

First Reading _____

Second Reading _____

ORDINANCE 2024 - ____

**AN ORDINANCE TO AMEND CHAPTER 14, ENTITLED BUSINESSES, OF
THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND, BY ADDING
ARTICLE XI, ENTITLED HOUSEBOATS**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE
MAYOR AND CITY COUNCIL OF OCEAN CITY THAT CHAPTER 14,
ENTITLED BUSINESSES, OF THE CODE OF THE TOWN OF OCEAN CITY,
MARYLAND BE, AND IT IS HEREBY, AMENDED BY ADDING ARTICLE XI,
ENTITLED HOUSEBOATS, AS FOLLOWS:**

Chapter 14 – BUSINESSES

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ARTICLE XI. – HOUSEBOATS

Sec. 14-440. - Legislative findings, intent and purpose.

- (a) Ocean City finds that it is vital to the Town for it to maintain its marinas and waterways for marine-related activities related to recreation, including but not limited to, sport fishing and pleasure boating.
- (b) Ocean City finds and determines that to promote and protect the public's health, safety and welfare, a prohibition of the commercial operation of houseboats and the prohibition to the issuance of any license that would permit the commercial operation of houseboats is just and proper.
- (c) Ocean City finds that it is within its right, as a political subdivision, to prohibit the commercial activity and licensing of houseboats.

Sec. 14-441. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

- (a) Houseboat means any vessel, boat, watercraft, or structure, with or without self-propulsion and steering equipment, which is designed to be used without a permanent foundation, and is designed, fitted-out as, or used as a dwelling unit or a place of habitation and is not principally used for transportation, on, or in,

any waterway. The term “houseboat” shall include a floating home and liveaboard boat.

Sec. 14-442. - Prohibited acts.

- (a) No houseboat shall be occupied, used, rented, moored, anchored, or otherwise secured within the Town of Ocean City, to include being secured to any dock, piling, or shore of the Town of Ocean City, for direct or indirect commercial purposes/activity, which shall include, but not be limited to, rentals of houseboats.
- (b) No person, firm, association, partnership, or corporation shall operate or cause the operation, or allow the same, of a houseboat for rent, hold out a houseboat for rent, or sell, lease, or allow the use of any site, slip, dock, bulkhead, piling or space for the location of a houseboat.
- (c) The issuance of any other business license under this chapter shall not be a permitted means of licensure for the use of a houseboat for any purpose.

Sec. 14-443. - Penalties.

- (a) A person, firm, association, partnership, or corporation who shall violate any provision of this article shall be subject to the following penalties and/or remedies:
 - (1) A violation of this article shall be a municipal infraction and subject to the penalties and remedies set forth in section 1-8 of this Code.
 - (2) Each day that any violation continues is a separate violation.
 - (3) In addition to the penalties above, the City may institute any appropriate action or proceedings to prevent, restrain, correct, or abate a violation of this article, as provided by law, including but not limited to, injunctive relief.

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on _____.

ADOPTED AND PASSED, by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on _____, 2024.

ATTEST:

DIANA L. CHAVIS, Clerk

RICHARD W. MEEHAN, Mayor

Approved as to form:

MATTHEW M. JAMES, President

HEATHER STANSBURY
Ayres, Jenkins, Gordy & Almand, P.A.
Office of City Solicitor

ANTHONY J. DELUCA, Secretary