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ANNAPOLIS, MARYLAND 21401

OFFICE OF LAW

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May 29, 2015

J.P. Towing, LLC
Attn: Kyle J. Leapley
679 Fairhaven Road
Tracey's Landing, Maryland 20779

Dear Mr. Leapley:

I am writing with respect to the license renewal application of J.P.Towing, LLC. On May 19, 2015, the Annapolis Police Chief, Michael Pristoop, forwarded the findings of the investigation required under City Code (Section 7.52.060 – incorporated immediately below) to the City Clerk.

7.52.060 - License—Investigation.

A.

The City Clerk, after receipt of an application for a towing license, shall forward the application to the Chief of Police or the chief's designee for investigation and inspection of whether:

1.

The applicant has adequate off-street storage facilities within the City limits;

2.

The applicant has facilities to provide towing services when requested on a twenty-four-hour basis;

3.

The towing vehicles of the applicant are in good mechanical condition, equipped with necessary towing gear and safety apparatus, and are registered as commercial hauling vehicles with the Motor Vehicle Administration.

As a result of the investigation, it appears that the applicant maintains "off-street storage facilities within the City limits" at 1023 Spa Road. During the investigation, the reporting officer did not observe any vehicles being towed into or away from the lot, did not locate any office or other indication that the storage lot constituted the applicant's "place of business" in the City. The only overt evidence that the storage lot was associated with the applicant's business was a sign advertising the applicants address as 44 Hudson Street, Annapolis, Maryland. 44 Hudson Street is not located within the municipal boundaries of the City of Annapolis. Accordingly, there is an outstanding question concerning whether the applicant actually maintains a place of business within the City limits. The City Code specifically states:

7.52.170 - Residency required.

No person is eligible for a City towing license unless the person has the person's place of business and storage facility connected with the business located within the City.

Based upon the officer's report, it appears the applicant maintains its place of business at 44 Hudson Street outside of the City of Annapolis. To the extent the applicant has no "place of business" within the City, its license application must be rejected.

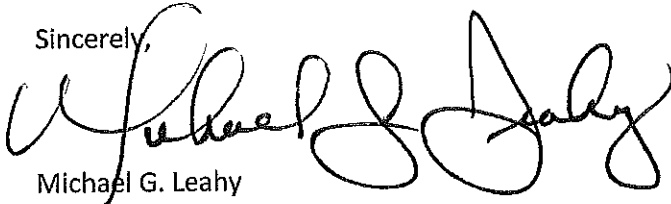
Although the City Code does not specifically define the meaning of a place of business, it is clear from the statutory wording that a place of business must incorporate more than a storage facility. Generally, a place of business is defined by two significant factors:

- a) the business transacts its operations associated with customers at such a location; and
- b) the business maintains its records and day to day operations controls from such location.

In the present case, there is no evidence that the applicant maintains such a place of business within the City, and, barring a showing that it does maintain a place of business in the City, its application for license renewal does not meet the requirements for a renewal.

Please provide any evidence you wish to submit in support of your application to demonstrate that J.P. Towing, LLC maintains a place of business in the City limits.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G. Leahy". The signature is written in a cursive, flowing style with large loops and a prominent initial "M".

Michael G. Leahy