

# P.R.E.S.S.

Property Review and Enforcement Strategies for  
Safe-Housing



# Agenda

- Opening Remarks – Councilman Mr. Hartman
- Overview of P.R.E.S.S. – Capt. Josh Bunting
- Noise requirements – Sgt. Mark Paddack
- Zoning requirements – Blaine Smith
- Building/Housing/Property Maint. – Kevin Brown
- Fire Marshal – Deputy Joey Sexauer
- Licensing – Mike Sherman

# Overview of P.R.E.S.S

Presented By:  
Captain Josh Bunting

410-289-8765  
[jbunting@oceancitymd.gov](mailto:jbunting@oceancitymd.gov)

# Overview of P.R.E.S.S

Improved coordination between city departments, focusing on livability and life safety issues in residential occupancies

Supports strategic goals of Mayor and Council:

More livable community for residents.

Excellent service through high performing government.

# Overview Cont.

- Coordinated enforcement between:
  - Police
  - Fire Marshal
  - Building Department
  - Zoning
  - Rental & Business Licensing

Does not change individual enforcement of various city codes

# Enforcement Process

## 1. Complaint received and distributed to PRESS

- Fire Marshal – 410-289-8780
- Building / Zoning – 410-289-8855
- Police – 410-723-6610
- PRESS Email –  
*PZSafeHousingCommittee@oceancity  
md.gov*

# Enforcement Process

2. Inspection by any and all appropriate departments.

3. Code Enforcement (if necessary)

- Urgent Violations – May require immediate action landlord or tenants.
  
- Other Violations – May require some action by landlord or tenants with a period of time to correct violation.

# Enforcement Process...cont.

4. Employer / Sponsor Related Issues
  - Student relocation issues
  - Repeat trends for sponsors housing students in substandard housing may result in State Department notification.

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# Questions

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# Noise Requirements

Presented By:  
Sgt. Mark Paddack  
Ocean City Police Department



410-289-8855  
[mpaddack@oceancitymd.gov](mailto:mpaddack@oceancitymd.gov)

# Objectives

- Review the Town of Ocean City, Code of Ordinances, Chapter 30 pertaining specifically to unreasonably loud noises.
- Learn how our noise enforcement policy improves incident documentation, and enhances the department's proactive partnership with outside government entities and the community.
- Terms and definitions for Noise.....owners and resident agents
- Standard Operating Procedure OPS 103 Noise Enforcement. What can you expect from the police.

# Problem Solving with a Community Based Partnership

- TRUST
- CRIME CONTROL (Strict Enforcement)
- CRIME PREVENTION (Reduce)
- GOAL: IMPROVE QUALITY OF LIFE IN A RESORT COMMUNITY

# TOWN OF OCEAN CITY

## SUMMARY OF THE NOISE ORDINANCE CHAPTER 30

# NOISE ENFORCEMENT FLOW CHART



# DIVISION 2

- 30-271 It shall be unlawful for any **person** to make, continue or **cause** to be made or continued an unreasonable loud noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the corporate limits of the Town of Ocean City.

# DIVISION 2

## DEFINITIONS ONLY

### DAY

- 30-272(3)A Yelling, shouting, hooting, whistling and singing on private or public property any time between 7 a.m. and 12:00 midnight prohibited. Officer must give warning first.

### NIGHT

- 30-272(3)B Yelling, shouting, hooting, whistling and singing on private or public property any time between 12:00 midnight and 7:00 a.m. prohibited. No warning needed. Must be audible from 50 feet.

- 30-273 It shall be unlawful for any person to knowingly permit the making, creation or maintenance of unreasonable loud noises upon any premises owned or possessed or under his control.

# DIVISION 3

- DANCE HALLS AND NIGHT CLUBS
- 30-301 Sound proofing required, 55 dB(A) nighttime and 65 dB(A) daytime from adjoining property lines.
- Or plainly audible at a distance of 50 feet from the establishment.
- Use noise meter from complainant location (SOP OPS – 103)

# DIVISION 4

- MECHANICAL AND CONSTRUCTION
- Max noise level 89 dB(A) at adjoining property line. Any tools.

# DEFINITIONS ONLY

- 30-324
- Power mechanical tools, max 79 dB(A) at adjoining property line.
- May 1 to Sept. 30 hours of operation are 0900 to 1730, Summer.
- Oct 1 to April 30 hours of operation are 0700 to 1730, Winter.
- 30-325
- Non- power hand tools, max 79 dB(A) at adjoining property line.
- May 1 to Sept. 30 hours of operation are 0800 to 1830, Summer.
- Oct. 1 to April 30 hours of operation are 0600 to 1830, Winter.

# DIVISION 6

- NOISE POLLUTIONS CONTROL
- Definitions-American National Standards Institute (ANSI). Decibel Levels and Use of noise meters.
- Max of 65 dB(A) in Daytime hours 0700 to 2200;
- Max of 55 dB(A) in Nighttime hours of is 2200 to 0700. Purpose of meter readings.

# DIVISION 7

- Residences Providing Shelter to Transients
- 30- 383 Permit and notification required – municipal infraction fine not to exceed \$1,000.00 for first violation.
- 30-403 Noise Board may recommend to the City Council to revoke a property noise permit after two sustained noise violations at same property or unit with in the calendar year. Noise Board hearing.
- Owner/Resident Agent notification(S.O.P.)

# What You Can Expect From the Police

- Initiated by a citizen complaint of noise.
- Officer observations of ambient conditions and source of noise.
- Validation
- If a violation, request responsible party turn down or off the source of the noise.

# What You Can Expect From the Police Cont...

- Violation enforcement action: a warning, citation or arrest of responsible party.
- Documented police report and evidence submission per Standard Operating Procedures. OPS-103
- Notification to the owner/agent by the police.

# CRIMINAL PENALTY FOR NOISE

District Court Jurisdiction

Maximum penalty of \$500.00 fine  
and/or 90 days in jail.

Charges written on a DC/CR 45  
Uniform (Criminal Citation).

# What You Can Do To Protect Your Property & Tenants

- Provision (Noise) must be documented in the lease.
- Use due diligence to control behavior.
- Document your concerns with tenants.
- Provide your phone number directly to your neighbors to call you first!
- On-site security
- You call the police directly for assistance.

**???** Questions **???**

# Zoning Requirements

Presented By:

Blaine Smith

Assistant Director of P&Z

410-289-8944

[bsmith@oceancitymd.gov](mailto:bsmith@oceancitymd.gov)

# Introduction to Overcrowding

- Committed to the safety and livability of our residents and visitors
- Concerns of overcrowding in residential buildings
- The following will assist renters, real estate agents, property managers, owners with avoiding overcrowding

# Single Family Dwellings

Must be occupied by a single “family”

R-1: Single Family Residential District

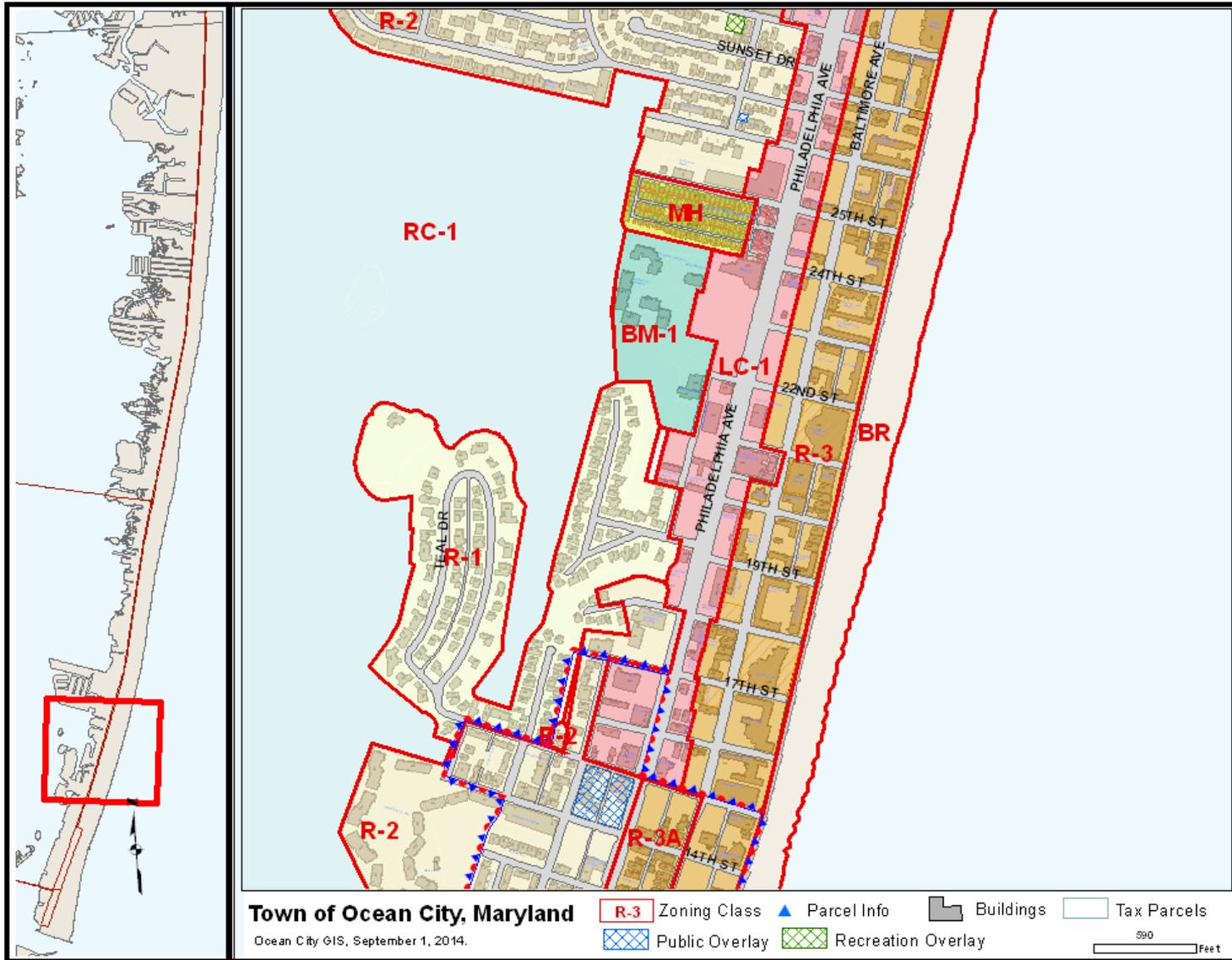
MH: Mobile Home District

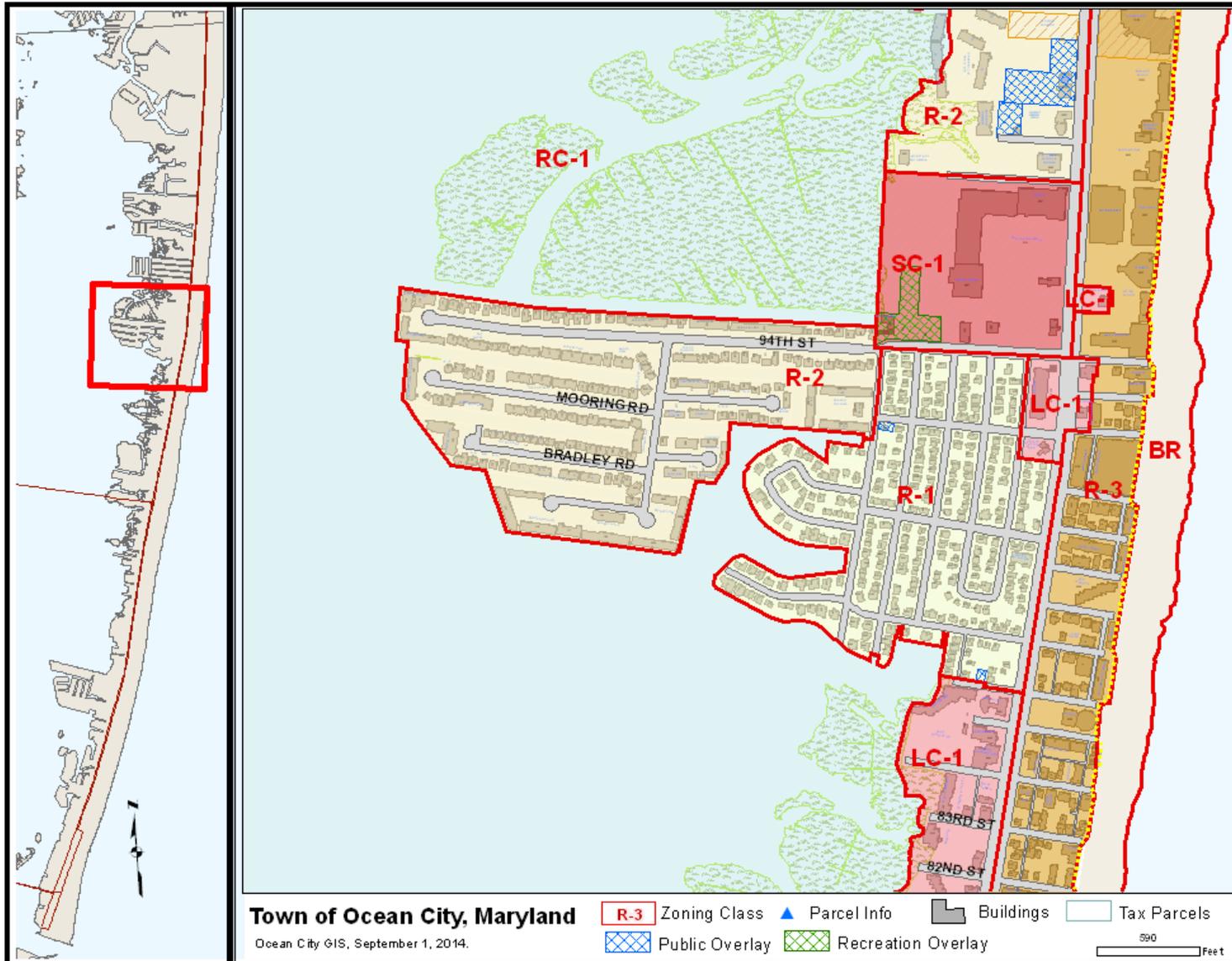
# R-1 Single Family & MH Mobile Home

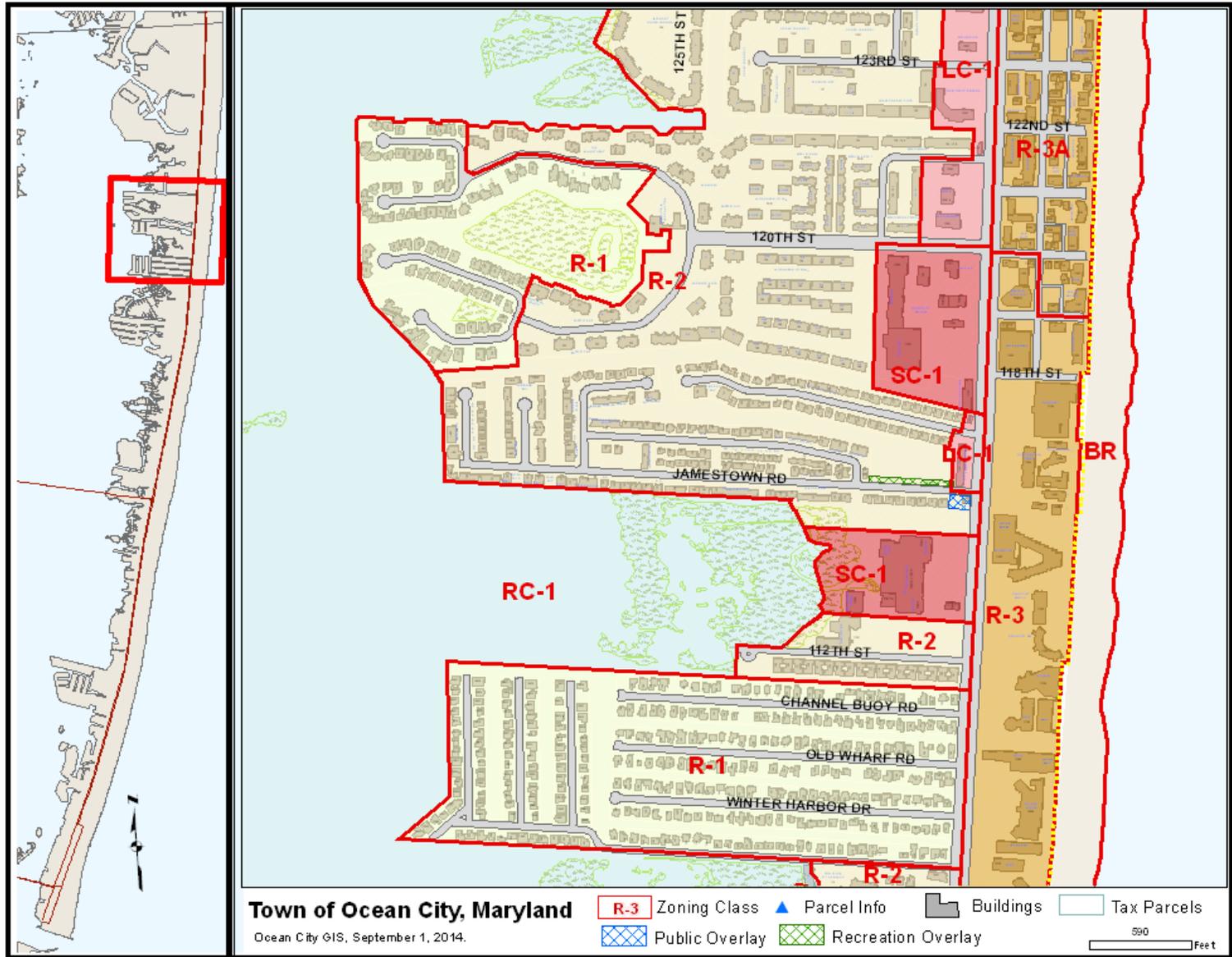
Family is defined as an individual or two or more persons who are related by blood or marriage living together and occupying a single housekeeping unit with a single culinary facility , including caregivers employed and residing on the premises, or a group of not more than four persons living together by joint agreement and occupying a single housekeeping unit with single culinary facility on a cost sharing basis.

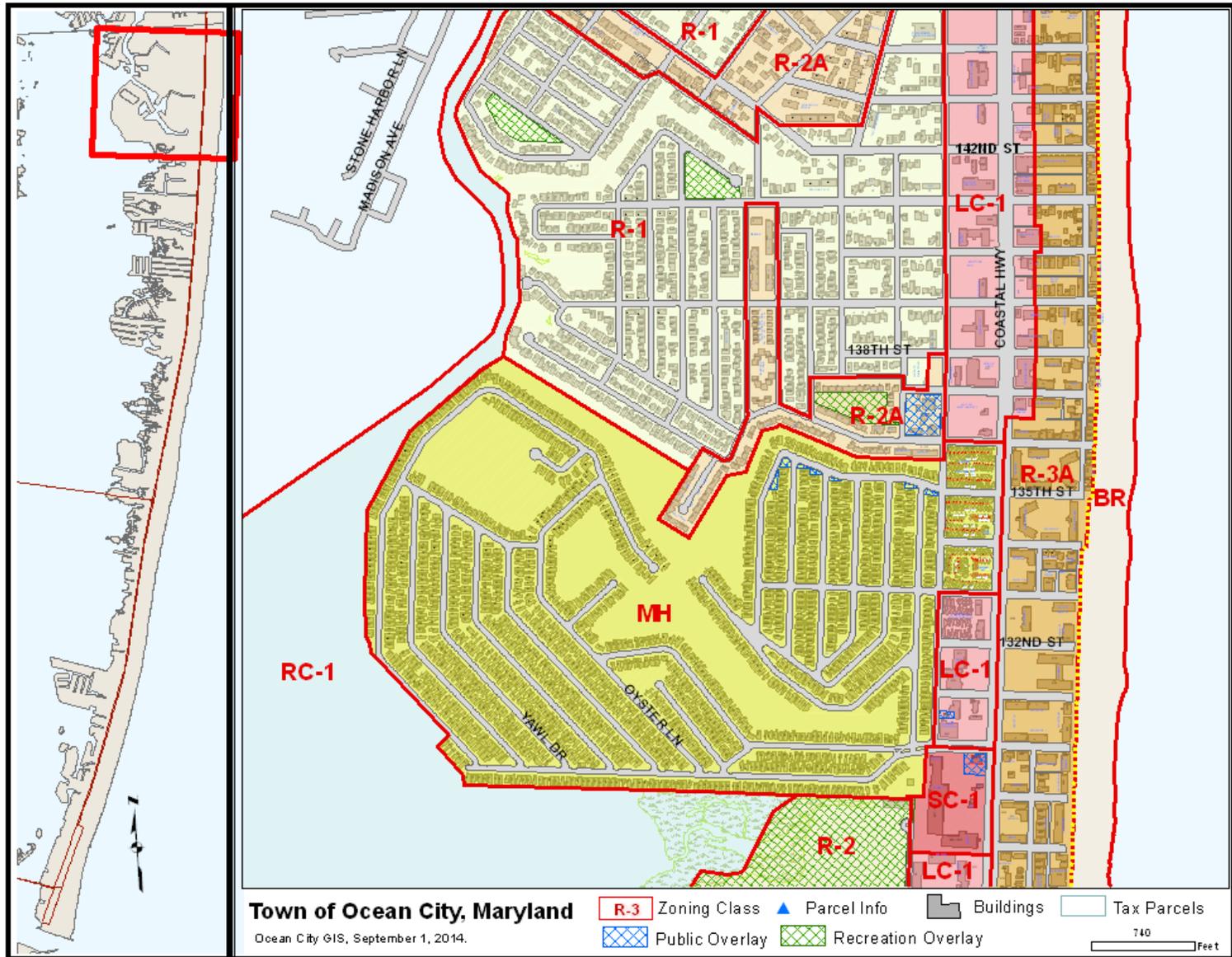
# All Other Districts

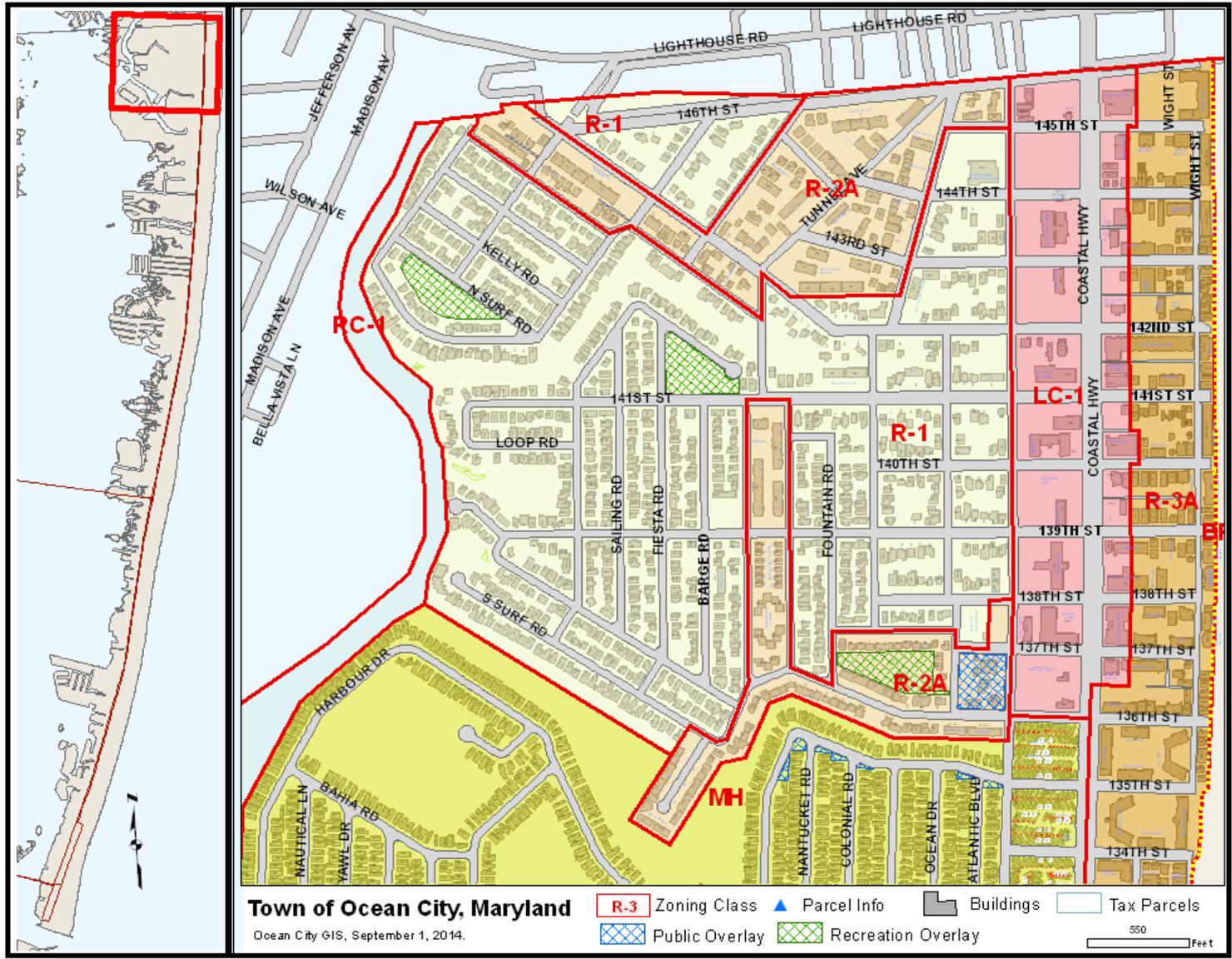
Family is defined as an individual or two or more persons who are related by blood or marriage living together and occupying a single housekeeping unit with a single culinary facility, or a group of persons not exceeding the number of occupants allowed by building and housing code regulations, who are familiar with each other, living together in one dwelling unit, acting as a single household, sharing all areas of the dwelling unit.











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# Questions

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# Town of Ocean City Property Maintenance Code

Presented by:  
Kevin R. Brown  
Chief Building Official

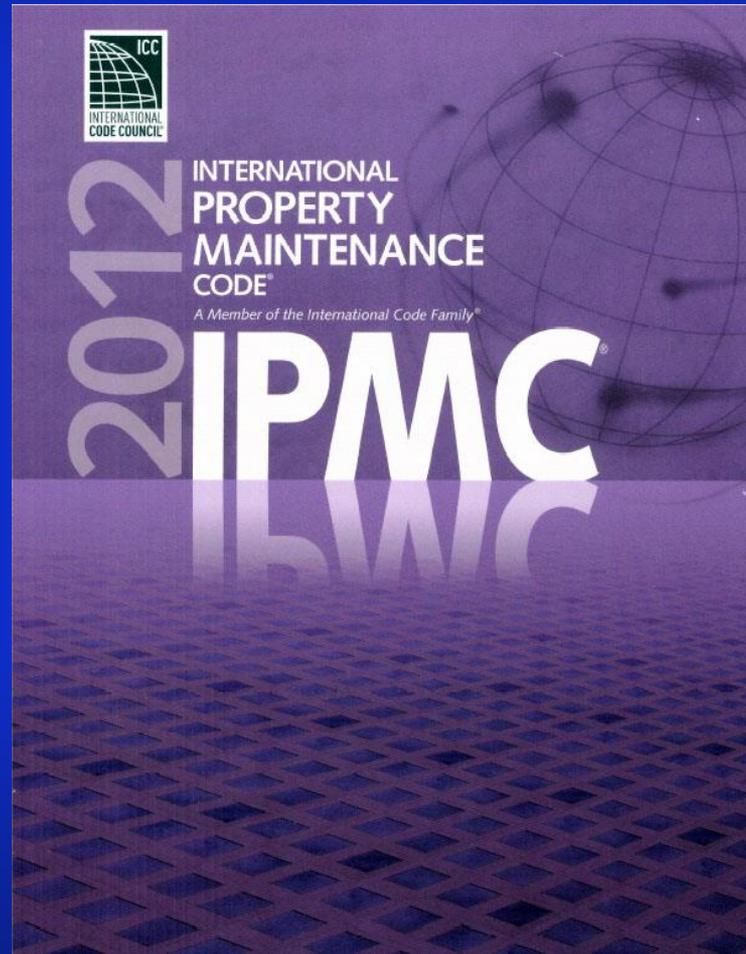
410-289-8798  
[kbrown@oceancitymd.gov](mailto:kbrown@oceancitymd.gov)

# Most Common Housing Code Violations

## MOST COMMON HOUSING CODE VIOLATIONS

- Units w/o air conditioning must have screens on windows/doors.
- Garages and storage sheds in poor condition
- Every common hall and inside stairway shall have lighting
- Exterior door leaking or in poor condition
- Dwelling Unit Sleeping room overcrowded for space available; 40 sq ft of floor space available per person.
- Protective railing missing or in poor condition.
- No open storage of abandoned motor vehicles, boxes, refrigerators, stoves, dead trees, garbage, etc.
- Interior floors, walls, bathrooms, ceilings poorly maintained, rubbish, weeds.
- Broken windows.
- Carbon Monoxide Detectors if fuel burning equipment is being used.
- Electrical hazards, wires hanging, defective wiring, exposed wires, etc.
- Chimney or vents in poor condition
- Premises Identification (address clearly displayed)
- Stairs, decks, porches and balconies in poor condition.

# International Property Maintenance Code



# Topics of Discussion

- Overcrowding
- Property Maintenance
- **Chapter 4 Light, Ventilation and Occupancy Limitations.** The purpose of Chapter 4 is to set forth these requirements in the code and to establish the minimum environment for occupiable and habitable buildings, by establishing the minimum criteria for light and ventilation and identifies occupancy limitations including minimum room width and area, minimum ceiling height and restrictions to prevent overcrowding. This chapter also provides for alternative arrangements of windows and other devices to comply with the requirements for light and ventilation and prohibits certain room arrangements and occupancy uses.

# IPMC

- The IPMC is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. Responsibility is fixed among owners, operators and occupants for code compliance. The IPMC provides for the regulation and safe use of existing structures in the interest of the social and economic welfare of the community.
- **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.
- This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*.

# Overcrowding



# Dangerous & Unhealthy Living



# Unsanitary Conditions



# Overcrowding

- Overcrowding is often a problem in rental properties and in some single family dwellings. It can create serious problems: for example, disease spreads more easily, privacy is lost, mental health is affected and buildings are subject to abuse & accelerated wear. Overcrowding can have a destructive effect on the entire neighborhood. Reducing overcrowding will reduce related health & safety issues and reduce the stress it has on a community.

# Your Responsibility

- Housing provided to participants should have adequate space for belongings and not feel overcrowded. Participants should feel safe in their housing and all safety mechanisms, such as locks, smoke and carbon monoxide detectors, and fire extinguishers, should be fully functional. All bathroom and kitchen appliances and utilities should be in working order. Housing should have adequate & unobstructed egress in case of emergency or fire.

# Owner

- Any person, agent, *operator*, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
- A person shall not occupy as *owner-occupant*, or permit another person to occupy, any *premises* that do not comply with the requirements of this chapter

- **OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.
- **HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking. *Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.*
- **OPERATOR.** Any person who has charge, care or control of a structure or *premises* which is let or offered for *occupancy*.
- **TENANT.** A person, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

- **SECTION 401 GENERAL**

- **401.1 Scope.**

The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a structure requirements of this chapter.

- **404.2 Minimum room widths.**

A habitable room, other than a kitchen, shall be a minimum of 7 feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passageway of 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.

**404.5 Overcrowding.** Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5 MINIMUM AREA REQUIREMENTS

MINIMUM AREA IN SQUARE FEET			
SPACE	1-2 occupants	3-5 occupants	6 or more occupants
Living room <sup>a, b</sup>	120	120	150
Dining room <sup>a, b</sup>	No requirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

**404.4.1 Room area.** Every living room shall contain at least 120 square feet (11.2 m<sup>2</sup>) and every bedroom shall contain a minimum of 70 square feet (6.5 m<sup>2</sup>) and every bedroom occupied by more than one person shall contain a minimum of 40 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

- **404.5.1 Sleeping area.** The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.
- The purpose of this section is to prohibit the dual use of dining rooms and living rooms as sleeping rooms, unless they are of sufficient size to incorporate the minimum required space for sleeping, in addition to the minimum required space for sleeping
- **404.4.4 Prohibited occupancy.** Kitchens and non-habitable spaces shall not be used for sleeping purposes.

# Contact the Office of Building Inspection 410-289-8855

- A Community and its people coming together is a beginning
- Keeping together is a progress
- Working together is a success

**WE CANNOT ACCOMPLISH ALL THAT WE  
NEED TO DO WITHOUT WORKING  
TOGETHER**

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# Questions

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# Residential Occupancies

Presented by:  
Deputy Sexauer  
Office of the Fire Marshal



410-289-8462

[jsexauer@oceancitymd.gov](mailto:jsexauer@oceancitymd.gov)

# Overview

- What is the Fire Marshal's Office
- Residential Occupancy Types
- Fire Protection Requirements
- Illegal Occupancy Conversion
- Methods for Compliance
- Questions & Comments

# Mission of the Fire Marshal's Office

*The Office of the Fire Marshal's mission is the preservation of life and the protection of property from fire, explosion and other associated emergency conditions in an effort to make the town virtually fire-free, accomplished through the development and implementation of proactive programs and services in the areas of investigations, public education, inspections and regulation. Our overall goal is focused on the prevention of death, injury and property loss to the residents and visitors to the Town of Ocean City."*

# Primary Functions of the Fire Marshal's Office

- Fire / Arson Investigation
- Code Enforcement
- Plans Review for Construction
- HazMat Response
- Bomb Squad Response

# Residential Occupancy Types

- Single Family Dwelling
- Two Family Dwelling (Duplex)
- Apartment Building
- Lodging or Rooming House
- Dormitory

Each Occupancy type is determined by how it is used, in addition to the number occupants.

# Single Family Dwelling



# Single Family Dwelling

- Definition (State of Maryland)

*A dwelling unit occupied by members of a single family with not more than five (5) outsiders.*

# Single Family Dwelling

- What is a Family?
  - Occupants are related or closely familiar with all other occupants of the unit.
  - If occupants are not related or familiar with other occupants, the maximum number of persons permitted is a family + 5 persons.
    - 1 person + 5 unrelated individuals=6 total
    - 2 brothers + 5 unrelated individuals= 7 total
    - Family of 6 + 5 unrelated individuals = 11 total

# Single Family Dwelling

- Characteristics
  - All areas of the dwelling unit are accessible to all occupants
  - Occupants are familiar with who is occupying the dwelling unit throughout the day.
  - If individual occupants rent / lease / occupy bedrooms, beds, or areas not accessible to other occupants, the maximum number of persons permitted is six (6) persons

# Single Family Dwelling

- Characteristics (cont.)
  - Cooking and bathroom facilities are present.
  - Must comply with the Building and Housing Authority requirements for occupants per square ft.

# Two Family Dwelling



# Two Family Dwelling

- Definition (State of Maryland)

*A building containing not more than two dwelling units, in which each dwelling unit is occupied by members of a single family with not more than five (5) outsiders.*

# Two Family Dwelling

- Characteristics
  - Each dwelling unit is occupied in accordance with the same requirements as a single family dwelling.

# Apartment Building



# Apartment Building

- Definition

*A building or portion thereof containing three or more dwelling units with independent cooking and bathroom facilities*

# Apartment Building

- Characteristics
  - Each dwelling unit within the apartment building is occupied as an independent, single family dwelling.
  - Number of occupants must comply with Building and Housing Authority requirements for occupants per square ft.

# Lodging or Rooming House



# Lodging or Rooming House

- Definition

*A building or portion thereof that does not qualify as a one or two family dwelling, that provides sleeping accommodations for a total of 16 or fewer people on a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants.*

# Lodging or Rooming House

- Characteristics
  - Typical Bed and Breakfast
  - Occupants may not be related or familiar with each other.
  - Occupants rent / lease, or otherwise agree with the owner / operator to occupy a bedroom or other sleeping accommodation within the building.

# Lodging or Rooming House

- Characteristics (cont.)
  - Each occupant of a bedroom or sleeping area usually enters into their own agreement with the owner / operator.
  - Occupants do not have their own cooking or bathroom facilities.
  - Bedrooms or other sleeping areas may be locked to other occupants.

# Lodging or Rooming House

- Characteristics (cont.)
  - Must comply with the Building and Housing Authority requirements for occupants per square ft.

# Dormitory



# Dormitory

- Definition

*A building or a space in a building in which group sleeping accommodations are provided for more than 16 persons who are not members of the same family in one room, or a series of closely associated rooms, under joint occupancy and single management, with or without meals, but without individual cooking facilities.*

# Dormitory

- Characteristics
  - Occupants may not be related or familiar with each other.
  - Occupants rent / lease, or otherwise agree with the owner / operator to occupy a bedroom or other sleeping accommodation within the building.

# Dormitory

- Characteristics (cont.)
  - Each occupant of a bedroom or sleeping area usually enters into their own agreement with the owner / operator.
  - Occupants do not have their own cooking or bathroom facilities.
  - Bedrooms or other sleeping areas may be locked to other occupants.

# Dormitory

- Characteristics (cont.)
  - Must comply with the Building and Housing Authority requirements for occupants per square ft.

# Fire Protection Requirements



# Fire Protection Requirements

- Requirements vary by occupancy type
- Requirements become more strict as the number of occupants within a building increase

# Fire Protection Requirements

- One and Two Family Dwellings
  - Smoke alarms outside of each sleeping area
  - Usually a single exit
  - Access to a window in each sleeping area as a secondary means of escape.

# Fire Protection Requirements

- Apartment Buildings
  - Each dwelling unit has access to two exits per floor
  - Sleeping areas have access to a secondary means of escape (window)
  - Smoke alarms outside each sleeping area
  - Fire rated separation requirements
  - Fire alarm system provided in the building
  - May be provided with fire sprinkler systems

# Fire Protection Requirements

- Lodging or Rooming House
  - Two exits per floor
  - Each sleeping area has access to a secondary means of escape (window)
  - Smoke alarms in each sleeping area
  - Fire rated separation requirements
  - Fire alarm system provided in the building
  - May be provided with fire sprinkler systems

# Fire Protection Requirements

- Dormitory
  - Two exits per floor
  - Each sleeping area has access to a secondary means of escape (window)
  - Smoke alarms in each sleeping area
  - Fire rated separation requirements
  - Fire alarm system provided in the building
  - May be provided with fire sprinkler systems

# Illegal Occupancy Conversion



# Illegal Occupancy Conversion

- What Does This Mean?
  - Occupying a building outside of the approved use.

# Illegal Occupancy Conversion

- Why Is This Dangerous?
  - Buildings are being operated without the fire protection features required for the use.
    - Inadequate exits.
    - Lack of fire alarm or sprinkler system.
    - Lack of proper fire rated separation

# Illegal Occupancy Conversion

- Examples – Is This Legal?
  - Single family home
    - 8 Persons occupying the home
    - Persons are not related and had no interactions with other occupants prior to living together.
    - Occupants enter into individual agreements with landlord.
    - Keyed locks provided on individual bedroom doors
    - Square footage present is sufficient based on Building and Housing authority requirements

# Illegal Occupancy Conversion

- Examples – Is This Legal?
  - Dwelling Unit Within an Apartment Building
    - 17 Persons occupying the unit
    - Persons are not related and had no interactions with other occupants prior to living together.
    - Occupants enter into individual agreements with landlord.

# Illegal Occupancy Conversion

- Examples – Is This Legal?
  - Single Family Home
    - 10 Persons occupying the unit
    - Persons are all familiar with each other or related
    - One rental agreement for the group
    - All areas of the home are accessible to all occupants
    - Square footage present is sufficient based on Building and Housing authority requirements

# Illegal Occupancy Conversion

- Examples – Is This Legal?
  - Dwelling Unit Within an Apartment Building
    - 12 Persons occupying the unit
    - Persons are all familiar with each other or related
    - One rental agreement for the group
    - All areas of the home are accessible to all occupants
    - Square footage present is sufficient based on Building and Housing authority requirements

# Gaining Compliance

- Enforcement
  - A violation notice is issued giving the property owner a specified amount of time to correct the violation.
  - Severe violations, or violation left uncorrected, may result in civil citations of up to \$1000.00 per violation, per day.
  - Possible criminal charges.
  - Property owners / landlords are responsible for what occurs on their property.

# Gaining Compliance

- Relocation of Occupants
  - All occupants exceeding the approved use or occupant load of the structure may be ordered to be relocated.
  - In severe cases, building may be posted “Occupancy Prohibited”, and all occupants will be forced to vacate the premise.

# Gaining Compliance

- Permit Application
  - Preferred method
  - Property owner legally applies to change the approved use of their property
  - All requirements are addressed during plan review and inspection

# Gaining Compliance

- Discovering Violations
  - Inspectors follow up on potential violations as a result of citizen complaints, or by referral from city agencies (police & fire)
  - Currently no scheduled annual inspection of rental properties by the Fire Marshal's Office.

# ??? Questions ???

Office of the Fire Marshal

410-289-8780

[ocfm@oceancitymd.gov](mailto:ocfm@oceancitymd.gov)

# Town of Ocean City Licensing Code

Presented by:  
Mike Sherman  
License Inspector

410-289-8861  
[msherman@oceancitymd.gov](mailto:msherman@oceancitymd.gov)

# Rental Licenses

To assure compliance with all laws, ordinances, and regulations applicable to rental housing

To promote and ensure safe, healthy, habitable housing conditions

To prevent deterioration of rental housing units and to encourage responsible management, maintenance and use of rental units by the inspection and licensing

# Licensing

Any person renting for habitation any rental unit shall obtain a license from Ocean City

The owner of the rental housing unit shall be the holder of the license for it.

# License Application Review

Ocean City shall issue or deny a rental housing license within 14 days of receiving an application

Applications enter a review process with the Building Official, Zoning Administrator, Fire Marshal, and other town, county, and state agencies

# Inspection of Rental Location

Prior to issuance of a rental license, an inspection may take place

If non-compliance is determined, the license may be denied until corrective action is taken that remedies the violation

# Display of License

Licenses shall be displayed in the lobby, vestibule, rental office, or other prominent public place on the premises during the entire effective period

The landlord shall display the license within the rental housing unit for condominiums, single-family and cooperative rental units

# Reverse of License

## OCCUPANCY REGULATIONS

### Residential Overcrowding

The Town of Ocean City is committed to the safety and livability of its resident's and visitors, and is concerned with the overcrowding of residential structures. Although not inclusive of all code requirements for a specific occupancy, the general information listed below is provided to assist renters, real estate agents, property managers and owners with avoiding overcrowded conditions and ensuring a safe and habitable premise. Please contact the individual departments listed below should you have any questions.

- **Zoning Department (410-289-8855)**

Single family and multi-family dwelling units must be occupied as defined in the Town Code. Please contact the Zoning Administrator for further assistance.

- **Building Inspection Department (410-289-8855)**

Please contact the Building Department for allowable occupant loads for residential units. These occupancy limitations can be found in the currently adopted International Property Maintenance Code.

- **Fire Marshal (410-289-8780)**

Beyond the consistent requirements for smoke alarms and fire separations for all residential occupancy types, specific fire code requirements exist for each type of residential occupancy. If you are unsure of the code requirements for your building, please contact the Fire Marshal's Office for more information.

# Consequences

Violations not corrected after written notice given within a time frame..

Will go before the Division of Rental Housing

Possible actions: fines-suspension-  
revocation of license

# Division of Rental Housing:

The Department of Planning and Community Development or other such department or agency charged by the Mayor and City Council with the duty to implement and enforce the provisions of said article.

# ??? Questions ???

Licensing

410-289-8861

[msherman@oceancitymd.gov](mailto:msherman@oceancitymd.gov)