield installed.

Section 110.3.3. Lowest Floor Elevation. Delete this section.

Section 110.3.9.1. Coordination of Inspections. Add a new subsection 110.3.9.1 to read as follows:

Section 110.3.9.1. Coordination of Inspections. All required inspections shall be made and coordinated with the other trades, building, electrical, plumbing, HVAC and Sprinkler.

Section 110.5. Inspection Request. Amend section to include the following at the end of the first sentence: “forty-eight (48) hours before said work is completed.”

Section 110.7. Withholding of Inspection and Permit. Add a new subsection 110.7 to read as follows:

Section 110.7. Withholding of Inspection and Permit. If the Code official finds that a contractor, developer, or owner has violated the provisions of the Code, or rules and regulations which implement this Code, in connection with the construction, maintenance, alteration, or repair of any building, structures, equipment or land within the Town of Oxford, the Town’s designated building official, after written notice to the violator, and a hearing on the allegations, if applicable, may refuse to grant further inspections or further permits of any kind to the contractor, developer, or owner until all violations have been corrected and all fees have been paid.

. . . .

**SECTION 113
BOARD OF APPEALS**

. . . .

Section 113.1. General. Delete this section and replace with the following:

Section 113.1. General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Oxford Board of Appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 113.2. Limitations on authority. Delete this section and replace with the following:

Section 113.2. Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established in the Town of Oxford Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

Section 113.3. Qualifications. Deleted.

**SECTION 114
VIOLATIONS**

Section 114.1. Violations. Delete this subsection in its entirety and substitute the following:

Section 114.1. Unlawful acts. It shall be a municipal infraction for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove,

demolish or occupy any building, structure or equipment regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section 114.2. Notice of violation. The building official or other authorized designee of the Town of Oxford is authorized to serve a notice of violation or other order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or a structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Section 114.3. Prosecution of violation. If the notice is not complied with in the time prescribed by such notice, the building official or other authorized designee of the Town of Oxford is authorized to issue a civil municipal citation and to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The town attorney is authorized to prosecute or file a civil action in connection with a violation of any provision of this code.

Section 114.4. Violation penalties. A violation of this code shall constitute a municipal infraction subject to a fine of Five Hundred Dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to said fine, the Town may request during the adjudication of the infraction that the defendant abate the violation, or in the alternative, to permit the Town to abate the violation at the defendant's expense. Enforcement of this section shall be in accordance with Md. Code Annotated Local Government Article § 6-102 et. seq., as amended from time to time. This provision is not an exclusive remedy, and the Town may seek injunctive or other relief as necessary.

Section 114.5. Unpaid expenses as a lien against real estate. Whenever, pursuant to this code, a building official directs a property owner to take an action to abate a violation of this code and the property owner fails to do so in the time frame set forth in the notice or pursuant to an order of the court, the building official may cause such action to be performed and the costs thereof shall be a lien against the real estate and shall be collectible in the same manner in which

real estate taxes are collected, or the Town may collect it by such other action at law, in the Town's discretion.

**SECTION 115
STOP WORK ORDER**

. . . .

Section 115.2.1. Stop Work Order, Posting. Add a new subsection 115.2.1 to read as follows:

Section 115.2.1. Stop Work Order, Posting. The posting of a stop work order at the job site shall constitute adequate notification by the Town of Oxford's designated Code Official.

. . . .

CHAPTER 9. FIRE PROTECTION SYSTEMS

901.1. Scope. ADDITIONAL NOTE: Fire protection system requirement of Chapter 9 may be concurrently covered in the State Fire Prevention Code, Public Safety Article §§ 6-101 – 6-102, 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. In the event of a conflict between these provision and the State Fire Prevention Code, the provisions of the State Fire Prevention Code shall control.

. . . .

CHAPTER 10. MEANS OF EGRESS

1001.1. General. ADDITIONAL NOTE: Means of egress requirements of Chapter 10 may be concurrently covered in the State Fire Prevention Code, Public Safety Article, §§ 6-101 – 6-102, 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. In the event of a conflict between these provisions and the State Fire Prevention Code, the provisions of the State Fire Prevention Code shall control.

. . . .

CHAPTER 11. ACCESSIBILITY

Chapter 11 of the IBC related to accessibility requirements is hereby replaced with the Maryland Accessibility Code set forth in COMAR 05.02.02.

. . . .

CHAPTER 16. STRUCTURAL DESIGN

. . . .

Section 1607.12. Minimum Roof Live Loads. Delete this section and replace with the following:

Section 1607.12. Minimum Roof Live Loads. Roofs shall be designed for a minimum live load of 20 pounds per square foot or designed for the minimum snow load, whichever is greater.

. . . .

Section 1612.3. Establishment of Flood Hazard Areas. Amend subsection 1612.3. as follows:

Section 1612.3. Establishment of Flood Hazard Areas. The Town of Oxford has established flood hazard areas, which have been identified by the Federal Emergency Management Agency as reflected in the Flood Insurance Rate Map for Talbot County, Town of Oxford, Map Number 24041C0283C, Community-Panel Numbers 240068 and 240066, 0283 C, effective date: August 5, 2013, and Flood Insurance Rate Map for Talbot County, Town of Oxford, Map Number 24041C0291C, Community-Panel Numbers 240068 and 240066, 0291 C, effective August 5, 2013, and related supporting data along with any revisions thereto, which shall apply to any construction within flood hazard areas, in addition to all other applicable ordinances related to flood plain regulations and storm water management.

. . . .

CHAPTER 18. SOILS AND FOUNDATIONS

. . . .

Section 1809.5. Frost Protection. Amend subsection 1809.5 to read as follows:

Section 1809.5. Frost Protection. Except where erected upon solid rock or otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings or structures 120 square feet or larger in area or 10 feet in height shall extend below the front line of 24" below finished grade, and spread footings of adequate size shall be provided where necessary to properly distribute the load within the allowable load bearing value of soil. Alternatively, such

structures shall be supported on piles where solid earth or rock is not available. Footings shall not bear on frozen soils unless frozen condition is of a permanent nature.

Exception: Sheds under 300 square feet shall be permitted to be erected upon six (6) inches of compacted gravel base, provided they are not anchored with approved anchors on all four corners.

. . . .

CHAPTER 24. GLASS AND GLAZING

. . . .

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.

. . . .

CHAPTER 27. ELECTRICAL

. . . .

2701.1. Scope. The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. For the applicable electrical requirements, refer to 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.

. . . .

CHAPTER 28. MECHANICAL SYSTEMS

. . . .

2801.1. Scope. The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. 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.

. . . .

CHAPTER 29. PLUMBING SYSTEMS

. . . .

2901.1 Scope. The subject matter of this chapter is not within the scope of the Maryland Building Performance Standards and is hereby omitted from this Code. 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.

. . . .

CHAPTER 30. ELEVATORS AND CONVEYING SYSTEMS

. . . .

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.

. . . .

CHAPTER 33. SAFEGUARDS DURING CONSTRUCTION

. . . .

Section 3306.10. Accessibility During Construction Operations. Add new subsection to read as follows:

Section 3306.10. Accessibility During Construction Operations. During construction operations the contractor shall maintain at all times a vehicular roadway that will permit the unimpeded movement of emergency vehicles from the improved street to within 200 feet of the most remote building under construction on the site. The vehicular access roadway surface shall be either crusher run, stone base, black top or other suitable compacted surface material approved by the Town's code official or designee.

. . . .

Section 3.8 Repealer.

All prior building code ordinances or parts of building code ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 3.9 Copies on File.

The Clerk-Treasurer of the Town of Oxford shall maintain two (2) copies of the Building Code on file in the Town office.

Section 3.10 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

(History, Ordinance 1602, adopted February 23, 2016)

ARTICLE III. ENERGY CODE

Section 3.11 Adoption of standards by reference.

The 2015 Edition of the International Energy Conservation Code, as published by the International Code Council, as amended by the State of Maryland as the Maryland Building Performance Standards (set forth in COMAR 05.02.07) and as further amended by this Ordinance, be and is hereby adopted as the Energy Conservation Code of the Town of Oxford for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code, with the additions, insertions, deletions and changes, if any, prescribed herein.

Section 3.12 Amendments.

The following sections of the 2015 Edition of International Energy Conservation Code are modified, deleted, substituted, or added as follows:

**SECTION C101
SCOPE AND GENERAL REQUIREMENTS**

Section C101.1. Title. This code shall be known as the Energy Conservation Code of Oxford for Commercial Buildings.

Section C101.2. Scope. This code applies to commercial buildings and the building sites and associated systems and equipment. Additional requirements concerning energy conservation for buildings and structures may be required by Energy Conservation Building Standards, Public Utility Companies Article §§ 7-401 – 7-408 of the Annotated Code of Maryland, as amended.

....

**SECTION C108
STOP WORK ORDER**

....

Section C108.2. Issuance. Delete Section C108.2 and substitute the following:

Section C108.2. Issuance. The stop work order shall be in writing and the posting of a stop work order at the job site shall constitute adequate notification by the Town of Oxford’s designated Code Official. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

Section C108.4. Failure to Comply. Delete Section C108.4 and substitute the following:

Section C108.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a municipal infraction and subject to a fine to be assessed as provided in Chapter 1, Section 1.10B of the Town Code.

**SECTION C109
BOARD OF APPEALS**

Section C109. Board of Appeals. Delete Section C109 Board of Appeals and substitute the following:

Section C109. Board of Appeals. For the purposes of this code, the board of appeals shall be the Oxford Board of Zoning Appeals established by the Oxford Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

....

**CHAPTER 1
SCOPE AND ADMINISTRATION-RESIDENTIAL PROVISIONS**

**SECTION R101
SCOPE AND GENERAL REQUIREMENTS**

Section R101.1. Title. Delete Section R101.1 and substitute with the following:

Section R101.1. Title. This code shall be known as the Energy Conservation Code of Oxford for Residential Buildings.

....

**SECTION R108
STOP WORK ORDER**

....

Section R108.2. Issuance. Delete Section R108.2 and substitute with the following:

Section R108.2. Issuance. The stop work order shall in writing and the posting of a stop work order at the job site shall constitute adequate notification by the Town of Oxford's designated Code Official. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

....

Section R108.4. Failure to Comply. Delete Section R108.4 and replace with the following:

Section R108.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a municipal infraction and subject to a fine to be assessed as provided in Chapter 1, Section 1.10B of the Town Code.

**SECTION R109
BOARD OF APPEALS**

Section R109. Board of Appeals. Delete Section R109 and replace with the following:

Section R109. Board of Appeals. For the purposes of this code, the board of appeals shall be the Oxford Board of Zoning Appeals established by the Oxford Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

Section 3.13 Copies on file.

The Clerk-Treasurer of the Town of Oxford shall maintain one copy of the Town Energy Conservation Code on file in the Town office.

Section 3.14 Repealer.

All prior ordinances or parts of ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 3.15 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

(History, Ordinance 1603, adopted February 23, 2016)

ARTICLE IV. EXISTING BUILDING CODE

Section 3.16 Adoption of standards by reference.

The 2015 Edition of the International Existing Building Code, as published by the International Code Council, as amended by the Maryland Building Rehabilitation Code, is hereby adopted as the Town of Oxford Existing Building Code (sometimes referred to as the “Existing Building Code”). The Existing Building Code shall regulate and govern the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings; providing for the issuance of permits therefor. All of the regulations, provisions, terms, and conditions, of the 2015 Edition of the International Existing Building Code are hereby adopted and made a part hereof as if fully set forth in this Article, with the amendments, deletions, and insertions as set forth in COMAR 05.16.01, as well as the amendments, deletions and insertions set forth in Section 3.17 herein.

Section 3.17 Amendments.

The following sections of the 2015 International Existing Building Code are hereby modified, deleted, substituted, added or revised as follows:

SECTION 101 GENERAL

Section 101.1. Title. These regulations shall be known as the “Town of Oxford Existing Building Code”, (sometimes hereinafter referred to as the “Existing Building Code” or “this code.”) Where the name of the jurisdiction is to be indicated in any section of this Code, it shall be considered the “Town of Oxford”.

....

SECTION 103 DEPARTMENT OF BUILDING SAFETY

....

Section 103.1. Deleted.

Section 103.2. Appointment. The code official shall be the Town Clerk-Treasurer, or any person or entity designated or appointed by the Commissioners of Oxford to serve as code official. The code official shall have full enforcement authority of this Code.

....

**SECTION 104
DUTIES OF THE CODE OFFICIAL**

....

Section 104.6. Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied, the code official shall present credentials to the occupant and request entry. If such structure or premise is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry, including obtaining an administrative search warrant.

....

**SECTION 112
BOARD OF APPEALS**

Section 112.1. General. Delete Section 111 in its entirety and replace with the following:

Section 112.1. General. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Oxford Board of Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. All provisions governing the Board of Appeals with respect to members, provision for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

....

Section 112.3. Qualifications. Deleted.

....

**SECTION 113
VIOLATIONS**

....

Section 113.3. Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 113.2 shall be deemed to have committed a civil municipal infraction as determined by the Town, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction over such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

....

**SECTION 114
STOP WORK ORDER**

....

Section 114.3. Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed to have committed a municipal infraction. The penalty for the first violation shall be One Hundred Dollars (\$100.00), and Two Hundred Dollars (\$200.00) for the second violation. Each day that a violation continues shall be considered a separate offense.

....

Section 3.18 Repealer.

All prior ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning Ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 3.19 Copies on file.

The Town Clerk shall maintain two copies of the Existing Building Code on file in the Town Office.

Section 3.20 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections sentences, clauses and phrases be declared unconstitutional.

(History, Ordinance 1605, adopted March 22, 2016)

CHAPTER 4. PROPERTY MAINTENANCE

ARTICLE I Property Maintenance Code

- 4.1 Adoption of Standards by Reference
- 4.2 Amendments
- 4.3 Repealer
- 4.4 Copies on File
- 4.5 Severability
- 4.6 Exemptions

ARTICLE II Reconstruction of Dilapidated Structures

- 4.7 Grandfathered Status of Footprint; Dilapidated Structure

ARTICLE III Abatement of Nuisances

- 4.8 Definitions
- 4.9 Maintaining a Nuisance Prohibited
- 4.10 Abatement of Nuisance
- 4.11 Charges; Lien on Property
- 4.12 Stricter Standard to Apply

ARTICLE IV Noise

- 4.13 Loud or Unnecessary Noise Prohibited
- 4.14 Prohibited Acts Enumerated
- 4.15 Exemptions
- 4.16 Violations and Penalties

ARTICLE I. PROPERTY MAINTENANCE CODE

Section 4.1 Adoption of standards by reference.

The 2015 Edition of the International Property Maintenance Code, as published by the International Code Council, Inc. is adopted as the Oxford Property Maintenance Code, and is incorporated into this Code by reference as if fully set forth herein, subject to the amendments set forth in Section 4.2.

Section 4.2 Amendments.

The following sections of the 2015 International Property Maintenance Code are hereby modified as follows:

**SECTION 101
GENERAL**

Section 101.1. Title. These regulations shall be known as the “Town of Oxford Property Maintenance Code”, hereinafter referred to as “this code.”

. . . .

Section 101.2. Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. Notwithstanding anything to the contrary herein, the provisions of the Property Maintenance Code that govern the interior condition of a residential structure shall not apply to an owner-occupied housing unit. Only the provisions of this Code governing the exterior condition of a structure shall apply to an owner-occupied housing unit.

. . . .

Section 102.3. Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the applicable building codes of the Town of Oxford, including the International Building Code, the International Building Code for One- and Two-Family Dwellings, the International Energy Code, and the International Existing Building Code, as those codes have been adopted and/or amended by the Town of Oxford and incorporated into the Oxford Town Code. Nothing in this Code shall be construed to cancel, modify or set aside any provision of the Oxford Building Code.

. . . .

Section 102.6. Historic Buildings. Where a property which is the subject of this Ordinance is located within the Oxford Historic District, the Oxford Historic District Commission may notify the Town Clerk of any violation of the Property Maintenance Ordinance, including any condition considered to be demolition by neglect. The Town Clerk shall consult with the Oxford Historic District Commission prior to undertaking any enforcement action under this Ordinance. Prior to taking enforcement action, the Oxford Town Clerk shall also invite and encourage a property owner to consult with the Oxford Historic District Commission to come up with an acceptable remediation plan.

....

SECTION 103
DEPARTMENT OF MAINTENANCE AND INSPECTION

....

Section 103.2. Appointment. The code official shall be the Town Clerk, or any person or entity designated or appointed by the Commissioners of Oxford to serve as code official.

....

Section 103.5. Fees. The fees for activities and services performed under this Ordinance shall be set forth in a fee schedule adopted by the Commissioners of Oxford.

....

SECTION 104
DUTIES OF THE CODE OFFICIAL

....

Section 104.3. Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied, the code official shall present credentials to the occupant and request entry. If such structure or premise is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry, including obtaining an administrative search warrant.

....

SECTION 106
VIOLATIONS

....

Section 106.3. Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be

deemed to have committed a civil municipal infraction as determined by the Town, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction over such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

....

**SECTION 111
MEANS OF APPEAL**

Section 111. Means of Appeal. Delete Section 111 in its entirety and replace with the following:

Section 111.1. Application for appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Oxford Board of Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 111.2. Board of Appeals. For the purposes of this code, the board of appeals shall be the Board of Appeals established by the Town of Oxford Zoning Ordinance. All provisions governing the Board of Appeals with respect to members, provisions for alternates, quorum, procedure, chairman, term of office, etc. shall be applicable to appeals from this code. Review of the decision of the Board of Appeals shall also be in accordance with the Oxford Zoning Ordinance and the Maryland Rules of Procedure applicable to review of administrative agency decisions.

....

**SECTION 112
STOP WORK ORDER**

....

Section 112.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person

is directed to perform to remove a violation or unsafe condition, shall be deemed to have committed a municipal infraction. The penalty for the first violation shall be One Hundred Dollars (\$100.00), and Two Hundred Dollars (\$200.00) for the second violation. Each day that a violation continues shall be considered a separate offense.

....

CHAPTER 2 DEFENITIONS

SECTION 202 GENERAL DEFINITIONS. The following definition is added to the definitions set forth in this Chapter:

DEMOLITION BY NEGLIGENCE. This definition applies to any structure located within the Oxford Historic District, and includes any willful neglect in the maintenance and repair of a structure, other than the appurtenance and environmental setting of a structure, that: (1) is not due to a financial inability to maintain and repair the structure; and (2) threatens to result in a substantial deterioration of the exterior features of the structure.

....

SECTION 302 EXTERIOR PROPERTY AREAS

....

Section 302.4. Weeds. All premises and exterior property shall be maintained from weeds or plant growth in excess of six inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

....

**SECTION 304
EXTERIOR STRUCTURE**

....

Section 304.3. Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property in compliance with 911.

....

Section 304.14. Insect screens. During the period from May 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

....

Section 304.20. Demolition by Neglect. No property owner in the Historic District shall allow their property fall into disrepair in a manner that is considered demolition by neglect.

....

Section 4.3 Repealer.

All prior property maintenance ordinances or parts of property maintenance ordinances in conflict herewith are hereby repealed, except that in any case in which the Oxford Zoning Ordinance and this Ordinance conflict, the Oxford Zoning Ordinance shall control.

Section 4.4 Copies on File.

The Town Clerk shall maintain two copies of the Property Maintenance Code on file in the Town Office.

Section 4.5 Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Oxford hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4.6 Exemptions.

The provisions of the property maintenance code relating to the interior condition of a residential structure shall not apply to an owner-occupied housing unit.

(History, Ordinance 1606, adopted March 22, 2016)

ARTICLE II. RECONSTRUCTION OF DILAPIDATED STRUCTURES

Section 4.7 Grandfathered Status of Footprint; Dilapidated Structure.

In any case where the Town of Oxford has requested that a dilapidated structure be demolished and the property owner, in fact, demolishes said structure, the property shall retain the benefit of the footprint of the dilapidated and demolished structure, and shall retain its grandfathered status, and the footprint of the demolished building may be utilized for a replacement structure. A building permit shall be approved for the replacement structure, on the same footprint as the demolished structure, provided that a certified plat is filed in the Town office, prior to the demolition, accurately setting forth the boundary lines, setbacks and original footprint.

(History – Ordinance No. 0210, adopted November 12, 2002)

ARTICLE III. ABATEMENT OF NUISANCES

Section 4.8 Definitions.

For the purposes of this Article, the term “nuisance” is defined to mean any condition or use of premises or of building exteriors which is detrimental to the property, health, safety or welfare of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located. This includes, but is not limited to:

A. The keeping or the depositing on, or the scattering over the premise of any lumber, junk, trash, debris, construction debris, abandoned, discarded or unused objects or equipment, such as automobiles, watercraft, furniture, stoves, refrigerators, freezers, appliances, cans, or containers;

B. Any weeds, grass or plants, other than trees, bushes, flowers, or other ornamental plants which have been permitted to grow to a height exceeding 12 inches anywhere in the Town; and

C. Any hazardous conditions such as septic tanks which are caving in or uncovered wells.

Section 4.9 Maintaining a Nuisance Prohibited.

No person owning, leasing, occupying or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in such a manner as to be detrimental to the property, health, safety or welfare of others or causing substantial diminution in the value of other property in the neighborhood in which such premises are located.

Section 4.10 Abatement of Nuisance.

A. The Town Clerk, Chief of Police or other Town designee shall to serve or cause to be served a notice upon the owner or occupant of any premises on which such nuisance as declared in this Article is permitted or maintained and to demand the abatement of the nuisance within ten (10) days.

B. If the person so served does not abate the nuisance within ten (10) days, the Chief of Police or his designee may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant.

Section 4.11 Charges; Lien on Property.

Charges for such abatement of nuisance shall be a lien upon the premises. Whenever a bill for such charges remains unpaid for sixty (60) days after it has been rendered, the Clerk-Treasurer may cause a Statement of Lien Claim to be filed among the Land Records for Talbot County. This Statement shall contain a legal description of the premises, the expenses and costs incurred and the date the nuisance was abated, and a notice that the Town claims a lien for this amount. Notice of such lien claim shall be mailed to the owner of the premises if his address is known. The failure of the Clerk-Treasurer to record such lien claim to mail such notice, or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien for such charges as are provided in the following section. The lien shall be collectible in the same manner in which real estate taxes are collected, or the Town may collect it by such other action at law, in the Town's discretion.

Section 4.12 Stricter Standard to Apply.

In the event of a conflict between the provisions of this Article III, titled Nuisance Abatement, and the provisions of the Oxford Property Maintenance Code set forth in Article I herein, the stricter provisions shall apply.

(History – Ordinance No. 9004, adopted January 8, 1991)

ARTICLE IV. NOISE

Section 4.13 Loud or unnecessary noise prohibited.

It shall be unlawful for any person or persons to make, continue or cause to be made or continued any loud, unnecessary or unnatural noise or any noise which endangers the health, safety or welfare of the community or which annoys, disturbs, injures or endangers the comfort, rest, health, peace or safety of others within the Town of Oxford.

Section 4.14 Prohibited acts enumerated.

The following acts, among others, are declared to be loud, unnecessary, disturbing and a danger to the health, safety and welfare of the community and its people, in violation of Section 4.13, but the enumeration shall not be deemed to be exclusive:

A. Using, operating or permitting to be played any musical instruments or other musical devices (including, but not limited to live music or performances), or any radio, television, computer, sound amplifier, or any other machine or device for the producing or reproducing of sound, in such a manner as to disturb the peace, quiet and comfort of any person or persons in the vicinity. The operation of any such machine or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of twenty-five (25) feet from the building, structure, device or vehicle in which it is located shall be a prima facie evidence of a violation of this section. Any person or persons who cause production of said sound through the operation of the machines or devices enumerated herein may be deemed a violator of this Section.

B. The keeping of any dog, bird or other animal causing frequent or long-continued noise shall disturb the comfort or response of any person or persons in the vicinity.

C. The use of any chain saw, tractor, machinery, automobile, motorcycle, truck, or vehicle so out of repair or loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise between 10:00 p.m. and 7:00 a.m.

Section 14.15 Exemptions

Nothing in this Chapter shall be construed to apply to church bells or chimes nor to the playing of bands or orchestras in a hall or building in a manner which will not annoy the peace, comfort and quiet of the neighboring inhabitants nor to municipal, county, state or federal government agencies in connection with any emergency nor to normal working activities of or activities sponsored by the Town nor to warning devices on other vehicles used only for traffic safety purposes.

Section 14.16 Violations and penalties.

A violation of this Chapter 4, Article IV shall constitute a municipal infraction pursuant to Section 1.10.B of the Town Code.

CHAPTER 5. TRASH COLLECTION

- 5.1 Trash Collection
- 5.2 Violations; Penalties

Section 5.1 Trash Collection.

All residential household trash that is placed on the public way for collection shall be kept or enclosed in a container or receptacle to enable the collector to remove it quickly and efficiently.

Section 5.2 Violations; Penalties.

A violation of this Chapter shall constitute a municipal infraction and shall be subject to a fine of not less than ten dollars (\$10.00). Each day that a violation continues shall constitute a separate offense.

(History, Ordinance 101, adopted May 1, 1941)

SECTION 6. FIRE PREVENTION AND PROTECTION

- 6.1. Adoption of fire prevention code
- 6.2. Burning Regulations
- 6.3. Violations and penalties

Section 6.1 Adoption of Fire Prevention Code.

There is hereby adopted by the Town of Oxford for the purposes of prescribing regulations governing conditions hazardous to life and property from fire or explosion, The State Fire Prevention Code, as amended from time to time.

Section 6.2 Burning Regulations.

It shall be a violation of the Town Code and a prohibited use of property in all zoning districts, to permit the outside burning of trash, waste or any debris, including natural debris. It is the policy of the Town that all refuse, trash, debris, or waste materials of any nature or description be disposed of by being transported to an approved refuse disposal area.

Section 6.3 Violations and Penalties.

Any person failing to comply with in any order or violating any provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, be subject to a fine of not less than five dollars (\$5.00) and not more than five hundred dollars (\$500.00) or imprisonment for a term not exceeding ninety (90) days, or both.

(History – Ordinance 9802, Adopted September 23, 1997)

CHAPTER 7. FIREARMS

- 7.1 Discharge of firearms, air rifles, sling-shots, and similar weapons/devices prohibited.
- 7.2 Violations and penalties

Section 7.1 Discharge of firearms, air rifles, similar weapons/devices prohibited.

It shall be unlawful for any person to shoot or discharge any air rifle, sling shot, or firearms of any type whatsoever, or to use any air rifle slingshot, or weapon from which a shot or other object is discharged within the Town of Oxford or on town-owned property.

Section 7.2 Violations and penalties.

Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction, be subject to a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding six (6) months, or both in the discretion of the court.

(History – Ordinance No. 117, adopted 5/9/56)

CHAPTER 8. VEHICLES AND TRAFFIC

- 8.1 Supplemental Laws to the Transportation Article
- 8.2 No Parking Areas
- 8.3 Violations of Parking Regulations; Signs
- 8.4 Motor Vehicles Prohibited on Town Property
- 8.5 Permits for Boat Trailers

Section 8.1 Supplemental laws to the Transportation Article.

The provisions of this Chapter are intended to be in addition to, and to supplement the provisions of the Transportation Article of the Annotated Code of Maryland, as amended from time to time.

Section 8.2 No Parking Areas.

A. Unlawful Parking. It shall be a municipal infraction for any person, entity, or driver to park, or to permit a vehicle registered to such person or entity to park, upon or adjacent to any town owned or town maintained street or right of way, so as to block a fire hydrant; to park in a marked “no parking” area; or to park in a marked reserved or restricted parking area; or to park in a marked “handicapped parking” area, without a handicap parking designation issued to the vehicle or driver by the Maryland Motor Vehicle Administration.

B. Violations and Penalties.

1. The municipal infraction civil penalty for parking, or permitting a vehicle to park, in a designated “no parking” area, or in a marked restricted parking or reserved parking area without lawful authority, shall be \$30.00. The municipal infraction civil penalty for parking, or permitting a vehicle to park in a designated “handicapped parking” area without displaying a handicapped parking tag or notice issued by a state motor vehicle administration, or for parking so as to block or impede access to a fire hydrant, shall be \$100.00.

2. Failure to pay the civil penalty set forth in a municipal infraction citation within 20 days of its issuance, or failure to timely elect a trial as provided in Maryland Annotated Code, Article 23A, Section 3, shall cause the above civil penalties to be doubled for each such citation, and the person issued such citation shall be responsible for all costs incurred by the Town of Oxford in enforcing and collecting the citation, including legal fees and costs associated therewith.

3. In each case in which the Town shall have reported an unpaid municipal infraction civil penalty to the Maryland Motor Vehicle Administration, there shall be a

processing or “flagging” fee of \$30.00 for each unpaid citation reported. The Town shall have no obligation to advise the Maryland Motor Vehicle Administration of payment of outstanding parking citations until all fees, charges and penalties due to the Town of Oxford, shall have been paid in full.

(History - Ordinance No. 0704, adopted 5/9/06)

Section 8.3 Violations of Parking Regulations; Signs.

Any person who violates any parking regulation, or any sign erected by the authority of the Commissioners of Oxford that regulates parking, shall be guilty of a municipal infraction and shall be subject to a fine of Twenty Dollars (\$20.00) for each offense.

(History – Ordinance 0103, adopted 6/12/01)

Section 8.4 Motor Vehicles Prohibited on Town Property.

The use and operation of all motorcycles, motor-bikes, mini-bikes, motor scooters, motorized bikes and all other motor vehicles of any kind as defined in Title of the Transportation Article of the Maryland Annotated Code is prohibited without the express prior consent of the Commissioners of Oxford. A violation of this Section shall constitute a municipal infraction pursuant to Chapter 1, Section 1.10.B. of the Town Code. (History – Ordinance No. 158, 10/8/75)

Section 8.5 Permits for Boat Trailers.

Any person or entity parking a boat trailer upon public property or upon the streets or parking areas within the Town of Oxford shall obtain a parking permit from the Town of Oxford or its designee. Said permit shall be affixed to the vehicle or to the trailer. The Commissioners of Oxford may establish a permit fee for such use from time to time.

(History – Ordinance No. 0508A, adopted 6/14/05, amended by Ordinance 0803, adopted 1/8/08.)

CHAPTER 9. SIDEWALKS AND PUBLIC PROPERTY AND PUBLIC WAYS

- 9.1 Snow Removal
- 9.2 Town Street and Sidewalk Repairs
- 9.3 Failure to Obey a Duly Authorized Sign Regulating the Use of Public Property or Ways

Section 9.1 Snow Removal.

A. It shall be unlawful for any person, corporation or other entity to allow snow to remain on or upon a sidewalk of any street or alley adjoining property owned or occupied by him or it for a period longer than 24 hours from the cessation of the fall of the snow fall.

B. If the property owner fails to remove the snow or ice within the time period prescribed in subsection A. above, it shall constitute a municipal infraction as provided in Chapter 1, Section 1.10.B. for each and every day the snowfall and ice shall remain unmoved.

(History – Ordinance No. 122, adopted February 16, 1960)

Section 9.2 Town Street and Sidewalk Repairs.

A. In order to protect the public health, safety, comfort, convenience and welfare of the citizens of Oxford, it is necessary from time to time to initiate the construction and repair of certain sidewalks and streets within Town.

B. To the fullest extent authorized by state law and the Town Charter, the Town, its employees and agents are authorized to construct and repair streets, sidewalks, drainage systems, various utility systems, including the location or relocation of water, sewer, electric, telephone and cable transmission lines, street and sidewalk lighting, landscaping, as well as maintaining existing entrances from public and private property to the street and sidewalks, and to do all things necessary to accomplish the same.

C. To carry out the aforesaid street and sidewalk construction and repairs as duly authorized by the Town Charter, the Town's employees, its agents, independent contractors, designees and assigns, shall have the right of entry, for the purpose of accomplishing said work, at reasonable hours, upon any premises in Town which abuts a Town street or sidewalk.

(History – Ordinance 0007, adopted September 12, 2000)

Section 9.3 Failure to Obey a Duly Authorized Sign.

A. Unless otherwise specified by state law, or unless otherwise specifically set forth in the Oxford Town Code, the failure to obey any duly authorized sign regulating the use of public property or public ways within the Town of Oxford shall constitute a municipal infraction as defined in Article 23A, Section 3 of the Maryland Annotated Code, as amended from time to time.

B. For purposes of this Section, a duly authorized sign shall be any sign regulating the use of any public property or public way, including signs regulating parking, which shall be posted by the Town Police or the Town maintenance staff with the authority of the Commissioners of Oxford.

(History – Ordinance No. 9805, adopted January 13, 1998)

CHAPTER 10. BOARD OF PORT WARDENS

- 10.1 Establishment of Board of Port Wardens
- 10.2 Meetings
- 10.3 Duties and Authority
- 10.4 Approval Required
- 10.5 Violations; Penalties
- 10.6 Right to Appeal
- 10.7 Severability

Section 10.1 Establishment of Board of Port Wardens.

There is hereby created the Board of Port Wardens for the Town of Oxford, which Board shall consist of three (3) members appointed by the Commissioners of Oxford, for terms of one (1) year each, provided, however, that the initial terms of each member shall be one (1) year, two (2) years, and three (3) years, respectively, as designated by the Commissioners. The Commissioners in their discretion, may, from time to time, appoint an alternate member of the Board of Port Wardens.

Section 10.2 Meetings.

Unless there is no business to come before the Board, the Board of Port Wardens shall hold public meetings at least once a month.

Section 10.3 Duties and Authority.

The Board of Port Wardens shall have the following powers, duties and responsibilities:

A. To regulate the placement, erection, or construction of structures or other barriers within or on the waters of the municipality, including, but not limited to the issuing of licenses to create or build wharves or piers and the issuing of permits for mooring piles, floating wharves, buoys, or anchors, taking into account the present and proposed uses, and the effect of present and proposed uses on marine life, wildlife, conservation, water pollution, erosion, navigational hazards, the effect of the proposed use on congestion within the waters, the effect on other riparian property owners, and the present and projected needs for any proposed commercial or industrial use.

B. The Board of Port Wardens shall have the power to regulate the materials and constructions for the aforesaid improvements and to make certain that any improvements in the waters within the municipality do not render navigation too close and confined. This provision is in no way intended to affect or conflict with any zoning power otherwise provided for.

C. The Board of Port Wardens may adopt such reasonable rules and regulations, including permit or license fees, as it deems necessary for the conduct of its business; provided however, that all such rules, regulations, and fees shall be approved by the Commissioners of Oxford.

Section 10.4 Approval Required.

No person may build any wharf, riprap, bulkhead, living shoreline, pier, or other waterfront structure or carry out any earth or other material for the purpose of building a waterfront structure, nor shall any persons place or erect mooring piles, floating wharves, buoys, or anchors without a license or permit from the Board of Port Wardens. If any person violates the provision of this section, or if any person builds any wharf or pier a greater distance into the waters of the port, or in a different form, or of different materials than determined and allowed by the Port Wardens, he shall be subject to a fine as set forth in this Section.

Section 10.5 Violations; Penalties.

A violation of any provision of Section 10.4 shall constitute a municipal infraction as described in Md. Ann. Code Article 23A, Section 3. The fine for the first offense shall be One Hundred Dollars (\$100.00) and the fine for each subsequent offense shall be Two Hundred Dollars (\$200.00). Each and every day that a violation occurs or continues shall be considered a separate offense and subject to separate violations.

Section 10.6 Right to Appeal.

In accordance with Md. Ann. Code Article 23A, Section 2(b)(23A), in all differences that arise between any aggrieved party and the Board of Port Wardens concerning the discharge of the duties of the Port Wardens, an appeal may be taken to the Commissioners of Oxford.

Section 10.7 Severability.

If any provision of this Chapter, or the application thereof to any person or circumstances is held to be invalid for any reason, such invalidity shall not affect the other provisions of this Chapter, or any other application of this Chapter which can be given effect without the invalid provisions or application, and to this end, all of the provision of this Chapter are hereby declared to be severable.

(History, Ordinance Number 165, adopted October 24, 1979, amended Ordinance 1222, adopted 5.14.13)

CHAPTER 11. HARBOR MANAGEMENT ORDINANCE

- 11.1 Short Title
- 11.2 Legislative History
- 11.3 Purpose
- 11.4 Applicability
- 11.5 Severability
- 11.6 Authority
- 11.7 Definitions
- 11.8 General Regulations
- 11.9 Regulations Concerning Anchoring, Mooring and Berth Securing of Vessels
- 11.10 Sanitation Regulations
- 11.11 Harbor Line
- 11.12 Waterfront Development Requirements
- 11.13 Fire and Safety
- 11.14 Violations

Section 11.1 Short Title.

This Chapter 11 shall be known and may be cited as the Oxford “Harbor Management Ordinance.”

Section 11.2 Legislative History.

The Harbor Management Ordinance was adopted in May, 1982 after full, open and public hearings upon prior notice and opportunity to all interest persons, including riparian property owners, to be heard, and upon the careful consideration by the Harbor Study Committee and the Commissioners of Oxford.

Section 11.3 Purpose.

The purpose of this Ordinance is to provide regulations for the orderly management, development, and control of the waters within the corporate boundaries of the Town of Oxford. It is intended to be consistent with and to supplement the provisions of Ordinance 165 (codified as Chapter 10 of the Oxford Town Code) by which the Board of Port Wardens was originally created. This Chapter is not intended to deprive any riparian landowner of any right or privilege associated with riparian ownership of land or ownership or use of any fixed or permanent structure in the harbor which was lawfully installed in use prior to the effective date of the

Harbor Management Ordinance. The provisions of this Chapter do not transfer the title or ownership of any waterway or interest in any waterway.

Section 11.4 Applicability.

The provisions of this Ordinance and any rules and regulations adopted pursuant to this Ordinance shall be applicable, and shall govern, the harbor and waters within the Town of Oxford or adjacent thereto, and all other maritime or marine facilities within the corporate boundaries of the Town of Oxford, or which are otherwise subject to the police power regulations of the Commissioners of Oxford.

Section 11.5 Severability.

If any provisions or applications of the Harbor Management Ordinance are held invalid or inoperative, the remainder shall continue in full force and effect as though such invalid or inoperative provisions had not been made, it being the intent of the Commissioners of Oxford that this Ordinance be operative without any invalid provisions or applications, and to that end, each provision of this ordinance is hereby declared to be independent and severable.

Section 11.6 Authority.

Whenever, by the provisions of this Ordinance, an enforcement power is granted to the Board of Port Wardens or an enforcement duty is imposed upon the Board, that power may be exercised or performed by a deputy or designee of the Board of Port Wardens or by any other person authorized pursuant to law, unless it is expressly otherwise provided.

Section 11.7 Definitions.

For purposes of this Section, the following words, terms, phrases, and their derivations, shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words used in the plural number include the singular number, words used in the singular number include the plural number, and pronouns of any gender shall include all other genders. The word “shall” is always mandatory and not merely directory.

ANCHOR – to secure a watercraft to the bed of a body of water by dropping an anchor or anchors or with a buoy or other ground tackle.

BEACH - Shall mean a public or private beach, including areas of rip rap, bulkhead, or other material, bordering the waters of the municipality.

BERTH – A place where a watercraft may be secured to a fixed or floating structure and left unattended.

BULKHEAD - A structure or partition to retain or prevent sliding of the land into the water, or to protect the fast land from wave or tidal action.

CHANNELWARD – Toward the center of the body of water, river, waterway, creek or cove, or toward any dredged channel therein.

DEVELOPABLE WATERFRONT LAND – Any waterfront property from which access to a waterway area can be achieved.

DISTRESS – Shall mean a state of disability or a present or obviously imminent danger which if unduly prolonged could endanger life or property.

EMERGENCY - Shall mean a state of imminent or proximate danger to life or property in which time is of the essence.

FACILITIES – Shall mean any and all facilities of a harbor or maritime facility either publicly or privately owned that are intended primarily to be used by or for the service of small craft (including ramps, hoists, parking areas, leased water areas, concessions and service facilities) located on land or in the waters of the municipality.

FAIRWAY – Shall mean the parts of a waterway kept open and unobstructed for navigation.

FISHING – Includes commercial and recreational fishing, crabbing, or otherwise harvesting fin fish, shell fish, or crabs.

FLOAT – Shall mean any floating structure normally used as a point of transfer for passengers and goods and/or for mooring purposes, but shall not include floats used in the painting or repair of vessels.

HARBOR – All tidal waters which are within the corporate limits of the Town of Oxford.

HARBOR LINE – The line defining the maximum channelward limits for the placement or construction of structures, piles or moorings to be installed or placed in the harbor, which line is shown and delineated on the harbor line map adopted as part of Ordinance 173, which is maintained in the Town Office.

HARBOR MASTER – An officer of the Town who enforces the regulations respecting the use of the harbor, the municipal waters and facilities therein, after being appointed by the Commissioners of Oxford.

LATERAL LINES – Lines extending from the shoreline to the harbor line separating adjacent developable water way areas.

LIVING SHORELINE - A shoreline created using largely non-structural stabilization and erosion control measures that preserve the natural shoreline and are designed to minimize shoreline erosion, maintain coastal processes, and provide aquatic habitat. Measures should include marsh plantings and may include the use of sills, sand containment structures, breakwaters or other natural components.

MOOR – Shall mean to secure a vessel other than by anchoring.

MOORING – Shall mean: (1) a place where buoyant vessels are secured other than a pier; (2) the equipment used to secure a vessel; and (3) the process of securing the vessel other than by anchoring.

MOORING BUOY – An appliance used to secure to the bottom by anchors and provided with attachments to which a watercraft may be secured by use of proper ground tackle.

PUBLIC AREA – Shall mean all areas of the harbor and municipal waters except those areas under specific lease to private persons or firms owned privately.

RIPRAP- Shall mean a layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment.

SLIP – Shall mean berthing space for a single vessel alongside a pier, finger float, or walkway, or other structure.

SHORE – Shall mean that part of the land in immediate contact with a body of water, including the area between high and low water lines.

STATE – Shall mean the State of Maryland.

WATERFRONT STRUCTURES – Any number of structures employed to facilitate access to waterfront, including, but not limited to bulkheads, riprap, living shoreline, wharfs, piers, floating docks, boat lifts, or mooring piles.

WATERWAY – Shall mean any water area providing access from one place to another, principally a water area providing a regular route for water traffic.

WATERS OF THE MUNICIPALITY – Means all waters within the corporate boundaries of the Town of Oxford over which the Town of Oxford may exercise zoning or police power authority whether or not the ordinary or mean high tide line has been fixed by ordinance, statute, court action or otherwise and whether or not the lands lying under said tidal water are privately or publicly owned.

Section 11.8 General Regulations.

A. Permits, Suspensions or Revocations. All permits granted by the Board of Port Wardens shall be valid only for such period as may be determined by the Board of Port Wardens and permits of unqualified duration shall not be granted. A violation of the provisions of this Chapter or any other applicable ordinance by any permittee shall be grounds for suspension or revocation of any permit or permits issued by any Town agency, department, board or official. The Board of Port Wardens may request comment by the Oxford Planning Commission concerning zoning requirements applicable to all proposed construction or uses of property within municipal waters. The provisions of the Oxford Zoning Ordinance shall be taken into account before any permit is issued by the Board of Port Wardens. It shall not be necessary for any applicant to seek a separate building permit from the Planning Commission.

B. Damage to Harbor or Other Property. It shall be unlawful to willfully or carelessly destroy, damage, disturb, deface or interfere with any public or municipal property in or adjacent to the waters of the municipality. A violation of this subsection 11.8.B is a misdemeanor punishable under Section 11.14.B.

C. Signs, Buoys, and Markers; Erection and Maintenance. The Board of Port Wardens may place and maintain, or cause to be placed and maintained, either on land or water, such signs, notices, signal buoys, markers, or control devices as they deem necessary to carry out the provisions of this Section, or to secure public safety and the orderly and efficient use of the waters of the municipality, including the designation of anchorage or mooring areas, provided, however, that no public funds shall be expended unless specifically approved by the Commissioners.

D. Swimming and Water Skiing. Swimming and water skiing in the waters of the municipality may be regulated by the Board of Port Wardens, subject to the approval of said regulations by the Commissioners of Oxford.

E. Construction of Structures. Within, on, or over the waters of the municipality, no person may place, erect or construct any bulkhead, wharf, or pier, or carry out any earth or

other material for the purpose of building a wharf or pier, nor shall any person place or erect mooring piles, floating wharves, buoys, anchors or other obstructions, or carry out any dredging, or alter the natural shoreline, without a valid permit issued by the Board of Port Wardens. The Board of Port Wardens shall not grant any permit for the construction of a dock-mounted or piling-mounted boat lift within, on, or over the waters of Town Creek. The placement, erection, or construction of structures or barriers within, on or over the waters of the municipality without a permit from the Port Wardens, or the building of any wharf or pier a greater distance into the waters of the municipality, or in a different form, or of different materials than determined and allowed by the Port Wardens, is a municipal infraction as described in Section 8.12.A. (History, Ordinance No. 9706, enacted January 14, 1997)

F. Removal of Structures Located Without a Permit. In the event that any structure, pile, mooring, float or other device of a stationary nature, is erected or placed within the waters of the municipality without a permit from the Board of Port Wardens, the Port Wardens may, after reasonable notice, have said structure, pile, mooring, float or other device removed from the municipal waters. The owner, agent, lessee, or other person, entity, or organization who places or erects any object described herein, or who permits or directs the placement or erection, shall be responsible for the costs of removal.

Section 11.9 Regulations Concerning Anchoring, Mooring and Secure Berthing of Vessels

A. Placement of Moorings. It shall be a municipal infraction to place any mooring in the waters within the corporate limits of the Town of Oxford without a permit from the Board of Port Wardens. Any person proposing to install a mooring shall file with the Town Clerk an application for a mooring permit. If an application for a mooring permit is submitted by a person other than the landward riparian owner, and proposes to locate a mooring within the useable waterway of another (as calculated pursuant to Section 11.12.A.), the application shall contain the consent of the landward riparian property owner. The owner of a pre-existing mooring shall apply for a permit, and shall within thirty (30) days comply with all requirements for moorings as set forth in this Chapter.

B. Responsibility of Permit Holder. The permit holder shall be responsible for assuring that the mooring is adequate to secure the boat or vessel attached to it, will hold under all foreseeable conditions and that the mooring itself will remain at the location assigned under severe conditions. In extraordinary circumstances, such as a tropical storm, the permit holder shall be responsible for moving the boat to a safe place.

C. Specifications for Moorings. Moorings shall meet the following requirements:

1. All mooring buoys shall be clearly visible and colored white and shall have a horizontal blue band around the circumference of the buoy, centered midway between the top of the buoy and the water line.
2. All mooring buoys shall have a circle of reflective tape around the circumference and above the waterline.
3. All mooring buoys shall display the permit number in black numerals not less than 3 inches in height, and shall also display any permit sticker issued by the Town.
4. Although the proper and safe design of the mooring shall be the responsibility of the permit holder, at a minimum, the following tackle specifications shall apply:

LENGTH AT WATERLINE	WEIGHT OF MUSHROOM ANCHOR	DIAMETER OF TOP CHAIN	DIAMETER OF BOTTOM CHAIN	BUOY DIAMETER	MARINE MANUFACTURED PENNANT DIAMETER
FEET	POUNDS	INCHES	INCHES	INCHES	INCHES
0 TO 19	100	3/8	1/2	18	1/2
20 TO 24	200	3/8	1/2	18	5/8
25 TO 29	250	3/8	1/2	18	5/8
30 TO 34	300	1/2	5/8	18	3/4
35 TO 39	350	1/2	5/8	18	3/4
40 TO 44	400	5/8	3/4	24	1
45 TO 49	500	5/8	3/4	24	1
50 TO 54	550	5/8	3/4	24	1

- **Notes:
- a. Boats larger than 54' will be considered on a case by case basis.
 - b. Shackles, swivels, etc., should be the next size larger than the chain size.
 - c. All swivels to be located not more than half way down the rode.
 - d. All moorings should be adequately protected against galvanic action.
 - e. All shackles should be safety wired.
 - f. All pennant lines should have chaffing gear.
 - g. All mushroom anchors shall be properly set.
 - h. Bottom chain- 2 1/2 times maximum depth
Top chain- equals maximum depth (Measured from MHW)
Pennant- 2 1/2 times height of bow above water
 - i. HELIX mooring system acceptable when installed per the manufacturer's recommendations

D. Mooring maintenance.

1. Mooring tackle from the pennant (and including the pennant) to the bottom chain (including swivels) and the connector to the bottom chain shall be serviced and inspected at least every two years, and written evidence of a current inspection shall be submitted with the application for renewal. The complete mooring tackle shall be raised and inspected at least once every four years. All inspections shall be undertaken by an inspector approved by the Town. The Board shall have the authority to require additional inspections in its discretion where it determines that an additional inspection(s) are necessary and in the interest of public safety. All inspections shall be at the permit owner's expense.

2. If an unsafe condition persists or the mooring is abandoned, the Board will order and direct the removal of the mooring. If the owner fails to remove the mooring within thirty (30) business days of the notification to remove, the mooring shall be removed at the permit holder's expense. If, in the opinion of the Board, a mooring poses an immediate danger, it will be moved or removed as quickly as possible at the permit holder's expense without prior notice to the holder.

3. The Board shall have the authority to require a permit holder to relocate a mooring if the Board determines that there is good cause for requiring relocation.

E. Application of Code of Maryland Regulations. The following Code of Maryland Regulations shall apply to moorings located within the waters of the municipality: Title 08, Department of Natural Resources, Subtitle 04, Boating; Chapter 13 Mooring Devices, Paragraphs 01, 02, 03 and 06. (COMAR 08.04.13.01, .02, and .06.)

F. Obstructing Channels. It shall be a municipal infraction to knowingly or willfully obstruct the free use of any channel, fairway or waterway within the harbor.

G. Secure Berthing and Anchoring of Structures. The owner of any vessel moored or anchored within the municipal waters shall be responsible for causing such vessel to be at all times tied and secured or anchored with proper care and equipment in such manner as may be required to prevent breakaway and resulting damage.

H. Unseaworthy Vessels Prohibited in Harbor. A person shall not moor or permit to be moored in any harbor a vessel which is unseaworthy or in a badly deteriorated condition or which is likely to sink or to damage docks, wharves, floats or other vessels or which may become a menace to navigation, except in cases of distress or emergency when reasonable precautions for the safety of the persons and property of others have been taken.

I. Obstruction of Fairways, Channels, or Berthing Spaces and Removal of Sunken Vessels. It shall be a municipal infraction to tie up or anchor a vessel in the waters of the municipality in such a manner as to obstruct the fairways or channels or to prevent or obstruct the passage of other vessels; or to voluntarily or carelessly sink or allow to be sunk any vessel in any channel, fairway, berthing space; or to float loose timbers, debris, logs or piles in any channel, fairway or berthing space in such a manner as to impede navigation or cause damage to vessels therein; or to fail to remove any sunken vessel after having been requested to do so by the Board of Port Wardens.

Section 11.10 Sanitation Regulations.

A. Discharge of Refuse. It shall be unlawful for any person to discharge or permit the discharge into the waters of the municipality any refuse or waste matter, petroleum or petroleum matter, paint, varnish, or other noxious chemical or foreign matter of any kind. A violation of this subsection 11.10.A. is a misdemeanor punishable under Section 11.14.B.

B. Use of Vessel as Abode. Living aboard vessels in the harbor is prohibited except as may be specifically authorized by a permit issued by the Board of Port Wardens. In this regard, the Port Wardens shall consider whether there are adequate systems being used for the removal of wastes, refuse and other debris from such a vessel so as to ensure that the public waters are protected. An inspection of any such vessel by the Board of Port Wardens or its designee shall be conducted before any permit is issued. If the Port Wardens shall find the systems referred to above to be adequate to protect the public waters, the applicant shall be entitled to a permit which may be renewed every six (6) months. The Port Wardens may establish a reasonable fee for such permits. For the purpose of this subsection, the term “living aboard” means the use of a vessel as a primary residence or domicile within the waters of the Town of Oxford for a period or periods exceeding in the aggregate sixty (60) days in a year.

C. Responsibility for Sanitation of Facilities. The Owner and any lessee, agent, manager or person in charge of a facility, beach, or water area owned, controlled or under a lease shall at all times maintain the premises under his charge or control in a clean, sanitary condition, free from malodorous materials and accumulations of garbage, refuse, debris, chemicals and any other waste materials. The Board of Port Wardens, or its designee, shall have the authority to enter into any facility for purposes of inspection to determine or verify the existence of the conditions described herein. Should the Board of Port Wardens find that any premises are not being maintained free from the conditions described above, the Board may order any owner, lessee, agent, manager or other person in charge of said facility or area to immediately commence and diligently prosecute to completion the necessary correction of the unsanitary condition to the satisfaction of the Board of Port Wardens. Failure to do so within reasonable dispatch after notice shall be a violation of this Ordinance, and the Board of Port Wardens may then cause said condition to be corrected and the cost of such correction shall be charged to the

owner, lessee, agent, manager or person in charge, who shall be liable for the payment of such expenses.

Section 11.11 Harbor Line.

A. Adoption of Harbor Line. As part of Ordinance No. 173, adopted on May 6, 1982, the Commissioners of Oxford adopted a harbor line map entitled “Oxford Harbor Line Map”, consisting of two sheets, each showing a different part of Town Creek. In June of 2012, by Ordinance No. 1205, the Harbor Line was amended to eliminate the nonconforming status of several existing piers affixed to properties along South Morris Street. The amended Harbor Line is depicted on a plat titled “Oxford Harbor Line Revision Map” prepared by Steven Herman Juriz, dated June 1, 2012. Said Harbor Line Map, with all notations, dimensions, references and other data shown thereon, as amended by Ordinance 1205, is intended to be part of this Ordinance, and is located at the Oxford Town Office.

B. No Structures Channelward of Harbor Line. It shall be unlawful for any person, firm, entity, or organization to place any structure, piling, mooring, or other device of a stationary nature channelward of the harbor line as depicted on the Oxford Harbor Line Map.

C. No Variance from Harbor Line. In no case shall the Board of Port Wardens issue a permit for the placement or erection of any structure, piling, mooring, or other device of a stationary nature channelward of the harbor line. The location of the harbor line shall not restructure the authority of the Board of Port Wardens to further limit or proscribe the placement or erection of structures, piles and/or moorings, or other devices of a stationary nature, on a case-by-case basis upon consideration of the factors set forth in Chapters 10 and 11 of the Oxford Town Code.

D. Basis of Harbor Line. The harbor line delineated on the Oxford Harbor Line Map is based upon the structures lawfully in existence as of May 11, 1982, the configuration of the shoreline, the depth of the water, the traffic frequency and density and potential for congestion in the particular part of Town Creek affected by the harbor line, and the need to preserve open space for use by the public generally and for use by the sailing craft historically attached to Town Creek. In addition, the harbor line is intended to balance the interests of the boating public, fishermen, crabbers, riparian owners, marina and boatyard owners and operators, and residents of and visitors to the Town of Oxford who enjoy access to and use of Town Creek.

E. Pre-existing Structures; Grandfather Provision. Any structures in existence which are lawfully constructed and in place as of May 11, 1982 shall be considered lawful, and may be repaired or replaced within one year after any accidental destruction. Any structures not lawfully constructed or in place at the time of the adoption hereof, or which are more than 50% destroyed and not repaired or replaced within a year, shall conform to the provisions of this

Ordinance in all respects. Notwithstanding the foregoing, this provision is not intended to prevent the routine maintenance or replacement of nonconformities.

Section 11.12 Waterfront Development Requirements.

The following regulations apply to waterfront development structures. The Board of Port Wardens shall have the authority to issue a municipal permit for waterfront development structures based upon, but not limited to, the following criteria. The Port Wardens shall have the authority to allow for a variation of the provisions of this Section 11.12 upon a finding that the application has been approved by any applicable state and/or federal jurisdiction having authority over the same, and that the alteration does not have an adverse impact upon surrounding properties or riparian rights of others, or navigable waterways.

A. Useable Waterway Areas. The useable waterway area is the area enclosed by the harbor line, shoreline and lateral lines.

1. Harbor line and Shorelines. The harbor line and shoreline are the lines labeled as such on the Oxford Harbor Line Map, as amended.

2. Lateral Lines. The lateral lines are imaginary lines separating adjacent usable waterway areas, and are determined graphically as follows:

- a. The applicant shall prepare a scale drawing showing the applicant's property and all adjacent waterfront properties within a 200' radius of the shoreline owned by the applicant (see Figure 1A).
- b. On a scale drawing, add the shorelines and harbor lines as shown on the Oxford Harbor Line Map.
- c. Intersect all property lines with the shoreline (Points A, B, C, D, E, and F on Figure 1A).
- d. From the applicant's property line-shoreline intersections (Point D, E, on Figure 1A) intersect a 200' radius with the shoreline (Point 1, 2 on Figure 1A).
- e. From the applicant's property, connect all property line shoreline points, ending at points 1 and 2 with straight lines (D to C, C to B, B to 1, E to 2 on Figure 1A).

- f. Bisect the angled formed by these straight lines and extend the lines bisecting the angle from the shoreline to the harbor line. These are the lateral lines (B-G, C-H, D-I, E-J on Figure 1A).

3. **Determination of Usable Waterway Area.** The usable waterway shall be determined for all properties having a pair of lateral lines as shown on the applicant's drawing. For an acceptable usable waterway area, the following conditions should be met:

- a. If a pair of lateral lines extended to the harbor line result in a distance of 25' or more on the harbor line (lines G-H, H-I, I-J), the lateral lines (D-I, E-J) are satisfactory and these lines and the harbor and shorelines define the usable waterway area for the applicant.
- b. If any pair of lateral lines extended to the harbor line results in a harbor line segment (G-H, H-I, I-J, Figure 1A) of less than 25', the lateral lines are unacceptable and shall be modified in accordance with subsection B herein.
- c. If any pair of lateral lines extended intersect before reaching the harbor line, the lateral lines are unacceptable and shall be modified in accordance with subsection B herein.

B. Amendments to Lateral Line.

1. Where a conflict occurs as outlined in subsection A.2. above, the lateral lines will be modified as shown on Figure 1B. An imaginary line shall be moved toward the shoreline and parallel to line D-E. (See Figure 1B) until a 25' clearance is obtained (see Line N, Figure 1B).

2. Two additional lateral lines (N-P and O-Q) will be drawn perpendicular to line N- from points N and O to the Harbor line. The lines D-N-P, E-O-Q are the new lateral lines for the applicant's parcel and adjoining properties.

3. For all amended lateral lines, construction will be limited to the area enclosed by the shoreline, the lateral lines (D-N, O-E) and the imaginary clearance line N-O (see Figure 1B). This procedure will ensure adequate clearance for adjacent piers.

These new lateral lines, the harbor lines and shoreline will define the usable waterway area for the applicant.

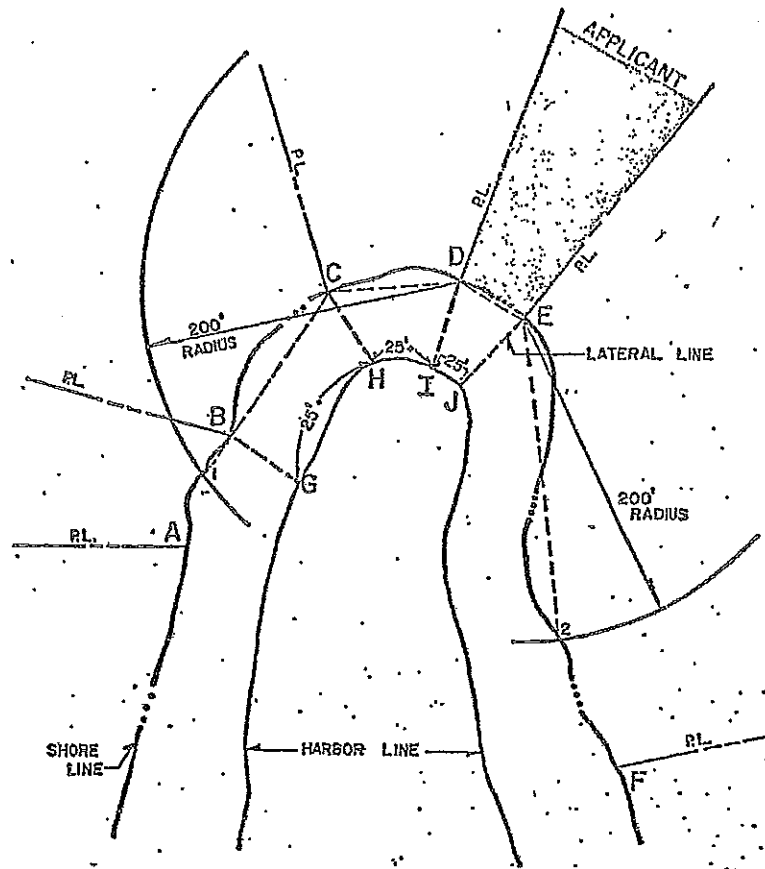


FIGURE 1A

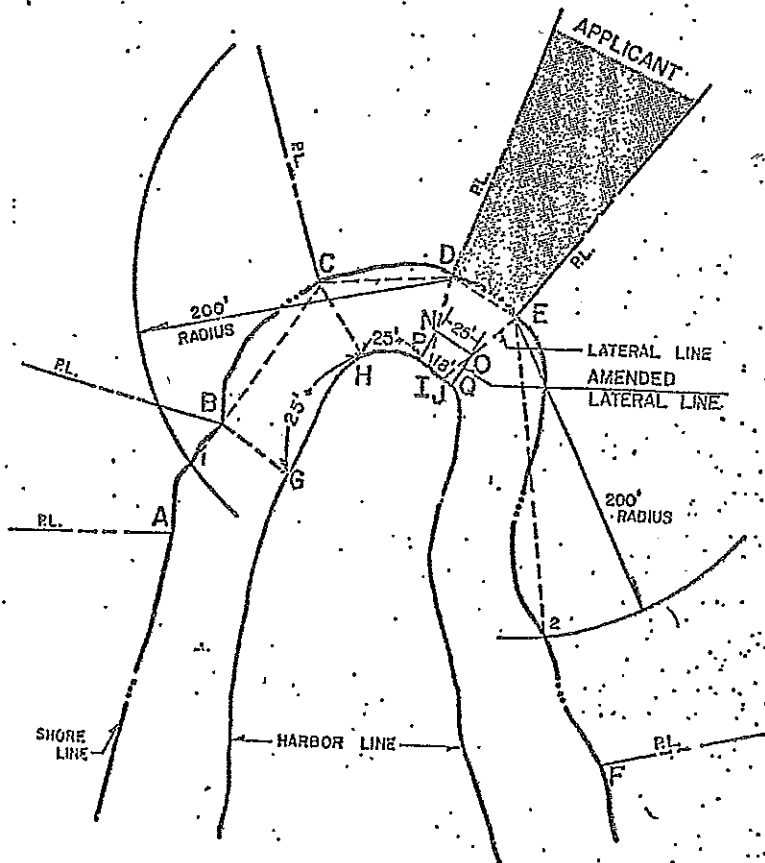


FIGURE 1B

C. Setbacks.

1. Harbor Line Setbacks. Any piers, “T” heads, “L” heads, mooring piles, moorings and/or anchorages must be set back from the harbor line an appropriate distance to assure that no moored vessel or permanent or temporary structure extends beyond the harbor line.

2. Adjacent Property Owners Agreement. The lateral line setback may be reduced if a letter of no objection is obtained from the adjacent property owner and a recorded covenant running with the properties is filed with the Town. The mutual use of piers and/or mooring piles by adjacent property owners is encouraged and recommended whenever possible.

3. Fuel Dock Setback. A 50 foot setback from the harbor line is required for all docks having fuel facilities.

D. Pre-existing Uses. Any marine facility lawfully existing as of the date of the adoption of this ordinance may continue to be used even though such marine facility or use does not conform to the use or dimensional regulations set forth herein. Any alteration of an existing non-conforming marine facility or use is subject to the provisions of this Ordinance.

E. Construction Details.

1. All waterfront structures for use in in any zoning district within the Town shall have plans and details of proposed construction for Port Wardens’ review and approval. The Board of Port Wardens may require that drawings be prepared by a licensed engineer.

2. Piers shall be limited to seven feet of width with all “T” or “L” head sections not to exceed one-third of total length of structure, unless the Board of Port Wardens determines any additional proposed width will not interfere with or have an adverse impact upon the surrounding navigable waterways or adjacent riparian owners.

3. Bulkheading may not be constructed in the waterway beyond the shoreline except as approved by the Board of Port Wardens for the purposes of straightening minor shoreline irregularities or efficient bulkhead construction.

F. Other Permits and Approvals. State and federal permits and approvals applicable to construction, modifications, enlargement, reconstruction, repair, etc. of marine facilities shall be obtained and submitted to the Board of Port Wardens prior to starting any construction under a permit granted by the Port Wardens.

G. Harbor Management Plan. In approving any permit under this Chapter, the Board of Port Wardens may rely upon any other regulations or guidelines set forth in the Oxford Harbor Management Plan, which was prepared in 1983, or any subsequent amendments thereof, a copy of which is maintained in the Town Office.

H. Grading and Buffer Management Permits Required. Prior to being issued a permit from the Board of Port Wardens, the applicant shall obtain a grading permit from the Town Office and shall comply with the applicable provisions of Chapter 16 of the Town Code titled "Erosion and Sediment Control" for any dredging, filling or other activity which would result in a waterway bottom or shoreline modification, or any other disturbance for which a grading permit is required pursuant to Chapter 16. In addition, the applicant shall comply with any buffer management regulations or other critical area disturbance provisions set forth in the Oxford Zoning Ordinance when undertaking work or disturbance in the Critical Area Buffer.

Section 11.13 Fire and Safety.

A. Fire Protection. All marine facilities shall conform to the requirements of NFPA-303 Fire Protection Standards for Marina and Boatyards of the Maryland Fire Prevention Code. Fire protection devices shall have the approval of the State Fire Marshal's Office.

B. Unsafe Conditions. No obstruction, floating or sunken, may remain in the usable waterway area such as to present a hazard to any vessel or person.

Section 11.14 Violations.

The violations set forth herein shall be in addition to any penalties or violations established by state law.

A. Violations, General Penalty. No person, firm, entity, or organization shall violate the provisions of this Section 5, the Harbor Management Ordinance, nor shall any person, firm, entity or organization knowingly permit a person using its facilities to violate any provision hereof. Any violation, including knowingly permitting a violation, shall be considered a municipal infraction as further defined in Article 23A, § 3 of the Annotated Code of Maryland, and shall be punishable by a fine of \$100.00 for each violation, unless a different penalty is prescribed in another subsection hereof. Each day that a violation occurs or continues shall be considered a separate offense and subject to separate citations. A fine of \$200.00 shall be imposed for each subsequent or repeat offense. Any member of the Oxford Police Department, or Harbormaster or the Town Clerk may issue citations for a violation of this Ordinance.

B. Misdemeanor Penalties. Violations of Sections 11.8.B. and 11.10A. of this Ordinance shall be misdemeanors, punishable by a fine up to \$500.00 and/or imprisonment not to exceed ninety days, which shall be imposed for each violation.

C. Authority to Board. Police Officers of the Town of Oxford, and any designee of the Board of Port Wardens shall have the authority to board any vessel being moored in violation of Chapters 10 and 11 of the Town Code for the purpose of causing any such violation to cease, identifying the owner of said vessel, or causing such vessel to be moved to another location.

(History – Ordinance 173, adopted May 11, 1982, amended by Ordinance 1222, adopted 5.14.13)

CHAPTER 12. PARKS AND RECREATION BOARD

- 12.1 Establishment of Parks and Recreation Board
- 12.2 Duties and Responsibilities
- 12.3 Permanent Fixtures and Structures

Section 12.1 Establishment of Parks and Recreation Board.

A Parks and Recreation Board the Town of Oxford is hereby established. The Parks and Recreation Board shall be comprised of five members, appointed by a majority vote of the Commissioners of Oxford. Each member of the Parks and Recreation Board shall be appointed for a term of three years, commencing on July 1st. The individual members of the Parks and Recreation Board shall be appointed for staggered initial terms such that one term shall expire on June 30th each year. Appointments to fill a vacancy shall be for the remainder of the term of the departing member. A member of the Parks and Recreation Board may be removed for cause by the Commissioners of Oxford, provided that a member whose service is proposed to be terminated for cause shall be entitled to request and have a public hearing concerning the basis for dismissal.

Section 12.2 Duties and Responsibilities.

The Parks and Recreation Board shall be responsible for recommending to the Commissioners of Oxford improvements and maintenance projects for the public parks, playgrounds, and recreational facilities and spaces owned and controlled by the Town of Oxford. The Parks and Recreation Board shall prepare and submit an annual budget recommendation, including a capital improvement budget, to the Commissioners of Oxford no later than April 15th of each year, to permit consideration by the Commissioners in the overall Town budget process. The budget recommendations shall also include a special project budget. The special project budget shall include the costs of any holiday decorations and lighting and any other special occasion costs.

Section 12.3 Permanent Fixtures and Structures.

No permanent fixtures, improvements or structures shall be installed or constructed upon public parks or Town owned land without the express written approval of the Commissioners of Oxford.

(History – Ordinance No. 0304, adopted April 10, 2003)

CHAPTER 13. ETHICS

- 13.1 Applicability
- 13.2 Ethics Commission
- 13.3 Conflicts of Interest
- 13.4 Financial Disclosure
- 13.5 Lobbying Disclosure
- 13.6 Enforcement
- 13.7 Effective Date

Section 13.1 Applicability.

The provisions of this Chapter apply to the following officials and employees of the Town of Oxford: All elected officials and all Town employees and appointees who sit on the Board of Zoning Appeals, the Historic Commission, Board of Port Wardens, Parks Board, the Election Board, the Planning Commission, and any other board appointed by the Commissioners.

Section 13.2 Establishment of Ethics Commission.

There shall be an Ethics Commission for the Town of Oxford, which shall be composed of three members appointed by the Commissioners. The Ethics Commission shall be advised by the Town Attorney and shall have the following responsibilities:

- A. To devise, receive and maintain all forms generated by this Chapter;
- B. To provide published advisory opinions to persons subject to this Chapter as to the applicability of the provisions of this Chapter to them;
- C. To process and make determinations as to complaints filed by any person alleging violations of this Chapter; and
- D. To conduct a public information program regarding the purposes and application of this Chapter.

Section 13.3 Conflicts of Interest.

Officials, employees and appointees of the Town of Oxford who are subject to this Chapter shall not:

A. Participate on behalf of the Town in any matter which would have a direct financial impact on them, their spouse or dependent child, or a business entity with which they are affiliated.

B. Hold or acquire an interest of 51% in a business entity that has or is negotiating a contract of \$5,000.00 or more with the Town or is regulated by their agency, except as exempted by the Ethics Commission.

C. Be employed by a business entity that has or is negotiating a contract of more than \$5,000.00 with the Town or is regulated by their agency, except as exempted by the Ethics Commission.

D. Represent any party, for a contingent fee, before any Town body.

E. Within 1 year following termination of Town service, act as a compensated representative of another in connection with any specific matter in which he participated substantially as a Town official or employee.

F. Solicit or accept gifts of greater than \$25.00 value from any person that has or is negotiating a contract with the Town or is regulated by their agency, except where such gifts would not present a conflict of interest as determined by the Commission.

G. Use the prestige of their office for their own benefit or that of another.

H. Use confidential information acquired in their official Town position for their own benefit or that of another.

Section 13.4 Financial Disclosure.

A. The Town officials, employees and appointees and candidates for offices who are subject to this Chapter shall file annually no later than January 31 of each calendar year during which they hold office, a statement with the Ethics Commission disclosing any gifts received during the preceding calendar year from any person having a contract with the Town or any person regulated by their agency. The statement shall identify the donor of the gift and its approximate retail value at the time of receipt.

B. All officials and employees subject to this section shall file a statement with the Ethics Commission disclosing any interest or employment the holding of which would require disqualification from participation pursuant to Section 13.3.

Section 13.5 Lobbying Disclosure.

A. Any person who personally appears before any Town official, appointee or employee with the intent to influence that person in the performance of his official duties, and who, in connection with such intent expends or reasonably expects to expend in a given calendar year in excess of \$500.00 on food or entertainment for such officials, shall file a registration statement with the Ethics Commission no later than January 15 of the calendar year or within 5 days after first making such appearances.

B. The registration statement shall include complete identification of the registrant and of any other person on whose behalf the registrant acts. It shall also identify the subject matter on which the registrant proposes to make such appearances.

C. Registrants under this section shall file a report within 30 days after the end of any calendar year during which they were registered, disclosing the value, date, and nature of any food, entertainment or other gift provided to a Town official or employee. Where a gift or series of gifts to a single official or employee exceed \$100.00 in value, the official or employee shall also be identified.

Section 13.6 Enforcement.

A. The Commission may issue a cease and desist order against any person found to be in violation of this ordinance and may seek enforcement of such order in the Circuit Court for Talbot County.

B. A Town official, appointee or employee found to have violated this Chapter may be subject to disciplinary or other appropriate personnel action, including suspension of any Town salary or other compensation.

C. Violation of Section 13.5 shall be a misdemeanor subject to a fine up to \$1,000.00 or imprisonment for up to six months, or both.

(History – Ordinance 175, adopted June 22, 1982)

CHAPTER 14. ANNEXATION POLICY AND PROCEDURE

- 14.1 Principles
- 14.2 Applicable Law
- 14.3 Petition; Filing Fee
- 14.4 Petition-Preliminary Review
- 14.5 Planning Commission Review
- 14.6 Town Commissioners Hearing
- 14.7 Factors for Consideration
- 14.8 Required Findings
- 14.9 Conditions-Guarantees
- 14.10 Severability

Section 14.1 Principles.

The following principles shall govern any proposed annexation:

A. The Commissioners of Oxford may consider and act upon a petition for the annexation of unincorporated land adjacent to the corporate boundaries of the Town of Oxford.

B. The purpose of annexation is to bring municipal services to the annexed area and to afford citizens a means to be involved in and affect the affairs of the community through participation in a municipal government.

C. Annexation of an area in which there is no present need for municipal service may be appropriate if the area is required for future development consistent with the Oxford Comprehensive Plan and Talbot County Comprehensive Plan.

D. Annexation only to increase municipal revenue is inappropriate without an ability to provide municipal services.

E. Any annexation shall be intended to maintain and promote the health, welfare, safety and economic development of the entire community plus promote and preserve the environmental integrity of the Town, surrounding territory and waterways. In addition, the proposed uses of the land to be annexed must be consistent with the applicable provisions of Oxford's Comprehensive Plan, critical areas program, zoning laws, subdivision regulations, Town Charter and the Talbot County Comprehensive Plan.

F. Annexation of an area is not appropriate unless the Town water and sewage treatment system will have excess capacity to provide service to all existing lots of record within the pre-annexation boundaries of the Town and all proposed uses within the area to be annexed.

Section 14.2 Applicable Law.

The requirements of this Chapter are in addition to any other provision of this Code, the Town Charter and of the Annotated Code of Maryland which govern annexation.

Section 14.3 Petition; Filing Fee.

A. A petition for annexation shall be prepared in compliance with Section 19 of Article 23A of the Annotated Code of Maryland and shall be filed with the Town Administrator, together with nine copies of the petition and a non-refundable fee of Five Hundred Dollars (\$500.00).

B. The Town Clerk-Treasurer shall not accept for filing any petition for annexation that includes all or part of a parcel of land that is the subject of a pending annexation petition.

C. In addition to the fee set forth in subsection A, at the time of filing, the applicant shall deposit with the Clerk-Treasurer the sum of Ten Thousand Dollars (\$10,000.00) plus Five Hundred Dollars (\$500.00) per acre of land proposed to be annexed, which sum shall be placed in an Annexation Impact Analysis Escrow Account. These funds shall be used by the Town to pay all fees as the Town, in its sole discretion, shall incur for professional services (including, for example, legal, professional planning, survey, appraisal, archeological, financial and environmental services) rendered to the town in evaluating and processing all aspects of the proposed annexation. During the review process, if the balance of the account falls below thirty-five per cent (35%) of the amount of the original deposit, the petitioner shall promptly make such other and further deposits as needed to restore the account to an amount equal to fifty per cent (50%) of the original deposit. The processing of the annexation shall be suspended during any period that the deposit falls below thirty-five per cent (35%) of the amount of the original deposit. The Town shall reimburse the petitioner any unused portion of such deposits within thirty (30) days following the Town Commissioners' final vote on the annexation or the date on which the petitioner withdraws its petition. If the amount in escrow is not sufficient to pay incurred fees, the petitioner shall be responsible for the remaining expenses. The Town will periodically report the disbursements of funds from the account to the petitioner.

D. Among any other information which the petitioner may deem relevant or which may be required by the Town with regard to the area proposed for annexation, the petition shall include:

1. Descriptive data such as acreage, metes and bounds, description of the boundary realignment, population, name and address of each property owner, number and kind of existing uses, roadway mileage, waterway frontage, assessments, existing and proposed public facilities or services;
2. A plan of proposed development, including a plat, displaying the present and proposed boundaries, general land use patterns, existing and proposed zoning, present and proposed public facilities and improvements, existing structures, existing reserved or public areas, and existing rights of way and easements;
3. Certification that each owner of real property, both within the area of the proposed annexation and within five hundred feet of the boundaries thereof, has either executed the petition or has been sent by first class mail to the address listed in the assessment records, within sixty days prior to the filing of the petition, a summary of the petition and of the provisions of this Chapter;
4. A complete description and, where available, cost of services presently provided to the area to be annexed and to surrounding areas, such as water, sewage collection, well, septic, refuse collection, road maintenance, street lighting, streets, sidewalks, curbing, storm water management, animal control, housing inspection, public health, recreation, library, police, fire, ambulance, etc.;
5. Description of municipal services which should be upgraded, initiated or extended, together with a recommendation regarding the priority for accomplishing the improvements and a recommendation as to the source of funding for any capital improvements;
6. An estimate of the cost to the Town of having to provide each municipal service following annexation;
7. An estimate of the potential revenue to be realized by the Town by annexation;
8. A description of the social and economic characteristics of the proposed area and the surrounding area;

9. An assessment of any distinguishing environmental characteristics of the proposed area and the surrounding area with an analysis of any effect which annexation and development might have upon these characteristics;
10. A description of any other unique characteristics of the area proposed for annexation and the surrounding area, with an analysis of how these characteristics would be affected by annexation and development and how any problems are proposed to be handled; and
11. A complete copy of any annexation agreement or other document to which the Town is a party, containing any term(s), agreement or understanding affecting the proposed annexation.

E. An amendment to a pending annexation petition may be filed at any time, except that an amendment that alters the area proposed for annexation may not be filed after the public hearing on the petition by the Planning Commission. Any amendment shall satisfy the requirements of this Chapter.

F. For twelve months following the date of the withdrawal or denial of an annexation petition, the Town shall not accept another petition for annexation of all or part of a parcel of land that was the subject of the previously denied or withdrawn petition.

G. Upon approval of an annexation petition by the Town Commissioners, the petitioner shall not be permitted to amend or to otherwise change the terms of annexation or any annexation agreement.

Section 14.4 Petition-Preliminary Review.

A. Within sixty (60) days after the date on which a petition is filed, the Town Commissioners shall conduct a preliminary review of the petition at a regular or special meeting. Based upon this review, the Town Commissioners may direct that the petitioner, within a stated period, shall submit additional information or take other reasonable steps with regard to the petition, including but not limited to:

1. Supplement information and/or fees previously submitted by the petitioner;
2. Conduct studies necessary for the proper consideration of the petition;
3. Conduct additional mailing, posting or advertising notice requirements;

4. Provide additional information regarding petitioner's annexation and its compliance with applicable Town plans, ordinances and regulations.

B. The Town Commissioners shall refer the petition to the Planning Commission and to any other governmental agency that the town deems appropriate.

Section 14.5 Planning Commission Review.

A. Within sixty (60) days after the date on which a petition is referred by the Town Commissioners, the Planning Commission shall conduct a preliminary review of the petition at a regular or special meeting. Based upon this review, the Commission may direct that the petitioner submit additional information or studies or take other reasonable steps with regard to the petition, within a stated period.

B. When the petitioner has paid all fees and has complied with the requirements as specified by the Town Commissioners and the Planning Commission, the Planning Commission shall schedule and conduct a public hearing with regard to the proposed annexation at the time and place established by them. The hearing shall be conducted and a record of the proceedings shall be preserved in the manner as the Commission prescribes. At the hearing, the petitioner shall demonstrate that the proposed annexation satisfies the requirements of this Chapter and all other applicable State, County and Town ordinances, plans and regulations.

C. Within sixty (60) days after the hearing, the petitioner shall submit to the Commission all revisions to the petition deemed necessary by the Commission and shall submit to the Commission a final annexation petition that includes any proposed specific requirements of a Developer-Town Annexation Agreement. The Planning Commission shall review this final petition and within sixty (60) days, refer the petition to the Town Commissioners with any recommendations the Planning Commission deems appropriate with regard to the proposed annexation, including any recommendations with regard to the post-annexation zoning of the area to be annexed.

Section 14.6 Town Commissioners Hearing.

A. Within sixty (60) days after receiving the annexation petition from the Planning Commission, the Town Commissioners shall conduct a public hearing with regard to the proposed annexation at the time and place as shall be established by them. The hearing shall be conducted and a record of the proceedings shall be preserved in the manner as the Town Commissioners prescribe. A description of the annexation and a notice of the time and place of the hearing shall be published as specified in Article 23A, Section 19(d) of the Annotated Code of Maryland and shall be posted on the property at least fifteen days prior to the hearing on a sign facing the most heavily traveled adjacent roadway. The petitioner shall remove the sign

within seven (7) days following the closing of the hearing. At the hearing, the recommendations of any board, commission or agency shall be placed in evidence.

B. Within sixty (60) days after the close of the hearing, the Town Commissioners shall review the petition and vote to accept or to deny the petition. No petition for annexation shall be accepted except by favorable vote of two-thirds of the Town Commissioners.

Section 14.7 Factors for Consideration.

In acting upon the petition, the Town Commissioners shall determine generally whether the property to be annexed is of the character that the annexation would be in the public interest and for the public welfare, and in the best interest of the Town and of the County. Some of the factors that shall be considered are:

A. The effects of the annexation and any proposed development of the area to be annexed on the quality of life of the residents of the Town;

B. The need and advisability of geographic expansion of the Town considering the character of the Town including its size, the historically significant architecture of its structures, the balance of residential and commercial development, the balanced use of the surrounding waterways between commercial and recreational activities and the village atmosphere of the Town including its contribution to the tourism trade;

C. The history of, effects of and prospects for development in the area proposed to be annexed and in adjacent areas of the Town;

D. The present capabilities of and anticipated need for additional municipal services and the ability of the Town to provide those municipal services including the availability and effect of such services upon the natural resources, infrastructure, and human resources.

E. The assessed valuation of the area to be annexed and the effect of annexation upon present Town finances and upon existing property values;

F. The environmental impact of the annexation and of the development of the area to be annexed on the town and its waterways;

G. The need and potential for geographic expansion of the town;

H. The immediate and prospective populations and any other relevant demographics of the area to be annexed and of the Town; and

- I. An appropriate post-annexation zoning classification for the area.

Section 14.8 Required Findings.

To act favorably upon a petition, the Town Commissioners must find:

A. The annexation will enhance and will not be detrimental to or endanger the public health, safety, welfare, environment, quality of life or general welfare of the citizens of the area proposed to be annexed and of the Town and adjacent surrounding areas;

B. The annexation is in conformance with the Oxford and Talbot County Comprehensive Plans.

C. The annexation will generate revenue at least equal to the anticipated cost of providing all municipal services to the area to be annexed;

D. The annexation will not be injurious to the use and enjoyment of public property, roadways and waterways in and surrounding the Town;

E. The annexation will not substantially diminish or impair property values within the Town;

F. The annexation will not precipitate environmental degradation of the air, land, public spaces, roadways and waterways in and surrounding the Town; and

G. The annexation will not endanger and will be protective of sensitive environmental features such as historic sites, endangered species, burial grounds, and wildlife habitat.

H. Acceptable and reasonable steps are being or will be taken to provide adequate municipal services to the annexed area.

Section 14.9 Conditions-Guarantees.

A. In acting favorably with regard to a petition, the Town Commissioners shall place the annexed area in an appropriate zoning classification and may stipulate those conditions and restrictions it deems necessary to protect the public and environmental interests and to secure compliance with any relevant standards or requirements. The Town Commissioners may require reasonable guarantees or security with regard to any such condition or restriction, such as written instructions, bonds and/or monetary security.

B. Any annexation approved by the Town Commissioners can be brought to referendum pursuant with the provisions of Article 23A of the Maryland Annotated Code.

Section 14.10 Severability.

If any provision of the Annexation Policy and Procedure as set forth above, or the application thereof to any person or circumstances is held invalid for any reason in a court of competent jurisdiction, the invalidity shall not affect the other provisions or any other application of the Annexation Policy and Procedure which can be given effect without the invalid provision or application, and for this purpose of the provisions of the Annexation Policy and Procedure are declared severable.

(History – Ordinance No. 0005, adopted August 8, 2000)

CHAPTER 15. PEDDLING, SOLICITING AND VENDING

- 15.1 License Required
- 15.2 Definitions
- 15.3 Application for license
- 15.4 Issuance of license
- 15.5 Exhibition of license
- 15.6 Duration of license
- 15.7 Revocation
- 15.8 Hearing
- 15.9 Inspections
- 15.10 Hours
- 15.11 Exemptions
- 15.12 Violations and penalties

Section 15.1 License required.

It shall be unlawful for any peddler, hawker, vendor, canvasser or solicitor, as hereinafter defined, to engage in such activity within the Town of Oxford without first obtaining a license therefore in accordance with the provisions of this Chapter, except as exempted herein.

Section 15.2 Definitions.

When used in this Chapter 15, the following terms shall have the following meanings:

Itinerant Merchants, Transient Vendors and Salesman – shall be deemed to be in the category of peddler, hawker, vendor, solicitor or canvasser, as set forth.

Peddler, Hawker and Vendor – Any person, either principal or agent, whether a resident of the Town of Oxford or not, who in/on any public street, road highway or public place or from any vacant property, whether publicly or privately owned, or by going from place to place or house to house, delivers or distributes advertising material, literature, pamphlets, samples or handbills, or sells or offers for sale, barter, or exchange any goods, wares, merchandise, serve or any other article or thing whatsoever, either in his possession or not in his possession, either for immediate or future delivery.

Person – Any natural person, corporation, partnership, association, joint-stock company, society or any other entity of any kind.

Solicitor or Canvasser – Any person, either principal or agent, whether a resident of the Town of Oxford or not, who, in any public street, road, highway or public place or from any

vacant property, whether publicly or privately owned, or by going from house to house or by going from place to place for the following purposes:

- A. Sells any goods, wares, merchandise, including magazines and printed matter, or accepts subscriptions or orders therefore.
- B. Accepts or requests donations for any charitable purpose.
- C. Takes or attempts to take orders for the sale of services to be performed in the future.

Section 15.3 Application for license.

A. Applicants for a license under this Chapter shall file with the Town Clerk a sworn application, in writing on a form to be furnished by the Town Clerk, which shall give the following information:

1. Name, permanent home address and local mailing address, if any, of applicant.
2. A physical description of the applicant, setting forth the applicant's age, height, weight, color or hair and eyes, and any other distinguishing physical characteristic of applicant.
3. The name, address and telephone number for the firm or corporation for whom or through whom orders are to be solicited or cleared.
4. The name and address of the applicant's employer, if different from paragraph 3 above.
5. A brief description of the nature of the business and the goods to be sold and the name and address of the principal office of their manufacturer, as well as the name and address of the agent designated to receive service of the process in the State of Maryland.
6. Whether or not orders are to be solicited or taken for future delivery of goods or performance of services and whether or not soliciting is for funds.
7. The length of time for which the right to do business is desired.

8. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, other than a traffic violation, and the nature of the offense and the punishment or penalty assessed therefore.
9. Current verification that the applicant holds a Maryland sales tax identification number.
10. A copy of a valid state motor vehicle operator's license.
11. If the applicant is unable to meet the criteria of subsection 10 above, some other type of identification with picture.

Section 15.4 Issuance of license.

Upon furnishing the information required under subsection 15.3, the applicant shall be issued a license by the Town Clerk.

Section 15.5 Exhibition of license.

All licenses issued must be worn or displayed in such a manner as to be readily visible when engaged in the activities regulated herein.

Section 15.6 Duration of license.

All licenses issued under this ordinance shall expire at the end of the calendar year in which they are issued. Licenses shall not be transferable and must be surrendered after expiration before a renewal license can be issued.

Section 15.7 Revocation.

- A. Licenses issued under this ordinance may be revoked by the Town Clerk, after notice and hearing, for any of the following causes:
 1. Misrepresentation or false statement contained in the application for the license.
 2. Fraud, misrepresentation or false statement made in the course of carrying on activities regulated herein.

3. Conviction of any crime or misdemeanor involving moral turpitude.
4. Conducting the business of soliciting in an unlawful manner in violation of this ordinance or in such manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

B. Notice of hearing for revocation of a license shall be given in writing, setting forth the grounds of complaint and the time and place of the hearing. Such notice shall be served, personally upon the licensee or mailed, postage pre-paid, to the licensee at the addresses given by the licensee in making application under Section 9.3 herein, at least five (5) days prior to the date set for hearing.

Section 15.8 Hearing.

Any person aggrieved by the action of the Town Clerk with reference to the revocation of a license as provided in Section 15.7 of this shall have the right of appeal to the Oxford Commissioners. Such appeal shall be taken by filing with the Commissioners, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Commissioners shall set a time and place for a hearing on such appeal. The decision and order of the Commissioners on such appeal shall be final and conclusive.

Section 15.9 Inspections.

The equipment used or employed by peddlers, hawkers and vendors of ice cream, foods, beverages, confections and other related commodities shall be maintained in a clean and sanitary manner and be subject to inspection by and comply with the rules and regulations of the Talbot County Health Department.

Section 15.10 Hours.

The time of solicitation, peddling, hawking, vending and canvassing shall be between the hours of 9:00 a.m. and 8:00 p.m.

Section 15.11 Exemptions.

The provisions of Chapter shall not apply to the following:

A. Persons, firms or corporations residing in the town who shall have a State Trader's License.

B. The peddling of farm produce or dairy products by farmers or persons who produce such goods.

C. The peddling of seafood or seafood products of any time which have been taken from the waters within the limits of Talbot County.

D. The delivery of food, goods, wares, merchandise, magazines, periodicals, produce, services or commodities previously ordered by the occupant of the premises to which the same is delivered or on which the services are to be performed.

E. Route deliverymen who made deliveries at least once a week to regular customers and whose solicitation is only incidental to their regular deliveries.

F. The delivery of newspapers.

G. School-affiliated groups (e.g. PTA, band boosters, etc) provided that the organization is affiliated with a school located in Talbot County.

H. Organized youth teams based in Talbot County (baseball, soccer, lacrosse, basketball, field hockey, etc.).

I. Members of any nonprofit religious, charitable, benevolent society, educational, civic or veterans' organization, society, association, service club, volunteer first aid or fire company, etc., provided that organization has registered with the Town Clerk and the names of the solicitors have been listed as members of the organization and the organization has provided each person with an approved means of identification of the organization represented.

Section 15.12 Violations and penalties.

Any person who violates any provision of this Chapter, is guilty of a misdemeanor and shall be subject, upon conviction thereof, to a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment for a period not exceeding ninety (90) days, or both. (Ord. 109, 5/28/51)

CHAPTER 16. EROSION AND SEDIMENT CONTROL

- 16.1 Purpose
- 16.2 Definitions
- 16.3 Erosion and Sediment Control Plans; Grading Permit Required
- 16.4 Conditions of approval or denial
- 16.5 Responsibilities of Applicant or Property Owner
- 16.6 Inspections
- 16.7 Permit suspension
- 16.8 Stop Work Order; Violations; Penalties
- 16.9 Conflict with Other Regulations

Section 16.1 Purpose.

The purpose of this chapter is to safeguard the natural resources of the Town of Oxford by establishing minimum requirements for the control of grading and earthmoving; to provide measures to control soil erosion and sedimentation; and to establish procedures by which these requirements and measures are to be administered and enforced. Provisions of this chapter are adopted under authority of and in compliance with § 4-101 *et seq.* of the Environmental Article of the Annotated Code of Maryland.

Section 16.2 Definitions.

Within this Chapter, the following definitions shall apply:

Clear – means any activity which removes the vegetative ground cover.

Erosion And Sediment Control Plan – an erosion and sediment control strategy or plan approved by the Talbot County Soil Conservation District.

Grade - to cause the disturbance of the earth. This shall include, but not be limited to any excavating, filling, stockpiling of earth materials, grubbing, root mat or topsoil disturbance or any combination of the actions described above.

Section 16.3 Erosion and Sediment Control Plans; Grading Permit Required.

A. Town Permit Required. Before any person clears, grades, transports, fills, or otherwise disturbs any land within the Town of Oxford for any purpose related to the construction of buildings, roads, streets, driveways, or any other disturbance of the soil which is unrelated to bona fide agricultural or horticultural activities, they shall complete an application and shall obtain a permit from the Town Office for that purpose.

B. Information to be Supplied to the Town. Application forms for a municipal grading permit will be available in the Town Office. The form, when completed, shall provide sufficient information to identify the applicant, the location and nature of the work to be done and certify that all grading will be done in accordance with the approved sediment and erosion control plan. A copy of the approved sediment and erosion control plan shall accompany the application for the municipal grading permit. A municipal grading permit will not be issued until the applicant has submitted to the Town, an approved erosion and sediment control plan for the disturbance from the Talbot County Soil Conservation District, or has demonstrated that work is exempt therefrom. The Applicant must certify that all construction will be consistent with the approved plan.

Section 16.4 Conditions of approval or denial.

The Town of Oxford reserves the right to impose such conditions on the grading permit as may be reasonable to prevent the creation of a nuisance or dangerous conditions, and to deny the issuance of a grading permit where the proposed work would cause hazards adverse to the public safety and welfare.

Section 16.5 Responsibilities of Applicant or Property Owner.

A. An applicant must stake out the area of disturbance for any grading project and maintain the staked out area throughout the course of the project.

B. An applicant must maintain a copy of the approved erosion and sediment control plan and grading permit on site at all times.

C. An applicant shall not allow sediment or debris from a site where clearing or grading is done to be deposited in the waters of the state, floodplains, watercourses, public streets, highways or sidewalks or on the land of another. The applicant shall promptly remove all sediment or debris.

D. An applicant shall maintain and/or promptly repair or restore all graded surfaces, erosion control measures, vegetative and/or other protective measures if disturbed, damaged or destroyed after completion of construction. Such maintenance, repair or restoration shall be in accordance with the approved erosion and sediment control plan and the requirements of this Chapter.

Section 16.6 Inspections.

A. It shall be a condition of every grading permit, whether or not specifically stated, that the Town and its designated inspection and enforcement officer shall have the right to enter a property that is the subject of the permit to inspect for compliance with this Chapter.

B. In addition to any inspections performed by any applicable state or governmental agencies having jurisdiction over the same, the Town and its designated inspection and enforcement officer shall have the right to conduct on-site inspections prior to the start of the grading or construction, periodically during such activity, and at the conclusion of the activity.

C. In addition to any investigations performed by any applicable state or governmental agencies having jurisdiction over the same, the Town and its designee shall have the right to receive and investigate complaints of violations of this Chapter.

Section 16.7 Permit suspension.

In the event that work performed does not conform to the provisions and/or conditions of the permit or to the approved plans and specifications, a written notice to comply shall be given to the applicant. Such notice shall set forth the nature of the corrections required and the time within which corrections shall be made. Failure to comply with such written notice shall be deemed justification for suspension of the permit, and the issuance of a stop work order which will require that all work stopped except that necessary for correction of the violation. Upon correction of the violation, the applicant may apply for removal of the suspension.

Section 16.8 Stop Work Order; Violations; Penalties.

A. If a person is grading without a grading permit or an approved erosion and sediment control plan, the Town shall issue a stop work order for all work on the site except the activity which is necessary to provide erosion and sediment control.

B. Unless a violation of this chapter is subject to criminal penalties and civil remedies set forth in the Maryland Annotated Code, Environment Article, Section 4-109, any violation of this chapter, or violation of the conditions of any permit issued pursuant to this chapter, shall be deemed to be a municipal infraction as provided in Chapter 1, Section 1.10.B. Each day a violation exists shall constitute a separation offense.

C. The violations set forth herein shall be in addition to any penalties or fines established by state law.

Section 16.9 Conflict with Other Regulations.

Whether any provision of this chapter conflict with any other provision of law, whether set forth in this chapter, or any other town ordinance, or any provision of state law or regulations covering the same subject matter, that provision which is more restrictive or imposes a higher standard or requirement shall govern.

(History – Ordinance No. 9003, adopted September 25, 1990)

CHAPTER 17. WATER AND SEWER

Article I – Extension of water and sewer services

- 17.1 Extension of Water and Sewer Services to Properties Located Within the Town
- 17.2 Extension of Water and Sewer Services to Properties Located Outside Municipal Boundaries

Article II - Water and Sewer Restrictions

- 17.3 Water restrictions
- 17.4 Sewer restrictions

Article III – Water and Sewer Charges and Rates

- 17.5 Water and sewer usage and basic service charge(s)
- 17.6 Water and sewer connection and capacity charge(s)
- 17.7 Retirement of capital improvement debts
- 17.8 Operation and maintenance costs
- 17.9 Payment of water and sewer charges
- 17.10 Multiple billings
- 17.11 Unoccupied buildings
- 17.12 Estimated billing
- 17.13 Partial billing period
- 17.14 Abatement of sewer charges after water leak repair
- 17.15 Restoration of service after turn off for nonpayment

Article IV Service Installation, Meters and Metering

- 17.16 Meters and Metering
- 17.17 Town's Installation
- 17.18 Customer Access
- 17.19 Authority of the Town's representative

Article V Grease Traps

- 17.20 Grease traps and grease trap maintenance

Article VI Penalties

- 17.21 Penalties

Article VII Bay Restoration Financial Hardship Program

- 17.22 Bay Restoration Financial Hardship Program

ARTICLE I. EXTENSION OF WATER AND SEWER SERVICES

Section 17.1 Extension of services to properties located within the Town.

Where no town water and sewer extension exists to a property located in Town, said services may be extended, provided that the property owner pays for all costs and expenses associated with the extension of such water and sewer service, including, but not limited to: construction costs, engineering costs, legal fees, and other professional costs. All such extensions to or from the Town's water and sewer system shall be constructed by the Town, or to the Town's specifications.

Section 17.2. Extension Services to Properties Located Outside Town.

A. Water and/or sewer serve shall not be extended to any user outside of the municipal boundaries prior to annexation except by written agreement with the Town, which agreement shall be in recordable form and which shall contain covenants which run with the land and irrevocably commit the subject property to annexation.

B. The charge for water and/or sewer service to users outside of the municipal boundaries shall be twice that charged to users within the Town.

C. In addition to the charge required by the provisions of subsection B above, users of water and/or sewer services located outside of Town shall made annual payments to the Town in amounts equivalent to Town real property taxes which would be imposed if the property were within the Town.

D. All costs incurred in extending water and/or sewer service to users outside the Town, including but not limited to costs incurred in extending water and/or sewer mains shall be paid by the users. All improvements to existing public infrastructure made in extending water and/or sewer service shall be built to Town standards at the users' expense, and shall be transferred to public ownership upon such terms and conditions as the Commissioners of Oxford shall require.

E. Whenever property outside the Town receiving Town water and/or sewer service is annexed into the Town, the charge for such service shall be reduced to that charge for users in the Town and the payments required under subsection C shall abate as of the date of annexation.

(History – Ordinance 0804, adopted January 8, 2008)

ARTICLE II. WATER AND SEWER RESTRICTIONS

Section 17.3 Water restrictions.

A. All properties connected to the Town's water and sewer facilities shall comply with the provisions of the Maryland State Plumbing Code set forth in COMAR 09.20.01.01.

B. All water-using appliances, fixtures, toilets, faucets, hose hydrants, dishwashers, and the like shall be properly maintained at all times.

C. In case of water shortage or scarcity, the Commissioners of Oxford may by resolution, place any restrictions upon the use of water for irrigation, car washing, sprinkling, or for any other purposes which such body deems necessary. In case of fire which requires a large use of water, the Commissioners of Oxford may place a temporary emergency restriction on the use of water without the passing of a resolution.

Section 17.4 Sewer restrictions.

A. Prohibited Connections. The following connections to the Town wastewater collection system are prohibited: storm drains, roof drains, roof gutters, yard drains, cellar drains, cellar pumps, swimming pool drains, and any other connection that may be restricted by law or as determined by the Commissioners of Oxford from time to time.

B. Hazardous Materials. It shall be unlawful for anyone to discharge, or cause to be discharged into the Town wastewater collection system any substance or material that could obstruct or damage the wastewater collection system and/or the wastewater treatment facility and/or that land or stream or estuary receiving effluent from the wastewater treatment facility. It shall be unlawful for anyone to discharge or cause to be discharged into the Town wastewater collection system any hazardous substance or material including, but not limited to: oil, gasoline, petroleum fuels, paint remover, paint thinners, chemical solvents, strongly corrosive chemicals, explosives, pesticides, herbicides, farm and garden fertilizer, detergents containing phosphates, radioactive material, sand, stones, non-biodegradable solids or any substance that could create a danger for personnel operating or maintaining the wastewater system.

ARTICLE III. WATER AND SEWER CHARGES AND RATES

Section 17.5 Water and sewer usage, and basic service charge(s).

A. The Town shall impose a basic service charge and a per gallon usage charge on each and every service connected to the municipal water or sewer system. When a structure containing multiple units is connected to the Town water or sewer system, each residential dwelling unit or multiple non-residential user served by a master meter shall be considered a separate service regardless of the number of physical connections to the water or sewer main serving the structure.

B. The Town shall base the usage charges for properties served by meter(s) on the water flow indicated by the meter(s).

C. The Commissioners of Oxford shall, from time to time, establish basic service rates and a per gallon usage rates.

Section 17.6 Water and sewer connection, and capacity charge(s).

A. The Town shall impose a connection charge and a capacity charge on each and every service connected to the municipal water or sewer system. When a structure containing multiple units is connected to the Town water or sewer system, each residential dwelling unit or multiple non-residential user served by a master meter shall be considered a separate service regardless of the number of physical connections to the water or sewer main serving the structure.

B. Connection and capacity fees shall be paid in full to the Town Clerk before construction begins and service connections are provided.

Section 17.7 Retirement of capital improvement debts.

The cost to retire debts for capital improvements to the water and sewer system(s) shall be included in the water and sewer basic service and usage charges.

Section 17.8 Operation and maintenance costs.

Operation and maintenance costs for the water system shall be reviewed by the Town on an annual basis. The water and sewer basic service and usage charges shall be adequate to assure the Town will have sufficient funds to operate and maintain the water and sewerage system and

shall provide sufficient funds to establish a reserve account for future replacement of capital equipment during the service life of the water system.

Section 17.9 Payment of water and sewer charges.

A. The Town may establish a billing period for water and sewer bills from time to time as deemed appropriate, but no less often than quarterly.

B. Unless otherwise stated, payment of a water and/or sewer bill is due in full within thirty (30) days of the date of billing. The Town reserves the right to stagger the payments of quarterly water bills to allow customers to pay the charges for the first month's service within thirty (30) days of the date of the billing, charges for the second month within sixty (60) days of the date of the billing, and charges for the third month within ninety (90) days of the date of the billing.

C. When a combined bill for multiple services connected to a master meter becomes past due, the bill for each included individual service shall be considered past due.

D. Water user charges shall be billed at the same time sewer charges are billed. All payments credited to combined water and sewer bills shall be equally divided between the unpaid water and unpaid sewer account balances.

E. When a water and sewer bill is not paid within thirty (30) days after the due date, the Town shall post a conspicuous notice on the property, or send notice via first class U.S. mail to the last known address of the property owner and current occupant of the property, stating that the water bill is delinquent and that the water service may be turned off on the fourteenth day after the date of the notice. The sewer service shall be considered turned off when the water service is turned off. Water service will not be turned off when the outside air temperature is over 90 degrees F or forecast to be over 90 degrees F on the day after the scheduled turnoff.

F. Monthly water and sewer bills will be sent by first class U.S. mail to the owner of the property. The property owner shall be responsible for paying all water and sewer charges.

G. Bills paid after the due date shall be subject to a finance charge as adopted from time to time by the Commissioners of Oxford, which shall apply to the entire balance including accumulated interest and turn on/turn off fees. The Town reserves the right to use an average thirty (30) day period for the purpose of computing monthly interest. The interest on any unpaid balance begins to accrue as of the first day after due date.

H. Any unpaid water and sewer bill including finance charges and any service charge for turning the water on or off shall become a lien upon the real property which is serviced, and may be collected in the same manner as taxes are collected.

I. All residences subject to the Minimum Livability Code (COMAR 05.02.03) shall have running water and operable kitchen and bathroom fixtures consistent with those regulations.

Section 17.10 Multiple billings.

When a structure containing multiple units is connected to the Town water system, each residential dwelling unit or multiple non-residential user served by a master meter shall be considered a separate service regardless of the number of physical connections to the water and sewer main serving the structure. When two or more structures owned by the same party are connected to the Town system, the water and sewer bills for such structures may not be combined into a single bill.

Section 17.11 Unoccupied buildings.

For billing purposes, a building or building unit connected to the Town water system shall be considered occupied until such time as the property owner shall pay the specified water turn off fee, and notify the Town office to turn off the water service.

Section 17.12 Estimated billing.

Where the meter is unable to be read or fails to register the total amount of water used, the customer shall pay for such period an estimated amount based upon the average consumption in similar periods. The customer shall notify the Town at once of any damage to or of any cessation in registration of, the meter as soon as he is aware of it.

Section 17.13 Partial billing period.

The Town, from time to time, may establish rates for water service that is provided during any portion of a billing period. In no event shall the user charges be greater than the normal user charges for the entire period.

Section 17.14 Abatement of sewer charges after water leak repair.

A. The sewer portion only of the excess charges above the 3-month seasonal average for a specific property may be abated if all of the following conditions are met:

1. The higher than normal usage is the result of leaking water that is not being sent through the wastewater system;
2. The high usage is not the result of outside water usage such as, but not limited to, lawn and garden watering, car washing, power washing and the like.
3. The leak has been verified by the water superintendent and/or documented by a plumber licensed to work in Talbot County.
4. The leak has been properly repaired by a plumber licensed to work in Talbot County with written documentation of the repair submitted to the Town billing clerk, or the repair has been inspected and approved by the Public Works Superintendent.
5. The abatement period shall be for a period not exceeding 60 days or two billing periods.
6. The request for abatement must be in writing and received by the Town billing clerk within 45 days of the billing having the excessive usage, except where it can be verified that the resident has been away for an extended period.

B. The sewer portion only of the charges for metered water used to fill a residential swimming pool may be abated if all of the following conditions are met:

1. The Town Office and the Town Public Works Superintendent are notified at least 3 days in advance of the pool filling.
2. The volume of water used can be determined by pool dimensions or meter readings (an extra charge may apply for reading the meter).
3. The fill rate and time of fill are approved by the Public Works Superintendent.
4. Abatements, if approved, will be applied as a credit to the customers account during the next billing cycle. The Town will not issue cash refunds.

Section 17.15 Restoration of service after turn off for nonpayment.

Water and sewer service turned off for nonpayment of the water and/or sewer bill shall be restored only after the past due account balance plus the turn off and turn on charges have been paid in full unless a payment plan has been approved in accordance with subsection C below.

A. A turned off water service shall not be restored unless the property owner or adult occupant is present.

B. A turned off water service will be restored within 24 hours after payment is made whenever possible except that payments will not be accepted or services restored on weekends or Town holidays. Water service will only be restored between the hours of 8:00 a.m. and 4:00 p.m.

C. When a service is turned off or scheduled to be turned off for nonpayment and the Town Clerk determines that an extenuating circumstance or hardship exists, the Town Clerk may approve a payment plan to assist the customer with paying the past due balance. Any payment plan approved shall result in a declining monthly account balance. Water and sewer service may be restored as long as the customer complies with the terms of the approved payment plan.

ARTICLE IV. SERVICE INSTALLATION, METERS AND METERING

Section 17.16 Meters and metering.

A. For the purpose of determining the amount of water used, a water meter shall be installed at a point determined by the Town.

B. Where a residential customer desires to avoid paying sewer usage charges on water used exclusively for lawn irrigation, filling a pool, or other dedicated outdoor uses that do not return water to the sewer system a second isolated service meter may be installed in conjunction with the metered residential service provided that the property owner pays all applicable costs, expenses, fees and charges.

C. For the purpose of determining the amount of wastewater generated, the metered water consumption shall be used.

D. Meters will be maintained by the Town as far as ordinary wear and tear is concerned, but the customer shall be responsible to the Town for any damage or loss of, any meter or meter pit arising out of or caused by, the customer's negligence or carelessness, or any person upon his premises under or by his consent or sufferance.

E. No one other than an agent of the Town or someone otherwise lawfully authorized so to do, may remove, inspect or tamper with the Town's meter, or other property of the Town on the customer's premises.

F. The customer is responsible for the installation and maintenance of service lines from the point of service connection to his premise. The point of service connection for water is generally considered to be the outlet side of the meter. The point of service connection for sewer is the end of the service lateral where the lateral enters the customer's premise.

G. In case of a disputed account involving the accuracy of a meter, such meter shall be tested, upon the request of the customer, by the Town's water superintendent or by a testing facility approved by the Town. In the event the meter so tested is found to have an error in registration of four percent (4%) or more, the bills will be increased or decreased accordingly. If the meter is found to have a registration error of less than 4 percent, the customer may be charged a test and calibration fee.

H. Structures having more than one dwelling unit or multiple non-residential users may have a separate meter for each unit or a master meter for each structure. The number and location of the meters and the design of the water service system is subject to the approval of the Town.

I. All meters, meter boxes, and meter cutoff valves and such other appurtenances as are furnished by the Town, or turned over to the Town under the terms of a development public works agreement, shall remain its property. All piping and appurtenances upon the customer's premises must comply with and be installed and maintained in accordance with the requirements of the Oxford Building Code and the Plumbing Code of the State of Maryland.

Section 17.17 Town's installation.

All connections to Town mains, and the installation of sewer service laterals and water service lines and meters will be made by the Town or subject to its inspection and approval. All connections must be made by a licensed plumber. The design of the water and sewer service system and the location of the meter(s), shut off valves, backflow prevention devices, sewer lateral(s), and cleanout(s) will be determined by the Town. The service line(s) from the mains to the point of service and the water meter, meter pit, backflow preventer and cutoff valve shall be the property of the Town and shall be accessible to and under its control and maintenance.

Section 17.18 Customer access.

No customer (or his properly authorized agent), unless specially authorized by the Town, so shall open or close any of the stop cocks or valves in any mains or services owned and maintained by the Town.

Section 17.19 Authority of the Town’s representative.

The Town’s duly authorized representative, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance and the laws of the State of Maryland.

ARTICLE V. GREASE TRAPS

Section 17.20 Grease traps and grease trap maintenance.

A. All owners of property who are connected to the Town’s wastewater collection system where food is prepared for sale on or off said premises shall install suitable floor drains with approved grease traps and shall properly maintain said trap.

B. All such installations shall require a plumbing permit and approval of the Town of Oxford’s Public Works Superintendent.

C. Owners of property where grease traps are required shall submit to the Town a grease trap maintenance schedule to be approved by the Public Works Superintendent and to submit annually documentation that an approved maintenance schedule has been followed. The Public Works Superintendent may require that a new maintenance schedule be submitted for approval when there is evidence that a grease trap is not being maintained often enough to be effective.

D. The property owner shall take immediate steps to repair or service a malfunctioning grease trap. Failure to correct the problem shall be considered a violation of this ordinance and subject to the penalties set forth in Article VI.

E. In the event that the Town incurs expenses for clearing grease from Town sewer mains, and the Public Works Superintendent determines that grease originated from a malfunctioning grease trap, then the property owner will be required to reimburse the Town for the full cost incurred to remove the grease.

ARTICLE VI. PENALTIES

Section 17.21 Penalties.

A. Any persons in violation of Chapter of this Code shall be guilty of a municipal infraction, and the fine for the first offense shall be One Hundred Dollars (\$100.00), and shall be Two Hundred Dollars (\$200.00) for each additional offense within a 12 month period. Each and every day such violation occurs shall be considered a separate offense, and subject to separate penalties and fines.

B. If the Town is subjected to fines or penalties for a wastewater spill caused a property owner or his designated agent or tenant damaging or failing to maintain sewer pipes, including but not limited to keeping cleanout caps in place, the property owner shall reimburse the Town in full for any fines, penalties or other costs or expenses arising from such a spill.

ARTICLE VII. BAY RESTORATION FINANCIAL HARDSHIP PROGRAM

Section 17.22 Bay Restoration Financial Hardship Program.

In accordance with Md. Code Ann. Environment Article § 9-1605.2(d)(1), the Commissioners of Oxford have determined that it is desirable and in the public interest to adopt a financial hardship exemption program for the Bay Restoration Fee to allow citizens, for whom the payment of the Bay Restoration Fee would create a substantial financial hardship, to be exempt from paying the Bay Restoration Fee.

A. Application Process. All applications for an exemption shall be reviewed for sufficiency by the Town Clerk.

B. Eligibility. To be eligible for the exemption, the applicant must be a citizen of Oxford and be the party responsible for paying the Bay Restoration Fee. The applicant must also meet at least two (2) of the following criteria for exemption from the Bay Restoration Fee, and submit the required documentation.

1. Receipt of energy assistance within the last 12 months. Confirmation on official letterhead is required of the applicant.
2. Receipt of public assistance-supplemental Social Security Income (SSI) or food stamps within the last 12 months. Confirmation on official letterhead required of the applicant.

3. Receipt of Veteran's or Social Security disability benefits within the last 12 months. Confirmation on official letterhead required of the applicant.
4. Meet the income criteria, as prescribed by the Maryland Department of the Environment. The current year's tax return is required to be submitted by the applicant.

C. Period of Exemption. The exemption will be valid for 12 months from the date of approval for applicants are owner occupants of their dwelling and six months for applicants who rent their dwelling. Before the expiration of the exemption, it will be the responsibility of the applicant to reapply and provide all required documentation upon reapplication.

D. Disqualification. Any citizen who, in the discretion of the Town, submits false information in support of an application for an exemption will be disqualified from re-applying for an exemption. (History – Ordinance 1215, adopted 3.12.13)

**CHAPTER 18. STORMWATER MANAGEMENT AND
SHORELINE PROTECTION FUND**

- 18.1 Establishment of Stormwater Management and Shoreline Protection Fund
- 18.2 Purposes of Stormwater Management and Shoreline Protection Fund
- 18.3 Stormwater Management and Shoreline Protection Fee
- 18.4 Financial Hardship Exemption
- 18.5 Severability

Section 18.1 Establishment of Stormwater Management and Shoreline Protection Fund

A. A Stormwater Management and Shoreline Protection Fund (“SMSP Fund”) is established to protect the waterways and land within the Town by addressing stormwater management, controlling flooding, and to protect the natural environment. The purpose of the Fund is to ensure sufficient funds to cover the costs of designing, developing, improving, operating, maintaining and monitoring the Town’s stormwater management system and structures and shoreline protection improvements.

B. The Town’s SMSP Fund is a dedicated enterprise fund. It will only be used for the purposes outlined in Section 18.2. All revenues collected from the Stormwater Management and Shoreline Protection Fee (“SMSP Fee”) shall be deposited into the SMSP Fund. The Commissioners may from time to time make additional appropriations to the Fund as are desirable and in the public interest.

Section 18.2 Purposes of the Stormwater Management and Shoreline Protection Fund

The Fund shall be used for the following purposes:

A. The acquisition by gift, purchase or condemnation of real and personal property, and interests therein, necessary to construct, operate and maintain shoreline protection and stormwater management facilities.

B. All costs of administration and implementation of the Town Stormwater Management and Shoreline Protection Program, including the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management, tidal or flooding requirements.

C. Engineering and design, debt service and related financing expenses, construction costs for new facilities, and enlargement or improvement of existing stormwater management and shoreline protection improvements, structures and facilities.

D. The operation and maintenance of the stormwater management, tidal and shoreline protection improvements, structures and facilities.

E. Monitoring, surveillance and inspection of stormwater management, tidal and shoreline protection improvements, structures and facilities.

F. Water quality monitoring and water quality programs.

G. Retrofitting developed areas for stormwater management, flooding and tidal conditions.

H. Inspection and enforcement activities.

I. Billing and administrative costs of implementing and operating the Town's Stormwater Management and Shoreline Protection Program.

J. All other activities that are reasonably related to the purposes described above.

Section 18.3 Stormwater Management and Shoreline Protection Fee

The Commissioners may, from time to time, adopt an ordinance to establish and impose an SMSP Fee upon all real property in the Town. The Commissioners shall have the authority to establish the SMSP Fee as either a regulatory fee or a tax, or a combination of both, in any manner prescribed by law. The form of the SMSP Fee shall be established by ordinance, and may include any of the following: an *ad valorem* tax; an excise tax; a flat fee; or a graduated fee based upon impervious surface on each property, or any other method of calculation authorized by law. Any unpaid fees established by ordinance shall become a lien upon the real property and may be collected in the same manner as taxes are collected.

Section 18.4 Financial Hardship Exemption

A property owner may be exempt from the payment of the SMSP Fee established by this Chapter where payment of the Fee would create a substantial financial hardship. The application process and eligibility criteria shall be the same as the process and criteria established by the Bay Restoration Financial Hardship Program described in Section 17.22 of the Oxford Town Code.

Section 18.5 Severability

If any section, subsection, sentence, clause or phrase of this Chapter is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Chapter. The Commissioners of Oxford declare that they would have adopted this

Chapter, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

(History – Ordinance No. 1403, adopted 4/15/14)

CHAPTER 19. RESIDENTIAL RENTAL HOUSING LICENSE AND INSPECTION

- 19.1 Definition and word usage
- 19.2 Rental operating license required
- 19.3 Inspections
- 19.4 Revocation or Denial of License; Injunction
- 19.5 License renewal
- 19.6 Display of Licenses
- 19.7 Fees
- 19.8 Rental Units Exempt from Chapter
- 19.9 Violations and penalties

Section 19.1 Definition and word usage.

As used in this chapter, the following terms have the meanings indicated.

Residential Rental Dwelling Unit – Any building or portion of a building in which a person resides in which consideration of money or other goods or services are paid or provided to the owner of such building, or the owner’s authorized representative or other tenant. This definition shall include the letting or rental of any single-family residential dwelling unit, or multi-family residential dwelling unit.

Person – Any individual, proprietorship, partnership, corporation, association, or other legal entity.

Section 19.2 Rental operating license required.

A. It shall be unlawful for any person to let any residential rental dwelling unit within the Town without first having obtained a license for said unit as hereinafter provided.

B. Within sixty (60) days after the effective date of this ordinance, the legal owner of record shall make written application to the Town for a rental unit license upon such form or forms as the Town shall from time to time designate. Such application shall be submitted together with a non-refundable rental license fee, as approved and authorized by the Commissioners of Oxford.

Section 19.3 Inspections.

A. Prior to the issuance of a license, all residential rental properties shall be subject to an inspection by the Town’s designated code enforcement officer, or other designee, to ensure that the property is in conformance with the Town Code and applicable ordinances, laws or other regulations. The Town shall also have the right to inspect in the event of a complaint.

B. If an inspection reveals a violation of an applicable provision of the Town Code, including any building code, property maintenance code or minimum livability code in effect within the Town limits, the code enforcement officer shall provide written notification to the owner and to the occupant of the rental unit. The notice shall contain a time period within which the violation is to be corrected, which period shall be a minimum of ten (10) days unless the violation involves an immediate threat to health or safety, whereupon a shorter time frame may be specified by the town's enforcement officer. The code enforcement officer shall reinspect the premises to confirm that the violations have been corrected.

Section 19.4 Revocation or Denial of License; Injunction.

A license may be revoked or denied by the code enforcement officer if an owner, after the passage of the notice period described in the previous section, fails to eliminate violations of the Town Code. Revocation or denial of a license shall be in addition to, and not in substitution for, such other penalties as may be provided for said violations elsewhere in this Code or by State law. In addition to any other remedy which may be available in the event of a violation of the provisions of this chapter, the Town's designated code enforcement officer may seek an injunction to prevent the renting, or offering to rent, of rental dwelling units in the Town which do not have a license issued in accordance with this section.

Section 19.5 License Renewal.

Licenses shall expire two (2) years from the date of issuance, and are renewable every two years. Applications for renewal shall be made at least sixty (6) days prior to the expiration date.

Section 19.6 Display of Licenses.

Licenses issued under this chapter shall be produced on the demand of a tenant or prospective tenant and shall be made available at reasonable times for examination by an authorized agent of the Town.

Section 19.7 Fees.

The Commissioners of Oxford are hereby authorized to enact a resolution establishing a schedule of license, inspection, and re-inspection fees pertaining to the administration of this chapter. Any unpaid license fee or re-inspection fee shall be subject to interest and penalties as periodically established by the Oxford Commissioners for unpaid sums due to the Town.

Section 19.8 Residential Rental Units Exempt from Chapter.

A. The provisions of this Chapter shall not apply to Short Term Rentals, as defined and regulated by Chapter 20.

B. The provisions of this Chapter shall not apply to rental unit occupied by an immediate family member of the owner or the owner's spouse, parents, children, grandparents, grandchildren, sibling, aunt, uncle, or first cousins, including adopted, half, and step family members.

Section 19.9 Violations and Penalties.

Any violation of this Chapter 19 shall be considered a municipal infraction and any person violating any provision of this section shall be assessed a fine of \$100 for the first infraction, and up to \$200 for each subsequent infraction. Each separate violation shall constitute a separate offense.

(History, Ordinance 1617, adopted November 8, 2016)

CHAPTER 20. SHORT TERM RENTALS

- 20.1 Definition and word usage
- 20.2 Requirements for Short Term Rentals
- 20.3 Violations and penalties

Section 20.1 Definition and word usage.

As used in this chapter, the following terms have the meanings indicated.

Short Term Rental – Shall mean any rental tenancy permitting occupancy of a residential dwelling unit by persons unrelated by blood or marriage to the owner of the property (or the tenant of the property) for less than 30 consecutive days.

Section 20.2 Requirements for Short Term Rentals.

In the R-1, R-2, R-3 and RR zoning districts, the use of a dwelling unit for short-term rental will only be permitted subject to the following registration, licensing, and other requirements set forth in this Chapter.

A. All owners of a dwelling unit proposed for use as a short-term rental shall apply for an annual short-term rental license from the Town Office. If a property is transferred or if an annual license is not renewed a new application is required. A short-term rental license shall be nontransferable. It may be renewed annually upon proof of current compliance with the requirements of this Chapter.

B. The owner of the property intended for short-term rental occupancy shall be responsible for payment of the Talbot County Accommodations Tax.

C. Issuance of a short-term rental license is subject to the following terms, conditions, and restrictions:

1. Short-term rental licenses may be issued only to all holders of record title, or a tenant pursuant to a written lease. A copy of any such lease shall accompany the application. The record owners of the property must file a written consent to the use of the property for short-term rental purposes. The property owner or tenant shall provide proof of appropriate liability insurance coverage for rental use in the minimum amount of \$500,000 as a requirement of the license.
2. The property owners or tenant proposing to make short-term rental use of their property shall complete an application form provided by the Town of Oxford, together with all information required on said form; and shall pay an application/license fee of \$250.00 or a renewal fee of \$100.00.

Applicant shall provide the following additional information to the Town of Oxford:

- a. Certification that they can and will satisfactorily monitor the use of the short-term rental property by having either a principal residence in the Town of Oxford or by having made arrangements with an agent with either a principal residence in the Town of Oxford or whose home or office is within 50 miles of the short-term rental unit (resident agent). The name, address, and 24-hour phone contact information of the property owner and resident agent shall be provided with the application.
 - b. Subsequent license renewals will require proof that all prior Talbot County accommodation taxes for the subject property have been paid and may require submission of the appropriate year's Federal 1040 form, Schedule E, Schedule C or other appropriate forms and schedules.
3. Maximum occupancy shall be the lesser of 12 persons or two persons per bedroom excluding infants under 18 month of age. The maximum number of occupants shall be stated on the short-term rental registration, on the license, and in any short-term rental agreement.
 4. Subleasing of short-term rentals by the short-term rental occupant shall be prohibited.
 5. During any short-term rental, no dwelling, grounds, or associated appurtenances shall be used for any reception, banquet, corporate retreat, fundraiser, or similar activity which shall exceed the maximum occupancy of the dwelling unit.
 6. No more than two vehicles associated with a short-term rental may be parked overnight upon a public street. Parking over night for more than two vehicles associated with any particular short-term rental shall be off-street only.
 7. All short-term rental properties shall comply with the Town's Property Maintenance Code, as amended, with respect to those sections addressing Emergency Escape and Rescue Openings, Exits, and Smoke Alarms, and shall be equipped with fire extinguishers.
 8. All record title holders of any property for which a short-term rental license is requested must jointly submit and execute the registration and license forms.

9. No activity during any short-term rental occupancy shall be permitted which constitutes a public or private nuisance.
10. A copy of the provisions of this Chapter shall be affixed to any short-term rental agreement to assure that the short-term occupants are aware of the conditions of their occupancy.

D. The Town Office may decline to issue, or may suspend or revoke, a short-term rental license based on the following:

1. Any false, inaccurate, incomplete or incorrect statement in any registration or application or renewal.
2. Any serious or repeated infraction, disturbance, nuisance, failure to monitor, or other problem or violation occurring during a short-term rental.
3. Violation of any law or ordinance with respect to the short-term rental, or any term, condition, or restriction of the short-term rental license.
4. Failure to pay the Talbot County Accommodations Tax.

E. The Town Office may deny a short-term rental license, or limit the number of short-term rental licenses granted, in any particular neighborhood, if, in the opinion of the Town Police, there is insufficient parking to reasonably accommodate the vehicles of existing residents, together with the number of vehicles associated with the proposed short-term rental.

Section 20.3 Violations and Penalties.

Any violation of this Chapter 20 shall be considered a municipal infraction and any person violating any provision of this section shall be assessed a fine of \$100 for the first infraction, and up to \$200 for each subsequent infraction. Each separate violation shall constitute a separate offense.

(History, Ordinance 1618 adopted November 8, 2016)

ZONING

Editor's Note. The Oxford Zoning Ordinance, and all amendments thereto, are incorporated into this volume by reference as if fully set forth herein. Copies are on file in the Town Office, where they may be examined between the hours of 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., Monday through Friday.

SUBDIVISION REGULATIONS

Editor's Note. The Oxford Subdivision Regulations, and all amendments thereto, are incorporated into this volume by reference as if fully set forth herein. Copies are on file in the Town Office, where they may be examined between the hours of 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., Monday through Friday.

FLOODPLAIN MANAGEMENT

Editor's Note. The Oxford FloodPlain Management Ordinance, and all amendments thereto, are incorporated into this volume by reference as if fully set forth herein. Copies are on file in the Town Office, where they may be examined between the hours of 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., Monday through Friday.

STORMWATER MANAGEMENT

Editor's Note. The Oxford Stormwater Management Ordinance, and all amendments thereto, are incorporated into this volume by reference as if fully set forth herein. Copies are on file in the Town Office, where they may be examined between the hours of 9:00 a.m. to 12:00 p.m. and 1:00 to 4:00 p.m., Monday through Friday.

FOREST CONSERVATION ORDINANCE

Editor's Note. The Town of Oxford Forest Conservation Ordinance, and all amendments thereto, are incorporated into this volume by reference as if fully set forth herein. Copies are on file in the Town Office, where they may be examined between the hours of 9:00 a.m. to 12 p.m. and 1:00 p.m. to 4:00 p.m., Monday through Friday.