

AMENDED DECLARATION OF RESTRICTIONS

**THE DECLARATION OF RESTRICTIONS IN
SECTION _____, OCEAN PINES, SHALL BE AMENDED AS TO THE
PROVISIONS IN PARAGRAPH 4 OF SAID RESTRICTIONS AS
FOLLOWS:**

New material to be inserted is underlined.

"4. EXCLUSIVE RESIDENTIAL USE AND IMPROVEMENTS

- A. No numbered lot shall be used except for residential purposes. No structures shall be erected, placed or permitted to remain on any such lot other than one (1) detached, single family residence dwelling and such outbuildings constructed in connection with such residence as are usually accessory to a single family residence dwelling including a private garage.
- B. No lot shall be used or developed as a time-share project as defined in Title 11A of the Real Property Article of the Annotated Code of Maryland as may, from time to time, be amended Time-shares shall be prohibited in the Section.
- C. The Board of Directors of Ocean Pines Association, Inc. has the authority to regulate any residential numbered lot which is utilized for Short Term Rentals as defined in Section ZS1-351 of the Worcester County Zoning Code and subject to the provisions of said Code in a manner and with the authority established by the Ocean Pines Association Board of Directors. Such regulations shall include the right of said Ocean Pines Association, Inc. to establish fines for violations of said Short Term Rental provisions, and suspend the privilege of rental for stated periods of time in order to resolve repeated violations of Short Term Rental conditions in the Worcester County Zoning Code."

Worcester County, MD
Tuesday, April 27, 2021

Subtitle ZS1:III. Supplementary Districts and District Regulations

§ ZS 1-351. Short-term rentals.

[Added 10-15-2019 by Bill No. 19-3]

- (a) Generally. It is the intent of these regulations to maintain the neighborhood character where short-term rentals take place and protect the health, safety and general welfare of the permanent residents and the lodgers while allowing this form of renting to exist.
- (b) Requirements.
- (1) Any dwelling unit or portion thereof that is offered as short-term rentals must conform to the provisions of this Title.
 - (2) Any property used or planned to be used for short-term rentals shall be limited to a single rental contract for any overnight period regardless of the number of available sleeping rooms in the principal dwelling unit or accessory apartment.
 - (3) Occupancy.
 - A. The definition of "family or housekeeping unit" as contained in § ZS 1-103 hereof shall not apply in determining the occupancy limitations for short-term rentals holding a valid rental license pursuant to § TR 2-105 of the Taxation and Revenue Article of the Code of Public Local Laws of Worcester County, Maryland but rather shall be determined as follows:
 1. Every bedroom, as defined in § ZS 1-103 hereof, occupied by more than one person shall contain not less than fifty square feet of floor area unobstructed other than by furniture for each occupant.
 2. The total number of occupants permitted in any short-term rental unit shall not exceed the sum total of all occupants permitted in each bedroom of the structure.
 - B. Accessory apartments shall only be rented in their entirety and shall be subject to the occupancy limitations as contained in Subsection (b)(3)A, above. Accessory apartments shall also be subject to the provisions of § ZS 1-338 hereof.
 - (4) No modifications shall be made to the dwelling unit which shall change the functionality, appearance or principal design of the structure as an individual dwelling unit.
 - (5) One additional off-street parking space beyond that required by the provisions of § ZS 1-320(a) shall be provided for all short-term rental structures for which a building permit application is received after the effective date of this section.
 - (6) The property owner shall maintain a record of the names of all lodgers, including their address, phone number and email address as applicable, as well as the dates of lodging. Such record shall be provided to the County upon request.

- (7) The property owner or their authorized agent shall make the dwelling unit available for inspection during reasonable hours upon request by the County in order to verify compliance with the provisions of this Title.
- (8) On-premises signage shall be permitted in accordance with the provisions of § ZS 1-324.
- (9) The hosting of functions and events, including but not limited to wedding ceremonies, wedding receptions, family reunions, birthday and anniversary celebrations, corporate and employee appreciation parties and other similar gatherings of persons other than the authorized lodgers, shall be prohibited in association with any short-term rentals, regardless of whether or not any form of compensation or barter has been paid or received by any individual or firm for the event.
- (10) The County Commissioners by resolution may establish additional standards or require additional information as deemed necessary to enforce the provisions of this Title.

§ TR 2-106. (Adds this new section to Subtitle I (Licenses) of the Licenses and Permits Title of the Taxation and Revenue Article of the Code of Public Local Laws of Worcester County, Maryland to establish provisions for Rental Licenses; provides that the words and terms contained in this new section shall have the meanings and interpretations as ascribed by the definitions contained in Section § ZS 1-103 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland; provides that a license must be obtained by the property owner in order to rent any house, townhouse, apartment, condominium unit, cottage, cabin, manufactured home, rooming house, recreational vehicle, recreational park model, hotel or motel room, or any other building or structure or portion thereof as sleeping accommodations or any lot or parcel of land for the purposes of placing a manufactured or mobile home, recreational vehicle or tent, regardless of the length of the rental term; provides that the fee for a rental license will be established by resolution of the County Commissioners; establishes the information required to be submitted on the application for a rental license, including: a floor plan; the number, size and maximum occupancy of rooms in a hotel or motel; number, size and maximum occupancy of sites in a manufactured or mobile home park or campground; a copy of the lease agreement and rules for renters; names and contact information of owners, property managers and resident agents; and other information as determined necessary by the department to ensure compliance with this Title; establishes license terms (valid for one year), provisions for annual renewal, requirements for display of the rental license; and requirements to include the license number in all advertising; establishes the uses allowed in accordance with the license, and restrictions on licenses which are not transferable, and provides that a rental license may not be issued unless the property is in compliance with all State and local laws and regulations; establishes administration and enforcement provisions by the department as determined by the County Commissioners; grants enforcement staff the right to enter the property for inspection upon permission by the tenant or with a valid search warrant; provides for notification to the property owner regarding violations of this section; empowers the department to take action to correct violations if not corrected within a reasonable period of time; provides that violations constitute a civil infraction; provides that penalties may include suspension or revocation of the rental license, fines, and filing of an injunction for corrections, and abatement of violations which pose an imminent danger to the health and safety of the occupants; provides that a revoked license may not be re-issued for a period of three-years; and provides that after providing the owner of the licensed property an opportunity to be heard, the County Commissioners may revoke, suspend or refuse to renew any rental license issued due to: a material falsification of the rental license application; any activity conducted on the property which is detrimental to the health, safety and welfare of the public; conviction of a felony; a repeated failure to conform to rental license conditions, rules or regulations, or recurrent offensive conduct of persons on the property causing a public nuisance or disturbance as determined by the County Commissioners.) This bill becomes effective forty-five (45) days from the date of its