



THE CITY OF FROSTBURG

Mayor and Council Meeting Agenda

Tuesday, October 20, 2026 at 5:50 PM

Frostburg Municipal Center Meeting Room 100
37 S. Broadway, Frostburg, MD 21532

Mayor Todd J. Logsdon

Will Coburn, Commissioner of Public Works

Nina Forsythe, Commissioner of Water, Parks, and Recreation

Kevin G. Grove, Commissioner of Public Safety

Jennifer Smouse, Commissioner of Finance

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Frostburg Blessing**
4. **Roll Call**
5. **Approval of the Agenda**
6. **Approval of the Minutes**
 - A. Minutes from the September Council Meeting.
Motion and Second to Approve the Minutes for the September Council Meeting.
7. **Special Presentations and Requests**
 - A. Proclamation: Light It Up Orange Day
8. **Mayor and Commissioners Reports**
 - A. Monthly Reports of the City Departments.
Motion and Second to Approve Monthly Reports of the City Departments; Vote of the Mayor and City Council.
9. **Public Hearings**
 - A. Combined Sewer Overflow Monthly Public Hearing
 - B. Public Hearing: Ordinance 2026-07 Establishing Legislation Pertaining to the Operation of Bicycles, Recreational Conveyances, and Personal Delivery Devices.
10. **Old Business**
 - A. **Ordinance 2026-07** Establishing Legislation Pertaining to the Operation of Bicycles, Recreational Conveyances, and Personal Delivery Devices. Patrick O'Brien, City Administrator.
Motion and Second to Approve Ordinance 2026-07 on Second Reading; PUBLIC COMMENT; Vote of the Mayor and City Council.
11. **New Business**

- A. Ordinance 2026-08** Designating Accessory Dwelling Units as a Permitted Use on Any Lot With an Existing Single-Family Detached Dwelling Unit. Jon Miller, Director of Community Development.

Motion and Second to Approve Ordinance 2026-08 on First Reading and Set the November 17, 2026 Council Meeting as an advertised Public Hearing; PUBLIC COMMENT; Vote of the Mayor and City Council.

- B. Resolution 2026-46** Authorizing a Cost Share Agreement with Evergreen Associates, LLC for the Installation of a Sidewalk on Welsh Street. Hayden Lindsey, Director of Public Works.

Motion and Second to Approve Resolution 2026-46; PUBLIC COMMENT; Vote of the Mayor and City Council.

- C. Resolution 2026-47** Approving the Designation of a Plan Administrator for MissionSquare Retirement Accounts. Amy Phillips, CPA, Director of Finance

Motion and Second to Approve Resolution 2026-47; PUBLIC COMMENT; Vote of the Mayor and City Council.

12. Open Public Comment

13. Announcements

- A. National Prescription Drug Take Back Day** - Saturday, October 24, 2026 from 10:00 am - 2:00 pm at the Frostburg Elks Lodge.

Halloween Parade - Thursday, October 29, 2026 at 6:00 pm.

Election Day - Tuesday, November 3, 2026

Veterans Day - City Hall Closed - Wednesday, November 11, 2026

14. Adjournment



THE CITY OF FROSTBURG

Mayor and Council Meeting Minutes

Tuesday, September 15, 2026 at 5:30 PM

Frostburg Municipal Center Meeting Room 100
37 S. Broadway, Frostburg, MD 21532

Mayor Todd J. Logsdon

Will Coburn, Commissioner of Public Works

Nina Forsythe, Commissioner of Water, Parks, and Recreation

Kevin G. Grove, Commissioner of Public Safety

Jennifer Smouse, Commissioner of Finance

1. Call to Order

Mayor Logsdon called the meeting to order at 5:30 pm.

2. Pledge of Allegiance

3. Frostburg Blessing

4. Roll Call

PRESENT

Mayor Todd Logsdon

Commissioner of Public Works Will Coburn

Commissioner of Public Safety Kevin Grove

Commissioner of Water, Parks and Recreation Nina Forsythe

Commissioner of Finance Jennifer Smouse

5. Approval of the Agenda

Motion made by Commissioner of Water, Parks and Recreation Forsythe, Seconded by Commissioner of Public Safety Grove.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

6. Approval of the Minutes

A. Minutes from the August Council Meeting.

Motion and Second to Approve the Minutes for the August Council Meeting.

Motion made by Commissioner of Finance Smouse, Seconded by Commissioner of Water, Parks and Recreation Forsythe.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

7. Special Presentations and Requests

8. Mayor and Commissioners Reports

A. Monthly Reports of the City Departments.

Motion and Second to Approve Monthly Reports of the City Departments; Vote of the Mayor and City Council.

Motion made by Commissioner of Finance Smouse, Seconded by Commissioner of Public Works Coburn.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

9. Public Hearings

A. Combined Sewer Overflow Monthly Public Hearing

No Public Comment.

B. **Ordinance 2026-06** An Ordinance to Repeal and Reenact Sections 3.01 of Appendix D of the City Code (The Rental Housing Code) Pertaining to the Registration of Dwelling Units as Rental Housing Units for the Purpose of Clarifying Those Terms. Jon Miller, Director of Community Development.

No Public Comment.

10. Old Business

A. **Ordinance 2026-06** An Ordinance to Repeal and Reenact Sections 3.01 of Appendix D of the City Code (The Rental Housing Code) Pertaining to the Registration of Dwelling Units as Rental Housing Units for the Purpose of Clarifying Those Terms. Jon Miller, Director of Community Development.

Motion and Second to Approve Ordinance 2026-06; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Finance Smouse, Seconded by Commissioner of Water, Parks and Recreation Forsythe.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

11. New Business

A. **Ordinance 2026-07** An Ordinance to Establish Legislation Pertaining to the Operation of Bicycles, Recreational Conveyances, and Personal Delivery Devices. Patrick O'Brien, City Administrator.

Motion and Second to Approve Ordinance 2026-07 on First Reading and Set the October 20, 2026 Council Meeting as an advertised Public Hearing; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Public Safety Grove, Seconded by Commissioner of Finance Smouse.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

Rob Rephan - 263 E Main Street

In general, supports this effort. A lot of people walk or ride on the sidewalk and it is used often. It is hard to hear e-bikes or regular bikes coming. Suggest extending the recreational conveyance ban to be all of Main Street. Ensure there is a warning first. Include that wording in the ordinance. Should the time to take effect be longer than 20 days to educate the public?

B. **Resolution 2026-39** Approving the Reappointment of Members to the Ethics Commission. Patrick O'Brien, City Administrator.

Motion and Second to Approve Resolution 2026-39; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Finance Smouse, Seconded by Commissioner of Public Works Coburn.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

- C. Resolution 2026-40** Approving the Reappointment of a Member to the Board of Commissioners for the Housing Authority. Patrick O'Brien, City Administrator.

Motion and Second to Approve Resolution 2026-40; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Public Works Coburn, Seconded by Commissioner of Finance Smouse.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

- D. Resolution 2026-41** Awarding a Contract for the Completion of a Maryland Inventory of Historical Properties Project. Jon Miller, Director of Community Development.

Motion and Second to Approve Resolution 2026-41; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Public Works Coburn, Seconded by Commissioner of Finance Smouse.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

- E. Resolution 2026-42** Approving a Contract with Quadiant for Mail Fulfillment Services. Amy Phillips, CPA, Director of Finance.

Motion and Second to Approve Resolution 2026-42; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Finance Smouse, Seconded by Commissioner of Water, Parks and Recreation Forsythe.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

- F. Resolution 2026-43** Approving Change Order #1 for the VFD Installation Project. Hayden Lindsey, Director of Public Works.

Motion and Second to Approve Resolution 2026-43; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Water, Parks and Recreation Forsythe, Seconded by Commissioner of Public Safety Grove.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

- G. Resolution 2026-44** Approving a Contract with Micro-Tech Solutions for an Upgrade of the Water Treatment Communications System. Hayden Lindsey, Director of Public Works.

Motion and Second to Approve Resolution 2026-44; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Water, Parks and Recreation Forsythe, Seconded by Commissioner of Public Safety Grove.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

- H. Resolution 2026-45** Approving a Contract with SolarApp+ for the Automation of Solar Permitting. Jon Miller, Director of Community Development.

Motion and Second to Approve Resolution 2026-45; PUBLIC COMMENT; Vote of the Mayor and City Council.

Motion made by Commissioner of Water, Parks and Recreation Forsythe, Seconded by Commissioner of Public Safety Grove.

Voting Yea: Mayor Logsdon, Commissioner of Public Works Coburn, Commissioner of Public Safety Grove, Commissioner of Water, Parks and Recreation Forsythe, Commissioner of Finance Smouse

12. Open Public Comment

13. Announcements

Homecoming parade on Thursday, October 25th in coordination with FSU.

Tonight is the Swampy Gala at the Bookstore beginning at 7 pm.

Please keep your thoughts and prayers with Carson.

Boys Soccer, girls soccer, and football will be doing fundraisers and special events for Carson.

Flag pole at the bottom of town by the memorial has been fixed and the flag is back up.

Monday, October 12th is Columbus day, but the City of Frostburg will be open.

14. Adjournment

Mayor Logsdon adjourned the meeting at 6:43 pm.

Patrick O'Brien, City Administrator

Todd J. Logsdon, Mayor

City of Frostburg
Monthly Reports



For the month of September 2026
Reports from the Departments of:

Community Development
Finance
Parks and Recreation
Street
Water
Police

CITY OF FROSTBURG

Monthly Report: Community Development Department

For the Month of: September 2026

Submitted by: Jon Miller, Director of Community Development; Jamie Klink, Planner;
Autumn Bevans, Rental Housing Program Coordinator; Jay Hovatter, Code Enforcement
Officer/Rental Housing Inspector

Permits

Please see attached permit report.

Rental Housing

Rental Housing Update for September

All registrations are in, citations issued are paid in full.

- Mailing address and email address updates were made for property owners who needed them.
- Updating iWorQ and Rental Housing Spreadsheet to reflect new and/or updated information for rental owners/agents.
- Provided Rental Housing welcoming materials to new property owners and rental properties brought into the program.
- Owner and Agent list was provided to property owners searching for new management agencies.
- Continued providing inspection notices for B-2 cycle property owners and agents. 72 of 116 inspections have been completed and 9 are currently scheduled to be completed as of 10/16/26.
- Mailed and emailed Signed Smoke Alarm Letter and Updated Sections of Rental Housing Code.
- 7 Citations issued for non-compliance scheduling required triennial inspection (Not Paid), transmitted to court. Court Date July 20th 2026

Code Enforcement

- Detailed code enforcement action reports are attached. Please note that the Phone Call/Emails in the Activity Report reflect calls and emails from complainants, property owners, and/or tenants related to code enforcement matters.

Boards and Commissions

- *Historic District Commission* – The Historic District Commission met on Monday, September 14 to discuss a front porch renovation project at 35 Frost Avenue. The project was unanimously approved. Staff also discussed an administrative approval for the installation of a commercial wall sign at 1 E. Main Street.
- *Planning Commission* – The Frostburg Planning Commission met on Wednesday, September 9 to discuss the final plan approval for the Sheetz Store Rebuild project at 10601 New Georges Creek Road. The proposal consists of demolition of the existing Sheetz store and gas canopy, to be replaced by a new 4,959 square-foot structure, a new gas canopy with 12 pumping stations, and 44 paved parking spaces. Stormwater management updates and minor site layout changes are also proposed. After discussion, the Planning Commission unanimously approved the final site plan, provided that the additional proposed changes by the Planning Commission are included in the plans.

Additionally, the Planning Commission discussed a proposed text amendment to the Frostburg Zoning Ordinance pertaining to Accessory Dwelling Units, which has been mandated by MD House Bill 1466. The Planning Commission voted to unanimously approve the draft text amendment, to be forwarded to the Mayor & Council for presentation at the October Mayor & Council meeting.

Staff also gave a brief update on the Comprehensive Plan, stating that we had provided all requested information to the consultant, and a final draft of the full plan is expected to be completed soon.

- *Board of Zoning Appeals* – The Board of Zoning Appeals did not meet in September due to a lack of applications received.
- *Green Team* – The Green Team met on Thursday, September 10 to discuss updates of Green Team related work that was completed over the summer. Additional topics included an update on the Sustainable Maryland recertification application, Green Team tables at the Appalachian Festival and other future events, a Sustainability Tour scheduled for Saturday, October 17, scheduling for a potential Sporting Equipment Swap event, and other Green Team administrative matters.

Director's Report:

Meetings, Webinars, Conferences, and Trainings Attended:

- September 1st – Senior Staff Meeting
- September 3rd – North Water MIHP Pre Bid
- September 8th – City Staff Meeting
- September 9th – Planning Commission
- September 10th – Frostburg First
- September 14th – North Water St MIHP Bid Opening
- September 14th – Rise Zone Meeting with FSU
- September 14th – Historic District Commission
- September 15th – Senior Staff Meeting
- September 15th - Mayor and Council Meeting
- September 16th – Solar App++
- September 17th – Allegany County Comp Plan

Director's Current Project Updates:

- **Comprehensive Plan Re-Write** – Wallace Montgomery submitted to MDP for their review.
- **Center St** – Development Agreement sent to Urban Lab Architecture for their review.
- **Town House Project** – RFP for MIHP opened and awarded to Mead Hunt.
- **Record Retention** - Community Development Department record retention documentation for State of Maryland Review
- **Sustainable Maryland Recertification** –Second Revision submitted 9/25.



Permit Report

Section 8, Item A.

09/01/2026 - 09/30/2026

Permit Type	Permit Sub Type	Parcel Address	Description	Main Status
Burning		108 BRADDOCK ROAD	Burning Brush	Closed
Fence		224 MCCULLOH ST	Installation of a 4' Black Chain Link Fence	Closed
Building		2 QUANTUM CIR	Construction of a 158,168 sf Manufacturing Warehouse (Phase I - Shell Only)	Pending
Certificate of Appropriateness		27 FROST AVE	Roof Replacement	Pending
Building	Accessory Structure	16 GREENBRIAR CT	Construction of a 10' x 16' Storage Shed	Closed
Building	Renovation/Conversion	35 MILL ST	Renovation of an Existing 22' x 5' Front Deck	Open
Grading	Minor Grading	220 MCCULLOH ST	Grading a 10' x 110' Foot Area for an Asphalt Driveway	Closed
Building	Accessory Structure	112 BRADDOCK HEIGHTS	Construction of a 14' x 20' Wood and Vinyl Shed	Closed
Building	Accessory Structure	174 SPRING ST	Construction of a 13' x 20' Steel Shed	Closed
Certificate of Appropriateness		35 FROST AVE	Replacement of deteriorated front porch flooring and steps with composite decking, and repainting of porch front and side wood panels	Closed
Certificate of Appropriateness		152 E MAIN ST	In-kind Roof Replacement	Closed

Building	Renovation/Conversion	191 SPRING ST	Renovation of a Single Family Dwelling	Open
Grading	Minor Grading	76 SPRING ST	Grading area for driveway construction	Closed
Use & Occupancy		116 E MAIN ST	Commercial Use & Occupancy	Closed
Fence		212 MCCULLOH ST	Installation of a 4' Wood Fence	Closed
Building	Solar	237 ARMSTRONG AVE	Installation of (15) roof mounted solar panels and (15) micro inverters.	Open
Building	Addition	104 BUTTERMILK CIR	10' x 15' Porch Enclosure/Addition	Open
Use & Occupancy		151 BISHOP MURPHY DR	Commercial Use & Occupancy	Closed
Fence		178 W MAIN ST	Installation of a 6' Wooden Privacy Fence	Closed

Total Records: 19

10/12/2026



Location Inspection Detail Report

09/01/2026 - 09/30/2026

Address	# Units	Date	Inspection Type	Description	Completed Date	Inspection Status
26 E. College Avenue	2	9/29/2026	Rental Unit Inspection	Re Inspection 26 E. College Avenue	9/29/2026	*Pending (Smoke Alarms)
26 E. College Avenue	2	9/29/2026	Rental Unit Inspection	Re-Inspection 26 E. College Avenue Unit B	9/29/2026	*Pending (Smoke Alarms)
44 S. Grant Street	1	9/28/2026	Rental Unit Inspection	Re-inspection 44 S. Grant Street	9/29/2026	*Pending (Smoke Alarms)
44 S. Grant Street	1	9/24/2026	Rental Unit Inspection	44 S. Grant Ruben Reyes 240-778-7744	9/28/2026	Fail
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection A5	9/18/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection A7	9/18/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection A8	9/18/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection A12	9/18/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection A16	9/18/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection B5	9/18/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection B12	9/18/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection B13	9/18/2026	*Pending (Smoke Alarms)

Address	# Units	Date	Inspection Type	Description	Completed Date	Inspection Status
4 Powells Lane	38	9/23/2026	Rental Unit Inspection	Re-Inspection B16	9/18/2026	*Pending (Smoke Alarms)
96 W. Main Street	1	9/23/2026	Rental Unit Inspection	Re-Inspection 96 W. Main Street	9/21/2026	*Pending (Smoke Alarms)
197-199 Bowery Street	4	9/23/2026	Rental Unit Inspection	197 B Vacant	9/21/2026	*Pending (Smoke Alarms)
194-A/B Bowery Street	2	9/23/2026	Reinspection	194 B Vacant	9/21/2026	*Pending (Smoke Alarms)
187 Bowery Street	2	9/21/2026	Rental Unit Inspection	187 Bowery Rental Unit Inspection	9/21/2026	Fail
193 Bowery Street	1	9/21/2026	Rental Unit Inspection	Rental Unit Inspection 193 Bowery	9/21/2026	Fail
194-A/B Bowery Street	2	9/21/2026	Rental Unit Inspection	Rental unit 194 A	9/21/2026	*Pending (Smoke Alarms)
197-199 Bowery Street	4	9/21/2026	Rental Unit Inspection	197 A	9/21/2026	Fail
197-199 Bowery Street	4	9/21/2026	Rental Unit Inspection	199 A	9/21/2026	Fail
197-199 Bowery Street	4	9/21/2026	Rental Unit Inspection	199 B Vacant	9/21/2026	*Pending (Smoke Alarms)
109 Broadway	8	9/21/2026	Rental Unit Inspection	109 1	9/21/2026	*Pending (Smoke Alarms)
109 Broadway	8	9/21/2026	Rental Unit Inspection	109 2	9/21/2026	Fail
109 Broadway	8	9/21/2026	Rental Unit Inspection	109 3	9/21/2026	*Pending (Smoke Alarms)
109 Broadway	8	9/21/2026	Rental Unit Inspection	109 5	9/21/2026	*Pending (Smoke Alarms)
109 Broadway	8	9/21/2026	Rental Unit Inspection	109 4	9/21/2026	*Pending (Smoke Alarms)

Address	# Units	Date	Inspection Type	Description	Completed Date	Inspection Status
109 Broadway	8	9/21/2026	Rental Unit Inspection	109 6	9/21/2026	Fail
109 Broadway	8	9/21/2026	Rental Unit Inspection	109 7	9/21/2026	Fail
109 Broadway	8	9/21/2026	Rental Unit Inspection	109 8	9/21/2026	*Pending (Smoke Alarms)
110 B S. Broadway	1	9/21/2026	Rental Unit Inspection	110 unit B	9/21/2026	Fail
110 E S. Broadway	1	9/21/2026	Rental Unit Inspection	110 unit E	9/21/2026	*Pending (Smoke Alarms)
110 H S. Broadway	1	9/21/2026	Rental Unit Inspection	110 unit H	9/21/2026	*Pending (Smoke Alarms)
110 L S. Broadway	1	9/21/2026	Rental Unit Inspection	Unit L	9/21/2026	*Pending (Smoke Alarms)
110 M S. Broadway	1	9/21/2026	Rental Unit Inspection	110 Unit M Vacant	9/21/2026	*Pending (Smoke Alarms)
110 N S. Broadway	1	9/21/2026	Rental Unit Inspection	Unit N Vacant	9/21/2026	*Pending (Smoke Alarms)
110 Q S. Broadway	1	9/21/2026	Rental Unit Inspection	Unit Q	9/21/2026	*Pending (Smoke Alarms)
110 S S. Broadway	1	9/21/2026	Rental Unit Inspection	Unit S	9/21/2026	Fail
110 T S. Broadway	1	9/21/2026	Rental Unit Inspection	Unit T	9/21/2026	Fail
110 W S. Broadway	1	9/21/2026	Rental Unit Inspection	Unit W	9/21/2026	*Pending (Smoke Alarms)
110 Y S. Broadway	1	9/21/2026	Rental Unit Inspection	Unit Y	9/21/2026	Fail
110 X S. Broadway	1	9/21/2026	Rental Unit Inspection	Unit X	9/21/2026	Fail
157 Frost Ave	1	9/21/2026	Rental Unit Inspection	157 Frost Ave Rental Unit Inspection	9/22/2026	*Pending (Smoke Alarms)

Address	# Units	Date	Inspection Type	Description	Completed Date	Inspection Status
155 E. Main Street	2	9/17/2026	Rental Unit Inspection	155 E. Main Street Apt.1 (Office) Pamela Terry 301-697-1442	9/17/2026	*Pending (Smoke Alarms)
82 Bowery Street	4	9/17/2026	Rental Unit Inspection	82 Bowery Apt. 2	9/28/2026	Fail
82 Bowery Street	4	9/17/2026	Rental Unit Inspection	82 Bowery Apt. 3	9/28/2026	Fail
82 Bowery Street	4	9/17/2026	Rental Unit Inspection	82 Bowery Street Apt. 4	9/28/2026	Fail
3 Taylor Street	1	9/16/2026	Rental Unit Inspection	Re-inspection 3 Taylor Street	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A1	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane Apt. A2	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A3	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A4	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A5	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A6	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A7	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A8	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A9	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A10	9/15/2026	Fail

Address	# Units	Date	Inspection Type	Description	Completed Date	Inspection Status
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A11	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A12	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A13 Vacant	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A14	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A15	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A16	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A17	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A18	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A19	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane A20	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B1	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B2	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B3	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B4	9/15/2026	*Pending (Smoke Alarms)

Address	# Units	Date	Inspection Type	Description	Completed Date	Inspection Status
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B5	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B6	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B7	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B8	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B9	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B10	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B11	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B12	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B13	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B14	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B15	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B16	9/15/2026	Fail
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B17	9/15/2026	*Pending (Smoke Alarms)
4 Powells Lane	38	9/15/2026	Rental Unit Inspection	4 Powells Lane B18	9/15/2026	*Pending (Smoke Alarms)
246 Talcott Avenue	1	9/14/2026	Rental Unit Inspection	246 Talcot Rental Inspection	9/14/2026	*Pending (Smoke Alarms)

Address	# Units	Date	Inspection Type	Description	Completed Date	Inspection Status
229 Shaw Street	1	9/14/2026	Rental Unit Inspection	229 Shaw Rental Inspection	9/14/2026	Fail
232 Shaw Street	1	9/14/2026	Rental Unit Inspection	Rental unit in inspection 232 Shaw	9/14/2026	Fail
12 Federal Street	3	9/14/2026	Rental Unit Inspection	12 Federal Street Apt. C	9/14/2026	Fail
12 Federal Street	3	9/14/2026	Rental Unit Inspection	12 Federal Apt B	9/14/2026	*Pending (Smoke Alarms)
12 Federal Street	3	9/14/2026	Rental Unit Inspection	12 Federal Apt A	9/14/2026	*Pending (Smoke Alarms)
171 S. Water Street	1	9/14/2026	Rental Unit Inspection	171 S. Water	9/14/2026	Fail
220 Braddock Street	1	9/14/2026	Rental Unit Inspection	220 Braddock Street	9/14/2026	Fail
168 Mt. Pleasant Street	1	9/14/2026	Rental Unit Inspection	168 Mt. Pleasant inspection	9/14/2026	Fail
346 Allegany Street	1	9/14/2026	Rental Unit Inspection	346 Allegany Street	9/14/2026	*Pending (Smoke Alarms)
348 Allegany Street	1	9/14/2026	Rental Unit Inspection	348 Allegany Street inspection	9/14/2026	Fail
77 Hill Street	4	9/11/2026	Rental Unit Inspection	77 Hill Street Apt. A Mayra Bastidas 661 912-9310	9/11/2026	Fail
77 Hill Street	4	9/11/2026	Rental Unit Inspection	77 Hill Street Apt. B Vacant	9/11/2026	Fail
77 Hill Street	4	9/11/2026	Rental Unit Inspection	77 Hill Street Apt. C	9/11/2026	Fail
77 Hill Street	4	9/11/2026	Rental Unit Inspection	77 Hill Street Apt. D Basement right	9/11/2026	*Pending (Smoke Alarms)

Address	# Units	Date	Inspection Type	Description	Completed Date	Inspection Status
82 Bowery Street	4	8/10/2026	Rental Unit Inspection	82 Bowery Street Apt.1 Sarim Mir 240-791-4179 ext 831 Unit 1	9/28/2026	Fail
140 E. Main Street	2	7/22/2026	Rental Unit Inspection	Re-Inspection 140 E Main Apt. 2	9/11/2026	*Pending (Smoke Alarms)
27 Hill Street	1	7/1/2026	Rental Unit Inspection	Rental Unit Inspection 27 Hill	9/8/2026	Fail
3 Taylor Street	1	6/24/2026	Rental Unit Inspection	Rental Unit Inspection 3 Taylor	9/10/2026	Fail

Total Records: 105

10/12/2026



Case Activity Report

09/01/2026 - 09/30/2026

Completed Date	Compliance Deadline	Parcel Address	Description	Activity Type	Main Status
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Group: Court

9/24/2026	07/13/2026	85 S. Broadway	Illegal Rental	Court	Judgement
9/9/2026	06/17/2026	14 W MAIN ST	Trash Storage	Court	Citation Issued
9/9/2026	06/17/2026	14 W MAIN ST	Trash Storage	Court	Citation Issued

Group Total: 3

Group: Inspection

9/22/2026	N/A	100 HONEYSUCKLE LANE	Emergency Exit an door security	Inspection	Investigation
9/22/2026	N/A		Unregistered/ Disabled	Inspection	Referred to FPD
9/16/2026	N/A	204 JAMES CT	Snake issue	Inspection	Investigation

Group Total: 3

Group: Judgement

9/9/2026		162 CENTER ST	Failure to inspect rental properties	Judgement	Resolved

Group Total: 1

Group: Phone Call/Email

9/22/2026	N/A	137 E MECHANIC ST	Stove hood is vented directly into enclosed cabinets, fire hazard.	Phone Call/Email	No CE Action Necessary
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Completed Date	Compliance Deadline	Parcel Address	Description	Activity Type	Main Status
9/16/2026		162 E COLLEGE AVE	Infestation (fleas)	Phone Call/Email	First Warning

Group Total: 2

Group: Re-Inspection

9/8/2026	09/05/2026	81 BOWERY ST	Furniture and debris	Re-Inspection	Resolved
9/8/2026		134 BOWERY ST	Weeds and grass in excess of 12 inches	Re-Inspection	Resolved

Group Total: 2

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Total Records: 11

10/12/2026



Case Detail Report

09/01/2026 - 09/30/2026

Case Date	Compliance Deadline	Parcel Address	Description	Main Status
9/23/2026		21 CENTENNIAL ST	can someone please check this residence? There has been a U-Haul out front since Saturday and there is junk all over the front yard, but there has not been any signs of people moving anything.	First Warning
9/22/2026	N/A		Unregistered/Disabled	Referred to FPD
9/22/2026	10/12/2026	51 W MAIN ST	Unregistered/disabled motor vehicles	First Warning
9/22/2026	N/A	100 HONEYSUCKLE LANE	Emergency Exit an door security	Investigation
9/20/2026	N/A	137 E MECHANIC ST	Stove hood is vented directly into enclosed cabinets, fire hazard.	No CE Action Necessary
9/17/2026	Referred to FPD		Expired/Disabled	Referred to FPD
9/16/2026	N/A	204 JAMES CT	Snake issue	Investigation

Case Date	Compliance Deadline	Parcel Address	Description	Main Status
9/16/2026		162 E COLLEGE AVE	Infestation (fleas)	First Warning

Total Records: 8

10/12/2026



09/01/2026 - 09/30/2026

Case Date	Owner Name	Parcel Address	Payment Date	Payment Amount	Payment Type Description	Payment Type
5/13/2026	BB & BZ PROPERTIES LLC	162 CENTER ST	9/9/2026	700.00		Check
				700.00		

Total Records: 1

Case Payment Report

Receipt #
33

10/12/2026

September

Daily Log

09/08/2026

- Voicemails and emails
- Inspection 27 Hill Street
- Court Prep for Wishmyer
- Inspection paperwork
- Jeep Fueled \$36.00 9.0 gal.

09/09/2026

- Court JLR MD Rentals judgement in City's favor \$500.00
- Handshake deal with Luke Wishmyer for payment of fees and citations within 30 days, will reduce to \$2500.00 if paid within 30 days.
- Inspection of 3 Taylor No Show.
- 3 Taylor rescheduled for 09/10/2026
- Scheduled re-inspection 140 E. Main

09/10/2026

- Voicemails and emails
- Completed GovWell onboarding form for Code Enforcement
- Inspection 3 Taylor Street.
- BBA surveying N. Water Street properties
- Inspection paperwork

09/11/2026

- Voicemails and emails
- 77 Hill Street Inspections (3 Units)
- Inspection paperwork
- Re-Inspection 140 E. Main Pass

09/14/2026

- Voicemails and emails
- Monthly Reports
- Inspections Trevor Devore(15 unit)
- Inspection paperwork

09/15/2026

- Voicemails and emails
- Inspection Frostburg Apts. (38 Units)
- Jose Taylor re-inspection

09/16/2026

- Voicemails and emails
- Inspection reports for 4 Powells Lane
- Photos of 191 Spring
- Investigate traffic visibility High and Main.
- Posted 162 E. College Not to Be Occupied (fleas)
- Spoke with Dave Kemp owner of 162 E College and advised of the building being posted.
- 204 James Court for snake investigation.
- Inspection scheduling

09/17/2026

- Voicemails and emails
- Inspection 155 E. Main Street (2 units)
- Inspection 82 Bowery Street unable to inspect no water
- Code Enforcement patrol

09/18/2026

- Voicemails and emails
- Re-inspection 4 Powells Lane
- Inspection scheduling

09/21/2026

- Voicemails and emails
- Code Enforcement unregistered vehicle referred to FPD
- Inspections Legacy Properties (20 units)
- Inspection scheduling 157 Frost

09/22/2026

- Voicemails and emails
- Mold Inspection training
- Phone call from a concerned resident at Frostburg Heights about building security and Fire Exits.
- Forwarded water restoration to DPW 82 Bowery Street
- Follow up with Frostburg Heights Contractor will be there tomorrow morning to repair or possibly replace existing door and will adjust door in dining hall.
- Inspection 157 Frost Avenue

09/23/2026

- Voicemails and emails
- Jeep to Red Ridge for heater issue and oil change.
- Inspection paperwork

09/24/2026

- Voicemails and emails
- Court prep
- 0830 District Court 85 S. Broadway (Cohen Sick)
- Judgement City's favor \$250.00
- Inspection scheduling
- Info for Senator McKay's office 127 Center Street for Autum
- Code Enforcement complaint 51 W. Main and 73 Bowery investigation
- Inspection scheduling

09/25/2026

- Voicemails and emails
- Inspection paperwork
- Inspection filing
- Walk in complaint 500 Grandview work without a permit forwarded to City Planner
- 1405hrs. phone call reporting breaking and entering at 232 W. Main Apt 6. Info relayed to FPD

09/28/2026

- Voicemails and emails
- Inspection 44 S. Grant Street
- Inspection 82 Bowery Street
- Inspection paperwork

09/29/2026

- Voicemails and emails
- Phone call to Cliff Bennett about 82 Bowery Street
- Inspection 4 Bobcat Ct Unit B
- Re-Inspection 44 S. Grant
- Inspection paperwork emailed to owner of 82 Bowery
- Re-Inspection 26 E. College Ave.
- Govwell training

09/30/2026

- Start 1230 Voicemails and emails
- Follow up with Megco for electrical inspection 82 Bowery Street
- Inspection of 45 Mill Street

CITY OF FROSTBURG

BUDGET REPORT

SEPTEMBER 2026

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

Section 8, Item A.

Account Id	Account Description	FY 27 Budget	September 2026 Rev/Expd	YTD Rev/Expd	% Earned/ % Incurred
01-000-4000	TAXES-REAL ESTATE	3,240,000.00	-249.89	3,266,372.07	100.8
01-000-4001	PERSONAL PROPERTY TAXES	6,000.00	408.45	408.45	6.8
01-000-4002	PUBLIC UTILITY TAXES	220,000.00	0.00	0.00	0.0
01-000-4003	CORPORATION TAXES	85,000.00	31,068.30	31,068.30	36.6
01-000-4004	PRIOR YEAR TAXES	1,000.00	-1,528.35	-1,528.35	-152.8
01-000-4005	TRAILER TAX	1,680.00	0.00	420.00	25.0
01-000-4010	INTEREST ON TAXES	35,000.00	3,084.80	21,714.03	62.0
01-000-4012	TAX ABATEMENTS	-3,000.00	0.00	0.00	0.0
01-000-4020	MARYLAND INCOME TAXES	700,000.00	48,503.25	124,764.88	17.8
01-000-4021	ADMISSION TAXES	15,000.00	0.00	742.74	5.0
01-000-4022	HOTEL MOTEL TAX	155,000.00	0.00	51,122.90	33.0
01-000-4023	HIGHWAY USE TAX	569,000.00	0.00	132,624.29	23.3
01-000-4024	COAL TAX	2,500.00	0.00	0.00	0.0
01-000-4025	HOUSING AUTHORITY	12,000.00	0.00	0.00	0.0
01-000-4027	PAYMENT IN LIEU OF TAXES	3,900.00	0.00	0.00	0.0
01-000-4031	LIQUOR LICENSES	10,000.00	0.00	9,870.50	98.7
01-000-4032	TRADERS LICENSES	10,000.00	31.33	539.81	5.4
01-000-4040	POLICE GRANTS	40,000.00	1,289.42	7,783.28	19.5
01-000-4041	PARKING REVENUE	500.00	0.00	0.00	0.0
01-000-4043	POLICE PROTECTION GRANTS	100,000.00	31,648.00	31,648.00	31.7
01-000-4045	FINES & FORFEITURES	4,500.00	215.00	1,470.00	32.7
01-000-4047	FROSTBURG STATE UNIV - MOU	10,000.00	0.00	0.00	0.0
01-000-4049	SCHOOL RESOURCE REIMBURSEMENT	30,000.00	0.00	3,783.04	12.6
01-000-4050	PERMITS, PLANNING, ETC	2,500.00	375.00	1,455.00	58.2
01-000-4051	BUILDING PERMITS	3,000.00	2,225.00	18,141.80	604.7
01-000-4052	RENTAL REGISTRATION	90,000.00	144.00	752.00	0.8
01-000-4054	CONSTRUCTION INSPECTIONS	30,000.00	1,465.00	28,325.00	94.4
01-000-4055	CODE ENFORCEMENT CITATIONS	3,000.00	700.00	3,640.44	121.4
01-000-4056	COMM DEV GRANT REVENUE	65,000.00	0.00	0.00	0.0
01-000-4060	SWIMMING POOL	65,000.00	1,166.00	33,213.42	51.1
01-000-4062	DAY CAMP REGISTRATIONS	18,750.00	0.00	9,161.00	48.9
01-000-4063	RECREATION ACTIVITIES	22,000.00	2,420.00	8,710.00	39.6
01-000-4200	OPERATING TRANSFER - WATER FUND	147,200.00	12,266.67	36,800.01	25.0
01-000-4201	OPERATING TRANSFER - SEWER FUND	299,500.00	24,958.33	74,874.99	25.0
01-000-4202	OPERATING TRANSFER - GARBAGE FUND	27,600.00	2,300.00	6,900.00	25.0
01-000-4250	NSF FEES	1,500.00	150.00	430.00	28.7
01-000-4301	RENTS	111,000.00	8,124.86	25,499.58	23.0
01-000-4302	HRD APPROPRIATION	10,800.00	0.00	901.00	8.3
01-000-4303	FRANCHISES - GAS, TV, ETC	68,000.00	0.00	16,162.57	23.8
01-000-4304	MISCELLANEOUS REVENUE	4,000.00	-20,014.00	132,860.38	3,321.5
01-000-4306	PROJECT REIMBURSEMENT	1,570,803.00	0.00	500.00	0.0
01-000-4307	INSURANCE REIMBURSEMENTS	0.00	0.00	0.00	0.0
01-000-4315	PROCEEDS FROM FUND BALANCE	102,577.00	0.00	0.00	0.0
01-000-4317	SPECIAL REVENUE	60,000.00	0.00	0.00	0.0
01-000-4600	INTEREST INCOME	495,000.00	508.84	75,479.88	15.3
CORPORATE FUND Revenue Totals		8,445,310.00	151,260.01	4,156,611.01	

EXECUTIVE					
01-100-5000	SALARIES	22,200.00	1,850.00	7,400.00	33.3
01-100-5010	SOCIAL SECURITY	1,700.00	141.55	566.20	33.3
01-100-5012	WORKERS COMP	150.00	0.00	0.00	0.0
01-100-5050	LEGISLATIVE CONTINGENCIES	6,000.00	0.00	433.14	7.2
01-100-5104	INSURANCE - PUBLIC OFFICIALS	10,500.00	1,063.75	3,191.25	30.4
01-100-5150	TRAINING	3,500.00	0.00	0.00	0.0
01-100-5160	TRAVEL	5,000.00	742.01	1,144.09	22.9
01-100-5185	PROFESSIONAL FEES	30,000.00	2,083.00	14,017.00	46.7
100 Executive		79,050.00	5,880.31	26,751.68	

ADMINISTRATIVE					
01-110-5000	SALARIES	174,000.00	12,622.42	42,224.02	24.3
01-110-5010	SOCIAL SECURITY	13,350.00	946.20	3,152.48	23.6
01-110-5011	PENSION	21,750.00	0.00	0.00	0.0

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

Section 8, Item A.

Account Id	Account Description	FY 27 Budget	September 2026		% Earned/ % Incurred
			Rev/Expd	YTD Rev/Expd	
01-110-5012	WORKERS COMP	425.00	0.00	0.00	0.0
01-110-5013	INSURANCE - HEALTH	30,600.00	1,179.16	2,175.73	7.1
01-110-5014	INSURANCE - HEALTH RETIREE	17,300.00	26,826.16	76,032.21	439.5
01-110-5015	CONTRIBUTION - 457	2,000.00	125.44	499.94	25.0
01-110-5030	EMPLOYEE WELLNESS	8,500.00	76.90	321.46	3.8
01-110-5050	RESERVE FOR CONTINGENCIES	10,000.00	2,155.00	3,881.97	38.8
01-110-5102	INSURANCE - GEN LIAB	200.00	-203.25	44.25	22.1
01-110-5105	INSURANCE - PROPERTY	10,000.00	848.28	2,544.84	25.5
01-110-5106	INSURANCE - AD&D AND LIFE	4,500.00	0.00	0.00	0.0
01-110-5111	CONTRIBUTIONS - TOURISM	125,000.00	8,292.69	48,274.91	38.6
01-110-5150	TRAINING	2,500.00	0.00	0.00	0.0
01-110-5160	TRAVEL	3,000.00	0.00	0.00	0.0
01-110-5185	PROFESSIONAL FEES	1,100.00	723.00	723.00	65.7
01-110-5191	COMMUNICATIONS	12,000.00	778.48	1,983.85	16.5
01-110-5200	ADVERTISING	6,400.00	0.00	0.00	0.0
01-110-5205	LEGAL	45,000.00	8,204.75	12,561.50	27.9
01-110-5207	PENSION ADMINISTRATIVE FEE	7,800.00	0.00	0.00	0.0
01-110-5210	OFFICE SUPPLIES	11,000.00	842.63	4,537.41	41.3
01-110-5220	POSTAGE	28,000.00	146.31	8,406.53	30.0
01-110-5230	COMPUTER EXPENSE	14,000.00	884.50	2,760.75	19.7
01-110-5232	IT LICENSING AND FEES	40,500.00	3,575.32	11,094.84	27.4
01-110-5235	DIGITAL ENGAGEMENT	29,000.00	1,601.39	4,804.17	16.6
01-110-5391	PRINCIPAL AND INTEREST ON DEBT SERVICE	154,800.00	46,882.22	23,569.20	15.2
01-110-5500	BUILDING - ARMORY	12,000.00	192.28	2,158.74	18.0
01-110-5502	BUILDING MAINTENANCE	37,000.00	1,087.48	5,913.20	16.0
01-110-5550	UTILITIES - BUILDING	16,000.00	1,462.42	4,045.52	25.3
01-110-5700	BANK FEES	300.00	0.00	0.00	0.0
01-110-5807	CAPITAL OUTLAY	1,500,000.00	0.00	0.00	0.0
110 Administrative		2,338,025.00	119,249.78	261,710.52	
FINANCE					
01-120-5000	SALARIES	83,000.00	6,331.06	21,514.01	25.9
01-120-5004	CHANGE IN COMPENSATED ABSENCES	0.00	0.00	76,492.48	0.0
01-120-5010	SOCIAL SECURITY	6,350.00	449.62	1,507.00	23.7
01-120-5011	PENSION	10,250.00	0.00	0.00	0.0
01-120-5012	WORKERS COMP	205.00	0.00	0.00	0.0
01-120-5013	INSURANCE - HEALTH	9,600.00	4,554.73	70,464.21	734.0
01-120-5015	CONTRIBUTION - 457	650.00	46.08	183.66	28.3
01-120-5102	INSURANCE - GEN LIAB	200.00	14.75	54.25	27.1
01-120-5105	INSURANCE - PROPERTY	4,000.00	318.10	954.30	23.9
01-120-5150	TRAINING	1,000.00	0.00	0.00	0.0
01-120-5160	TRAVEL	1,500.00	0.00	0.00	0.0
01-120-5185	PROFESSIONAL FEES	1,000.00	0.00	0.00	0.0
01-120-5310	AUDITING	95,000.00	0.00	0.00	0.0
01-120-5311	ACTUARIAL STUDY	7,000.00	0.00	0.00	0.0
01-120-5313	TAX COLLECTION	1,300.00	0.00	361.68	27.8
01-120-5810	RETSA OBLIGATION	30,000.00	0.00	0.00	0.0
120 Finance		251,055.00	11,714.34	171,531.59	
COMMUNITY DEV					
01-130-5000	SALARIES	119,500.00	9,270.40	31,588.38	26.4
01-130-5010	SOCIAL SECURITY	9,250.00	684.58	2,318.09	25.1
01-130-5011	PENSION	15,000.00	0.00	0.00	0.0
01-130-5012	WORKERS COMP	300.00	0.00	0.00	0.0
01-130-5013	INSURANCE - HEALTH	22,500.00	318.36	771.66	3.4
01-130-5015	CONTRIBUTION - 457	1,500.00	40.00	160.00	10.7
01-130-5102	INSURANCE - GEN LIAB	200.00	14.75	44.25	22.1
01-130-5105	INSURANCE - PROPERTY	5,000.00	424.14	1,272.42	25.5
01-130-5150	TRAINING	750.00	0.00	3,436.13	458.2
01-130-5160	TRAVEL	900.00	0.00	0.00	0.0
01-130-5185	PROFESSIONAL FEES	750.00	0.00	150.00	20.0
01-130-5322	PLANNING	15,000.00	6,800.00	6,800.00	3

CITY OF FROSTBURG

BUDGET REPORT

SEPTEMBER 2026

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

Section 8, Item A.

Account Id	Account Description	FY 27 Budget	September 2026 Rev/Expd	YTD Rev/Expd	% Earned/ % Incurred
01-130-5323	PUBLIC ART	750.00	0.00	0.00	0.0
01-130-5822	SPECIAL PROJECTS	5,000.00	4,965.00	4,965.00	99.3
130 Community Dev		196,400.00	22,517.23	51,505.93	
	CODE ENFORCEMENT				
01-140-5000	SALARIES	79,250.00	7,286.40	24,906.24	31.4
01-140-5010	SOCIAL SECURITY	6,250.00	556.48	1,901.59	30.4
01-140-5011	PENSION	10,000.00	0.00	0.00	0.0
01-140-5012	WORKERS COMP	2,600.00	0.00	0.00	0.0
01-140-5013	INSURANCE - HEALTH	19,700.00	8.06	-182.33	-0.9
01-140-5015	CONTRIBUTION - 457	750.00	72.06	282.21	37.6
01-140-5100	INSURANCE - AUTO	850.00	65.83	197.49	23.2
01-140-5102	INSURANCE - GEN LIAB	200.00	14.75	44.25	22.1
01-140-5105	INSURANCE - PROPERTY	4,000.00	318.10	954.30	23.9
01-140-5150	TRAINING	500.00	20.00	20.00	4.0
01-140-5160	TRAVEL	500.00	0.00	0.00	0.0
01-140-5185	PROFESSIONAL FEES	400.00	0.00	0.00	0.0
01-140-5231	SOFTWARE AND SUBSCRIPTIONS	37,700.00	13,458.33	15,708.33	41.7
01-140-5330	CODE ENFORCEMENT	5,000.00	155.90	476.02	9.5
01-140-5331	CONSTRUCTION INSPECT	20,000.00	0.00	8,525.00	42.6
01-140-5332	RENTAL INSPECTION	1,000.00	0.00	0.00	0.0
01-140-5401	AUTO EXPENSE	600.00	0.00	195.21	32.5
140 Code Enforcement		189,300.00	21,955.91	53,028.31	
	PUBLIC WORKS ADMIN				
01-150-5000	SALARIES	99,000.00	7,241.95	24,944.02	25.2
01-150-5010	SOCIAL SECURITY	7,600.00	529.29	1,809.35	23.8
01-150-5011	PENSION	11,800.00	0.00	0.00	0.0
01-150-5012	WORKERS COMP	1,975.00	0.00	0.00	0.0
01-150-5013	INSURANCE - HEALTH	15,200.00	568.95	1,208.99	8.0
01-150-5015	CONTRIBUTION - 457	1,010.00	72.20	287.74	28.5
01-150-5100	INSURANCE - AUTO	850.00	65.25	195.75	23.0
01-150-5102	INSURANCE - GEN LIAB	200.00	14.75	44.25	22.1
01-150-5105	INSURANCE - PROPERTY	2,500.00	212.08	636.24	25.5
01-150-5150	TRAINING	2,750.00	0.00	0.00	0.0
01-150-5160	TRAVEL	2,000.00	0.00	0.00	0.0
01-150-5185	PROFESSIONAL FEES	2,100.00	0.00	105.99	5.1
01-150-5193	ONE CALL CONCEPTS	2,200.00	153.72	263.52	12.0
01-150-5340	ENGINEERING EQUIPMENT	3,000.00	721.00	2,092.16	69.7
01-150-5341	MAPPING SUPPLIES	8,000.00	768.40	1,648.31	20.6
01-150-5342	PUBLIC WORKS	7,400.00	0.00	105.00	1.4
01-150-5400	GAS, OIL, GREASE	3,600.00	836.04	1,273.81	35.4
01-150-5420	FLEET LEASE	10,250.00	842.93	2,542.79	24.8
150 Public Works Admin		181,435.00	12,026.56	37,157.92	
	PUBLIC SAFETY				
01-160-5000	SALARIES	1,237,000.00	89,054.42	301,891.00	24.4
01-160-5002	SALARIES - POLICE GRANTS	40,000.00	1,824.04	3,042.63	7.6
01-160-5003	COURT TIME	13,000.00	1,071.83	3,715.79	28.6
01-160-5010	SOCIAL SECURITY	98,750.00	6,793.64	22,654.18	22.9
01-160-5011	PENSION	418,500.00	0.00	0.00	0.0
01-160-5012	WORKERS COMP	70,250.00	0.00	0.00	0.0
01-160-5013	INSURANCE - HEALTH	191,500.00	10,382.97	39,630.78	20.7
01-160-5015	CONTRIBUTION - 457	7,500.00	622.72	2,459.78	32.8
01-160-5100	INSURANCE - AUTO	9,600.00	794.83	2,384.49	24.8
01-160-5102	INSURANCE - GEN LIAB	1,600.00	133.08	399.24	25.0
01-160-5103	INSURANCE - POLICE PROFESSIONAL	10,500.00	1,008.17	3,024.51	28.8
01-160-5105	INSURANCE - PROPERTY	5,500.00	481.10	1,443.30	26.2
01-160-5150	TRAINING	35,000.00	4,335.52	9,293.89	26.6
01-160-5170	UNIFORMS	13,000.00	193.00	392.45	3.0
01-160-5180	SAFETY EQUIPMENT	1,200.00	90.00	270.00	22.5
01-160-5181	LAW ENFORCEMENT EQUIPMENT	18,500.00	1,539.90	4,819.72	1

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

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Account Id	Account Description	FY 27 Budget	September 2026		% Earned/ % Incurred
			Rev/Expd	YTD Rev/Expd	
01-160-5191	COMMUNICATIONS	30,500.00	3,525.82	7,784.55	25.5
01-160-5206	C3I CLERICAL SUPPORT	6,000.00	0.00	0.00	0.0
01-160-5210	OFFICE SUPPLIES	5,000.00	262.88	4,369.21	87.4
01-160-5230	COMPUTER EXPENSE	8,500.00	0.00	82.51	1.0
01-160-5350	FSU MOU	10,000.00	0.00	0.00	0.0
01-160-5380	POLICE REFORM	31,000.00	0.00	0.00	0.0
01-160-5390	MISCELLANEOUS EXPENSE	4,000.00	130.00	464.14	11.6
01-160-5400	GAS, OIL, GREASE	36,000.00	1,519.82	4,715.38	13.1
01-160-5401	AUTO EXPENSE	18,000.00	2,809.49	5,492.24	30.5
01-160-5420	FLEET LEASE	75,000.00	5,034.18	15,102.54	20.1
01-160-5502	JAIL AND OFFICE MAINTENANCE	4,000.00	207.31	1,202.01	30.1
01-160-5550	UTILITIES - PUBLIC SAFETY	10,000.00	887.43	1,654.88	16.6
01-160-5851	FIRE DEPT APPROPRIATION	287,195.00	0.00	143,597.50	50.0
160 Public Safety		2,696,595.00	132,702.15	579,886.72	
PUBLIC WORKS - STREET					
01-170-5000	SALARIES	350,000.00	27,207.32	91,216.34	26.1
01-170-5010	SOCIAL SECURITY	27,000.00	1,973.08	6,580.00	24.4
01-170-5011	PENSION	43,500.00	0.00	0.00	0.0
01-170-5012	WORKERS COMP	18,500.00	0.00	0.00	0.0
01-170-5013	INSURANCE - HEALTH	73,200.00	1,523.33	3,057.01	4.2
01-170-5015	CONTRIBUTION - 457	2,000.00	113.40	468.28	23.4
01-170-5100	INSURANCE - AUTO	11,500.00	1,123.08	3,369.24	29.3
01-170-5102	INSURANCE - GEN LIAB	750.00	59.17	177.51	23.7
01-170-5105	INSURANCE - PROPERTY	10,500.00	914.87	2,744.61	26.1
01-170-5150	TRAINING	5,000.00	0.00	475.00	9.5
01-170-5170	UNIFORMS	8,000.00	0.00	193.68	2.4
01-170-5180	SAFETY EQUIPMENT	7,000.00	102.00	2,047.62	29.3
01-170-5191	COMMUNICATIONS	15,000.00	192.44	577.14	3.9
01-170-5210	OFFICE SUPPLIES	2,000.00	0.00	10.00	0.5
01-170-5400	GAS, OIL, GREASE	36,000.00	3,446.28	6,497.94	18.1
01-170-5420	FLEET LEASE	70,000.00	4,049.31	12,147.93	17.4
01-170-5550	UTILITIES - BUILDING	7,000.00	310.98	552.22	7.9
01-170-5711	SALT & ABRASIVES	175,000.00	0.00	0.00	0.0
01-170-5712	SIGN MAINTENANCE	15,000.00	163.29	163.29	1.1
01-170-5713	STREET EQUIPMENT MAINTENANCE	120,000.00	11,664.97	37,271.93	31.1
01-170-5714	STREET LIGHTING	100,000.00	7,844.44	15,535.99	15.5
01-170-5715	STREET MAINTENANCE REPAIRS	100,000.00	16,737.64	21,921.75	21.9
01-170-5716	STREET SHOP EQUIPMENT	70,000.00	1,685.53	11,088.58	15.8
01-170-5717	STREET LIGHTING REPAIRS	50,000.00	485.00	3,900.00	7.8
01-170-5718	TREE REMOVAL	5,500.00	0.00	0.00	0.0
01-170-5800	CAPITAL OUTLAY	20,000.00	15,000.00	15,000.00	75.0
01-170-5861	STREET PAVING	200,000.00	148,200.00	148,200.00	74.1
01-170-5865	PARKING LOT MAINTENANCE	10,000.00	6,961.00	9,409.06	94.1
170 Public Works - Street		1,552,450.00	249,757.13	392,605.12	
RECREATION					
01-180-5000	SALARIES	311,500.00	23,896.25	81,247.37	26.1
01-180-5010	SOCIAL SECURITY	24,000.00	1,747.01	5,891.23	24.6
01-180-5011	PENSION	34,000.00	0.00	0.00	0.0
01-180-5012	WORKERS COMP	16,500.00	0.00	0.00	0.0
01-180-5013	INSURANCE - HEALTH	67,600.00	1,042.34	3,034.95	4.5
01-180-5015	CONTRIBUTION - 457	1,750.00	124.32	495.08	28.3
01-180-5100	INSURANCE - AUTO	2,900.00	211.50	634.50	21.9
01-180-5102	INSURANCE - GEN LIAB	750.00	59.17	177.51	23.7
01-180-5105	INSURANCE - PROPERTY	14,000.00	1,277.44	3,832.32	27.4
01-180-5150	TRAINING	300.00	0.00	0.00	0.0
01-180-5160	TRAVEL	750.00	0.00	0.00	0.0
01-180-5170	UNIFORMS	5,700.00	334.00	2,211.50	38.8
01-180-5180	SAFETY EQUIPMENT	500.00	0.00	0.00	0.0
01-180-5321	SOFTWARE AND SUBSCRIPTIONS	5,200.00	0.00	0.00	0.0
01-180-5400	GAS, OIL, GREASE	10,800.00	945.38	3,029.85	1

CITY OF FROSTBURG

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Note: Audit adjustments for the year ended 06/30/26 are incomplete.

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Account Id	Account Description	FY 27 Budget	September 2026 Rev/Expd	YTD Rev/Expd	% Earned/ % Incurred
01-180-5420	FLEET LEASE	23,000.00	1,863.65	5,590.95	24.3
01-180-5503	ARMORY EXPENSE - GYM	8,000.00	4,800.98	5,042.21	63.0
01-180-5504	COMMUNITY CENTER	18,000.00	1,598.94	4,574.97	25.4
01-180-5510	CITY PLACE	13,000.00	1,096.44	2,061.39	15.9
01-180-5515	CITY PLACE FREE PRODUCE	2,500.00	500.00	1,000.00	40.0
01-180-5520	CHILDCARE CENTER	5,000.00	391.08	1,236.08	24.7
01-180-5525	FOOD PANTRY MAINTENANCE	0.00	175.00	175.00	0.0
01-180-5550	UTILITIES	8,000.00	233.44	885.20	11.1
01-180-5720	BEAUTIFY THE BURG EXPENSE	1,500.00	0.00	0.00	0.0
01-180-5721	REC EQUIPMENT MAINTENANCE	13,000.00	1,183.01	1,183.01	9.1
01-180-5722	REC LEAGUE APPROPRIATIONS	5,000.00	0.00	0.00	0.0
01-180-5723	REC PARK MAINTENANCE EXPENSE	58,000.00	8,469.86	20,405.16	35.2
01-180-5724	STREET TREE MAINTENANCE	7,500.00	0.00	0.00	0.0
01-180-5725	TRAILHEAD MAINTENANCE EXPENSE	2,000.00	1,000.00	1,000.00	50.0
01-180-5726	RECREATIONAL PROGRAMS	11,500.00	3,673.05	4,192.51	36.5
01-180-5772	TRASH REMOVAL	12,000.00	1,353.39	2,872.33	23.9
01-180-5800	CAPITAL OUTLAY	125,100.00	0.00	1,202.25	1.0
180 Recreation		809,350.00	55,976.25	151,975.37	
RECREATION-POOL					
01-181-5000	SALARIES	72,000.00	4,702.98	48,147.36	66.9
01-181-5010	SOCIAL SECURITY	5,500.00	359.77	3,683.34	67.0
01-181-5012	WORKERS COMP	3,800.00	0.00	0.00	0.0
01-181-5018	UNEMPLOYMENT	200.00	0.00	0.00	0.0
01-181-5507	POOL OPERATING	42,000.00	2,612.89	21,413.33	51.0
181 Recreation-Pool		123,500.00	7,675.64	73,244.03	
RECREATION - DAY CAMP					
01-182-5000	SALARIES	24,000.00	0.00	13,669.02	57.0
01-182-5010	SOCIAL SECURITY	1,850.00	0.00	1,017.33	55.0
01-182-5012	WORKERS COMP	1,300.00	0.00	0.00	0.0
01-182-5018	UNEMPLOYMENT	200.00	0.00	0.00	0.0
01-182-5507	DAY CAMP OPERATIONS	800.00	791.90	1,548.86	193.6
182 Recreation - Day Camp		28,150.00	791.90	16,235.21	
CORPORATE FUND Expenditure Totals		8,445,310.00	640,247.20	1,815,632.40	
02-000-4000	WATER SERVICE REVENUE	1,952,500.00	147,367.62	398,691.17	20.4
02-000-4001	INTEREST EARNED - WATER	3,000.00	145.74	446.57	14.9
02-000-4015	SERVLINE FEES BILLED	0.00	3,465.46	10,398.05	0.0
02-000-4402	SALE OF METERS	5,000.00	0.00	900.00	18.0
02-000-4403	TAPPING FEES	5,600.00	0.00	1,800.00	32.1
02-000-4404	SUNDRY SALES	2,500.00	1,474.00	3,448.00	137.9
02-000-4600	INTEREST INCOME	24,000.00	9,170.55	9,180.91	38.3
WATER FUND Revenue Totals		1,992,600.00	161,623.37	424,864.70	
WATER - ADMIN					
02-190-5000	SALARIES	75,500.00	5,788.80	19,625.00	26.0
02-190-5010	SOCIAL SECURITY	5,600.00	406.78	1,357.05	24.2
02-190-5011	PENSION	9,500.00	0.00	0.00	0.0
02-190-5012	WORKERS COMP	1,425.00	0.00	0.00	0.0
02-190-5013	INSURANCE - HEALTH	11,300.00	-316.20	-948.60	-8.4
02-190-5015	CONTRIBUTION - 457	900.00	57.90	230.76	25.6
02-190-5313	COLLECTION EXPENSE	2,200.00	0.00	361.68	16.4
02-190-5320	SERVLINE FEES REMITTED	0.00	6,932.60	10,398.90	0.0
02-190-5370	FMHA BOND	900.00	0.00	0.00	0.0
02-190-5600	CORPORATE OVERHEAD	147,200.00	12,266.67	36,800.01	25.0
190 Water - Admin		254,525.00	25,136.55	67,824.80	
WATER - FILTRATION					
02-192-5102	INSURANCE - GEN LIAB	1,800.00	147.75	443.25	24.6
02-192-5105	INSURANCE - PROPERTY	25,600.00	3,102.48	9,307.44	36.4
02-192-5106	INSURANCE - BOILER & MACHINERY	5,000.00	0.00	0.00	0.0

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Account Id	Account Description	FY 27 Budget	September 2026 Rev/Expd	YTD Rev/Expd	% Earned/ % Incurred
02-192-5521	PUMPING SYSTEM EXPENSE	95,000.00	7,270.09	19,097.86	20.1
02-192-5522	PURIFICATION PLANT MAINTENANCE	50,000.00	0.00	5,991.01	12.0
02-192-5710	FILTRATION CONTRACT PAYMENT	680,000.00	67,308.04	99,157.77	14.6
02-192-5800	FILTRATION CAPITAL OUTLAY	6,000.00	0.00	0.00	0.0
	192 Water - Filtration	863,400.00	77,828.36	133,997.33	
	WATER - SUPPLY				
02-194-5000	SALARIES	34,500.00	0.00	0.00	0.0
02-194-5010	SOCIAL SECURITY	2,650.00	0.00	0.01	0.0
02-194-5011	PENSION	4,275.00	0.00	0.00	0.0
02-194-5012	WORKERS COMP	1,675.00	0.00	0.00	0.0
02-194-5015	CONTRIBUTION - 457	100.00	0.00	0.00	0.0
02-194-5506	HYDRO FACILITY EXPENSE	5,000.00	0.00	0.00	0.0
02-194-5550	UTILITIES / WATER SUPPLY	5,000.00	393.68	511.78	10.2
02-194-5730	WATER SUPPLY EXPENSE	50,000.00	852.30	3,023.48	6.1
02-194-5800	WATER SUPPLY CAPITAL OUTLAY	5,000.00	0.00	0.00	0.0
	194 Water - Supply	108,200.00	1,245.98	3,535.27	
	WATER - DISTRIBUTION				
02-196-5000	SALARIES	264,500.00	18,554.88	63,650.90	24.1
02-196-5004	CHANGE IN COMPENSATED ABSENCES	0.00	0.00	-28,901.87	0.0
02-196-5010	SOCIAL SECURITY	20,250.00	1,314.92	4,446.37	22.0
02-196-5011	PENSION	29,000.00	0.00	0.00	0.0
02-196-5012	WORKERS COMP	13,000.00	0.00	0.00	0.0
02-196-5013	INSURANCE - HEALTH	56,300.00	2,843.28	6,796.58	12.1
02-196-5015	CONTRIBUTION - 457	1,000.00	91.36	344.25	34.4
02-196-5100	INSURANCE - AUTO	4,600.00	353.33	1,059.99	23.0
02-196-5102	INSURANCE - GEN LIAB	1,800.00	147.75	443.25	24.6
02-196-5105	INSURANCE - PROPERTY	6,600.00	0.00	0.00	0.0
02-196-5150	TRAINING	2,000.00	0.00	0.00	0.0
02-196-5170	UNIFORMS	4,000.00	256.48	512.96	12.8
02-196-5180	SAFETY EQUIPMENT	6,600.00	365.90	1,376.70	20.9
02-196-5191	COMMUNICATIONS	13,000.00	1,469.40	4,192.51	32.3
02-196-5210	OFFICE SUPPLIES	1,000.00	0.00	285.29	28.5
02-196-5390	MISCELLANEOUS EXPENSE	1,000.00	0.00	98.08	9.8
02-196-5400	GAS, OIL, GREASE	20,400.00	755.29	3,172.32	15.6
02-196-5420	FLEET LEASE	38,000.00	2,560.71	7,682.13	20.2
02-196-5505	CRESTVIEW PUMPING STATION EXPENSE	15,000.00	484.36	1,711.67	11.4
02-196-5550	UTILITIES - WATER DISTRIBUTION	5,000.00	205.88	418.80	8.4
02-196-5700	DISTRIBUTION EXPENSE	70,000.00	4,407.51	20,077.70	28.7
02-196-5701	DISTRIBUTION PIPE EXPENSE	11,000.00	0.00	339.82	3.1
02-196-5702	EQUIPMENT MAINTENANCE	12,000.00	75.94	99.35	0.8
02-196-5703	FIRE HYDRANTS EXPENSE	3,500.00	0.00	361.45	10.3
02-196-5704	TRANSMISSION MAINS EXPENSE	95,000.00	5,837.90	6,089.62	6.4
02-196-5740	METERS EXPENSE	50,000.00	1,585.68	19,925.04	39.9
02-196-5800	CAPITAL OUTLAY	0.00	0.00	111,184.00	0.0
	196 Water - Distribution	744,550.00	41,310.57	225,366.91	
	WATER FUND Expenditure Totals	1,970,675.00	145,521.46	430,724.31	
03-000-4000	SEWER CHARGES	1,805,000.00	150,584.78	410,210.03	22.7
03-000-4001	INTEREST EARNED - SEWER	3,500.00	382.47	1,068.52	30.5
03-000-4314	CHANGE IN COMPENSATED ABSENCES	0.00	0.00	26,466.35	0.0
03-000-4404	SUNDRY SALES	1,500.00	0.00	2,261.34	150.8
03-000-4501	BAY RESTORATION FUND REVENUE	0.00	14,962.68	44,850.08	0.0
03-000-4503	SEWER TAP FEES	5,500.00	0.00	3,000.00	54.6
03-000-4600	INTEREST INCOME	44,000.00	9,198.71	9,198.71	20.9
	Sewer Operations Total	1,859,500.00	175,128.64	497,055.03	
03-220-4520	CSO SURCHARGE REVENUE	408,000.00	33,582.84	100,674.23	24.7
03-220-4521	INTEREST EARNED - CSO SURCHARGE	1,800.00	163.64	492.07	27.3
03-220-4530	PROJECT REIMBURSEMENTS	2,266,000.00	0.00	0.00	0.0
03-220-4540	PROCEEDS OF DEBT	1,133,000.00	0.00	0.00	0.0
	CSO Total	3,808,800.00	33,746.48	101,166.30	

CITY OF FROSTBURG

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Account Id	Account Description	FY 27 Budget	September 2026 Rev/Expd	YTD Rev/Expd	% Earned/ % Incurred
SEWER FUND Revenue Totals		5,668,300.00	208,875.12	598,221.33	
	SEWER - ADMIN				
03-210-5000	SALARIES	75,500.00	5,788.80	19,625.00	26.0
03-210-5010	SOCIAL SECURITY	5,600.00	406.78	1,357.05	24.2
03-210-5011	PENSION	9,500.00	0.00	0.00	0.0
03-210-5012	WORKERS COMP	1,425.00	0.00	0.00	0.0
03-210-5013	INSURANCE - HEALTH	11,300.00	-316.20	-948.60	-8.4
03-210-5015	CONTRIBUTION - 457	900.00	57.90	230.76	25.6
03-210-5313	COLLECTION EXPENSE	2,700.00	0.00	361.68	13.4
210 Sewer - Admin		106,925.00	5,937.28	20,625.89	
	SEWER - OPERATING				
03-211-5000	SALARIES	192,250.00	14,489.88	48,484.95	25.2
03-211-5010	SOCIAL SECURITY	14,750.00	1,054.02	3,491.22	23.7
03-211-5011	PENSION	29,500.00	0.00	0.00	0.0
03-211-5012	WORKERS COMP	9,500.00	0.00	0.00	0.0
03-211-5013	INSURANCE - HEALTH	39,400.00	569.65	1,802.56	4.6
03-211-5015	CONTRIBUTION - 457	1,800.00	81.32	324.10	18.0
03-211-5100	INSURANCE - AUTO	1,700.00	130.50	391.50	23.0
03-211-5102	INSURANCE - GEN LIAB	900.00	73.92	221.76	24.6
03-211-5105	INSURANCE - PROPERTY	7,000.00	703.72	2,111.16	30.2
03-211-5150	TRAINING	1,000.00	0.00	95.00	9.5
03-211-5170	UNIFORMS	3,000.00	0.00	0.00	0.0
03-211-5180	SAFETY EQUIPMENT	1,500.00	0.00	1,004.89	67.0
03-211-5191	COMMUNICATIONS	2,400.00	162.95	402.09	16.8
03-211-5396	BAY RESTORATION FUND EXPENSE	0.00	0.00	89,169.67	0.0
03-211-5400	GAS, OIL, GREASE	12,000.00	692.19	2,373.68	19.8
03-211-5420	FLEET LEASE	21,000.00	1,701.50	5,104.50	24.3
03-211-5520	PUMPING STATION MAINTENANCE	6,000.00	0.00	0.00	0.0
03-211-5600	CORPORATE OVERHEAD	299,500.00	24,958.33	74,874.99	25.0
03-211-5761	SANITARY COMMISSION CHARGES	1,160,000.00	4,810.68	141,037.20	12.2
03-211-5762	SANITARY COMM-TRANSMISSION PROJECTS	11,800.00	0.00	2,929.05	24.8
03-211-5763	SEWER OPERATING EXPENSE	50,000.00	1,226.54	4,044.66	8.1
03-211-5764	SEWER PUMPING EXPENSE	10,000.00	750.49	1,060.27	10.6
03-211-5800	CAPITAL OUTLAY - SEWER PROJECTS	50,000.00	6,450.00	6,450.00	12.9
211 Sewer - Operating		1,925,000.00	57,855.69	385,373.25	
	CSO				
03-220-5391	INTEREST EXPENSE	2,810.00	0.00	-1,662.84	-59.2
03-220-5392	DEBT REDEMPTION	24,000.00	0.00	0.00	0.0
03-220-5800	CAPITAL OUTLAY	3,500,000.00	0.00	0.00	0.0
220 CSO		3,526,810.00	0.00	-1,662.84	
SEWER FUND Expenditure Totals		5,558,735.00	63,792.97	404,336.30	
04-000-4000	WATER TAP SURCHARGE	672,000.00	55,885.29	167,592.69	24.9
04-000-4001	INTEREST EARNED SURCHARGE	2,500.00	218.57	660.12	26.4
04-000-4600	INTEREST INCOME	40,000.00	14,273.47	14,273.47	35.7
PINEY SURCHARGE FUND Revenue Totals		714,500.00	70,377.33	182,526.28	
04-200-0000	WATER SURCHARGE	0.00	0.00	0.00	0.0
04-200-5313	COLLECTION EXPENSE	2,200.00	0.00	289.34	13.2
04-200-5390	MISCELLANEOUS EXPENSE	0.00	0.00	110.00	0.0
04-200-5391	INTEREST EXPENSE	33,280.00	3,421.73	-925.08	-2.8
04-200-5392	DEBT REDEMPTION	432,250.00	0.00	0.00	0.0
04-200-5800	CAPITAL OUTLAY	172,000.00	2,595.55	3,531.89	2.1
04-200-5802	CAPITAL REPAIRS	45,000.00	12,955.62	39,782.75	88.4
200 Water Surcharge		684,730.00	18,972.90	42,788.90	
PINEY SURCHARGE FUND Expenditure Totals		684,730.00	18,972.90	42,788.90	
05-000-4000	TRASH & GARBAGE CHARGES	540,000.00	44,925.85	134,682.58	24.9
05-000-4001	INTEREST EARNED - TRASH	3,300.00	301.40	883.41	8

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

Section 8, Item A.

Account Id	Account Description	FY 27 Budget	September 2026 Rev/Expd	YTD Rev/Expd	% Earned/ % Incurred
05-000-4404	SUNDRY SALES	1,950.00	75.00	825.00	42.3
05-000-4600	INTEREST INCOME	3,500.00	2,476.57	2,476.57	70.8
GARBAGE FUND Revenue Totals		548,750.00	47,778.82	138,867.56	
	GARBAGE ADMIN.				
05-230-5000	SALARIES	56,500.00	4,341.76	14,730.82	26.1
05-230-5010	SOCIAL SECURITY	4,300.00	305.48	1,020.24	23.7
05-230-5011	PENSION	7,000.00	0.00	0.00	0.0
05-230-5012	WORKERS COMP	875.00	0.00	0.00	0.0
05-230-5013	INSURANCE - HEALTH	9,000.00	-247.28	-741.84	-8.2
05-230-5015	CONTRIBUTION - 457	900.00	43.42	173.05	19.2
05-230-5313	COLLECTION EXPENSE	750.00	0.00	72.32	9.6
230 Garbage Admin.		79,325.00	4,443.38	15,254.59	
	GARBAGE OPERATING				
05-232-5000	SALARIES	93,500.00	6,728.70	22,632.05	24.2
05-232-5004	CHANGE IN COMPENSATED ABSENCES	0.00	0.00	-4,515.83	0.0
05-232-5010	SOCIAL SECURITY	7,250.00	503.74	1,687.32	23.3
05-232-5011	PENSION	11,750.00	0.00	0.00	0.0
05-232-5012	WORKERS COMP	4,600.00	0.00	0.00	0.0
05-232-5013	INSURANCE - HEALTH	25,400.00	113.28	305.24	1.2
05-232-5015	CONTRIBUTION - 457	750.00	51.84	206.01	27.5
05-232-5100	INSURANCE - AUTO	2,600.00	200.67	340.01	13.1
05-232-5102	INSURANCE - GEN LIAB	550.00	44.33	132.99	24.2
05-232-5105	INSURANCE - PROPERTY	5,000.00	413.87	1,241.61	24.8
05-232-5170	UNIFORMS	3,000.00	0.00	0.00	0.0
05-232-5180	SAFETY EQUIPMENT	1,500.00	323.10	323.10	21.5
05-232-5210	OFFICE SUPPLIES	1,000.00	0.00	59.90	6.0
05-232-5400	GAS, OIL, GREASE	16,800.00	1,741.00	3,889.75	23.2
05-232-5600	CORPORATE OVERHEAD	27,600.00	2,300.00	6,900.00	25.0
05-232-5771	BULK CLEANUP EXPENSE	10,000.00	0.00	0.00	0.0
05-232-5772	LANDFILL CHARGES	150,000.00	12,583.39	44,063.76	29.4
05-232-5773	SANITATION OPERATING EXPENSE	60,000.00	0.00	6,844.59	11.4
05-232-5774	YARD WASTE COMPOSTING	1,500.00	0.00	0.00	0.0
05-232-5775	RECYCLING	0.00	480.71	972.97	0.0
232 Garbage Operating		422,800.00	25,484.63	85,083.47	
GARBAGE FUND Expenditure Totals		502,125.00	29,928.01	100,338.06	
07-000-4600	INTEREST INCOME	0.00	2.87	8.81	0.0
COMM DEVELOPMENT SPECIAL PROJECTS FUND		0.00	2.87	8.81	
08-000-4600	INTEREST INCOME	0.00	3.66	10.98	0.0
08-000-4800	OPIOID SETTLEMENT RECEIPTS	0.00	0.00	3,728.90	0.0
OPIOID SETTLEMENT FUND Revenue Totals		0.00	3.66	3,739.88	

2027

Assets

01-000-1001	OPERATING CASH - POLICE DEPT	100.00
01-000-1002	CASH SWEEP ACCOUNT	641,384.63
01-000-1003	OPERATING CASH - TAX CLERK	200.00
01-000-1004	CASH - CORPORATE (STC)	8,286,617.36
01-000-1009	RESTRICTED CASH - RMC GRANT-HYDRO STUDY	43,025.00
01-000-1100	ACCOUNTS RECEIVABLE	382,294.62
01-000-1101	ACCTS REC - POLICE TICKETS/CIT	10,440.00
01-000-1140	TAXES RECEIVABLE - REAL ESTATE	1,146,239.46
01-000-1141	TAXES RECEIVABLE - PERSONAL PROPERTY	3,791.61
01-000-1142	TAXES RECEIVABLE - PUBLIC UTILITY	1,707.72
01-000-1143	TAXES RECEIVABLE - CORPORATION	36,948.77
01-000-1200	PREPAID EXPENSE	62,029.22
01-000-1201	PREPAID INSURANCE	179,587.81
01-000-1220	LEASE RECEIVABLE	716,605.93
01-000-1230	ACCRUED INTEREST RECEIVABLE	13,858.33
01-000-1260	NOTE RECEIVABLE - GUTHRIE	105,254.07
01-000-1500	FIXED ASSETS	28,015,752.33
01-000-1506	WIP - GATEWAY IMPROVEMENT	886,103.05
01-000-1507	WORK IN PROCESS - MISC PROJECTS	223,439.79
01-000-1508	WORK IN PROCESS - 82-84 E MAIN	10,783.09
01-000-1570	RIGHT OF USE ASSETS	668,521.84
01-000-1571	RIGHT OF USE ASSETS - INTANGIBLE	196,633.48
01-000-1580	INTANGIBLE ASSETS	206,323.69
01-000-1600	RESERVE FOR DEPRECIATION	10,341,394.36-
01-000-1605	ACCUMULATED DEPRECIATION-ROU	391,113.52-
01-000-1650	RESERVE FOR AMORTIZATION	103,161.80-
01-000-1900	DEFERRED FINANCING OUTFLOW	536,692.00
01-000-1910	DEFERRED FINANCING OUTFLOW - OPEB	140,952.00
	Total Assets	<u>31,679,616.12</u>

Liabilities & Fund Balance

01-000-1655	ACCUMULATED AMORTIZATION - ROU	90,514.80
01-000-2000	ACCOUNTS PAYABLE	63,348.67-
01-000-2005	CUSTOMER REFUND	1,659.25
01-000-2010	PRICHARD FARMS RETSA PAYABLE	11,121.69
01-000-2080	INTEREST PAYABLE	599.00
01-000-2100	ACCRUED PAYROLL	133,046.79-
01-000-2200	FEDERAL INCOME TAX PAYABLE	42.62
01-000-2202	MARYLAND INCOME TAX WITHHELD	23.70
01-000-2207	HEALTH INSURANCE WITHHELD	97,104.50-
01-000-2209	MUTUAL OF OMAHA WITHHOLDING	5,600.90-
01-000-2220	LEASE LIABILITY	292,074.99
01-000-2225	SUBSCRIPTION LIABILITY - ROU	59,160.65
01-000-2250	UNEARNED REVENUE	175,312.06
01-000-2253	UNEARNED REVENUE - ARPA	364,153.85
01-000-2450	DEFERRED FINANCING INFLOW	36,472.00
01-000-2451	DEFERRED FINANCING INFLOW - OPEB	164,769.00
01-000-2452	DEFERRED FINANCING INFLOW-LEASES	671,863.84
01-000-2700	COMPENSATED ABSENCES	474,209.57
01-000-2855	OPEB OBLIGATION	513,989.00
01-000-2860	NET PENSION LIABILITY	1,442,806.00
01-000-2901	BONDS PAYABLE	2,229,500.00
01-000-2905	BOND PREMIUM	245,923.49
	Total Liabilities	<u>6,475,094.65</u>

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

2027

01-000-3000	INVESTED IN FIXED ASSETS	16,100,333.70
01-000-3200	FUND BALANCE	<u>5,980,452.65</u>
	Total	22,080,786.35
	Revenue	4,094,570.22
	Less Expenses	<u>1,621,374.97</u>
	Net	<u>2,473,195.25</u>
	Total Fund Balance	<u>24,553,981.60</u>
	Total Liabilities & Fund Balance	<u><u>31,029,076.25</u></u>

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

2027

Assets

02-000-1000	CASH	758,918.53
02-000-1030	RESTRICTED CASH - WATERSHED IMPROVE	55,456.84
02-000-1100	ACCOUNTS RECEIVABLE	1,390.51
02-000-1102	WATER ACCOUNTS RECEIVABLE	106,669.96
02-000-1115	SERVLINE FEES RECEIVABLE	3,112.61
02-000-1140	INTEREST RECEIVABLE - WATER	252.91
02-000-1201	PREPAID INSURANCE	104,811.47
02-000-1500	FIXED ASSETS	4,375,989.32
02-000-1570	RIGHT OF USE ASSETS	140,277.91
02-000-1600	RESERVE FOR DEPRECIATION	3,085,462.06-
02-000-1605	ACCUMULATED DEPRECIATION-ROU	82,657.87-
02-000-1900	DEFERRED FINANCING OUTFLOW	157,746.00
02-000-1910	DEFERRED FINANCING OUTFLOW - OPEB	22,859.00
	Total Assets	<u>2,559,365.13</u>

Liabilities & Fund Balance

02-000-2000	ACCOUNTS PAYABLE	96,734.72-
02-000-2100	PAYROLL PAYABLE	37,106.52-
02-000-2207	HEALTH INSURANCE WITHHELD	20,794.32-
02-000-2220	LEASE LIABILITY	61,604.65
02-000-2450	DEFERRED FINANCING INFLOW	10,720.00
02-000-2451	DEFERRED FINANCING INFLOW - OPEB	26,720.00
02-000-2700	COMPENSATED ABSENCES	81,915.51
02-000-2855	OPEB OBLIGATION	83,352.00
02-000-2860	NET PENSION LIABILITY	425,254.00
	Total Liabilities	<u>534,930.60</u>

02-000-3000	INVESTED IN FIXED ASSETS	1,286,542.25
02-000-3250	FUND BALANCE	673,558.49
	Total	<u>1,960,100.74</u>

Revenue	422,164.70
Less Expenses	<u>402,619.48</u>
Net	<u>19,545.22</u>
Total Fund Balance	<u>1,979,645.96</u>
Total Liabilities & Fund Balance	<u>2,514,576.56</u>

2027

Assets

03-000-1000	CASH	260,260.92
03-000-1040	BAY RESTORATION FUND CASH	22,799.64
03-000-1041	CSO CASH	1,199,542.04
03-000-1100	ACCOUNTS RECEIVABLE	649,732.50
03-000-1103	SEWER ACCOUNTS RECEIVABLE	116,998.59
03-000-1120	BAY RESTORATION FUND RECEIVABLE	14,146.85
03-000-1121	CSO SURCHARGE RECEIVABLE	32,859.45
03-000-1141	INTEREST REC - CSO SURCHARGE	2,787.57
03-000-1142	INTEREST RECEIVABLE - SEWER	643.19
03-000-1201	PREPAID INSURANCE	64,040.49
03-000-1500	FIXED ASSETS	28,294,006.47
03-000-1538	WIP - PHASE X-A	1,871,345.46
03-000-1539	WIP - PHASE X-B	571,569.38
03-000-1540	WIP - PHASE X-C	786,927.37
03-000-1541	WIP - PHASE IX-D	448,518.40
03-000-1542	WIP - PHASE VIII-C	439,577.74
03-000-1570	RIGHT OF USE ASSETS	86,933.24
03-000-1600	RESERVE FOR DEPRECIATION	11,222,519.79-
03-000-1605	ACCUMULATED DEPRECIATION-ROU	40,568.85-
03-000-1900	DEFERRED FINANCING OUTFLOW	118,089.00
03-000-1910	DEFERRED FINANCING OUTFLOW - OPEB	19,048.00
	Total Assets	<u>23,736,737.66</u>

Liabilities & Fund Balance

03-000-2000	ACCOUNTS PAYABLE	254,726.10
03-000-2080	INTEREST PAYABLE	90.64
03-000-2100	PAYROLL PAYABLE	12,880.27-
03-000-2207	HEALTH INSURANCE WITHHELD	16,996.96-
03-000-2220	LEASE LIABILITY	50,239.98
03-000-2450	DEFERRED FINANCING INFLOW	8,025.00
03-000-2451	DEFERRED FINANCING INFLOW - OPEB	22,266.00
03-000-2700	COMPENSATED ABSENCES	78,661.24
03-000-2855	OPEB OBLIGATION	69,459.00
03-000-2860	NET PENSION LIABILITY	317,623.00
03-000-2900	NOTES PAYABLE	169,127.81
	Total Liabilities	<u>940,341.54</u>

03-000-3000	INVESTED IN FIXED ASSETS	19,081,378.32
03-000-3200	FUND BALANCE	<u>1,688,092.65</u>
	Total	<u>20,769,470.97</u>

Revenue	593,993.60
Less Expenses	<u>269,517.65</u>
Net	<u>324,475.95</u>
Total Fund Balance	<u>21,093,946.92</u>
Total Liabilities & Fund Balance	<u>22,034,288.46</u>

2027

Assets		
04-000-1000	CASH	1,437,650.14
04-000-1130	SURCHARGE INTEREST RECEIVABLE	4,642.28
04-000-1131	WATER SURCHARGE RECEIVABLE	56,233.83
04-000-1500	FIXED ASSETS	28,467,670.69
04-000-1540	LAND	164,021.96
04-000-1600	RESERVE FOR DEPRECIATION	21,036,024.41-
	Total Assets	<u>9,094,194.49</u>
Liabilities & Fund Balance		
04-000-2000	ACCOUNTS PAYABLE	5,070.91-
04-000-2080	INTEREST PAYABLE	1,530.76
04-000-2250	UNEARNED REVENUE	9,942.95
04-000-2900	NOTES PAYABLE	1,621,806.90
	Total Liabilities	<u>1,628,209.70</u>
04-000-3000	INVESTED IN FIXED ASSETS	5,552,179.51
04-000-3250	FUND BALANCE	1,157,032.92
	Total	<u>6,709,212.43</u>
	Revenue	182,526.28
	Less Expenses	<u>42,489.72</u>
	Net	<u>140,036.56</u>
	Total Fund Balance	<u>6,849,248.99</u>
	Total Liabilities & Fund Balance	<u>8,477,458.69</u>

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

2027

Assets		
05-000-1000	CASH	262,480.61
05-000-1135	TRASH & GARBAGE RECEIVABLE	53,029.47
05-000-1140	INTEREST RECEIVABLE - TRASH	5,500.64
05-000-1201	PREPAID INSURANCE	18,734.70
05-000-1500	FIXED ASSETS	596,937.03
05-000-1600	RESERVE FOR DEPRECIATION	414,555.70-
05-000-1900	DEFERRED FINANCING OUTFLOW	68,739.00
05-000-1910	DEFERRED FINANCING OUTFLOW - OPEB	11,428.00
	Total Assets	<u>602,293.75</u>
Liabilities & Fund Balance		
05-000-2000	ACCOUNTS PAYABLE	1,391.82
05-000-2100	PAYROLL PAYABLE	6,838.23-
05-000-2207	HEALTH INSURANCE WITHHELD	4,868.10-
05-000-2450	DEFERRED FINANCING INFLOW	4,671.00
05-000-2451	DEFERRED FINANCING INFLOW - OPEB	13,359.00
05-000-2700	COMPENSATED ABSENCES	24,802.64
05-000-2855	OPEB OBLIGATION	41,672.00
05-000-2860	NET PENSION LIABILITY	185,103.00
	Total Liabilities	<u>259,293.13</u>
05-000-3000	INVESTED IN FIXED ASSETS	182,380.20
05-000-3200	FUND BALANCE	67,485.08-
	Total	<u>114,895.12</u>
	Revenue	138,642.56
	Less Expenses	<u>86,005.05</u>
	Net	<u>52,637.51</u>
	Total Fund Balance	<u>167,532.63</u>
	Total Liabilities & Fund Balance	<u>426,825.76</u>

City of Frostburg
COMM DEVELOPMENT SPECIAL PROJECTS FUND
BALANCE SHEET
AS OF: 09/30/26

2027

Assets		
07-000-1000	CASH	<u>31,751.92</u>
	Total Assets	<u><u>31,751.92</u></u>
Liabilities & Fund Balance		
	Total Liabilities	<u>0.00</u>
07-000-3200	FUND BALANCE	<u>31,712.34</u>
	Total	<u>31,712.34</u>
	Revenue	8.81
	Less Expenses	<u>0.00</u>
	Net	<u>8.81</u>
	Total Fund Balance	<u>31,721.15</u>
	Total Liabilities & Fund Balance	<u><u>31,721.15</u></u>

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

2027

Assets		
08-000-1000	CASH	40,523.41
	Total Assets	<u>40,523.41</u>
Liabilities & Fund Balance		
	Total Liabilities	<u>0.00</u>
08-000-3200	FUND BALANCE	31,639.54
	Total	<u>31,639.54</u>
	Revenue	3,739.88
	Less Expenses	<u>0.00</u>
	Net	<u>3,739.88</u>
	Total Fund Balance	<u>35,379.42</u>
	Total Liabilities & Fund Balance	<u>35,379.42</u>

Note: Audit adjustments for the year ended 06/30/26 are incomplete.

CITY OF FROSTBURG
MONTHLY REPORT - TAXES
FOR THE MONTH ENDING SEPTEMBER 30, 2026

Tax Type - Year	Principal Receivable at 08/31/26	Billings	Receipts		Abatements/ Adjustments	Principal Receivable at 09/30/26
			Principal	Interest		
Real Estate - 20/21	\$ 237.32	\$ -	\$ -	\$ -	\$ -	\$ 237.32
Real Estate - 21/22	244.30	-	-	-	-	244.30
Real Estate - 22/23	244.30	-	-	-	-	244.30
Real Estate - 23/24	690.43	-	-	-	-	690.43
Real Estate - 24/25	73,239.07	-	2,298.89	776.76	-	70,940.18
Real Estate - 25/26	228,674.25	-	13,396.20	2,278.88	-	215,278.05
Real Estate - 26/27	2,394,491.96	-	1,535,928.60	-	(600.73)	857,962.63
Real Estate - overpayments	-	-	4,712.69	-	4,634.91	(77.78)
Real Estate Total	<u>\$ 2,697,821.63</u>	<u>\$ -</u>	<u>\$ 1,556,336.38</u>	<u>\$ 3,055.64</u>	<u>\$ 4,034.18</u>	<u>\$ 1,145,519.43</u>
Personal Prop - 23/24	\$ 1,402.28	\$ -	\$ -	\$ -	\$ -	\$ 1,402.28
Personal Prop - 24/25	1,651.05	-	-	-	-	1,651.05
Personal Prop - 25/26	642.30	-	-	-	-	642.30
Personal Prop - 25/26	-	408.45	158.55	-	-	249.90
Personal Property	<u>\$ 3,695.63</u>	<u>\$ 408.45</u>	<u>\$ 158.55</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,945.53</u>
Public Utility - 25/26	<u>\$ 1,707.72</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,707.72</u>
Corporation - 21/22	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Corporation - 22/23	1,795.92	-	-	-	-	1,795.92
Corporation - 23/24	3,877.80	1,764.90	-	-	(162.15)	5,480.55
Corporation - 24/25	6,747.52	-	-	-	(132.45)	6,615.07
Corporation - 25/26	16,162.89	772.95	161.70	29.16	(617.70)	16,156.44
Corporation - 26/27	-	31,068.30	21,626.44	-	-	9,441.86
Corporation - overpayments	(1.76)	-	-	-	-	(1.76)
Corporation Total	<u>\$ 28,582.37</u>	<u>\$ 33,606.15</u>	<u>\$ 21,788.14</u>	<u>\$ 29.16</u>	<u>\$ (912.30)</u>	<u>\$ 39,488.08</u>
NST - Returned Check Fee	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total	<u><u>\$ 2,731,807.35</u></u>	<u><u>\$ 34,014.60</u></u>	<u><u>\$ 1,578,283.07</u></u>	<u><u>\$ 3,084.80</u></u>	<u><u>\$ 3,121.88</u></u>	<u><u>\$ 1,190,660.76</u></u>

`CITY OF FROSTBURG

Parks and Rec Monthly report

For the Month of September 2026

Submitted by: Gene Bittinger maintenance Supervisor

September 1 2026

Checked the parks

Moved furniture at the Community Center

Pressure washed the Amphitheater

Replaced an eye on the Big pool pavilion lights

Cut grass at Hoffman

September 2 2026

Checked the parks

Watered the grass at Hoffman

Cleaned bathrooms at Hoffman

Picked up supplies for Hoffman

Took tables to Hoffman

Checked the Glendening cameras

September 3 2026

Checked the parks

Put a tent up at Hoffman

Meant with Lydia at the Community Center

Took cones, tables, chairs, to Hoffman

Clean the tent at Hoffman

Put water hoses away

September 4 2026

Checked the parks

Took the toolcat, and the garbage truck to Hoffman

Hung sign along RT36

Cleaned up trails and cut grass at Hoffman

Helped get ready for the Beverage fest,

September 7 2026

Holiday

September 8 2026

Checked the parks

Cleaned up Hoffman after Beverage fest.

Cleaned the roof off at City Hall

Put tents, tables and chairs away

Fixed the chlorine line at the pool

September 9 2026

Checked the parks

Cut grass at the Pool, City Hall, Dog Park, East End, MT Pleasant

Took generator to City Place

Worked on the scag mower

Cleaned up in the shop

September 10 2026

Checked the parks

Weed eated Glendening park

September 11 2026

Checked the parks

Meant with the water dept,

Moved furniture at the Community Center

Fueled up truck 40

September 14 2026

Checked the parks

Took zero mower to be fixed

Stopped at Southern States

Unloaded a freezer at the shop

September 15 2026

Checked the parks

Cut grass at Glendening

September 16 2026

Checked the parks

Cut East End, MT Pleasant, Dog Park, Hoffman,

Cleaned the rain spouts at the Community Center and the Armory

September 17 2026

Checked the parks

Cut grass around the Shop, Armory, Pool

September 18 2026

Checked the parks

Painted the ceiling tiles from the Community Center

Weed eated around the Pool, Armory, Shop

Filled the Dog Bags in parks

Emptied trash cans at Glendening

September 21 2026

Checked the parks

Worked at the Piney Dam house

Made Peppers order

Fixed at gate on the Community field

September 22 2026

Checked the parks

Got Concession stands ready for inspections

Replaced faucet at Shaw ST concession stand

Fixed a door at City Place

September 23 2026

Checked the parks

Went to fertilizer school

Took a new freezer to Hoffman

Worked on a zero mower

September 24 2026

Checked the parks

Worked on a drain at the Day Care center

Formed up three pads for concrete at the Dog Park

Cleaned up after the food giveaway

Picked up concrete for the Dog Park

September 25 2026

Poured concrete at the Dog Park

September 28 2026

Stripped the concrete forms

Moved concrete forms to another dog ring

Picked up more concrete

Checked the parks

Fixed benches at the Dog Park

Cut grass at the Dog Park, East End, Greene ST. and the Pool, Day Care

September 29 2026

Poured concrete at the Dog Park

Checked the parks

September 30 2026

Checked the parks

Set concrete forms at the Dog Park

Poured concrete at the Dog Park

Returned concrete skids

Picked up mulch for the Dog Park

CITY OF FROSTBURG

Monthly Report: Street Department

For the Month of: September 2026

Submitted by: Shane Elliott & Ryan Whitaker

September 1, 2026 – Tuesday

- Picked up garbage route on west end of town
- Changed over monthly report and sent out old one
- Removed litter off Main Street
- Loaded up concrete tools and concrete for catch basin repair
- Used vac truck to clean debris from catch basin
- Marked miss utility tickets and checked them in on computer
- Picked up a skid of concrete from PVIS in Cumberland
- Checked all sewer pumping stations
- Took garbage truck to water dept. to load up with useless junk and debris
- Cut roadway around catch basin and poured new concrete support walls
- Removed dead animal from roadway on Main Street
- Added degreaser to Victoria pumping station
- Emptied and cleaned out catch vac at dump site

September 2, 2026 – Wednesday

- Picked up garbage route on east end of town
- Checked all sewer pumping stations
- Sealed cracks in roadways where needed around town
- Took concrete forms off catch basin and removed traffic cones
- Removed litter off Main Street, Water and Broadway
- Unloaded blacktop trailer and loaded it up with traffic control devices for the upcoming Cruise-in event
- Ran camera in storm system to inspect storm piping for any issues
- Marked miss utility tickets and checked them in on computer
- Used work truck to pick up trash on streets where construction is ongoing
- Put away Napa Auto Parts delivery
- Contacted State Highway due to a signal structure being damaged on Main Street
- Picked up signage order from Commercial Graphics & Signage
- Checked catch basin complaint- removed debris and checked for damage
- Had a walk through throughout the building with city's insurance company

September 3, 2026 – Thursday

- Picked up garbage route in center section of town
- Addressed a trash complaint with resident
- Had a finance meeting at City Hall
- Removed litter off Main Street
- Picked up materials at PVIS
- Took measurements for new concrete basin project
- Checked all sewer pumping stations
- Hauled several loads of millings to Piney Dam overlook project
- Marked miss utility tickets and checked them in on computer
- Scheduled delivery of loader attachments from distributor
- Removed dead animal in roadway on Main Street
- Fueled and washed backhoe after use
- Checked CSO's after rain event
- Loaded up additional detour signage and traffic devices for Cruise event tonight
- Emptied out all trash cans on Main St. for event
- Worked throughout the evening setting up and taking down traffic control devices for the Cruise-in event

September 4, 2026 – Friday

- Checked and emptied city trash cans where needed on Main Street
- Marked miss utility tickets and checked them in on computer
- Checked all CSO's locations and made a report
- Removed litter off Main Street
- Picked up supplies from Lowes Home Center
- Drained water from diesel safety tanks
- Cut grass and weed eat several locations around town where needed
- Unloaded all traffic control devices from last night's event
- Checked all sewer pumping stations
- Used loader to push up sweeping and catch vac dump pile
- Swept out all garage bays and emptied shop trash cans
- Installed new delineator posts and paint on manholes around storm water pond
- Cleaned rest room and lunch room
- Trimmed more trees and growth around fence at storm water pond
- Unloaded manhole/catch basin grates and frames from East Jordan
- Took garbage truck over to Hoffman ballfield for this weekend's event
- Cut up and removed tree in roadway that had fallen on Welsh Street

September 5, 2026 – Saturday – Called out to fix catch basin grate

September 6, 2026 – Sunday

September 7, 2026 – Monday – Labor Day

September 8, 2026 – Tuesday

- Picked up garbage route on west end of town
- Took MDE deliveries over to main lobby
- Attended staff meeting at city hall
- Marked miss utility tickets and checked them in on computer
- Installed new gate caps and painted them
- Checked all sewer pumping stations – ran weekly tests on systems
- Unloaded delivery from Holling & Sons Equipment
- Removed litter off Main Street
- Picked up garbage truck from Hoffman Ballfield
- Tared cracks in roadways around town where needed
- Picked up parts from Frostburg Carquest
- Drained water from diesel safety tanks
- Ran sewer camera in sewer main to check for flow issues
- Took invoices to be paid to city hall
- Washed off all sewer camera equipment after use
- Cleaned off catch basin grates and culvert inlets where needed

P.4

September 9, 2026 – Wednesday

- Picked up garbage route on east end of town
- Checked all sewer pumping stations
- Trimmed weeds along the wall on Main Street
- Loaded up detour signs and stands onto tow trailer
- Removed litter off Main Street
- Marked miss utility tickets and checked them in on computer
- Set out safety cones and cross bars for Block Party tonight
- Pushed up gravel deliveries as they arrived
- Hauled away loads of debris to dump site
- Trimmed weeds around tree grates on Main Street
- Picked up deliveries at city hall and took invoices to be paid
- Cut blacktop with street saw to start wall project
- Set out extra trash cans for tonight's event on Main Street
- Worked on troubleshooting hydraulic issues on the mini excavator
- Worked Block Party event into the evening hours - set up and take down traffic control devices

September 10, 2026 – Thursday

- Picked up garbage route in center section of town
- Checked all sewer pumping stations
- Unloaded all traffic control devices from last night's event
- Started removing old FSU banners and installing new ones on Main Street
- Unloaded another delivery from American Rent All
- Removed litter off Main Street
- Finished digging footer location and laying a bed of tamped gravel
- Unloaded the extra trash cans and put them back into storage
- Marked miss utility tickets and checked them in on computer
- Removed dead animal in roadway
- Checked all CSO locations due to last night rain event
- Pushed up a delivery of gravel with wheel loader
- Dropped off truck #14 for repairs at Grantsville Truck & Trailer
- Washed off loader after use to filled fluids where needed
- Made repairs to banner brackets where needed
- Scheduled a delivery of concrete barrier blacks for storage ben

P.5

September 11, 2026 – Friday

- Took two borrowed County Utility trailers back to headquarters

- Installed new street sign on Maple Street
- Emptied all city trash cans on Main Street where needed
- Painted fuel tank frame supports on truck #6
- Took more invoices to be paid to city hall
- Cleaned debris off catch basin grates around town where needed
- Removed litter off Main Street and college section of town
- Checked all sewer pumping stations and added degreaser to all wet wells
- Marked miss utility tickets and checked them in on computer
- Cleaned rest room, lunch room and swept out garage bays
- Picked up supplies from O'Reilly Auto Parts
- Installed a new delineator on Main Street
- Ran sewer camera to inspect sewer main and service lines
- Washed off all sewer camera equipment after use

September 12, 2026 – Saturday

September 13, 2026 – Sunday – Checked CSO's

September 14, 2026 – Monday

- Used wheel loader to load up millings from stockpile
- Checked and emptied city trash cans where needed
- Picked up Bobcat parts from American Rent All
- Marked Miss Utility tickets and checked them in on computer
- Repaired hydraulic leak and installed new fittings on Excavator
- Installed and set all concrete blocks for new storage bunk at Garage
- Added fluid to Excavator after needed repairs
- Removed litter and glass off Main Street
- Used dump trucks to haul millings most of the day
- Picked up Yard Waste all over town
- Unloaded delivery of parts for Truck 6
- Brought back wheel loader to shop after use
- Checked all sewer pumping stations – ran weekly tests on all systems
- Greased tailgate latches on Trucks 8 and 11
- Inspected newly built fuel tank for fitment on Truck 6

P.6

September 15, 2026 – Tuesday

- Picked up garbage route on west end of town

- Drilled and installed rebar in new concrete bunk storage
- Removed litter on Main Street
- Used dump trucks to haul away more millings most of the day
- Brought back wheel loader to garage after use
- Dropped off hoses to be made at American Rent All
- Pushed up a gravel delivery with Backhoe
- Marked miss utility tickets and checked them in on computer
- Picked up lumber and other materials for Concrete pour
- Checked all sewer pumping stations
- Picked up package that was delivered to City Hall
- Ordered more parts from James River Equipment for Backhoe
- Started assembling new tar crack sealer machine
- Cut and trimmed grass on Main St. wall
- Picked up yard waste that was missed during yesterday's route
- Blacktopped work area in garage parking lot

September 16, 2026 – Wednesday

- Picked up garbage route on east end of town
- Installed new fuel tank and straps on dump truck #6
- Cleaned debris off several catch basins around town
- Removed litter off Main Street
- Finished installing rebar around new storage ben
- Turned in some bills to be paid to city hall
- Checked all sewer pumping stations
- Hauled more truckloads of millings to dump site
- Marked Miss Utility tickets and checked them in on computer
- Installed backhoe outrigger pads
- Built concrete forms on top of barrier wall
- Took truck #5 to chevy garage in Cumberland
- Washed off loader and dump trucks after use
- Measure depth on sediment pond for possible suction cleaning
- Picked up packages from city hall and MDE

P.7

September 17, 2026 – Thursday

- Picked up garbage route in center section of town
- Took vac truck to filtration plant to help clean sediment pond of excessive amounts of debris

- Removed litter off Main Street and College Avenue
- Dropped off truck #3 at chevy garage in Cumberland
- Removed dead animal in roadway due to complaint
- Checked all sewer pumping stations
- Picked up supplies from PVIS in Cumberland
- Marked miss utility tickets and checked them in on computer
- Picked up truck #5 from Chevy garage in Cumberland
- Finished the concrete forms on barrier wall and installed metal bollard
- Replaced broken sign post and parking sign on Broadway that was damaged from a vehicle accident
- Crack sealed roadways around town where needed
- Made repairs to fascia on eve of porch roof at garage
- Emptied and cleaned out vac truck over at dump site after use

September 18, 2026 – Friday

- Straightened up safety gear and other items in locker room
- Cut and trimmed grass in City Lots
- Marked miss utility tickets and checked them in on computer
- Removed litter on Main Street
- Began removing radios from trucks due for replacement
- Cleaned out beds of all work trucks
- Picked up Truck 3 after repairs from Weimer Chevrolet
- Vacuumed lunch room and all carpet mats
- Checked all sewer pumping stations
- Washed and detailed interiors of a few work trucks
- Picked up package that was delivered next door to MDE
- Checked and emptied city trash cans where needed on Main Street
- Removed glass debris from roadway on Center St.
- Contacted Allegany County dispatch about radio deactivation
- Washed off mower and other outdoor power equipment after use
- Installed new street name signs on Westview Dr.

P.8

September 19, 2026 – Saturday

September 20, 2026 – Sunday

September 21, 2026 – Monday

- Painted over graffiti on Maple Street
- Checked on a water runoff complaint on Broadway
- Removed litter on Main Street, Bowery and Center Street
- Checked all sewer pumping stations - Ran weekly tests
- Ran sewer camera in storm system
- Marked miss utility tickets and checked them in on computer
- Cleaned off catch basin grates around town
- Removed several old city radio systems out of equipment
- Checked and emptied city trash cans where needed on Main Street
- Removed political signage from covering city signage
- Washed off all sewer camera equipment after use
- Replaced faded out street sign on Depot Road
- Checked all CSO locations after rain event
- Removed dead animal in roadway due to complaint

September 22, 2026 – Tuesday

- Picked up garbage route on west end of town
- Checked all CSO locations and made a report
- Ran sewer camera to locate sewer tap with locator
- Picked up parts at American Rent-All
- Removed litter off Main Street
- Installed new hoses on skid steer sweeper bucket
- Marked miss utility tickets and checked them in on computer
- Worked at Piney Reservoir
- Checked all sewer pumping stations
- Straightened stop sign post on Victoria Lane
- Removed dead animal in roadway on Redstone Terrace
- Picked up supplies at Lowes Home Center
- Cleared debris from roadway on Village Parkway
- Installed new wipers on truck #10
- Washed off camera equipment after use

P.9

September 23, 2026 – Wednesday

- Picked up garbage route on east end of town
- Turned in and approved all invoices to City Hall
- Checked all sewer pumping stations
- Adjusted gate hinges at Centennial pump station
- Picked up litter on Main Street
- Removed debris from roadway on Mechanic Street

- Marked miss utility tickets and checked them in on computer
- Checked all CSO locations after rain event
- Put away Napa delivery
- Removed limb from roadway on Linden Street
- Took inventory of pipe in yard and made list of needed materials
- Checked on street light complaint on Main Street
- Sprayed weed killer throughout Street Dept. Complex
- Placed an order for needed Vac Truck parts through Sewer Equipment Co.
- Continued work at Piney Reservoir
- Finalized time for interview appointments later this week
- Checked and added fluids where needed on several work trucks

September 24, 2026 – Thursday

- Picked up garbage route in center section of town
- Trimmed over hanging branches on Talcott Avenue
- Straightened sign post and install new street signs on Charles Street
- Removed dead deer in roadway on Braddock Road
- Used tar machine to seal cracks in roadways where needed
- Checked all sewer pumping stations
- Picked up litter on Main Street
- Checked on a garbage complaint on Hill Street
- Removed dead animal from roadway on College Avenue
- Marked miss utility tickets and checked them in on computer
- Removed tree limb in roadway on Depot Street
- Cut under growth from city trees on Bowery Street
- Used camera system to locate sewer service line
- Picked up debris in roadway on Water Street
- Cleared litter from curb box inlets on center of town
- Washed off all sewer camera equipment after

P.10

September 25, 2026 – Friday

- Checked and emptied city trash cans on Main Street before weekend
- Trimmed grass along roadway in several locations
- Straightened sign post on Rynex Avenue
- Cleaned rest room, lunch room and office area
- Swept out garage bays and emptied out shop trash cans
- Checked all sewer pumping stations
- Had interviews at city hall for job opening
- Loaded up detour signs and stands for tomorrows event

- Removed litter off Main Street
- Checked sewer complaint on Mount Pleasant Street
- Took invoices to be paid to city hall
- Marked miss utility tickets and checked them in on computer
- Ran sewer camera to check for blockage
- Perform routine maintenance to both garbage truck
- Cleaned and disinfected camera after use

September 26, 2026 – Saturday – Worked traffic control for the bike race

September 27, 2026 – Sunday

September 28, 2026 – Monday

- Checked and emptied city trash cans on Main Street
- Loaded roller and tools onto blacktop trailer
- Marked emergency miss utility ticket
- Cleaned off blacktop tools and filled roller
- Removed litter off Main Street
- Checked all sewer pumping stations – Ran weekly tests on systems
- Trimmed tree limbs away from street signage
- Met with plumber to discuss sewer issues around Jenkins Street
- Cut grass in several locations around town
- Put down blacktop, pothole patching and repairing curb lines
- Trimmed weeds along several curblines
- Marked miss utility tickets and checked them in on computer
- Took blacktop truck up Grantsville to be repaired
- Removed dead animal in roadway due to complaint

P.11

September 29, 2026 – Tuesday

- Picked up garbage route on west end of town
- Straightened bent sign post on First Street
- Installed a new manhole frame & cover, cleaned up debris from around work area
- Painted trash can lids on Main Street
- Cleaned up debris from around water leak area on Washington Street
- Removed litter off Main Street
- Tar sealed cracks in roadways around town where needed
- Checked all sewer pumping stations and added degreaser to all stations

- Prepared and painted metal steps attached to Fuel Bunk
- Marked miss utility tickets and checked them in on computer
- Excavated hole at pump station for new post
- Repaired rain water gauge for CSO inspection
- Started rebuilding a damaged manhole on Jenkins Street
- Installed and concreted new support post in place at Victoria Lane pump station
- Met with sewer contractor and drop off backflow preventor
- Put down flint material around the higher manholes around town

September 30, 2026 – Wednesday

- Picked up garbage route on the east end of town
- Cleaned off blacktop tools and filled roller
- Prepped a few areas around town to be blacktopped
- Checked all sewer pumping stations
- Blacktop patched several water repair sites around town
- Removed litter off Main Street
- Cleaned up debris that was left behind while blacktopping
- Marked miss utility tickets and checked them in on computer
- Replaced two faded out street signs
- Tar sealed sections of roadway where needed
- Put deliveries away as they arrived
- Removed dead animal in roadway on east Main Street
- Dropped work truck off in Cumberland for repairs
- Tried to locate storm line in Prichard Farm with sewer camera
- Washed off camera equipment after use

City of Frostburg

Monthly Report: Water Department

For the Month of September, 2026

Submitted by: Ray Richards Jr., Supervisor

September 1, 2026,

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Cleaned the shop
- Hauled the trash away
- Dug down & cut off old curb stop Victoria Lane
- Removed old shed from behind shop

September 2, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Ticket
- Obtain data log Spring St. (high reading- found leak)
- Final readings Hill St. & E. College Ave.

September 3, 2026

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Final readings Bowery St. & W. Mechanic St.
- Start reading all meters

September 4, 2026

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Finished readings all meters

September 7, 2026 City Holiday

September 8, 2026

- Checked Pumps @ Crestview Pump Station
- Marked Missed Utility Tickets
- Cleaned the shop
- Hauled trash away
- Cut the grass @ shop
- Located shut off on Welsh Hill (contractor will need shut off tomorrow)

September 9, 2026

- Marked Miss Utility Tickets
- Checked Pumps @ Crestview Pump Station
- Shut water off Welsh Hill for contractor
- Final reading E. Main St.
- Obtain data log Bowery St.
- Work on trying to fix pipe rack @ shop

September 10, 2026

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Installed new meter Standish St.
- Obtain data log Aspinall St
- Installed new roll up door on shed
- Repaired service line Welsh Hill Rd.

September 11, 2026

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Transmitter issue @ 111 Wood St. (couldn't change due to shut off not working in house)
- Finish up with new door on shed
- Move trees for tree company coming tomorrow
- Cleaned up back lot

September 14, 2026

- Checked Pumps @ Crestview Pump Station
- Marked Miss Utility Tickets
- Final reading @ 8 Hill St

- Start on putting tin the rest of the way around shed
- Move wood from trees that were cut down over the weekend

September 15 ,2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Clean the shop
- Hauled away trash
- Turn water off 220 Shaw St (contractor working in house)
- Installed new water meter Shaw St.
- Completed the shed
- Hauled old millings from Glendenning to shop

September 16 ,2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Located & marked curb box W. Main St.
- Check on contractors working on McCulloh St

September 17 ,2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Changed 3 Heads on outside meters
- Install antenna on outside meter (Hill St)
- Cleaned up inside garage
- Met with salesman (LB water)

September 18 ,2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Filled in hole @ depot (From water line install for bathrooms)
- Meter change (Mc Culloh St)
- Data log (Spring St)
- Cleaned up back garage (move wood and tin upstairs)
- Pass out door hangers for water meter changes

September 21, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Reread water meter Bowery St. (High Usage)
- Obtain data log Spring St.
- Checked a strong odor in water Mt. Pleasant St.

September 22, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Cleaned the shop
- Hauled trash away
- Installed new meters Bowery St. & E. Main St. Washington St. needs a plumber
- Final reading Red Stone Terrace

September 23, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Final reading W. Mechanic St.
- 3 Meter changes
- Turn water off @ 63 Spring St (Turned back on same day. Box will need dug up)

September 24, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Final reading (E Collage)
- 1 Washington St to make sure plumber installed meter correctly
- Grease and clean up equipment

September 25, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Final readings Centennial St. & High St.
- Met with guys from Carl Belt concerning new building @ Industrial Park (Sierra Hygiene)
- Trimmed around fire hydrants & water valves Frostburg Industrial Park Rd.

September 28, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Tried to repaired fire hydrant Washington St. that was knocked off over weekend
- Assisted contractor with installing new fire hydrant Washington St.

September 29, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Cleaned the shop
- Hauled trash away
- Final readings Braddock Rd. & Hawthorne Drive
- Dug out holes to be blacktop from water leaks
- 2 Water leaks on Depot St (Repair both 4" and 2")

September 30, 2026

- Checked pumps @ Crestview Pumping Station
- Marked Miss Utility Tickets
- Water shut offs (26 of them)
- Water leak on Paul St (2- 1 ½" service line)

CITY OF FROSTBURG

Section 8, Item A.

Monthly Report: Police Department

For the Month of: September 2026

Submitted by: PCO II Charon Clark & Chief Nicholas Costello

IDENTIFIED INCIDENTS & COMPLAINTS for the Month

2025	761	2026	552
ARRESTS	On-View/Citations		3
	Warrants Served/Obtained		5
	Summonses Served		1
	Juvenile Arrests & Citations		0
	TOTAL		9
C3I INVESTIGATIONS	Cases		1
COMMUNITY POLICING	Logged Activities		3
PARKING	Parking Violations		0
PUBLIC SERVICE	Well-Being Checks		28
	Emergency Petitions		2
	Assist Other Agency		12
	Request for Officer		33
	Follow-Ups		15
	Disturbance (Multiple Inc. Types)		55
TRAFFIC	M/V Crashes		12
	Traffic Details		15
	DWI/DUI Arrests		1
TRAFFIC STOPS	Total Number of Stops		36
	Citations		4
	Warnings		36
	SEROs		0
COLLECTIONS	Parking Meter Fines		\$0.00
	Other Parking Fines		\$275.00
	Parking Meter Collections		\$0.00
	Municipal Infractions Paid		\$0.00
	Parking Permits		\$0.00
	Miscellaneous		\$60.00
	TOTAL		\$335.00

Respectfully Submitted,

Nicholas J. Costello
Chief of Police

ORDINANCE NO. 2026-07

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND ENTITLED “AN ORDINANCE TO ESTABLISH LEGISLATION PERTAINING TO THE OPERATION OF BICYCLES, RECREATIONAL CONVEYANCES, AND PERSONAL DELIVERY DEVICES.”

WHEREAS, the City Code does not include provisions regulating the operation of bicycles, recreational conveyances, and personal delivery devices.

WHEREAS, the prevalence of electric bicycles, electric boards, electric skateboards, and electric low-speed scooters has highlighted the need for such regulations.

WHEREAS, the purpose of this Ordinance is to establish regulations governing the safe operation of such vehicles to protect the safety of their operators and the safety of the public at large.

NOW, THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND, that Section 2-12 of the City Code is renumbered as Section 2-13.

SECTION 2: BE IT FURTHER ORDAINED, that Section 2-12 of the City Code is hereby enacted to read as set forth in Exhibit A attached hereto and incorporated by reference herein.

SECTION 3: BE IT FURTHER ORDAINED, that this Ordinance shall take effect twenty (20) days from the date of its passage.

THE MAYOR AND CITY COUNCIL OF
FROSTBURG

By: _____
Todd Logsdon, Mayor

ATTEST:

Patrick O’Brien, City Administrator

Introduced: September 15, 2026
Public Hearing: August 20, 2026
Adopted:
Effective:

EXHIBIT A

Section 2.12. Bicycles, recreational conveyances, and personal delivery devices.

(a) Definitions.

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

Bicycle has the meaning assigned to it in Md. Transp. Code Ann. § 11-104, as amended from time to time. The definition in effect as of September 1, 2026, is as follows:

“Bicycle” means:

- (1) A vehicle that:
 - (i) Is designed to be operated by human power;
 - (ii) Has two (2) or three (3) wheels, of which one is more than 14 inches in diameter; and
 - (iii) Has a drive mechanism other than by pedals directly attached to a drive wheel;
- (2) An electric or powered bicycle;
- (3) A moped; or
- (4) An electric low speed scooter.

Caster board means a human-powered wheeled device consisting of two narrow platforms connected by a flexible or torsional member and mounted on two independently swiveling wheels, designed to be stood upon and propelled by the operator's side-to-side motion, and not equipped with a motor, pedals, handlebars, or a seat.

Electric bicycle has the meaning assigned to it in Md. Transp. Code Ann. § 11-117.1, as amended from time to time. The definition in effect as of September 1, 2026, is as follows:

- (a) “Electric bicycle” means a vehicle that:
 - (1) Is designed to be operated by human power with the assistance of an electric motor;
 - (2) Is equipped with fully operable pedals;
 - (3) Has two or three wheels;
 - (4) Has a motor with a rating of 750 watts or less; and
 - (5) Meets one of the requirements of subsection (b) of this section.
- (b)
 - (1) A Class 1 electric bicycle is equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.

- (2) A Class 2 electric bicycle is equipped with a motor that provides assistance whether or not the rider is pedaling the bicycle and ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.
- (3) A Class 3 electric bicycle is equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour.

Electric Board means a personal transportation device designed for use by a single rider, powered by an electric motor, lacking handlebars, pedals, and a seat, and intended to be stood upon during operation, including hoverboards, electric skateboards, and similar devices, regardless of the number of wheels or the method of balance. A device shall be deemed an electric board regardless of whether it is marketed as a toy, recreational device, or personal transportation device. The term electric board does not include any other recreational conveyance.

Electric low speed scooter has the meaning assigned to it in Md. Transp. Code Ann. § 11-117.2, as amended from time to time. The definition in effect as of September 1, 2026, is as follows:

- (a) “Electric low speed scooter” means a vehicle that:
 - (1) Is designed to transport only the operator;
 - (2) Weighs less than 100 pounds;
 - (3) Has single wheels in tandem or a combination of one or two wheels at the front and rear of the vehicle;
 - (4) Is equipped with handlebars and a platform designed to be stood on while riding;
 - (5) Is solely powered by an electric motor and human power; and
 - (6) Is capable of operating at a speed of up to 20 miles per hour.
- (b) “Electric low speed scooter” does not include:
 - (1) An electric personal assistive mobility device; or
 - (2) An electric wheelchair or other mobility aid used by a disabled individual.

Highway means the entire width between the boundary lines of any street, alley, or thoroughfare, any part of which is used by the public for vehicular travel, whether or not the way or thoroughfare has been dedicated to the public and accepted by any proper authority.

Play vehicle means a vehicle that:

- (1) Is typically designed for recreational use, low speed operation and use by children;
- (2) Has two or more wheels;
- (3) Is propelled only by human power;
- (4) Is not a recreational conveyance; and
- (5) Is not designed or intended for highway travel.

Examples of play vehicles include wagons, toy cars, ride-on toys, tricycles, and Big Wheel-style ride-on toys.

Recreational conveyances means bicycles, electric bicycles, unicycles (powered and unpowered), electric boards, scooters, electric low-speed scooters, skateboards, caster boards, roller skates, inline skates, and similar unregistered modes of conveyance used for recreational purposes.

Scooter means a two-wheeled non-motorized vehicle with handles that is designed to be stood upon by the operator.

Skateboard means a device consisting of a flat board mounted on wheels, designed to be stood upon and propelled by human power or by an electric motor, including traditional skateboards, longboards, and electric skateboards.

Personal delivery device has the meaning assigned to it in Md. Transp. Code Ann. § 21-104.3, as amended from time to time. The definition in effect as of September 1, 2026, is as follows:

A powered device that:

- (i) Is operated primarily on shoulders, sidewalks, and crosswalks;
- (ii) Is intended for the transport of property on public rights-of-way;
- (iii) Weighs not more than 550 pounds, excluding cargo; and
- (iv) Is capable of navigating with or without the active control or monitoring of an individual.

(b) State law.

Subtitle 12 of Title 21 of the Transportation Article of the Annotated Code of Maryland includes State laws governing the operation of bicycles, unicycles and play vehicles. This article is intended to establish safety standards that are in addition to and/or more restrictive than State law.

(c) Trick riding.

No person shall, while operating a recreational conveyance, engage in any form of trick riding on any highway sidewalk, or other public property.

(d) Riding on sidewalks and in parking areas – prohibitions and limitations.

- (1) *City-owned garages & parking lots.*
- (2) *Speed limit.* Recreational conveyances may not be operated on sidewalks in excess of 5 miles per hour.
- (2) *Absolute ban.*
 - (i) Recreational conveyances may not be operated in City-owned garages or sidewalks.
 - (ii) Recreational conveyances may not be operated on sidewalks on Main Street, ~~from Water Street to Bowery Street or on Water Street and Broadway from Main Street to Ormand Street.~~
 - (iii) Recreational conveyances that do not have motors may be operated on sidewalks at locations other than those set forth in subsection (ii).

(e) Personal delivery devices.

The operator of a personal delivery device must notify the police department in writing of its intent to operate a personal delivery device in the city. As to each personal delivery device, the notice must include the following information:

- (1) The identification number it is marked with;
- (2) The name, address, telephone number and email address of the operator;
- (3) If the operator is acting on behalf of a corporate entity, the name and address of the entity and the name, address, telephone number and email address of the entity's contact person; and
- (4) The name, address and telephone number of the issuer of the general liability insurance policy or alternative form of security required by section 21-104.3(d)(5) of the Transportation Article of the Annotated Code of Maryland, as amended from time to time, as well as the policy number or the identification number for the alternative form of security.

(f) Seizure of recreational conveyances.

- (1) The seizure of recreational conveyances is intended to prevent the continuation or repetition of violations of this article, to ascertain the ownership of recreational conveyances that have been used in violation of the terms of this article, and to hold owners accountable for such violations.
- (2) A police officer who observes a person operating a recreational conveyance in violation of this article may temporarily seize the recreational conveyance for the purpose of terminating the prohibited operation and preventing its immediate continuation or repetition, provided that the officer contemporaneously prepares a citation charging the operator with the violation. If the operator is a minor, the recreational conveyance may be temporarily seized notwithstanding that service of the citation upon the minor's parent, guardian, or other person having care or custody has not yet been completed.
- (3) A recreational conveyance seized pursuant to this section shall be released to the owner, or in the case of a minor, to the owner's parent or legal guardian, without fee, either at the site of the seizure or at the police department.
- (4) No recreational conveyance shall be permanently forfeited pursuant to this section. However, if the owner fails to reclaim it within ninety (90) days of its seizure, it shall be deemed to be abandoned and may be disposed of accordingly.
- (5) The seizure of a recreational conveyance under this section shall not be construed as a penalty, but as a temporary measure to abate a public safety violation.

(g) Penalties.

Any violation of any provision of this article shall be a municipal infraction, punishable by a fine of one hundred dollars (\$100.00).

ORDINANCE 2026 - 08

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND ENTITLED “AN ORDINANCE TO REPEAL AND RE-ENACT WITH AMENDMENTS SECTIONS 1.15, 1.16, 1.18, 1.22, 2.1 AND THE USE REGULATIONS TABLE AT THE BEGINNING OF PART 3 AND TO ENACT SECTION 8.10, ALL IN THE ZONING ORDINANCE OF THE CITY OF FROSTBURG (APPENDIX A OF THE FROSTBURG CITY CODE), FOR THE PURPOSE OF INCORPORATING AND ADOPTING PROVISIONS PERTAINING TO ACCESSORY DWELLING UNITS, AS REQUIRED BY THE ACCESSORY DWELLING UNITS ACT OF 2025 (HOUSE BILL 1466 AND SENATE BILL 891)”.

WHEREAS, the City of Frostburg is a municipal corporation of the State of Maryland, organized and operating under a charter (“Charter”) adopted in accordance with the laws of the State of Maryland;

WHEREAS, Article V, Sections 501 and 502 of the Charter empower the City of Frostburg to regulate zoning matters within the City;

WHEREAS, the City of Frostburg Zoning Ordinance (the “Zoning Ordinance”) is set forth in Appendix A to the Frostburg Code;

WHEREAS, it is the policy of the State of Maryland to promote and encourage accessory dwelling units on land with a single-family detached dwelling unit as the primary dwelling unit to help address the State’s affordable housing shortage and meet its housing needs;

WHEREAS, the City can play an important role in reducing barriers that prevent homeowners from building accessory dwellings;

WHEREAS, State law, i.e., the Accessory Dwelling Units Act of 2025 (House Bill 1466 and Senate Bill 891), requires local jurisdictions with zoning authority to adopt regulations pertaining to accessory dwelling units in furtherance of the aforementioned State policy;

WHEREAS, the Frostburg Planning Commission reviewed the proposed amendments to Sections 1.15, 1.16, 1.18, 1.22, and 2.1, as well as the Use Regulations Table at the beginning of Part 3 of the Zoning Ordinance, and the text of Section 8.10, a new section of the Zoning Ordinance, at its public meeting held September 9, 2026, and voted to recommend that the Mayor and City Council adopt them;

WHEREAS, a public hearing on this Ordinance was held on the ____ day of _____, 2026, at the Mayor and City Council’s regular monthly meeting; and

WHEREAS, the Mayor and City Council reviewed the Planning Commission’s recommendations and, having considered the testimony at the public hearing, if any, voted to adopt them as set forth hereinafter.

NOW THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG that Sections 1.15, 1.16, 1.18, 1.22, and 2.1, as well as the Use Regulations Table at the beginning of Part 3 of the City of Frostburg Zoning Ordinance (Appendix A to the City Code), are repealed and reenacted with amendments to read as is set forth in Exhibit A attached hereto and incorporated by reference herein. (NOTE: The attached Exhibit B is a text-edited version of the aforesaid sections of the City Code, showing the amendments effected by this Ordinance.)

SECTION 2: BE IT FURTHER ORDAINED that Section 8.10 of the Zoning Ordinance is hereby enacted, to read as follows:

Sec. 8.10. Accessory Dwelling Units (ADUs).

- A. An accessory dwelling unit is permitted on any lot with an existing single-family detached dwelling unit, provided it meets all other standards for accessory structures.

- B. An accessory dwelling unit is exempt from the calculation of density for the lot, parcel, or tract upon which it is located. The construction of accessory dwelling units is not restricted by any City of Frostburg ordinance, policy, or program intended to limit residential growth.
- C. The rear and side lot line setback requirements for accessory dwelling units are the same as accessory structures for the zoning district in which the lot, parcel, or tract is located.
- D. The conversion of an accessory structure as an accessory dwelling unit is prohibited if the only vehicular access to the accessory structure is from an alley.

SECTION 4: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG that this Ordinance shall take effect twenty (20) days from the date of its passage.

Passed this _____ day of _____, 2026.

Todd Logsdon, Mayor

ATTEST

Patrick O’Brien, City Administrator

Introduced: _____
Public Hearing: _____
Adopted: _____
Effective: _____

EXHIBIT A

Sec. 1.15. Building permits, zoning occupancy and land use permits.

A. Building Permits.

- (1) Building Permit Required. No building permit shall be issued except in conformity with the provisions of this Ordinance. A Frostburg Building Permit issued by the Frostburg Community Development Department is required prior to the initiation of any of the following activities:
 - [a] Erection of any building or structure.
 - [b] Construction of an addition to any building or structure.
 - [c] Relocation of any building or structure.
 - [d] Major Renovation of any building or structure.
 - [e] Demolition of any building or structure.
 - [f] Grading.
 - [g] Construction of driveways, parking, and sidewalks.
 - [h] Construction of walls or fences.
 - [i] Construction or installation of a new accessory structure.
 - [j] Construction or installation of an ADU
 - [k] Installation of a permanent sign regulated by this Ordinance.
 - [l] Renovations to accommodate a change in type of use.
 - [m] Conversion of an unfinished and uninhabitable space to dwelling unit.
 - [n] Renovation or Reconstruction of a structure following damages from a natural disaster, including but not limited to a fire or a severe weather event, or following a structural failure.
- (2) Application for Building Permit. All applications for building permits shall be accompanied by site plans in triplicate, drawn to scale, showing the actual dimensions and shape of the lot to be built upon, the exact size and locations of already existing buildings on the lot, if any, and the location and dimensions of the proposed building or alteration.
 - (a) The application shall include such other information as lawfully may be required by the Development Staff, including statements describing or identifying the existing and proposed building(s) and alteration(s); existing and proposed uses of the building(s) and land; the number of families, housekeeping units, or rental units the building(s) is/are designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Ordinance.
 - (b) At least one (1) copy of the plan shall be maintained in the City's files.
 - (c) Applications for building permits that are minor in nature and do not involve construction of a principal building shall, at a minimum, be accompanied by a sketch of the proposed project, and should include relevant information such as property lines, dimensions, and/or topography.
 - (d) A review by the Chief of Police, the City Engineer, and/or the Allegany Soil Conservation District may be required in certain circumstances.

- (3) Expiration. If the work described in any building permit has not begun within one (1) year from the date of issuance, said permit shall expire and it shall be canceled by the Development Staff.
- (4) Extension. A building permit may be extended for no more than one (1) additional six (6)-month period for a good cause as determined by the Development Staff.
- (5) Completion. If the work described in any building permit issued for other than a nonresidential principal building has not been substantially completed within one (1) year of the date of issuance thereof, or eighteen (18) months within the date of issuance if the permit has been extended as provided for in subsection (a) above, said permit shall expire automatically upon the expiration of the applicable term. Building permits for nonresidential principal buildings shall expire (2) years from the date of their issuance. Further work as described in the expired permit shall not proceed unless and until a new building permit has been obtained.

B. *Zoning Use and Occupancy Permits.*

- (1) Use and Occupancy Permit. It shall be unlawful to use or occupy or permit the use or occupancy of any building or land, or both, or part thereof, hereafter created, erected, converted, or wholly or partly altered or enlarged in its use of structure until a zoning use and occupancy permit has been issued by the Community Development Director, stating that the proposed use of the buildings or land conforms to the requirements of this Ordinance.
 - (a) The structure must meet all code requirements and be verified by an authorized City Inspector prior to issuance of an Occupancy Permit.
 - (b) As an administrative matter, the Community Development Director may at his/her option waive, in writing, the requirement for an Occupancy Permit for minor residential additions and similar improvements.
- (2) Relation to Building Permit. All inspections and utility hookups stipulated in the building permit as well as required outside agency approvals must be completed to the satisfaction of the City prior to issuance of an Occupancy Permit.
- (3) Temporary. A temporary occupancy permit may be issued by the Community Development Director for a period not exceeding six (6) months during the alterations or partial occupancy of a building pending its completion, provided that such temporary permit may require such conditions and safeguards as will protect the safety of the occupants and the public. In instances where a temporary occupancy permit is sought, the Community Development Director shall require the developer to post a bond or other surety in an amount sufficient to cover the costs of the completion of the building prior to issuance of the temporary occupancy permit. The form and content of the bond or other surety shall be subject to the approval of the Community Development Director.
- (4) Records. The Community Development Director shall maintain a record of all zoning occupancy permits and copies shall be furnished upon request to any person.
- (5) Rental Housing. The Community Development Director shall require an applicant to prove compliance with the City's Rental Housing Ordinance, as applicable.

C. *Compliance with Submittals and Permits.* Building Permits or Zoning Use and Occupancy Permits issued on the basis of site plans and applications approved by the Community Development Director and/or the Board of Zoning Appeals authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement or construction shall be deemed to be authorized by such approval.

- (1) Use, arrangement, or construction differing with that authorized may be deemed a violation of this Ordinance, and may be punishable as provided by Section 1.21 hereof.

D. *Violation.* Failure to obtain a zoning use and occupancy or building permit shall be a violation of this Ordinance and punishable under Section 1.21.

Sec. 1.16. Site plan review and approval.

- A. Prior to issuing a zoning use and occupancy permit or building permit for construction, expansion, or change in use, a site plan and supporting documentation shall be submitted to the Planning Commission for its review and approval.
- B. The purpose of site plans are to assure detailed compliance with applicable provisions of enacted regulations and to prescribe standards for the design and construction of site improvements. Development requiring site plan approval shall be permitted only in accordance with all specifications contained on an approved site plan, and shall not be undertaken until the site plan is approved and all required construction permits have been obtained subsequent to such approval.
- C. Applicability. All development or land use activities within the City shall require site plan review before being undertaken, except for the following:
 - (1) Construction or expansion of a single-family dwelling, a twin-family dwelling, an ADU, and ordinary accessory structures.
 - (2) Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this Zoning Ordinance.
 - (3) Parking areas five (5) spaces or less in size.
 - (4) Ordinary repair, maintenance or alterations of the interiors of existing structures or uses.
 - (5) Exterior alterations or additions to existing structures which would not increase the square footage of the existing structure by more than one thousand (1,000) square feet or have a cost value of less than \$10,000.00.
 - (6) Agricultural or gardening uses.
 - (7) All signs except in conjunction with new development.
- D. Site plan applications shall include the information listed in Appendix A for preliminary and final site plans. The Planning Commission may, in its discretion, waive any information or preliminary requirements which are not relevant to the proposed use and site.
- E. The Planning Commission's review of the preliminary site plan shall include, but is not limited to, the following considerations:
 - (1) Adequacy and arrangement of vehicular traffic access and circulation, including emergency vehicle access.
 - (2) Location, arrangement, appearance and sufficiency (including, but not limited to, the size of the spaces provided) of off-street parking and loading.
 - (3) Location, arrangement, size and design of buildings, lighting, and signs.
 - (4) Relationship of the various uses to one another and their scale.
 - (5) Adequacy, type, and arrangement of trees, shrubs, and other landscaping constituting a visual and noise buffer between adjacent uses and adjoining lands.
 - (6) Adequacy of stormwater and sanitary waste disposal.
 - (7) Adequacy of structures, roadways, and landscaping in areas susceptible to erosion, ponding, or flooding.
 - (8) Compatibility of development with natural features of the site and with surrounding land uses.
 - (9) Adequacy of open space for play areas, informal recreation and the retention of natural areas such as wildlife habitats, wetlands, and wooded areas.

- (10) Adequacy for pedestrian access.
- F. The Planning Commission may require additional information which appears necessary for a complete assessment of the project.
- G. Major site plans shall be prepared by an engineer, architect, landscape architect, or land surveyor duly registered to practice in the State of Maryland.
- H. Upon receipt of the major site plan, the Planning Commission shall review the site plan, soliciting comments from other departments, agencies, and officials as may be appropriate. The site plan shall be approved if it meets the requirements of this section, Appendix A, other requirements of this Zoning Ordinance and all other Federal, State, and County regulations. Notice of approval or disapproval of the site plan shall be given in writing to the applicant.
- I. Construction of Required Improvements.
- (1) Upon approval of a site plan, the applicant shall then secure the necessary construction permits from appropriate agencies before commencing work. The applicant may construct only such improvements as have been approved by the Planning Commission and appropriate City review and approval agencies.
 - (2) The City may require inspection during and/or after construction of the site improvements.
- J. Expiration and Extension.
- (1) Approval of site plans shall be for a two (2)-year period and shall expire at the end of such period unless substantial construction of site improvements has begun in good faith, i.e. with the intent to continue with the construction and carry it through to the completion of the project.
 - (2) Upon written request by the applicant within thirty (30) days prior to the expiration of said approval, upon good cause shown, the Planning Commission may grant a one (1)-year extension of the aforesaid two (2)-year period.
 - (3) The Planning Commission shall acknowledge receipt of a request for an extension and shall render a decision thereon not more than thirty (30) days after its filing.

Sec. 1.18. Board of zoning appeals.

- A. *Membership of Board.* The Board of Zoning Appeals shall consist of five (5) members and one (1) alternate appointed by the Mayor and Council. Existing terms of office shall be continued. Any appointments after the adoption of this Ordinance shall be for terms of three (3) years.
- (1) Removal. Members may be removed from office by the Mayor and Council for (i) incompetence; (ii) misconduct; or (iii) in the same manner as for a member of a State board or commission: (a) failure to attend meetings under 8-501 of the State Government Article of the Annotated Code of Maryland; or (b) conviction of a crime in accordance with 8-502 of the State Government Article of the said Annotated Code. The Mayor and Council shall provide the member sought to be removed with a written statement of charges stating the grounds for removal and an opportunity for a public hearing to contest the charges.
 - (2) If any member leaves office before the conclusion of his/her term, the Mayor and Council shall appoint a replacement to serve the unexpired length of the term.
 - (3) Members may serve with such compensation as the Mayor and Council deem appropriate.
- B. *Organization, Meetings, Rules and Records of the Board.* The Board of Zoning Appeals shall elect a Chairperson from its membership. The Chairperson's term shall be one (1) year with eligibility for re-election. The alternate may sit on the Board in the absence of any member of the Board. When the alternate is absent, the Mayor and Council may designate a temporary alternate.

- (1) The Board shall adopt rules for the transaction of business that shall be posted in the office of the Community Development Director and available to the public in written form.
 - (2) The Board and/or its staff shall keep a record of its resolutions, transactions, testimony, findings, and determinations, all of which shall be public records for the purposes of the Maryland Public Information Act (Md. State Gov. Code Ann. §§ 10-611, et seq.), as may be amended from time to time.
 - (3) The Board may call upon any City official or department head for assistance in the performance of its duties, and it shall be the duty of such officers to render such assistance to the Board as may reasonably be required.
 - (4) It shall be the duty of the Community Development Director to serve as the secretary and administrative officer for the Board of Zoning Appeals.
- C. *Powers of the Board of Zoning Appeals.* With respect to zoning matters, the Board of Zoning Appeals shall have the following powers and functions.
- (1) Administrative Review. The Board of Zoning Appeals shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by any City agency or official in the administration or enforcement of this Ordinance.
 - (a) Any such appeal shall be filed within thirty (30) days after such alleged error, unless the appellant alleges and proves that he/she had no notice, knowledge or reason to believe that such error had been made and should not have known that it had been made, in which event, the appeal shall be filed within thirty (30) days from the date of the earliest to occur of the foregoing bases for extending the filing deadline. If such person has succeeded to his/her interest after such alleged error, then he/she shall be bound by the knowledge of his/her predecessor in interest.
 - (2) Interpretation of District Boundaries. The Board of Zoning Appeals may determine the exact location of zoning district boundaries as shown on the Official Zoning Map, consistent with the provisions of Section 1.8 hereof.
 - (3) Special Exceptions. The Board of Zoning Appeals shall hear and decide only such special exceptions as the Board of Zoning Appeals is specifically authorized to pass on according to the provisions of this Ordinance and to decide such questions as are involved in determining whether special exception may be granted.
 - (a) A special exception may be authorized when the Board of Zoning Appeals finds from a preponderance of the evidence of record that the proposed use or structure:
 - (i) Will be consistent with the City's Comprehensive Plan;
 - (ii) Will meet the standards and criteria applicable to such use and similar uses permitted as a matter of right within the subject Zoning District; and
 - (iii) Will not cause an adverse effect upon adjoining and surrounding properties unique and different, in kind, or degree, than that associated with such use, regardless of its location within the zone.
 - (b) Burden of Proof. The applicant for a special exception shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact, which are to be determined by the Board.
 - (4) Variances to authorize upon appeal in specific cases such variances from the terms of this Ordinance where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in practical difficulty.
 - (a) A variance from the terms of this Ordinance shall not be granted unless and until the applicant has demonstrated each of the following:

- (i) Special conditions and circumstances exist which are peculiar or unique to the land, structure or building involved in a manner different from the nature of the surrounding properties such that the peculiarity or uniqueness causes this Ordinance to impact disproportionately on the applicant's property;
 - (ii) The peculiarity or uniqueness of the special conditions or circumstances relate to inherent characteristics of the subject property which are not shared by neighboring properties, (e.g., shape, topography, subsurface conditions, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions and bearing and party walls) or other similar restrictions);
 - (iii) Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;
 - (iv) The special conditions or circumstances did not result from the actions of the applicant;
 - (v) Such modification will not be contrary to the public interest; and
 - (vi) Such variance will not involve allowing a use not permitted under the terms of this Ordinance in the district involved.
- (b) Administrative Variance. An administrative variance may be granted by the Community Development Director when special conditions and circumstances exist which are peculiar to the lot or parcel, and are not conditions resulting from an act or actions of an Applicant, and would make strict enforcement of this Ordinance unreasonable. Applicability for an administrative modification is relevant to how and when the subject lot was created, geophysical conditions, legal encumbrances or existing improvements associated with the subject lot or parcel. Examples include, but are not limited to, shape of lot, lot area, infrastructure, utility easements, buried or overhead electric lines, or a combination thereof. Modification(s) to development standards are not taken into consideration relative to the financial or physical condition of the applicant, nor for lots created after October 5, 1964 (Subdivision and Land Development Regulations).
- (i) The Community Development Director may only authorize an administrative variance if:
 - [a] The subject lot was created prior to October 5, 1964;
 - [b] If the project cannot be relocated on the subject lot to meet the requirements of the Zoning Ordinance; and
 - [c] The project cannot not be reduced in scope or size to conform to the Ordinance.
 - (ii) The Community Development Director may authorize the following administrative variances after making an on-site investigation and consulting with other appropriate agencies:
 - [a] An administrative variance of fifty percent (50%) or less in lot size or width.
 - [b] An administrative variance of fifty percent (50%) or less in front, side, or rear yard setbacks, including setbacks from alleys. Where lots front on a state highway, the State Highway Administration may vary the setback per their requirements.
 - [c] An administrative variance of seventy-five percent (75%) or less in side or rear yard setbacks for accessory structures and ADUs.
 - (iii) The Community Development Director may not authorize an administrative variance to beyond the extent required to meet the purposes for which it was sought. In the event

staff denies a request for an administrative modification, it may be appealed to the Board of Zoning Appeals.

- (iv) All other requests for variances must be heard by the Board of Zoning Appeals as a variance to the terms of Section 1.18C(4)(a).
- (c) **Persons with Disabilities.** After having received a complete written application, the Board of Zoning Appeals shall grant a variance allowing modifications to specific requirements of this Ordinance that the applicant proves to the satisfaction of the Board of Zoning Appeals are necessary to provide a reasonable accommodation under the Americans With Disabilities Act and/or the Federal Fair Housing Act and/or applicable State law, as amended, to serve persons who the applicant proves have disabilities as defined in and protected by such laws.
- (5) Variances shall not be considered based upon the financial condition of the applicant.
- (6) **Conditions.** In granting any variances or special exception, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance or special exception is granted, shall be punishable under the provisions of Section 1.21 hereof and at the discretion of the Board after notice and hearing and shall be grounds for termination or revocation of the variance or special exception itself.
- (7) **Limitation.** The Board of Zoning Appeals shall not have the authority to amend the Zoning Ordinance.
- (8) **Additional Powers of Board.** The Board shall have the authority to hear and decide appeals when it is alleged that there is an error in any order, requirement, decision or determination made by an administrative officer, including, but not limited to, the Community Development Director, or administrative unit in the implementation of this Ordinance.
- (9) **Non-Conforming Uses.** The Board may grant approval for the expansion or change of non-conforming uses in accordance with the provisions of Section 1.22.

D. *Who may file an Appeal or Application.*

- (1) With respect to zoning matters, applications to the Board may be filed by any person who has a financial or ownership interest in the property to be affected and who is:
 - (a) desirous of obtaining the grant of a special exception; or
 - (b) desirous of obtaining a grant for variance from the terms of this Ordinance; or
 - (c) desirous of obtaining an interpretation of a district boundary, consistent with the provisions of Section 1.8;
 - (d) requesting an administrative review or other review or approval specified by this Ordinance.
- (2) With respect to other matters, appeals to the Board may be filed by any person who is aggrieved by any order, requirements, decision, or determination of any City agency or official in connection with the administration and enforcement of this Ordinance.
- (3) Appeals and applications shall be made on forms provided by the Community Development Director.
- (4) The hearing shall be scheduled within ninety (90) days of the date in which the appeal application was filed.
- (5) Appeals and applications, accompanied with the required fees established by the Mayor and Council, shall be filed with the Community Development Director.
- (6) In the case of appeals, the Community Development Director shall transmit to the Board all papers constituting the record upon which the action appealed from was taken.

- E. *Hearing, Notice.* The Community Development Director shall fix a reasonable time for the hearing of appeals and applications, consistent with its rules of practice and procedure. Public notice shall be given by the Board for all hearings relating to zoning matters in accordance with the procedures set forth Section 1.10 hereof.
- F. *Calendar of the Board.* The Community Development Director may establish a regular calendar of hearing dates, which are intended to be used if applications are submitted that need action by the Board.
- G. *Advice of the Planning Commission.* Before deciding any application for special exception, variance, or administrative error review, the Board of Zoning Appeals shall request the advice of the Planning Commission in reference to such applications.
 - (1) The Board may request from the Planning Commission such technical information and advice as will further assist the Board in reaching decisions. Any written material forwarded by the Planning Commission shall be incorporated into the public record and be made available to the applicant.
 - (2) The advice of the Planning Commission shall not be binding upon the Board of Zoning Appeals. Lack of advisory action by the Planning Commission shall not delay action by the Board of Zoning Appeals.
- H. *Stay of Proceedings.* An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Community Development Director certifies to the Board of Zoning Appeals that by reasons of facts stated in the certificate a stay would, in the Community Development Director's opinion, cause imminent peril to life or property. Upon such certification, the stay shall terminate except that, upon good cause shown, the Board may order that the stay shall remain in effect only if good cause is shown, the Board of Zoning Appeals shall, by written order, permit such proceedings to go forward, in total or in part, or under such restrictions as the Board may deem appropriate or it shall order that the stay remain in effect if good cause is shown. A hearing pursuant to the certification shall be held as soon as is practicable.
- I. *Repeated Applications.* If an application or appeal is disapproved by the Board of Zoning Appeals, thereafter the Board shall not be required to accept for filing another application for substantially the same proposal on the same premises, until after one (1) year from the date of such disapproval.
 - (1) An appeal or application may be withdrawn prior to advertisement of the hearing without prejudice; however, the fees for such appeal or application may be retained by the City, at the discretion of the Community Development Director.
- J. *Limitation of Authority of the Board.* Nothing contained in this section shall be deemed to authorize the Board to reverse or modify any refusal of a permit or any other order, requirement, decision, or determination which conforms to the provisions of this Ordinance and which is therefore not erroneous; nor to authorize the Board to validate, ratify, or legalize any violation of law or of the provisions of this Ordinance.
 - (1) The Board shall not amend any of these provisions of this Ordinance including the Official Zoning Map; nor shall such authority be vested in the Board.

Sec. 1.22. Non-conformities.

- A. *Non-Conformities in General.*
 - (1) **Definition of Non-conformities.** Lots, structures, signs, uses of land, and/or uses of structures and land in combination which were lawful before this Ordinance was passed and amended, but which would not be permitted within the applicable district established by this Ordinance, as amended.
 - (2) **Purposes.** To seek the gradual conversion of non-conforming uses over time into more conforming uses and to carefully control increases in the severity of other non-conformities.
 - (3) **Non-conformities shall not be enlarged upon, expanded or extended except as provided in this Section 1.22.** Non-conformities shall not be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

- (4) To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which "actual construction" has been carried on diligently.
 - (5) Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. For the purposes of this subsection, excavation or demolition or removal shall be deemed to be actual construction provided that work shall be carried on diligently.
- B. *Non-Conforming Lots of Record.* In any district in which single-family detached dwellings are permitted, a single-family detached dwelling, customary accessory structure or ADU may be erected on a lot that was a single lot of record at the effective date of adoption of this Ordinance, or upon two (2) or more lots of record that are permanently merged, provided that all applicable requirements of this Ordinance (including but not limited to required yards) are met, regardless of whether such existing lot complies with minimum lot area and minimum lot width requirements.
- (1) Such lot shall be in separate ownership, not be of continuous frontage with other lots in the same ownership, have an absolute minimum lot area of one thousand (1,000) square feet, and not be further subdivided. This provision shall not permit construction upon a lot that according to an approved subdivision plan was not intended for building purposes.
 - (2) Any modification of yard requirements shall require a variance by the Board of Zoning Appeals.
 - (3) In addition, such a lot must be able to provide a safe water supply and be able to dispose of domestic waste without causing a health hazard.
- C. *Non-Conforming Structures and Signs.* Where a lawful structure or sign exists at the effective date of adoption or amendment of this Ordinance that could not be erected under the provisions of the ordinance, such structure or sign may be continued so long as it remains otherwise lawful, subject to the following provisions:
- (1) A structure or sign may be altered to simply decrease its nonconformity. No non-conforming structure or sign may be enlarged or altered in such a way as to increase its nonconformity.
 - (2) A non-conforming structure involving a non-conforming use shall also meet the applicable provisions for a non-conforming use.
 - (3) A non-conforming structure occupied by a conforming use may be expanded provided all requirements of this Ordinance are met for the expansion, including, but not limited to setbacks, height and maximum building coverage.
 - (4) Damage. If a non-conforming structure or sign is damaged or destroyed to an extent of more than fifty percent (50%) of its replacement cost at the time of damage or destruction, it shall not be reconstructed or restored except in conformance with the provisions of this Ordinance, provided however, that any dwelling lawfully existing at the time of the adoption of this Ordinance which shall be damaged to any extent may be repaired or reconstructed at its prior location notwithstanding any other provision of this Ordinance.
 - (5) Should such structure or sign be moved for any reason for any distance whatever by the owner thereof, it shall thereupon be required to conform to the regulations for the district in which it is located after it is moved, except that a structure or sign may be moved on a lot (such as further from a street) to simply make it less non-conforming.
- D. *Non-Conforming Uses Not Involving Significant Structures.* Where at the time of adoption of this Ordinance, lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, and where such use involved no individual structure with a floor area in excess of one hundred (100) square feet, the use may be continued so long as it remains otherwise lawful, provided:

- (1) No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the time the use became non-conforming.
 - (2) No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
 - (3) If any such non-conforming use of land ceases for any reason for a period of more than ninety (90) days, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
 - (4) No additional structure that does not conform to the requirements of this Ordinance shall be erected in connection with such non-conforming use of land.
- E. *Non-Conforming Uses Involving Significant Structures.* If a lawful existing use involves individual structure(s) with a total floor area in excess of one hundred (100) square feet exists at the effective date of this Ordinance, and such non-conforming use would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful subject to the following provisions:
- (1) No non-conforming structure shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered in such a way that will increase the extent of any dimensional nonconformity.
 - (2) Expansion.
 - (a) As a special exception, the Board of Zoning Appeals may permit a non-conforming use (other than a sign) to expand up to a maximum of fifty percent (50%) of the total floor area, the total building volume and the total land area occupied by the use, whichever is more restrictive, that existed on the date the use became non-conforming under the City Zoning Ordinance, provided that:
 - (i) No new nonconformity is created,
 - (ii) No existing dimensional nonconformity is made more severe, and
 - (iii) No additional non-conforming dwelling units or boarding house units are created.
 - (b) In addition, the Community Development Director may allow minor expansions of a non-conforming use to accommodate routine minor adjustments that will not increase the intensity of the use, such as construction of fire stairwells or handicapped access.
 - (3) Within Existing Building. Any non-conforming use may be extended throughout any parts of an existing building which were manifestly arranged or designed for such use at the time such use became non-conforming.
 - (4) Change in Use:
 - (a) A non-conforming use may be changed to a use permitted in the district in which it is located. If a non-conforming use is changed to a conforming use, a non-conforming use may not thereafter be resumed.
 - (b) As a special exception, a lawful non-conforming use may be changed to another non-conforming use, provided that the applicant proves that the new use will not be more intense in terms of external effects and nuisances than the previous use.
 - (5) Abandonment. When a non-conforming use involving a structure of over one hundred (100) square feet of floor area is discontinued or abandoned for twelve (12) consecutive months or for a minimum of eighteen (18) months during any three (3)-year period (except when government action impedes access to the premises), the right to continue a non-conforming use shall cease. In such case, the land and structures shall only be used in conformance with the regulations of the district in which they are located.

- (6) Destruction. Where non-conforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. Destruction for the purpose of this subject is defined as damage to an extent of more than fifty percent (50%) of the replacement cost at the time of destruction.
- (7) Number of Occupants. Where this Ordinance would require a lower number of occupants in a certain dwelling unit than City regulations that were in effect immediately before this Ordinance was adopted, such higher maximum number of occupants may continue within that dwelling unit as a non-conforming use, provided:
 - (a) The property owner or his/her successor provides evidence that such dwelling unit was registered with the City of Frostburg under the Rental Housing Code at the time this Ordinance was adopted, and continues to be registered,
 - (b) Such dwelling unit was inspected under the Rental Housing Code, and continues to be inspected as required,
 - (c) There continues to be compliance with the maximum number of occupants that were authorized by the Housing Inspector, and
 - (d) The number of dwelling units or rooming house units on the lot does not increase after the adoption of this Ordinance.

F. *Repairs and Maintenance.*

- (1) This Ordinance shall not regulate ordinary maintenance and repairs of nonconformities, provided the extent of the nonconformity is not increased.
- (2) If the non-conforming structure or portion of a structure containing a non-conforming use becomes physically unsafe or unlawful due to the lack of repairs and maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, or rebuilt except in conformity with the regulation of the district in which it is located.

G. *Uses Allowed Under Special Exception Provisions.*

- (1) Any use which exists at the effective date of this Ordinance which is permitted by this Ordinance as a special exception in the district where such use is located shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming special exception use.
- (2) Such use, however, shall be subject to the jurisdiction of the Board of Zoning Appeals as a special exception, and shall not be expanded or otherwise modified or enlarged except upon Board hearing and approval.

Sec. 2.1. Meaning of terms.

Accessory Dwelling Unit or ADU: a secondary dwelling unit that is on the same lot, parcel, or tract as a primary single-family detached dwelling unit and not greater than 75% of the size of and subordinate in use to the primary single-family detached dwelling unit. "Accessory dwelling unit" includes a structure that is separate from the primary single-family detached dwelling unit or attached as an addition, to the primary single-family detached dwelling unit. See standards in Section 8.10.

Accessory Structure: A structure that is a) subordinate to and serves the principal structure; b) is located on the same lot as the principal structure; and c) is not attached by any common wall or by a common roof to the main structure. Accessory structure under this Ordinance does not pertain to a separate dwelling unit not attached to the principal dwelling. This definition specifically excludes ADUs.

Accessory Use: A use which a) is subordinate to and services the principal use, b) takes place on the same lot as the principal use, and c) is a use which is clearly incidental to customarily found in connection with and, except

as otherwise provided in this Zoning Ordinance, is located on the same lot as the principal use of the premises. Accessory use under this ordinance does not pertain to a separate dwelling unit not attached to the principal dwelling.

Adult Day Care Center: A facility operated to provide, with or without charge, care for four (4) or more medically handicapped adults or elderly individuals in accordance with the Title 14 of the Maryland General Health Article.

Adult Day Care Home: A facility operated to provide, with or without charge, care for two (2) or three (3) medically handicapped adults or elderly individuals in accordance with the Title 14 of the Maryland General Health Article. An Adult Day Care Home shall be permitted as a Home Occupation, and operated in accordance with Section 8.1.

Adult Use: Any business, operation, or activity, in which a significant amount of the business consists of one (1) or more of the following, and which shall only be permitted in a zoning district where the use is specifically permitted by this Ordinance:

- (a) The conduct, promotion, delivery, provision, or performance of Adult Entertainment or Material; including, but not limited to, that occurring in, a, or in connection with a cabaret, lounge, nightclub, modeling studio, bar, restaurant, club, lodge, or similar establishment; or
- (b) The sale, rental, transfer, loan, dissemination, distribution, provision or promotion of Adult Entertainment or Material, in any format, form, or medium, including, but not limited to, books, magazines, newspapers, photographs, movies, videos, DVDs, CDs, or other audio/video recordings, other electronic recordings, and/or coin-operated pay-per-view viewing devices, including, but not limited to, the operation of an Adult Book or Video Store.

Adult Bookstore or Video Store: An Adult Use, whether or not containing viewing booths, theatres, or other performance viewing source, that involves the sale, rental, transfer, loan, dissemination, newspapers, photographs, movies, videos, DVDs, CDs, or other audio/video recordings, or other electronic recordings, or in the form of merchandise, objects, items, or devices.

Adult Entertainment or Material: Any performance, depiction, or text that is intended to cause or provide, or reasonably may be expected to cause or provide, sexual stimulation, sexual excitement, or sexual gratification, and;

- (a) In which an individual or individuals appear in a state of nudity or partial nudity; or
- (b) That consists, in whole or in part, of action, activity, poses, portrayal, depiction, or description of:
 - (i) Human genitals in a discernible state of sexual stimulation or arousal; or
 - (ii) Any act, which is, or may be considered, sexual in nature, whether real or simulated, or physical or attempted contact with clothed or unclothed genitals, pubic areas, and female breasts.
- (c) That consists of any merchandise, object, item or device that is designed and/or marketed with the intention of causing, or that reasonably may be expected to cause, sexual stimulation, sexual excitement, or sexual gratification.

Alley: A public way that primarily provides a means of access or travel between abutting properties and which has a maximum right-of-way of less than twenty (20) feet.

Basement: Any area fully or partially below the grade adjacent to a structure.

Bed and Breakfast: A private owner-occupied, single-family detached residential dwelling containing as the primary use, an aggregate of lodging rooms offered for rent with breakfast service to transient guests within a setting reflecting a residential rather than commercial character.

Board or Board of Zoning Appeals: The Board of Zoning Appeals of the City of Frostburg, Maryland.

Boarding Unit: A use within a single-family dwelling unit allowed only when a property owner is in residence in which a room or group of rooms forming a habitable unit, used or intended to be used for living or sleeping but not for cooking or taking of meals, is provided to either one (1) individual or two (2) individuals not related to the property owner; when a housekeeping unit as defined under the definition of "Family" in this Ordinance is not created; and when supported by off-street parking for unrelated occupants as set forth in Section 6.12 of this Ordinance.

Body Art Studio: A commercial use involving the marking of skin of persons with a design by process of pricking and/or engraving an indelible pigment or by raising scars, or similar method.

Building: A structure with a roof supported by walls, designed to be used as a place of occupancy, storage, or shelter, or commerce.

Building Code: The International Building Code, together with the revisions and amendments thereto which were most recently adopted by the Mayor and Council. As of the effective date of this Ordinance, the Mayor and Council have adopted the 2012 edition of the International Building Code.

Building Setback: A line beyond which the foundation wall, any enclosed or covered porch, vestibule, or other structure of a building or part thereof shall not project; except for the architectural features listed in Section 6.1J. For purposes of this Ordinance, the building setback shall be the same as the innermost edge of the required yards.

Building, Principal: A building that houses a principal use.

Bufferyard: A combination of a setback and a visual buffer or barrier, and is a yard or area together with the planting and/or structure required thereon. Both the amount of land and the type and amount of planting specified for each bufferyard requirement are designed to ameliorate potential adverse impacts between certain adjacent land uses, such as a single-family residence and a retail business.

Childcare Center: An agency, institution, or establishment, that for part or all of the day, or on a twenty-four (24)-hour basis on a regular schedule, and at least twice a week, offers or provides childcare to children who do not have the same parentage, except as otherwise provided for in law or regulation. Any childcare center must be licensed in accordance with the Family Law Article of the Annotated Code of Maryland.

Childcare Home, Family: A residence in which family childcare is provided for up to eight (8) children. Family childcare is care given to a child under the age of thirteen (13) years or to any developmentally disabled person under the age of twenty-one (21) years, in place of parental care for less than twenty-four (24) hours a day, in a residence other than the child's residence, for which the childcare provider is paid. Any family childcare home must be licensed in accordance with the Family Law Article of the Annotated Code of Maryland. A family childcare home shall be permitted as a Home Occupation, and operated in accordance with Section 8.1.

Churches and Places of Worship: Buildings regularly used for religious services or worship such as a churches, temples, synagogues or mosques.

Clubs and Lodges: Buildings or areas of land that: a) are used by recreational, civic, social, fraternal, religious, political, labor unions or similar organizations for meetings, socializing and recreation, b) are limited to use by bona fide members and their occasional guests, except for persons specifically invited for special celebrations, c) which are not open to the general public, and d) which are not operated as a for-profit business. Any use such as a tavern, restaurant or retail sales shall only be permitted if all of the requirements for such use are also met. Clubs and lodges shall not include: a) fraternities or sorority dwellings, or b) any residential uses.

Commercial: Any activity conducted with the intent of realizing a profit from the sale of goods or services.

Comprehensive Plan: The current Frostburg Comprehensive Plan, as adopted by the Mayor and Council, pursuant to the laws of Maryland, and any amendments thereto.

District: A designated area within the city wherein specific residential or business activities may occur.

Driveway: A privately owned vehicular access from a street or alley serving one (1) or two (2) lots.

Dwelling, Multifamily: A residential use consisting of a building containing three (3) or more dwelling units. For the purpose of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch).

Dwelling, Multifamily Apartments: A multifamily residential use other than a multifamily conversion or townhouse.

Dwelling, Primary with Accessory Apartment: See Accessory Dwelling Unit.

Dwelling, Single-family Detached: A residence consisting of a single detached building containing one (1) dwelling unit.

Dwelling, Townhouse: A building consisting of three (3) or more dwelling units, with each dwelling unit sharing a common vertical wall (including, without limitation, the wall of an attached garage or porch) with at least one (1) other dwelling unit, and where each dwelling unit must occupy the space from ground to the roof and each dwelling unit must have independent outside access. Each dwelling unit is located on a separate fee simple lot.

Dwelling, Twin: One (1) dwelling unit attached to only one (1) other dwelling unit, with the dwelling units separated by a solid vertical wall, with each dwelling unit occupying the space from the ground to the roof and an independent exterior entrance, with each dwelling unit being situated on its own fee-simple lot.

Dwelling, Two-Family: A building containing two (2) dwelling units, but not including a primary dwelling with an accessory apartment. If two (2) dwelling units share a common wall, even the wall of an attached garage or porch, the dwelling units shall be considered to be a two (2)-family dwelling.

Dwelling Unit: A single unit providing complete living facilities for at least one individual, but no more than one (1) "family" (as defined by this Section) unless specifically stated otherwise, including, at a minimum, provisions for sanitation, cooking, eating, and sleeping. The minimum size of a dwelling unit shall be dictated by the effective building and property maintenance codes adopted by the Mayor and Council.

Essential Services: Facilities owned or maintained by public or private companies or public agencies that are engaged in the delivery or transport of water, wastewater, stormwater, natural gas, electric power, telecommunications, or similar services but not including new construction of a) buildings or enclosed structures greater than one thousand (1,000) SF in area; b) utility storage yards; c) overhead power transmission poles, towers, or wires; d) cellular, relay, or transmitting radio or communication towers.

Family: An individual, or two (2) or more persons who are related, or a group of not more than four (4) persons who are not related living together as one (1) common housekeeping unit in a dwelling unit, unless specifically stated otherwise (such as the applicable district regulations or the group home regulations).

Farm Animals: Animals other than household pets, which are intended to be kept for commercial and/or family food production and sale, education, or recreation. Farm Animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, pigs, hogs and any manner of swine; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, and pigeons.

Fence: A fixed structure designed to prevent escape or intrusion or to define property.

Floor Area, Total: The gross area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Gambling: A use involving gaming, wagering, betting, or other games of chance where money or other items of value are at risk based upon the outcome of events which have not yet occurred.

Gambling Establishment: A use where the sole or primary purpose of the establishment is to offer patrons the opportunity to engage in gambling which shall include, but is not limited to, casinos or off-track betting parlors. A gambling establishment does not include fraternal clubs, religious or charitable organizations, which may, under the applicable laws of Maryland and Allegany County, utilize games of chance for fundraising activities to further charitable purposes. Gambling establishments shall not include restaurants, taverns, or stores that sell or promote games of chance sponsored or licensed by the State of Maryland.

Garage: A noncommercial structure used for the storage of vehicles and household items.

Group Home: A dwelling unit to house persons who need special care and oversight because of mental or developmental disability, old age, physical disability, physical or emotional abuse committed against themselves, or mental illness (other than mental illness that involves or has involved behavior related to violent crime). Such use shall function as a common household unit. See standards for Group Homes in Section 8.4. A Group Home shall not include any use that meets the definition of a "Treatment Center."

Historic District: See definitions in Section 4.1.

Home Occupation: A commercial activity that is a routine and customary accessory use to a dwelling unit, and that, if within a residential district, is conducted by a person on the same lot where such person resides. See standards in Section 8.1.

Hotel: See Motel.

Household: See the definition of "family."

Junkyard: An area used for the storage, dismantling, processing and/or sale of used, demolished, discarded, scrap and/or abandoned manufactured materials, including, but not limited to, furniture, tires, appliances, mobile homes, machinery, motor vehicles and their parts, and building materials.

- (a) A junkyard shall also include any area used for the parking or storage of motor vehicles that do not display evidence of: (i) current valid registration, (ii) registration that expired less than ninety (90) days previously.
- (b) The term junkyard shall not include: (i) a City-permitted recycling collection or recycling processing center, (ii) solid waste or recyclables within a suitable container routinely awaiting imminent proper disposal, or (iii) storage within a lawful completely enclosed storage building.

Kennel: A commercial operation that: (i) provides food and shelter and care of animals for the purpose not primarily related to medical care (a kennel may or may not run by or associated with a veterinarian), or (ii) engages in the breeding of animals for sale.

Light Wholesale and Distribution Establishments: A use primarily involving manufactured products, supplies, equipment, and/or commodities held for (a) direct sales to the consumer, and/or (b) indoor storage and subsequent distribution to other commercial entities or locations for sale or resale. Such uses shall be in similar character and scale as commercial uses within the district, and the use shall not create excess noise or traffic.

Loading Space, Off-Street: A space designed for bulk pickup and deliveries by transport or delivery vehicles and not designed as off-street parking.

Lot: A lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, lot coverage, and lot area and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and may consist of:

- (a) A single lot of record;
- (b) A portion of a lot of record;
- (c) A combination of complete lots of record, or complete lots of record and portions of lots of record.
- (d) A parcel of land described by metes and bounds, provided that no case of division of lots or combination of lots shall any residual lot or parcel be created which does not meet requirements of this Ordinance.

Lot Coverage: The total percentage of the lot area that is covered by all building(s) on the lot, unless specifically stated otherwise.

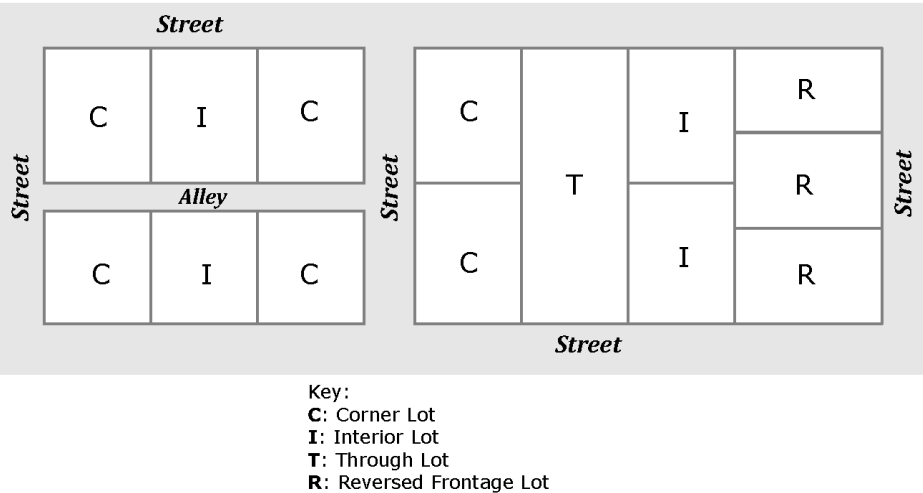
Lot Frontage: The front of a lot shall be the portion abutting or adjacent to the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot abutting or adjacent to streets shall be considered frontage, and front yards shall be provided along each street.

Lot Line, Front: A property line running along a public street right-of-way. If an undeveloped lot abuts or is adjacent to two (2) or more streets, the Community Development Director shall determine which is the front lot line.

Lot Line, Rear: The lot line or lines generally opposite or parallel to the front lot line. A through lot has no rear lot line.

Lot of Record: A lot which is recorded as a separate parcel of land in the official property records of Allegany County, Maryland, or which is designated on a plat for development submitted for approval by the Planning Commission or Board of Zoning Appeals.

Lot Types: See diagram and definitions below.



Lot, Corner: A lot located at the intersection of two (2) or more public streets.

Lot, Interior: A lot other than a corner lot with only one (1) frontage on a street other than alley.

Lot, Reverse Frontage: a lot in which the shorter roadway frontage is at right angles, or approximately right angles, to the general pattern established by other lots in the same block and in the block on the opposite side of the street. A reversed frontage lot may be a corner lot or an interior lot.

Lot, Through: a lot other than a corner lot with frontage on more than one (1) public street.

Major Renovation: Any structural change affecting the envelope of the building or resulting in a reconfiguration of interior space.

Mayor and Council: The Mayor and City Council of the City of Frostburg, Maryland.

Mining and Quarrying: the excavation of any natural mineral deposit(s) or soil(s) for commercial sale.

Mobile Home: A dwelling unit that: (i) is not constructed in accordance with the standards set forth in the City building code applicable to houses constructed on a conventional perimeter foundation; and (ii) is composed of one (1) or two (2) main components, each of which contains a steel frame and a tongue.

Mobile Home Park: A parcel of land upon which more than one (1) mobile home is located.

Modular Home: a dwelling unit constructed in accordance with the standards set forth in the city building code applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and which is designed to be supported by a conventional perimeter foundation. For the purposes of this

ordinance, a modular home shall be regulated in the same manner as a site-built home. This type of home is also known as a sectional home. A modular home is not considered a mobile home.

Motel or Hotel: An establishment serving overnight transient visitors to the area and consisting of five (5) or more sleeping rooms, with each room or suite of rooms in a permanent building, and with each room or suite of rooms having its own sanitary facilities. This term shall not include a boarding unit or recreational trailer park. A motel or hotel may include an attached accessory restaurant and meeting facilities.

Non-Conforming Use: Uses of land, and or uses of structures and land in combination which were lawful before this Ordinance was passed and amended, but which would not be permitted within the applicable district established by this Ordinance, as amended.

Open Space: Land intended for recreation or conservation of natural resources, and is free of residential, business, or industrial structures and uses.

Outdoor Storage: The storage of merchandise, material or equipment of any type, in conjunction with a permitted primary use, stored within view of any residential property or public right-of-way, and in accordance with Section 6.7 of this Ordinance.

Parking Lot, Commercial: Any combination of one (1) or more parking spaces designed or used for the parking of self-propelled vehicles and available to the public whether for a fee or as an accommodation to customers or clients.

Parking Space, Off-Street: A space adequate for parking an automobile that is constructed and provided in accordance with Section 6.12 of this Ordinance.

Permitted Principal Use: A by-right use that conforms to the regulations of the applicable district and other regulations pertinent to the use. Such use or structure may be conducted or erected on any legal lot within the districts.

Planning Commission: The Planning Commission of Frostburg, Maryland.

Premises: A tract of land including the structures and buildings thereon.

Principal Use: The primary activity for which a site or a structure is used. A principal use may be either a permitted principal use or a special exception.

Programmed Open Space: A dedicated open area, designed in such a manner that the structure and use of which will not disturb the underlying character of the district, either by reason of traffic movement, noise, appearance, or other characteristics.

Property Maintenance Code: The International Property Maintenance Code together with the revisions and amendments these to which were most recently adopted by the Mayor and Council. As of the effective date of this Ordinance, the Mayor and Council have adopted the 2012 edition of the International Property Maintenance Code.

Reclassification: The changing of the zoning classification which applies to a particular area of land or structure.

Recreational Trailer: A vehicle built on a chassis designed to be pulled by another vehicle and used as a temporary dwelling for travel or recreational purposes.

Recreational Vehicle: A vehicle built to be self-propelled and used as a temporary dwelling for travel or recreational purposes.

Related or Relative: Persons who are related by blood, marriage, adoption or formal foster relationship to result in one (1) or more of the following relationships: brother, sister, parent, child, grandparent, great-grandparent, grandchild, great-grandchild, uncle, aunt, niece, nephew, sister-in-law, brother-in-law, parent-in-law or first cousin. This term shall not include relationships such as second or more distant cousins. This term shall include similar "step" relationships established by marriage, such as step-father or step-son.

Residence: See "Dwelling."

Restaurant, Drive-In or Drive-Through: Any establishment where ready-to-eat food primarily intended for immediate consumption is available upon a short waiting time and packaged or presented so that it can readily be eaten inside the premises and whose method of operation is also to serve customers in motor vehicles either at a drive-through when or while parked.

Restaurant, Fast Food: An establishment where ready-to-eat food primarily intended for immediate consumption is available upon a short waiting time and wrapped or presented so that is can readily be eaten outside or inside the premises.

Restaurant, Standard: A food serving establishment whose principal business is the sale of food and the principal method of operation is its service when ordered from a menu to seated customers at a table, booth, or counter inside the establishment. A snack bar or refreshment stand at a public or non-profit community swimming pool, playground or park, operated solely for the convenience of its patrons shall not be considered a restaurant.

Self-Storage Facility: A commercial facility or structure in which the primary use is to provide separate indoor storage areas for personal or business use designed to allow private access by the tenant.

Semi-Public: Owned and operated by a civic or non-profit organization for the use or benefit of the general public.

Shopping Center: A group of three (3) or more retail stores, service establishments, and/or other similar uses in common ownership and designed as a unit.

Short-term Vacation Rentals: A dwelling unit in which the entire unit or separate portions thereof is available for rent for periods of less than forty-five (45) consecutive days to transient guests. Short-term vacation rentals shall conform to all applicable requirements set forth in the Short-Term Vacation Rental regulations set forth in Section 8.4 of the Zoning Ordinance.

Signs: See definitions in Part 7.

Sleeping Room: A room which is intended for people to sleep in. Such rooms that are part of a dwelling unit are not sleeping rooms.

Special Exception: A grant of a specific use that:

- (a) Would not be appropriate generally or without restriction; and
- (b) Shall be based on a finding that:
 - (i) The requirements of the zoning law governing the special exception on the subject property are satisfied; and
 - (ii) The use on the subject property is consistent with the plan and is compatible with the existing neighborhood.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, the space between such floor and the ceiling above it. A basement shall be counted as a story if an average of five (5) feet or more is located above the ground level at the front of the building and if the basement includes an inside height of at least seven (7) feet.

Street: Any vehicle accessway other than a named alley that is shown on the official and current State Transportation Map for the City of Frostburg or any accessway not designated as an alley that is dedicated for public use on a plat approved pursuant to law.

Street, Private: Any accessway that is intended to provide vehicular access to multiple properties that is not dedicated as a public thoroughfare.

Street, Public: A street that is, or will be at the conclusion of construction, a City of Frostburg right-of-way, in which the street is, or will be, maintained by the City.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. Also see Historic District Definition, Structure.

Townhouse: See Dwelling, Townhouse.

Treatment Center: A building, other than a prison, providing housing facilities for persons who need specialized housing, treatment and/or counseling because of:

- (a) Criminal rehabilitation, such as a criminal half-way house or a treatment/housing center for persons convicted of driving under the influence of alcohol,
- (b) Addiction to alcohol and/or a controlled substance, or
- (c) A type of mental illness that involves or has involved behavior related to violent felony crime. See also the definition of Group Home in this section.

Utility: Any entity which operates systems providing or offering to the public water filtration and supply, wastewater or stormwater collection and/or treatment, electric power, natural gas, telecommunications, or similar services.

Variance: A modification only of density, bulk or area requirements of this Zoning Ordinance where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property, and not the results of any action taken by the applicant, a literal enforcement of the Ordinance would result in practical difficulty.

Variance, Administrative: A variance that is issued by the Community Development Director, Section 1.18C(4).

Warehouse: A use primarily involving the manufactured products, supplies, equipment, and/or commodities held for a) indoor storage and subsequent distribution to other commercial entities or locations for sale or resale, and/or b) long-term indoor commercial storage.

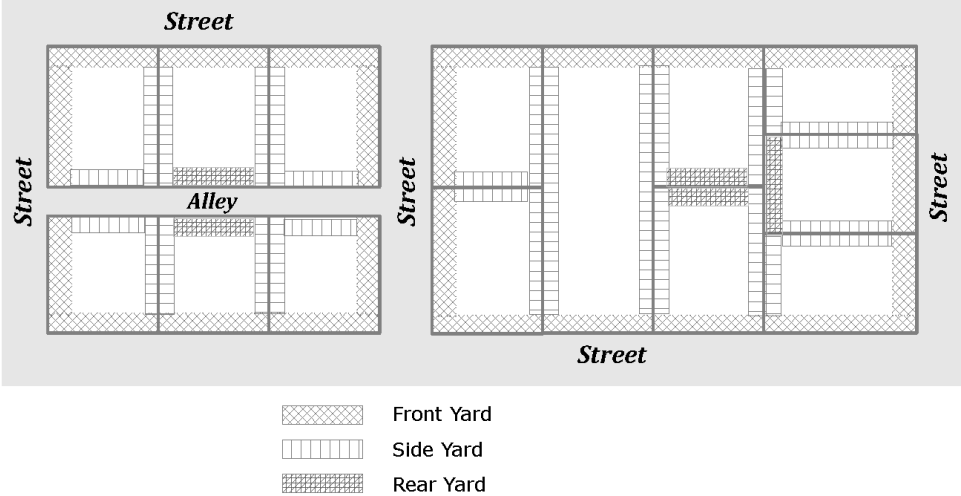
Waste Disposal Site: A facility or location where waste, refuse, and/or discarded materials are accommodated or left to be recycled.

Waterway, Intermittent: a stream that does not have flowing surface water during dry periods of the year, but may have groundwater-based surface flow at other times.

Waterway, Perennial: a stream or part of a stream that flows continuously all of the calendar year as a result of ground water discharge or surface runoff.

Wind Energy System: A structure and related devices not to exceed seventy-five feet (75') in height designed to convert kinetic wind energy to electric power to be installed on property containing or proposed to contain a permitted use but not attached to any existing or proposed building or other structure, installed for the purpose of direct consumption either on the subject property or for connection to the electric power grid to offset the cost of power to be consumed solely on the subject property. In addition, Wind Energy Systems as defined herein are not to be considered essential services as defined in Section 1.12 herein.

Yard: A required open space unoccupied and unobstructed by any structure or portion of a structure from thirty (30) inches above the general ground level of the graded lot upward, provided however, that fences and walls may be permitted in any yard subject to height limitation as indicated herein.



Yard, Front: An area bounded by the front yard setback line, the front lot line and the side lot line.

Yard, Rear: An area bounded by the rear setback line and the side setback line.

Yard, Side: An area bounded by the front setback line, the rear lot line, and the side setback line.

PART 3. PRIMARY DISTRICT REGULATIONS

USE REGULATIONS TABLE

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Residential											
Single-family Dwellings	P	P	P	P	P	P	P	P	SE		
Primary Dwelling with Accessory Apartment	P	P	P	P	P	P	P	P	SE		
Twin Dwellings	SE	P	P	P	P	P	P	P	SE		
Townhouse Dwelling	SE ¹	SE ¹	SE ¹	P ¹	P ¹	SE ¹	P ¹	SE ¹	SE ¹		
Two-family Dwellings		SE	SE	P	P	P	P	SE	SE		
Multifamily Dwellings			SE	P	P		P	SE	P ¹		
Boarding Units		SE	SE	SE	SE	SE	SE	SE	SE		
Group Homes	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P1			P ¹
Bed and Breakfasts		SE	SE	SE	SE	P	P	P	P		
Short-term Vacation Rentals		SE	P	P		SE	P	P	P		
Mobile Home Parks				SE			SE				
Treatment Centers											P
Home Occupations (Accessory Use)	See Section 8.1										

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Institutional											
Adult Day Care Center	SE	SE	SE	SE	SE	SE	SE	P	P		P
Assisted Living Centers or Nursing Homes		SE	SE	SE	SE	SE			P		P
Cemeteries	SE	SE	SE	SE	SE	P	P	P	P		
Childcare Centers	SE	SE	SE	SE	SE	SE	SE	P	P		
Churches and Places of Worship	SE	SE	SE	SE	SE	P	P	P	P		
Civic & Service Clubs, Fraternal Organizations						SE		P	P		
Colleges, Trade, or Hobby Schools							SE	SE	P		P
Community Centers	SE	SE	SE	SE	SE	P	P	P	P		
Funeral Homes		SE	SE	SE	SE	P		P	P		
Hospices									P		P
Hospitals									P		P
Libraries		SE	SE	SE	SE	P	P	P	P		
Private Primary or Secondary Schools	SE	SE	SE	SE	SE	SE	P	P	P		
Programmed Open Space	SE	SE	SE	SE	SE	P	P	P	P		

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Retail & Amusement											
Adult Use											SE
Auction Houses								P	SE		
Bars, Lounges, Taverns								SE	P		
Bowling Alleys, Billiard Parlors, Arcades & similar indoor amusement							SE	P	P		
Building/Lumber Sales and Storage								P			P
Clubs and Lodges, Dance Halls, Nightclubs								SE	P		

Country Clubs, golf, tennis, & swim clubs					SE						
Gambling											SE
Restaurant, Standard				SE	SE		p ¹	P	P	P	
Restaurant, Fast Food				SE	SE		p ¹	P	P	P	
Restaurant, Drive-in or Drive-through								SE	SE ¹	P	
Retail				SE	SE		p ¹	P	P	P	
Supermarkets, Farmers Markets, and Grocery				SE	SE		P	P	P	P	
Theatres							SE	P	P		

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Service											
Animal Groomers				SE			P	P	P		
Automobile Parking Lots and Decks							SE	P	SE		
Automobile Service Stations and Repair Garages								P		P	
Banks/Financial Institutions (with drive-through service)								SE	SE	P	
Banks/Financial Institutions (without drive-through service)				SE	SE		P	P	P	P	
Beauty shop, barber shop, nail salon, tanning, spas				SE	SE		P	P	P	P	
Body Art Studios				SE	SE		P	P	P	P	
Cleaners, Laundromats, etc.				SE	SE		P	P	P		
Contractor Offices									P		P
Fitness Centers							SE	P	SE		

Kennels								P ¹			SE
Medical Laboratories								P	SE		P
Medical or Dental Services					SE	P	P	P	P		
Motels and Hotels								P	P	P	
Personal service				SE	SE		P		P		
Professional Offices					SE	P	P	P	P		
Sales, Service, Commercial Washing of Motor Vehicles								P	SE		
Truck Stops and Rest Areas										P	
Veterinary Services								P			

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Industrial/Technology											
Light wholesale and distribution establishments								SE	SE		P
Manufacturing and Incidental Sales											P
Research, Experimental, or Testing Laboratories											P
Technological or Communication Enterprises											P
Warehousing											P
Wind Energy Systems	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

Key:

P - Permitted Use

SE - Special Exception

Blank Cell indicates use is not permitted

* No more than 2 unrelated persons per unit

¹ Subject to additional provisions in text

Note:

1. The above Use Regulations Table is provided for convenience only. In the event it conflicts with the text of this Ordinance, the text shall take precedence.
2. Accessory dwelling units are excluded from the Use Regulations Table. They are addressed in Section 8.10 hereinafter.

EXHIBIT B

Sec. 1.15. Building permits, zoning occupancy and land use permits.

B. ~~A.~~ Building Permits.

(2) Building Permit Required. No building permit shall be issued except in conformity with the provisions of this Ordinance. A Frostburg Building Permit issued by the Frostburg Community Development Department is required prior to the initiation of any of the following activities:

- [a] Erection of any building or structure.
- [b] Construction of an addition to any building or structure.
- [c] Relocation of any building or structure.
- [d] Major Renovation of any building or structure.
- [e] Demolition of any building or structure.
- [f] Grading.
- [g] Construction of driveways, parking, and sidewalks.
- [h] Construction of walls or fences.
- [i] Construction or installation of a new accessory structure.

[j] Construction or installation of an ADU

- [k] Installation of a permanent sign regulated by this Ordinance.
- [l] Renovations to accommodate a change in type of use.
- [m] Conversion of an unfinished and uninhabitable space to dwelling unit.
- [n] Renovation or Reconstruction of a structure following damages from a natural disaster, including but not limited to a fire or a severe weather event, or following a structural failure.

(22) ~~(2)~~ [sic] Application for ~~a~~ Building Permit. All applications for building permits shall be accompanied by site plans in triplicate, drawn to scale, showing the actual dimensions and shape of the lot to be built upon, the exact size and locations of already existing buildings on the lot, if any, and the location and dimensions of the proposed building or alteration.

- (a) The application shall include such other information as lawfully may be required by the Development Staff, including statements describing or identifying the existing and proposed building(s) and alteration(s); existing and proposed uses of the building(s) and land; the number of families, housekeeping units, or rental units the building(s) is/are designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Ordinance.
- (b) At least one (1) copy of the plan shall be maintained in the City's files.
- (c) Applications for building permits that are minor in nature and do not involve construction of a principal building shall, at a minimum, be accompanied by a sketch of the proposed project, and should include relevant information such as property lines, dimensions, and/or topography.

- (d) A review by the Chief of Police, the City Engineer, and/or the Allegany Soil Conservation District may be required in certain circumstances.

(3b) Expiration ~~of Permits~~. If the work described in any building permit has not begun within one (1) year from the date of issuance, said ~~certificate-permit~~ shall expire and it shall be canceled by the Development Staff.

(4a) Extension. A building permit may be extended for no more than one (1) additional six (6)-month period for a good cause as determined by the Development Staff.

(5b) Completion. If the work described in any building permit issued for other than a nonresidential principal building has not been substantially completed within one (1) year of the date of issuance thereof, or eighteen (18) months within the date of issuance if the permit has been extended as provided for in subsection (a) above, said permit shall expire automatically upon the expiration of the applicable term. Building permits for nonresidential principal buildings shall expire (2) years from the date of their issuance. Further work as described in the expired permit shall not proceed unless and until a new building permit has been obtained.

B. Zoning Use and Occupancy Permits.

(1) Use and Occupancy Permit. It shall be unlawful to use or occupy or permit the use or occupancy of any building or land, or both, or part thereof, hereafter created, erected, converted, or wholly or partly altered or enlarged in its use of structure until a zoning use and occupancy permit has been issued by the Community Development Director, stating that the proposed use of the buildings or land conforms to the ~~requirements~~ of this Ordinance.

(a) The structure must meet all code requirements and be verified by an authorized City Inspector prior to issuance of an Occupancy Permit.

(b) As an administrative matter, the Community Development Director may at his/her option waive, in writing, the requirement for an Occupancy Permit for minor residential additions and similar improvements.

(2) Relation to Building Permit. All inspections and utility hookups stipulated in the building permit as well as required outside agency approvals must be completed to the satisfaction of the City prior to issuance of an Occupancy ~~permit~~Permit.

(3) Temporary. A temporary occupancy permit may be issued by the Community Development Director for a period not exceeding six (6) months during the alterations or partial occupancy of a building pending its completion, provided that such temporary permit may require such conditions and safeguards as will protect the safety of the occupants and the public. In instances where a temporary occupancy permit is sought, the Community Development Director shall require the developer to post a bond or other surety in an amount sufficient to cover the costs of the completion of the building prior to issuance of the temporary occupancy permit. The form and content of the bond or other surety shall be subject to the approval of the Community Development Director.

(4) Records. The Community Development Director shall maintain a record of all zoning occupancy permits and copies shall be furnished upon request to any person.

(5) Rental Housing. The Community Development Director shall require an applicant to prove compliance with the City's Rental Housing Ordinance, as applicable.

C. Compliance with Submittals and Permits. Building Permits or Zoning Use and Occupancy Permits issued on the basis of site plans and applications approved by the Community Development Director and/or the Board of Zoning Appeals authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement or construction shall be deemed to be authorized by such approval.

- (1) Use, arrangement, or construction differing with that authorized may be deemed a violation of this Ordinance, and may be punishable as provided by Section 1.21 hereof.
- D. *Violation.* Failure to obtain a zoning use and occupancy or building permit shall be a violation of this Ordinance and punishable under Section 1.21.

Sec. 1.16. Site plan review and approval.

- A. Prior to issuing a zoning use and occupancy permit or building permit for construction, expansion, or change in use, a site plan and supporting documentation shall be submitted to the Planning Commission for its review and approval.
- B. The purpose of site plans are to assure detailed compliance with applicable provisions of enacted regulations and to prescribe standards for the design and construction of site improvements. Development requiring site plan approval shall be permitted only in accordance with all specifications contained on an approved site plan, and shall not be undertaken until the site plan is approved and all required construction permits have been obtained subsequent to such approval.
- C. Applicability. All development or land use activities within the City shall require site plan review before being undertaken, except for the following:
 - (1) Construction or expansion of a single-family dwelling, a twin-family dwelling, **an ADU**, and ordinary accessory structures.
 - (2) Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this Zoning Ordinance.
 - (3) Parking areas five (5) spaces or less in size.
 - (4) Ordinary repair, maintenance or alterations of the interiors of existing structures or uses.
 - (5) Exterior alterations or additions to existing structures which would not increase the square footage of the existing structure by more than one thousand (1,000) square feet or have a cost value of less than \$10,000.00.
 - (6) Agricultural or gardening uses.
 - (7) All signs except in conjunction with new development.
- D. Site plan applications shall include the information listed in Appendix A for preliminary and final site plans. The Planning Commission may, in its discretion, waive any information or preliminary requirements which are not relevant to the proposed use and site.
- E. The Planning Commission's review of the preliminary site plan shall include, but is not limited to, the following considerations:
 - (1) Adequacy and arrangement of vehicular traffic access and circulation, including emergency vehicle access.
 - (2) Location, arrangement, appearance and sufficiency (including, but not limited to, the size of the spaces provided) of off-street parking and loading.
 - (3) Location, arrangement, size and design of buildings, lighting, and signs.
 - (4) Relationship of the various uses to one another and their scale.
 - (5) Adequacy, type, and arrangement of trees, shrubs, and other landscaping constituting a visual and noise buffer between adjacent uses and adjoining lands.
 - (6) Adequacy of stormwater and sanitary waste disposal.

- (7) Adequacy of structures, roadways, and landscaping in areas susceptible to erosion, ponding, or flooding.
 - (8) Compatibility of development with natural features of the site and with surrounding land uses.
 - (9) Adequacy of open space for play areas, informal recreation and the retention of natural areas such as wildlife habitats, wetlands, and wooded areas.
 - (10) Adequacy for pedestrian access.
- F. The Planning Commission may require additional information which appears necessary for a complete assessment of the project.
- G. Major site plans shall be prepared by an engineer, architect, landscape architect, or land surveyor duly registered to practice in the State of Maryland.
- H. Upon receipt of the major site plan, the Planning Commission shall review the site plan, soliciting comments from other departments, agencies, and officials as may be appropriate. The site plan shall be approved if it meets the requirements of this section, Appendix A, other requirements of this Zoning Ordinance and all other Federal, State, and County regulations. Notice of approval or disapproval of the site plan shall be given in writing to the applicant.
- I. Construction of Required Improvements.
- (1) Upon approval of a site plan, the applicant shall then secure the necessary construction permits from appropriate agencies before commencing work. The applicant may construct only such improvements as have been approved by the Planning Commission and appropriate City review and approval agencies.
 - (2) The City may require inspection during and/or after construction of the site improvements.
- J. Expiration and Extension.
- (1) Approval of site plans shall be for a two (2)-year period and shall expire at the end of such period unless substantial construction of site improvements has begun in good faith, i.e. with the intent to continue with the construction and carry it through to the completion of the project.
 - (2) Upon written request by the applicant within thirty (30) days prior to the expiration of said approval, upon good cause shown, the Planning Commission may grant a one (1)-year extension of the aforesaid two (2)-year period.
 - (3) The Planning Commission shall ~~acknowledged~~acknowledge receipt of a request for an extension and shall render a decision thereon not more than thirty (30) days after its filing.

Sec. 1.18. Board of zoning appeals.

- A. *Membership of Board.* The Board of Zoning Appeals shall consist of five (5) members and one (1) alternate appointed by the Mayor and Council. Existing terms of office shall be continued. Any appointments after the adoption of this Ordinance shall be for terms of three (3) years.
- (1) *Removal.* Members may be removed from office by the Mayor and Council for (i) incompetence; (ii) misconduct; or (iii) in the same manner as for a member of a State board or commission: (a). failure to attend meetings under 8-501 of the State Government Article of the Annotated Code of Maryland; or (b) conviction of a crime in accordance with 8-502 of the State Government Article of the said Annotated Code. The Mayor and Council shall provide the member sought to be removed with a written statement of charges stating the grounds for removal and an opportunity for a public hearing to contest the charges.

- (2) If any member leaves office before the conclusion of his/her term, the Mayor and Council shall appoint a replacement to serve the unexpired length of the term.
 - (3) Members may serve with such compensation as the Mayor and Council deem appropriate.
- B. *Organization, Meetings, Rules and Records of the Board.* The Board of Zoning Appeals shall elect a Chairperson from its membership. The Chairperson's term shall be one (1) year with eligibility for re-election. The alternate may sit on the Board in the absence of any member of the Board. When the alternate is absent, the Mayor and Council may designate a temporary alternate.
- (1) The Board shall adopt rules for the transaction of business that shall be posted in the office of the Community Development Director and available to the public in written form.
 - (2) The Board and/or its staff shall keep a record of its resolutions, transactions, testimony, findings, and determinations, all of which shall be public records for the purposes of the Maryland Public Information Act (Md. State Gov. Code Ann. §§ 10-611, et seq.), as may be amended from time to time.
 - (3) The Board may call upon any City official or department head for assistance in the performance of its duties, and it shall be the duty of such officers to render such assistance to the Board as may reasonably be required.
 - (4) It shall be the duty of the Community Development Director to serve as the secretary and administrative officer for the Board of Zoning Appeals.
- C. *Powers of the Board of Zoning Appeals.* With respect to zoning matters, the Board of Zoning Appeals shall have the following powers and functions.
- (1) *Administrative Review.* The Board of Zoning Appeals shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by any City agency or official in the administration or enforcement of this Ordinance.
 - (a) Any such appeal shall be filed within thirty (30) days after such alleged error, unless the appellant alleges and proves that he/she had no notice, knowledge or reason to believe that such error had been made and should not have known that it had been made, in which event, the appeal shall be filed within thirty (30) days from the date of the earliest to occur of the foregoing bases for extending the filing deadline. If such person has succeeded to his/her interest after such alleged error, then he/she shall be bound by the knowledge of his/her predecessor in interest.
 - (2) *Interpretation of District Boundaries.* The Board of Zoning Appeals may determine the exact location of zoning district boundaries as shown on the Official Zoning Map, consistent with the provisions of Section 1.8 hereof.
 - (3) *Special Exceptions.* The Board of Zoning Appeals shall hear and decide only such special exceptions as the Board of Zoning Appeals is specifically authorized to pass on according to the provisions of this Ordinance and to decide such questions as are involved in determining whether special exception may be granted.
 - (a) A special exception may be authorized when the Board of Zoning Appeals finds from a preponderance of the evidence of record that the proposed use or structure:
 - (i) Will be consistent with the City's Comprehensive Plan;
 - (ii) Will meet the standards and criteria applicable to such use and similar uses permitted as a matter of right within the subject Zoning District; and
 - (iii) Will not cause an adverse effect upon adjoining and surrounding properties unique and different, in kind, or degree, than that associated with such use, regardless of its location within the zone.

- (b) Burden of Proof. The applicant for a special exception shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact, which are to be determined by the Board.
- (4) Variances to authorize upon appeal in specific cases such variances from the terms of this Ordinance where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in practical difficulty.
 - (a) A variance from the terms of this Ordinance shall not be granted unless and until the applicant has demonstrated each of the following:
 - (i) Special conditions and circumstances exist which are peculiar or unique to the land, structure or building involved in a manner different from the nature of the surrounding properties such that the peculiarity or uniqueness causes this Ordinance to impact disproportionately on the applicant's property;
 - (ii) The peculiarity or uniqueness of the special conditions or circumstances relate to inherent characteristics of the subject property which are not shared by neighboring properties, (e.g., shape, topography, subsurface conditions, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions and bearing and party walls) or other similar restrictions);
 - (iii) Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;
 - (iv) The special conditions or circumstances did not result from the actions of the applicant;
 - (v) Such modification will not be contrary to the public interest; and
 - (vi) Such variance will not involve allowing a use not permitted under the terms of this Ordinance in the district involved.
 - (b) Administrative Variance. An administrative variance may be granted by the Community Development Director when special conditions and circumstances exist which are peculiar to the lot or parcel, and are not conditions resulting from an act or actions of an Applicant, and would make strict enforcement of this Ordinance unreasonable. Applicability for an administrative modification is relevant to how and when the subject lot was created, geophysical conditions, legal encumbrances or existing improvements associated with the subject lot or parcel. Examples include, but are not limited to, shape of lot, lot area, infrastructure, utility easements, buried or overhead electric lines, or a combination thereof. Modification(s) to development standards are not taken into consideration relative to the financial or physical condition of the applicant, nor for lots created after October 5, 1964 (Subdivision and Land Development Regulations).
 - (i) The Community Development Director may only authorize an administrative variance if:
 - [a] The subject lot was created prior to October 5, 1964;
 - [b] If the project cannot be relocated on the subject lot to meet the requirements of the Zoning Ordinance; and
 - [c] The project cannot not be reduced in scope or size to conform to the Ordinance.
 - (ii) The Community Development Director may authorize the following administrative variances after making an on-site investigation and consulting with other appropriate agencies:
 - [a] An administrative variance of fifty percent (50%) or less in lot size or width.

- [b] An administrative variance of fifty percent (50%) or less in front, side, or rear yard setbacks, including setbacks from alleys. Where lots front on a state highway, the State Highway Administration may vary the setback per their requirements.
 - [c] An administrative variance of seventy-five percent (75%) or less in side or rear yard setbacks for accessory structures and ADUs.
- (iii) The Community Development Director may not authorize an administrative variance to beyond the extent required to meet the purposes for which it was sought. In the event staff denies a request for an administrative modification, it may be appealed to the Board of Zoning Appeals.
- (iv) All other requests for variances must be heard by the Board of Zoning Appeals as a variance to the terms of Section 1.18C(4)(a).
- (c) Persons with Disabilities. After having received a complete written application, the Board of Zoning Appeals shall grant a variance allowing modifications to specific requirements of this Ordinance that the applicant proves to the satisfaction of the Board of Zoning Appeals are necessary to provide a reasonable accommodation under the Americans With Disabilities Act and/or the Federal Fair Housing Act and/or applicable State law, as amended, to serve persons who the applicant proves have disabilities as defined in and protected by such laws.
- (5) Variances shall not be considered based upon the financial condition of the applicant.
- (6) Conditions. In granting any variances or special exception, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance or special exception is granted, shall be punishable under the provisions of Section 1.21 hereof and at the discretion of the Board after notice and hearing and shall be grounds for termination or revocation of the variance or special exception itself.
- (7) Limitation. The Board of Zoning Appeals shall not have the authority to amend the Zoning Ordinance.
- (8) Additional Powers of Board. The Board shall have the authority to hear and decide appeals when it is alleged that there is an error in any order, requirement, decision or determination made by an administrative officer, including, but not limited to, the Community Development Director, or administrative unit in the implementation of this Ordinance.
- (9) Non-Conforming Uses. The Board may grant approval for the expansion or change of non-conforming uses in accordance with the provisions of Section 1.22.
- D. *Who may file an Appeal or Application.*
 - (1) With respect to zoning matters, applications to the Board may be filed by any person who has a financial or ownership interest in the property to be affected and who is:
 - (a) desirous of obtaining the grant of a special exception; or
 - (b) desirous of obtaining a grant for variance from the terms of this Ordinance; or
 - (c) desirous of obtaining an interpretation of a district boundary, consistent with the provisions of Section 1.8;
 - (d) requesting an administrative review or other review or approval specified by this Ordinance.
 - (2) With respect to other matters, appeals to the Board may be filed by any person who is aggrieved by any order, requirements, decision, or determination of any City agency or official in connection with the administration and enforcement of this Ordinance.
 - (3) Appeals and applications shall be made on forms provided by the Community Development Director.

- (4) The hearing shall be scheduled within ninety (90) days of the date in which the appeal application was filed.
 - (5) Appeals and applications, accompanied with the required fees established by the Mayor and Council, shall be filed with the Community Development Director.
 - (6) In the case of appeals, the Community Development Director shall transmit to the Board all papers constituting the record upon which the action appealed from was taken.
- E. *Hearing, Notice.* The Community Development Director shall fix a reasonable time for the hearing of appeals and applications, consistent with its rules of practice and procedure. Public notice shall be given by the Board for all hearings relating to zoning matters in accordance with the procedures set forth Section 1.10 hereof.
- F. *Calendar of the Board.* The Community Development Director may establish a regular calendar of hearing dates, which are intended to be used if applications are submitted that need action by the Board.
- G. *Advice of the Planning Commission.* Before deciding any application for special exception, variance, or administrative error review, the Board of Zoning Appeals shall request the advice of the Planning Commission in reference to such applications.
- (1) The Board may request from the Planning Commission such technical information and advice as will further assist the Board in reaching decisions. Any written material forwarded by the Planning Commission shall be incorporated into the public record and be made available to the applicant.
 - (2) The advice of the Planning Commission shall not be binding upon the Board of Zoning Appeals. Lack of advisory action by the Planning Commission shall not delay action by the Board of Zoning Appeals.
- H. *Stay of Proceedings.* An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Community Development Director certifies to the Board of Zoning Appeals that by reasons of facts stated in the certificate a stay would, in the Community Development Director's opinion, cause imminent peril to life or property. Upon such certification, the stay shall terminate except that, upon good cause shown, the Board may order that the stay shall remain in effect only if good cause is shown the Board of Zoning Appeals shall by written order permit such proceedings to go forward, in total or in part or under such restrictions as the Board may deem appropriate or it shall order that the stay remain in effect if good cause is shown. A hearing pursuant to the certification shall be held as soon as is practicable.
- I. *Repeated Applications.* If an application or appeal is disapproved by the Board of Zoning Appeals, thereafter the Board shall not be required to accept for filing another application for substantially the same proposal on the same premises, until after one (1) year from the date of such disapproval.
- (1) An appeal or application may be withdrawn prior to advertisement of the hearing without prejudice; however, the fees for such appeal or application may be retained by the City, at the discretion of the Community Development Director.
- J. *Limitation of Authority of the Board.* Nothing contained in this section shall be deemed to authorize the Board to reverse or modify any refusal of a permit or any other order, requirement, decision, or determination which conforms to the provisions of this Ordinance and which is therefore not erroneous; nor to authorize the Board to validate, ratify, or legalize any violation of law or of the provisions of this Ordinance.
- (1) The Board shall not amend any of these provisions of this Ordinance including the Official Zoning Map; nor shall such authority be vested in the Board.

Sec. 1.22. Non-conformities.

- A. *Non-Conformities in General.*

- (1) Definition of Non-conformities. Lots, structures, signs, uses of land, and/or uses of structures and land in combination which were lawful before this Ordinance was passed and amended, but which would not be permitted within the applicable district established by this Ordinance, as amended.
 - (2) Purposes. To seek the gradual conversion of non-conforming uses over time into more conforming uses and to carefully control increases in the severity of other non-conformities.
 - (3) Non-conformities shall not be enlarged upon, expanded or extended except as provided in this Section 1.22. Non-conformities shall not be used as grounds for adding other structures or uses prohibited elsewhere in the same district.
 - (4) To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which "actual construction" has been carried on diligently.
 - (5) Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. For the purposes of this subsection, excavation or demolition or removal shall be deemed to be actual construction provided that work shall be carried on diligently.
- B. *Non-Conforming Lots of Record.* In any district in which single-family detached dwellings are permitted, a single-family detached dwelling ~~and~~ customary accessory ~~structures~~ structure or ADU may be erected on a lot that was a single lot of record at the effective date of adoption of this Ordinance, or upon two (2) or more lots of record that are permanently merged, ~~providing provided~~ that all applicable requirements of this Ordinance (including but not limited to required yards) are met, regardless of whether such existing lot complies with minimum lot area and minimum lot width requirements.
- (1) Such lot shall be in separate ownership, not be of continuous frontage with other lots in the same ownership, have an absolute minimum lot area of one thousand (1,000) square feet, and not be further subdivided. This provision shall not permit construction upon a lot that according to an approved subdivision plan was not intended for building purposes.
 - (2) Any modification of yard requirements shall require a variance by the Board of Zoning Appeals.
 - (3) In addition, such a lot must be able to provide a safe water supply and be able to dispose of domestic waste without causing a health hazard.
- C. *Non-Conforming Structures and Signs.* Where a lawful structure or sign exists at the effective date of adoption or amendment of this Ordinance that could not be erected under the provisions of the ordinance, such structure or sign may be continued so long as it remains otherwise lawful, subject to the following provisions:
- (1) A structure or sign may be altered to simply decrease its nonconformity. No non-conforming structure or sign may be enlarged or altered in such a way as to increase its nonconformity.
 - (2) A non-conforming structure involving a non-conforming use shall also meet the applicable provisions for a non-conforming use.
 - (3) A non-conforming structure occupied by a conforming use may be expanded provided all requirements of this Ordinance are met for the expansion, including, but not limited to setbacks, height and maximum building coverage.
 - (4) Damage. If a non-conforming structure or sign is damaged or destroyed to an extent of more than fifty percent (50%) of its replacement cost at the time of damage or destruction, it shall not be reconstructed or restored except in conformance with the provisions of this Ordinance, provided however, that any dwelling lawfully existing at the time of the adoption of this Ordinance which shall be damaged to any extent may be repaired or reconstructed at its prior location notwithstanding any other provision of this Ordinance.

- (5) Should such structure or sign be moved for any reason for any distance whatever by the owner thereof, it shall thereupon be required to conform to the regulations for the district in which it is located after it is moved, except that a structure or sign may be moved on a lot (such as further from a street) to simply make it less non-conforming.
- D. *Non-Conforming Uses Not Involving Significant Structures.* Where at the time of adoption of this Ordinance, lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, and where such use involved no individual structure with a floor area in excess of one hundred (100) square feet, the use may be continued so long as it remains otherwise lawful, provided:
- (1) No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the time the use became non-conforming.
 - (2) No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
 - (3) If any such non-conforming use of land ceases for any reason for a period of more than ninety (90) days, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
 - (4) No additional structure that does not conform to the requirements of this Ordinance shall be erected in connection with such non-conforming use of land.
- E. *Non-Conforming Uses Involving Significant Structures.* If a lawful existing use involves individual structure(s) with a total floor area in excess of one hundred (100) square feet exists at the effective date of this Ordinance, and such non-conforming use would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful subject to the following provisions:
- (1) No non-conforming structure shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered in such a way that will increase the extent of any dimensional nonconformity.
 - (2) Expansion.
 - (a) As a special exception, the Board of Zoning Appeals may permit a non-conforming use (other than a sign) to expand up to a maximum of fifty percent (50%) of the total floor area, the total building volume and the total land area occupied by the use, whichever is more restrictive, that existed on the date the use became non-conforming under the City Zoning Ordinance, provided that:
 - (i) No new nonconformity is created,
 - (ii) No existing dimensional nonconformity is made more severe, and
 - (iii) No additional non-conforming dwelling units or boarding house units are created.
 - (b) In addition, the Community Development Director may allow minor expansions of a non-conforming use to accommodate routine minor adjustments that will not increase the intensity of the use, such as construction of fire stairwells or handicapped access.
 - (3) Within Existing Building. Any non-conforming use may be extended throughout any parts of an existing building which were manifestly arranged or designed for such use at the time such use became non-conforming.
 - (4) Change in Use:
 - (a) A non-conforming use may be changed to a use permitted in the district in which it is located. If a non-conforming use is changed to a conforming use, a non-conforming use may not thereafter be resumed.

- (b) As a special exception, a lawful non-conforming use may be changed to another non-conforming use, provided that the applicant proves that the new use will not be more intense in terms of external effects and nuisances than the previous use.
- (5) Abandonment. When a non-conforming use involving a structure of over one hundred (100) square feet of floor area is discontinued or abandoned for twelve (12) consecutive months or for a minimum of eighteen (18) months during any three (3)-year period (except when government action impedes access to the premises), the right to continue a non-conforming use shall cease. In such case, the land and structures shall only be used in conformance with the regulations of the district in which they are located.
- (6) Destruction. Where non-conforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. Destruction for the purpose of this subject is defined as damage to an extent of more than fifty percent (50%) of the replacement cost at the time of destruction.
- (7) Number of Occupants. Where this Ordinance would require a lower number of occupants in a certain dwelling unit than City regulations that were in effect immediately before this Ordinance was adopted, such higher maximum number of occupants may continue within that dwelling unit as a non-conforming use, provided:
 - (a) The property owner or his/her successor provides evidence that such dwelling unit was registered with the City of Frostburg under the Rental Housing Code at the time this Ordinance was adopted, and continues to be registered,
 - (b) Such dwelling unit was inspected under the Rental Housing Code, and continues to be inspected as required,
 - (c) There continues to be compliance with the maximum number of occupants that were authorized by the Housing Inspector, and
 - (d) The number of dwelling units or rooming house units on the lot does not increase after the adoption of this Ordinance.
- F. *Repairs and Maintenance.*
 - (1) This Ordinance shall not regulate ordinary maintenance and repairs of nonconformities, provided the extent of the nonconformity is not increased.
 - (2) If the non-conforming structure or portion of a structure containing a non-conforming use becomes physically unsafe or unlawful due to the lack of repairs and maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, or rebuilt except in conformity with the regulation of the district in which it is located.
- G. *Uses Allowed Under Special Exception Provisions.*
 - (1) Any use which exists at the effective date of this Ordinance which is permitted by this Ordinance as a special exception in the district where such use is located shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming special exception use.
 - (2) Such use, however, shall be subject to the jurisdiction of the Board of Zoning Appeals as a special exception, and shall not be expanded or otherwise modified or enlarged except upon Board hearing and approval.

PART 2. DEFINITIONS

Sec. 2.1. Meaning of terms.

Accessory Dwelling Unit or ADU: a secondary dwelling unit that is on the same lot, parcel, or tract as a primary single-family detached dwelling unit and not greater than 75% of the size of and subordinate in use to the primary single-family detached dwelling unit. "Accessory dwelling unit" includes a structure that is separate from the primary single-family detached dwelling unit or attached as an addition, to the primary single-family detached dwelling unit. See standards in Section 8.10.

Accessory Structure: A structure that is a) subordinate to and serves the principal structure; b) is located on the same lot as the principal structure; and c) is not attached by any common wall or by a common roof to the main structure. Accessory structure under this Ordinance does not pertain to a separate dwelling unit not attached to the principal dwelling. **This definition specifically excludes ADUs.**

Accessory Use: A use which a) is subordinate to and services the principal use, b) takes place on the same lot as the principal use, and c) is a use which is clearly incidental to customarily found in connection with and, except as otherwise provided in this Zoning Ordinance, is located on the same lot as the principal use of the premises. Accessory use under this ordinance does not pertain to a separate dwelling unit not attached to the principal dwelling.

Adult Day Care Center: A facility operated to provide, with or without charge, care for four (4) or more medically handicapped adults or elderly individuals in accordance with the Title 14 of the Maryland General Health Article.

Adult Day Care Home: A facility operated to provide, with or without charge, care for two (2) or three (3) medically handicapped adults or elderly individuals in accordance with the Title 14 of the Maryland General Health Article. An Adult Day Care Home shall be permitted as a Home Occupation, and operated in accordance with Section 8.1.

Adult Use: Any business, operation, or activity, in which a significant amount of the business consists of one (1) or more of the following, and which shall only be permitted in a zoning district where the use is specifically permitted by this Ordinance:

- (a) The conduct, promotion, delivery, provision, or performance of Adult Entertainment or Material; including, but not limited to, that occurring in, a, or in connection with a cabaret, lounge, nightclub, modeling studio, bar, restaurant, club, lodge, or similar establishment; or
- (b) The sale, rental, transfer, loan, dissemination, distribution, provision or promotion of Adult Entertainment or Material, in any format, form, or medium, including, but not limited to, books, magazines, newspapers, photographs, movies, videos, DVDs, CDs, or other audio/video recordings, other electronic recordings, and/or coin-operated pay-per-view viewing devices, including, but not limited to, the operation of an Adult Book or Video Store.

Adult Bookstore or Video Store: An Adult Use, whether or not containing viewing booths, theatres, or other performance viewing source, that involves the sale, rental, transfer, loan, dissemination, newspapers, photographs, movies, videos, DVDs, CDs, or other audio/video recordings, or other electronic recordings, or in the form of **merchandise**, objects, items, or devices.

Adult Entertainment or Material: Any performance, depiction, or text that is intended to cause or provide, or reasonably may be expected to cause or provide, sexual stimulation, sexual excitement, or sexual gratification, and;

- (a) In which an individual or individuals appear in a state of nudity or partial nudity; or
- (b) That consists, in whole or in part, of action, activity, poses, portrayal, depiction, or description of:
 - (i) Human genitals in a discernible state of sexual stimulation or arousal; or

- (ii) Any act, which is, or may be considered, sexual in nature, whether real or simulated, or physical or attempted contact with clothed or unclothed genitals, pubic areas, and female breasts.
- (c) That consists of any merchandise, object, item or device that is designed and/or marketed with the intention of causing, or that reasonably may be expected to cause, sexual stimulation, sexual excitement, or sexual gratification.

Alley: A public way that primarily provides a means of access or travel between abutting properties and which has a maximum right-of-way of less than twenty (20) feet.

Basement: Any area fully or partially below the grade adjacent to a structure.

Bed and Breakfast: A private owner-occupied, single-family detached residential dwelling containing as the primary use, an aggregate of lodging rooms offered for rent with breakfast service to transient guests within a setting reflecting a residential rather than commercial character.

Board or Board of Zoning Appeals: The Board of Zoning Appeals of the City of Frostburg, Maryland.

Boarding Unit: A use within a single-family dwelling unit allowed only when a property owner is in residence in which a room or group of rooms forming a habitable unit, used or intended to be used for living or sleeping but not for cooking or taking of meals, is provided to either one (1) individual or two (2) individuals not related to the property owner; when a housekeeping unit as defined under the definition of "Family" in this Ordinance is not created; and when supported by off-street parking for unrelated occupants as set forth in Section 6.12 of this Ordinance.

Body Art Studio: A commercial use involving the marking of skin of persons with a design by process of pricking and/or engraving an indelible pigment or by raising scars, or similar method.

Building: A structure with a roof supported by walls, designed to be used as a place of occupancy, storage, or shelter, or commerce.

Building Code: The International Building Code, together with the revisions and amendments thereto which were most recently adopted by the Mayor and Council. As of the effective date of this Ordinance, the Mayor and Council have adopted the 2012 edition of the International Building Code.

Building Setback: A line beyond which the foundation wall, any enclosed or covered porch, vestibule, or other structure of a building or part thereof shall not project; except for the architectural features listed in Section 6.1J. For purposes of this Ordinance, the building setback shall be the same as the innermost edge of the required yards.

Building, Principal: A building that houses a principal use.

Bufferyard: A combination of a setback and a visual buffer or barrier, and is a yard or area together with the planting and/or structure required thereon. Both the amount of land and the type and amount of planting specified for each bufferyard requirement are designed to ameliorate potential adverse impacts between certain adjacent land uses, such as a single-family residence and a retail business.

Childcare Center: An agency, institution, or establishment, that for part or all of the day, or on a twenty-four (24)-hour basis on a regular schedule, and at least twice a week, offers or provides childcare to children who do not have the same parentage, except as otherwise provided for in law or regulation. Any childcare center must be licensed in accordance with the Family Law Article of the Annotated Code of Maryland.

Childcare Home, Family: A residence in which family childcare is provided for up to eight (8) children. Family childcare is care given to a child under the age of thirteen (13) years or to any developmentally disabled person under the age of twenty-one (21) years, in place of parental care for less than twenty-four (24) hours a day, in a residence other than the child's residence, for which the childcare provider is paid. Any family childcare home must be licensed in accordance with the Family Law Article of the Annotated Code of Maryland. A family childcare home shall be permitted as a Home Occupation, and operated in accordance with Section 8.1.

Churches and Places of Worship: Buildings regularly used for religious services or worship such as a churches, temples, synagogues or mosques.

Clubs and Lodges: Buildings or areas of land that: a) are used by recreational, civic, social, fraternal, religious, political, labor unions or similar organizations for meetings, socializing and recreation, b) are limited to use by bona fide members and their occasional guests, except for persons specifically invited for special celebrations, c) which are not open to the general public, and d) which are not operated as a for-profit business. Any use such as a tavern, restaurant or retail sales shall only be permitted if all of the requirements for such use are also met. Clubs and lodges shall not include: a) fraternities or sorority dwellings, or b) any residential uses.

Commercial: Any activity conducted with the intent of realizing a profit from the sale of goods or services.

Comprehensive Plan: The current Frostburg Comprehensive Plan, as adopted by the Mayor and Council, pursuant to the laws of Maryland, and any amendments thereto.

District: A designated area within the city wherein specific residential or business activities may occur.

Driveway: A privately owned vehicular access from a street or alley serving one (1) or two (2) lots.

Dwelling, Multifamily: A residential use consisting of a building containing three (3) or more dwelling units. For the purpose of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch).

Dwelling, Multifamily Apartments: A multifamily residential use other than a multifamily conversion or townhouse.

Dwelling, Primary with Accessory Apartment: a residence with the external appearance of a single family residence, but in which there is located a second living quarters on the property, which is no larger than twenty-five percent (25%) of the total floor area of the principal structure. Common terms for such use are in-law suite or guesthouse. A primary dwelling with accessory apartment shall be limited to the occupancy limit for one dwelling unit as set forth by the zoning district. See Accessory Dwelling Unit.

Dwelling, Single-family Detached: A residence consisting of a single detached building containing one (1) dwelling unit.

Dwelling, Townhouse: A building consisting of three (3) or more dwelling units, with each dwelling unit sharing a common vertical wall (including, without limitation, the wall of an attached garage or porch) with at least one (1) other dwelling unit, and where each dwelling unit must occupy the space from ground to the roof and each dwelling unit must have independent outside access. Each dwelling unit is located on a separate fee simple lot.

Dwelling, Twin: One (1) dwelling unit attached to only one (1) other dwelling unit, with the dwelling units separated by a solid vertical wall, with each dwelling unit occupying the space from the ground to the roof and an independent exterior entrance, with each dwelling unit being situated on its own fee-simple lot.

Dwelling, Two-Family: A building containing two (2) dwelling units, but not including a primary dwelling with an accessory apartment. If two (2) dwelling units share a common wall, even the wall of an attached garage or porch, the dwelling units shall be considered to be a two (2)-family dwelling.

Dwelling Unit: An enclosure containing sleeping, kitchen and complete bathroom facilities designed for and used, or held ready for use, A single unit providing complete living facilities for at least one individual, but no more than as a residence by a maximum of only one (1) "family" (as defined by this Section), unless specifically stated otherwise, including, at a minimum, provisions for sanitation, cooking, eating, and sleeping. The minimum size of a dwelling unit shall be dictated by the effective building and property maintenance codes adopted by the Mayor and Council.

Essential Services: Facilities owned or maintained by public or private companies or public agencies that are engaged in the delivery or transport of water, wastewater, stormwater, natural gas, electric power, telecommunications, or similar services but not including new construction of a) buildings or enclosed structures greater than one thousand (1,000) SF in area; b) utility storage yards; c) overhead power transmission poles, towers, or wires; d) cellular, relay, or transmitting radio or communication towers.

Family: An individual, or two (2) or more persons who are related, or a group of not more than four (4) persons who are not related living together as one (1) common housekeeping unit in a dwelling unit, unless specifically stated otherwise (such as the applicable district regulations or the group home regulations).

Farm Animals: Animals other than household pets, which are intended to be kept for commercial and/or family food production and sale, education, or recreation. Farm Animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, pigs, hogs and any manner of swine; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, and pigeons.

Fence: A fixed structure designed to prevent escape or intrusion or to define property.

Floor Area, Total: The gross area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Gambling: A use involving gaming, wagering, betting, or other games of chance where money or other items of value are at risk based upon the outcome of events which have not yet occurred.

Gambling Establishment: A use where the sole or primary purpose of the establishment is to offer patrons the opportunity to engage in gambling which shall include, but is not limited to, casinos or off-track betting parlors. A gambling establishment does not include fraternal clubs, religious or charitable organizations, which may, under the applicable laws of Maryland and Allegany County, utilize games of chance for fundraising activities to further charitable purposes. Gambling establishments shall not include restaurants, taverns, or stores that sell or promote games of chance sponsored or licensed by the State of Maryland.

Garage: A noncommercial structure used for the storage of vehicles and household items.

Group Home: A dwelling unit to house persons who need special care and oversight because of mental or developmental disability, old age, physical disability, physical or emotional abuse committed against themselves, or mental illness (other than mental illness that involves or has involved behavior related to violent crime). Such use shall function as a common household unit. See standards for Group Homes in Section 8.4. A Group Home shall not include any use that meets the definition of a "Treatment Center."

Historic District: See definitions in Section 4.1.

Home Occupation: A commercial activity that is a routine and customary accessory use to a dwelling unit, and that, if within a residential district, is conducted by a person on the same lot where such person resides. See standards in Section 8.1.

Hotel: See Motel.

Household: See the definition of "family."

Junkyard: An area used for the storage, dismantling, processing and/or sale of used, demolished, discarded, scrap and/or abandoned manufactured materials, including, but not limited to, furniture, tires, appliances, mobile homes, machinery, motor vehicles and their parts, and building materials.

(a)1- A junkyard shall also include any area used for the parking or storage of motor vehicles that do not display evidence of: (i) current valid registration, (ii) registration that expired less than ninety (90) days previously.

(b)2- The term junkyard shall not include: (i) a City-permitted recycling collection or recycling processing center, (ii) solid waste or recyclables within a suitable container routinely awaiting imminent proper disposal, or (iii) storage within a lawful completely enclosed storage building.

Kennel: A commercial operation that: (i) provides food and shelter and care of animals for the purpose not primarily related to medical care (a kennel may or may not run by or associated with a veterinarian), or (ii) engages in the breeding of animals for sale.

Light Wholesale and Distribution Establishments: A use primarily involving manufactured products, supplies, equipment, and/or commodities held for (a) direct sales to the consumer, and/or (b) indoor storage and

subsequent distribution to other commercial entities or locations for sale or resale. Such uses shall be in similar character and scale as commercial uses within the district, and the use shall not create excess noise or traffic.

Loading Space, Off-Street: A space designed for bulk pickup and deliveries by transport or delivery vehicles and not designed as off-street parking.

Lot: A lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, lot coverage, and lot area and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and may consist of:

- (a1) A single lot of record;
- (b2) A portion of a lot of record;
- (c3) A combination of complete lots of record, or complete lots of record and portions of lots of record.
- (d4) A parcel of land described by metes and bounds, provided that no case of division of lots or combination of lots shall any residual lot or parcel be created which does not meet requirements of this Ordinance.

Lot Coverage: The total percentage of the lot area that is covered by all building(s) on the lot, unless specifically stated otherwise.

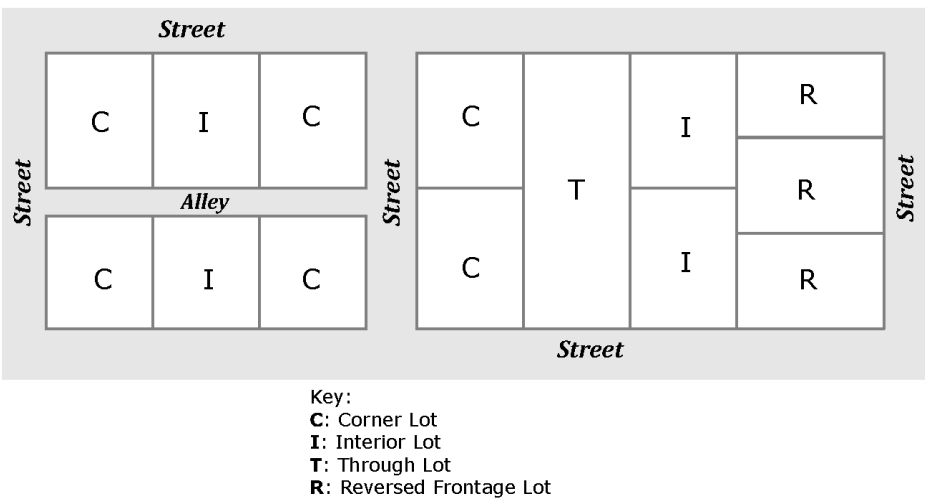
Lot Frontage: The front of a lot shall be the portion abutting or adjacent to the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot abutting or adjacent to streets shall be considered frontage, and front yards shall be provided along each street.

Lot Line, Front: A property line running along a public street right-of-way. If an undeveloped lot abuts or is adjacent to two (2) or more streets, the Community Development Director shall determine which is the front lot line.

Lot Line, Rear: The lot line or lines generally opposite or parallel to the front lot line. A through lot has no real lot line.

Lot of Record: A lot which is recorded as a separate parcel of land in the official property records of Allegany County, Maryland, or which is designated on a plat for development submitted for approval by the Planning Commission or Board of Zoning Appeals.

Lot Types: See diagram and definitions below.



Corner Lot, *Corner*: A lot located at the intersection of two (2) or more public streets.

Interior Lot, *Interior*: A lot other than a corner lot with only one (1) frontage on a street other than alley.

~~*Through Lot:* a lot other than a corner lot with frontage on more than one (1) public street.~~

~~*Reversed Frontage Lot*~~*Lot, Reverse Frontage:* a lot in which the shorter roadway frontage is at right angles, or approximately right angles, to the general pattern established by other lots in the same block and in the block on the opposite side of the street. A reversed frontage lot may be a corner lot or an interior lot.

~~*Lot, Through:* a lot other than a corner lot with frontage on more than one (1) public street.~~

Major Renovation: Any structural change affecting the envelope of the building or resulting in a reconfiguration of interior space.

Mayor and Council: The Mayor and City Council of the City of Frostburg, Maryland.

Mining and Quarrying: the excavation of any natural mineral deposit(s) or soil(s) for commercial sale.

Mobile Home: A dwelling unit that: (i) is not constructed in accordance with the standards set forth in the City building code applicable to houses constructed on a conventional perimeter foundation; and (ii) is composed of one (1) or two (2) main components, each of which contains a steel frame and a tongue.

Mobile Home Park: A parcel of land upon which more than one (1) mobile home is located.

Modular Home: a dwelling unit constructed in accordance with the standards set forth in the city building code applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and which is designed to be supported by a conventional perimeter foundation. For the purposes of this ordinance, a modular home shall be regulated in the same manner as a site-built home. This type of home is also known as a sectional home. A modular home is not considered a mobile home.

Motel or Hotel: An establishment serving overnight transient visitors to the area and consisting of five (5) or more sleeping rooms, with each room or suite of rooms in a permanent building, and with each room or suite of rooms having its own sanitary facilities. This term shall not include a boarding unit or recreational trailer park. A motel or hotel may include an attached accessory restaurant and meeting facilities.

Non-Conforming Use: Uses of land, and or uses of structures and land in combination which were lawful before this Ordinance was passed and amended, but which would not be permitted within the applicable district established by this Ordinance, as amended.

Open Space: Land intended for recreation or conservation of natural resources, and is free of residential, business, or industrial structures and uses.

Outdoor Storage: The storage of merchandise, material or equipment of any type, in conjunction with a permitted primary use, stored within view of any residential property or public right-of-way, and in accordance with Section 6.7 of this Ordinance.

Parking Lot, Commercial: Any combination of one (1) or more parking spaces designed or used for the parking of self-propelled vehicles and available to the public whether for a fee or as an accommodation to customers or clients.

Parking Space, Off-Street: A space adequate for parking an automobile that is constructed and provided in accordance with Section 6.12 of this Ordinance.

Permitted Principal Use: A by-right use that conforms to the regulations of the applicable district and other regulations pertinent to the use. Such use or structure may be conducted or erected on any legal lot within the districts.

Planning Commission: The Planning Commission of Frostburg, Maryland.

Premises: A tract of land including the structures and buildings thereon.

Principal Use: The primary activity for which a site or a structure is used. A principal use may be either a permitted principal use or a special exception.

Programmed Open Space: A dedicated open area, designed in such a manner that the structure and use of which will not disturb the underlying character of the district, either by reason of traffic movement, noise, appearance, or other characteristics.

Property Maintenance Code: The International Property Maintenance Code together with the revisions and amendments these to which were most recently adopted by the Mayor and Council. As of the effective date of this Ordinance, the Mayor and Council have adopted the 2012 edition of the International Property Maintenance Code.

Reclassification: The changing of the zoning classification which applies to a particular area of land or structure.

Recreational Trailer: A vehicle built on a chassis designed to be pulled by another vehicle and used as a temporary dwelling for travel or recreational purposes.

Recreational Vehicle: A vehicle built to be self-propelled and used as a temporary dwelling for travel or recreational purposes.

Related or Relative: Persons who are related by blood, marriage, adoption or formal foster relationship to result in one (1) or more of the following relationships: brother, sister, parent, child, grandparent, great-grandparent, grandchild, great-grandchild, uncle, aunt, niece, nephew, sister-in-law, brother-in-law, parent-in-law or first cousin. This term shall not include relationships such as second or more distant cousins. This term shall include similar "step" relationships established by marriage, such as step-father or step-son.

Residence: See "Dwelling."

Restaurant, Drive-In or Drive-Through: Any establishment where ready-to-eat food primarily intended for immediate consumption is available upon a short waiting time and packaged or presented so that it can readily be eaten inside the premises and whose method of operation is also to serve customers in motor vehicles either at a drive-through when or while parked.

Restaurant, Fast Food: An establishment where ready-to-eat food primarily intended for immediate consumption is available upon a short waiting time and wrapped or presented so that it can readily be eaten outside or inside the premises.

Restaurant, Standard: A food serving establishment whose principal business is the sale of food and the principal method of operation is its service when ordered from a menu to seated customers at a table, booth, or counter inside the establishment. A snack bar or refreshment stand at a public or non-profit community swimming pool, playground or park, operated solely for the convenience of its patrons shall not be considered a restaurant.

Self-Storage Facility: A commercial facility or structure in which the primary use is to provide separate indoor storage areas for personal or business use designed to allow private access by the tenant.

Semi-Public: Owned and operated by a civic or non-profit organization for the use or benefit of the general public.

Shopping Center: A group of three (3) or more retail stores, service establishments, and/or other similar uses in common ownership and designed as a unit.

Short-term Vacation Rentals: A dwelling unit in which the entire unit or separate portions thereof is available for rent for periods of less than forty-five (45) consecutive days to transient guests. Short-term vacation rentals shall conform to all applicable requirements set forth in the Short-Term Vacation Rental regulations set forth in Section 8.4 of the Zoning Ordinance.

Signs: See definitions in Part 7.

Sleeping Room: A room which is intended for people to sleep in. Such rooms that are part of a dwelling unit are not sleeping rooms.

Special Exception: A grant of a specific use that:

- (a) Would not be appropriate generally or without restriction; and

- (b) Shall be based on a finding that:
 - (i) The requirements of the zoning law governing the special exception on the subject property are satisfied; and
 - (ii) The use on the subject property is consistent with the plan and is compatible with the existing neighborhood.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, the space between such floor and the ceiling above it. A basement shall be counted as a story if an average of five (5) feet or more is located above the ground level at the front of the building and if the basement includes an inside height of at least seven (7) feet.

Street: Any vehicle accessway other than a named alley that is shown on the official and current State Transportation Map for the City of Frostburg or any accessway not designated as an alley that is dedicated for public use on a plat approved pursuant to law.

Street, Private: Any accessway that is intended to provide vehicular access to multiple properties that is not dedicated as a public thoroughfare.

Street, Public: A street that is, or will be at the conclusion of construction, a City of Frostburg right-of-way, in which the street is, or will be, maintained by the City.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. Also see Historic District Definition, Structure.

Townhouse: See Dwelling, Townhouse.

Treatment Center: A building, other than a prison, providing housing facilities for persons who need specialized housing, treatment and/or counseling because of:

- (a) Criminal rehabilitation, such as a criminal half-way house or a treatment/housing center for persons convicted of driving under the influence of alcohol,
- (b) Addiction to alcohol and/or a controlled substance, or
- (c) A type of mental illness that involves or has involved behavior related to violent felony crime. See also the definition of Group Home in this section.

Utility: Any entity which operates systems providing or offering to the public water filtration and supply, wastewater or stormwater collection and/or treatment, electric power, natural gas, telecommunications, or similar services.

Variance: A modification only of density, bulk or area requirements of this Zoning Ordinance where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property, and not the results of any action taken by the applicant, a literal enforcement of the Ordinance would result in practical difficulty.

Variance, Administrative: A variance that is issued by the Community Development Director, Section 1.18C(4).

Warehouse: A use primarily involving the manufactured products, supplies, equipment, and/or commodities held for a) indoor storage and subsequent distribution to other commercial entities or locations for sale or resale, and/or b) long-term indoor commercial storage.

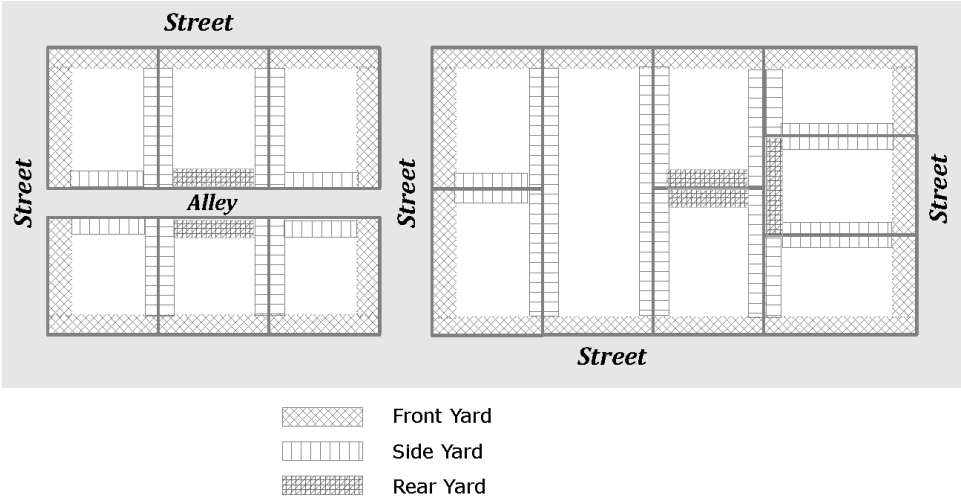
Waste Disposal Site: A facility or location where waste, refuse, and/or discarded materials are accommodated or left to be recycled.

Waterway, Intermittent: a stream that does not have flowing surface water during dry periods of the year, but may have groundwater-based surface flow at other times.

Waterway, Perennial: a stream or part of a stream that flows continuously all of the calendar year as a result of ground water discharge or surface runoff.

Wind Energy System: A structure and related devices not to exceed seventy-five feet (75') in height designed to convert kinetic wind energy to electric power to be installed on property containing or proposed to contain a permitted use but not attached to any existing or proposed building or other structure, installed for the purpose of direct consumption either on the subject property or for connection to the electric power grid to offset the cost of power to be consumed solely on the subject property. In addition, Wind Energy Systems as defined herein are not to be considered essential services as defined in Section 1.12 herein.

Yard: A required open space unoccupied and unobstructed by any structure or portion of a structure from thirty (30) inches above the general ground level of the graded lot upward, provided however, that fences and walls may be permitted in any yard subject to height limitation as indicated herein.



Yard, Front: An area bounded by the front yard setback line, the front lot line and the side lot line.

Yard, Rear: An area bounded by the rear setback line and the side setback line.

Yard, Side: An area bounded by the front setback line, the rear lot line, and the side setback line.

(Ord. No. 2022-02, §§ 2, 3, 2-17-2022)

PART 3. PRIMARY DISTRICT REGULATIONS

USE REGULATIONS TABLE

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Residential											
Single-family Dwellings	P	P	P	P	P	P	P	P	SE		
Primary Dwelling with Accessory Apartment	P	P	P	P	P	P	P	P	SE		
Twin Dwellings	SE	P	P	P	P	P	P	P	SE		
Townhouse Dwelling	SE ¹	SE ¹	SE ¹	P ¹	P ¹	SE ¹	P ¹	SE ¹	SE ¹		
Two-family Dwellings		SE	SE	P	P	P	P	SE	SE		

Multifamily Dwellings			SE	P	P		P	SE	P ¹		
Boarding Units		SE	SE	SE	SE	SE	SE	SE	SE		
Group Homes	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹			P ¹
Bed and Breakfasts		SE	SE	SE	SE	P	P	P	P		
Short-term Vacation Rentals		SE	P	P		SE	P	P	P		
Mobile Home Parks				SE			SE				
Treatment Centers											P
Home Occupations (Accessory Use)	See Section 8.1										

Key:

P—Permitted Use

SE—Special Exception

Blank Cell indicates use is not permitted

* No more than 2 unrelated persons per unit

¹Subject to additional provisions in text

Table above is provided for convenience, in the event that the table and text of this Ordinance conflict, the text shall take precedence.

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Institutional											
Adult Day Care Center	SE	SE	SE	SE	SE	SE	SE	P	P		P
Assisted Living Centers or Nursing Homes		SE	SE	SE	SE	SE			P		P
Cemeteries	SE	SE	SE	SE	SE	P	P	P	P		
Childcare Centers	SE	SE	SE	SE	SE	SE	SE	P	P		
Churches and Places of Worship	SE	SE	SE	SE	SE	P	P	P	P		
Civic & Service Clubs, Fraternal Organizations						SE		P	P		
Colleges, Trade, or Hobby Schools							SE	SE	P		P
Community Centers	SE	SE	SE	SE	SE	P	P	P	P		
Funeral Homes		SE	SE	SE	SE	P		P	P		
Hospices									P		P
Hospitals									P		P
Libraries		SE	SE	SE	SE	P	P	P	P		

Private Primary or Secondary Schools	SE	SE	SE	SE	SE	SE	P	P	P		
Programmed Open Space	SE	SE	SE	SE	SE	P	P	P	P		

Key:

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*** No more than 2 unrelated persons per unit**

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Table above is provided for convenience, in the event that the table and text of this Ordinance conflict, the text shall take precedence.

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Retail & Amusement											
Adult Use											SE
Auction Houses								P	SE		
Bars, Lounges, Taverns								SE	P		
Bowling Alleys, Billiard Parlors, Arcades & similar indoor amusement							SE	P	P		
Building/Lumber Sales and Storage								P			P
Clubs and Lodges, Dance Halls, Nightclubs								SE	P		
Country Clubs, golf, tennis, & swim clubs					SE						
Gambling											SE
Restaurant, Standard				SE	SE		p ¹	P	P	P	
Restaurant, Fast Food				SE	SE		p ¹	P	P	P	
Restaurant, Drive-in or Drive-through								SE	SE ¹	P	
Retail				SE	SE		p ¹	P	P	P	

Supermarkets, Farmers Markets, and Grocery				SE	SE		P	P	P	P	
Theatres							SE	P	P		

Key:

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SE—Special Exception

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±Subject to additional provisions in text

Table above is provided for convenience, in the event that the table and text of this Ordinance conflict, the text shall take precedence.

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Service											
Animal Groomers				SE			P	P	P		
Automobile Parking Lots and Decks							SE	P	SE		
Automobile Service Stations and Repair Garages								P		P	
Banks/Financial Institutions (with drive-through service)								SE	SE	P	
Banks/Financial Institutions (without drive-through service)				SE	SE		P	P	P	P	
Beauty shop, barber shop, nail salon, tanning, spas				SE	SE		P	P	P	P	
Body Art Studios				SE	SE		P	P	P	P	
Cleaners, Laundromats, etc.				SE	SE		P	P	P		
Contractor Offices									P		P
Fitness Centers							SE	P	SE		
Kennels								p ¹			SE
Medical Laboratories								P	SE		P
Medical or Dental Services					SE	P	P	P	P		

Motels and Hotels								P	P	P	
Personal service				SE	SE		P		P		
Professional Offices					SE	P	P	P	P		
Sales, Service, Commercial Washing of Motor Vehicles								P	SE		
Truck Stops and Rest Areas										P	
Veterinary Services								P			

Key:

P—Permitted Use

SE—Special Exception

Blank Cell indicates use is not permitted

* No more than 2 unrelated persons per unit

¹Subject to additional provisions in text

Table above is provided for convenience, in the event that the table and text of this Ordinance conflict, the text shall take precedence.

Use Description	Zoning Districts										
	R1*	R2*	R2-A*	R3	R4*	RO	C1	C2	C3	C4	T-LI
Industrial/Technology											
Light wholesale and distribution establishments								SE	SE		P
Manufacturing and Incidental Sales											P
Research, Experimental, or Testing Laboratories											P
Technological or Communication Enterprises											P
Warehousing											P
Wind Energy Systems	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

Key:

P - Permitted Use

SE - Special Exception

Blank Cell indicates use is not permitted

* No more than 2 unrelated persons per unit

¹Subject to additional provisions in text

Note:

3. ~~The above Use Regulations Table~~ ~~Table above~~ is provided for convenience ~~only, in.~~ In the event ~~that~~ ~~the table~~ it conflicts with the text of this Ordinance ~~and text of this Ordinance conflict~~, the text shall take precedence.
4. Accessory dwelling units are excluded from the Use Regulations Table. They are addressed in Section 8.10 hereinafter.

~~{Ord. No. 2018-02, § 2, 5-17-2018; Ord. No. 2022-02, § 4, 2-17-2022; Ord. No. 2024-02, § 1, 10-15-2024}~~

~~{Ord. No. 2018-02, § 2, 5-17-2018; Ord. No. 2019-04, § 2, 5-16-2019}~~

~~Editor's note(s)—See editor's note following § 8.3.~~

RESOLUTION 2024-46

A RESOLUTION OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND AUTHORIZING A COST-SHARE AGREEMENT WITH EVERGREEN ASSOCIATES, LLC FOR THE INSTALLATION OF A SIDEWALK ON WELSH STREET.

WHEREAS, the City of Frostburg supports investment and redevelopment of historic structures within the community; and,

WHEREAS, Evergreen Associates, LLC is making a significant investment into redeveloping the Prichard Building on Main Street; and,

WHEREAS, the installation of a sidewalk on Welsh Street, from Main Street to 1st Street, will benefit both the renovation of the Prichard Building as well as City’s Main Street Community and Arts and Entertainment District.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of Frostburg, Maryland hereby authorize a cost-share agreement with Evergreen Associates, LLC to install a sidewalk and curb along Welsh Street, from Main Street to 1st Street in an amount not to exceed 50% or \$25,000 of total project costs, whichever is lesser, and in which the City will pay the contractor performing the work directly.

ADOPTED this 20th day of October 2026.

Frostburg Mayor and Council

BY _____
Todd J. Logsdon, Mayor

Attest:

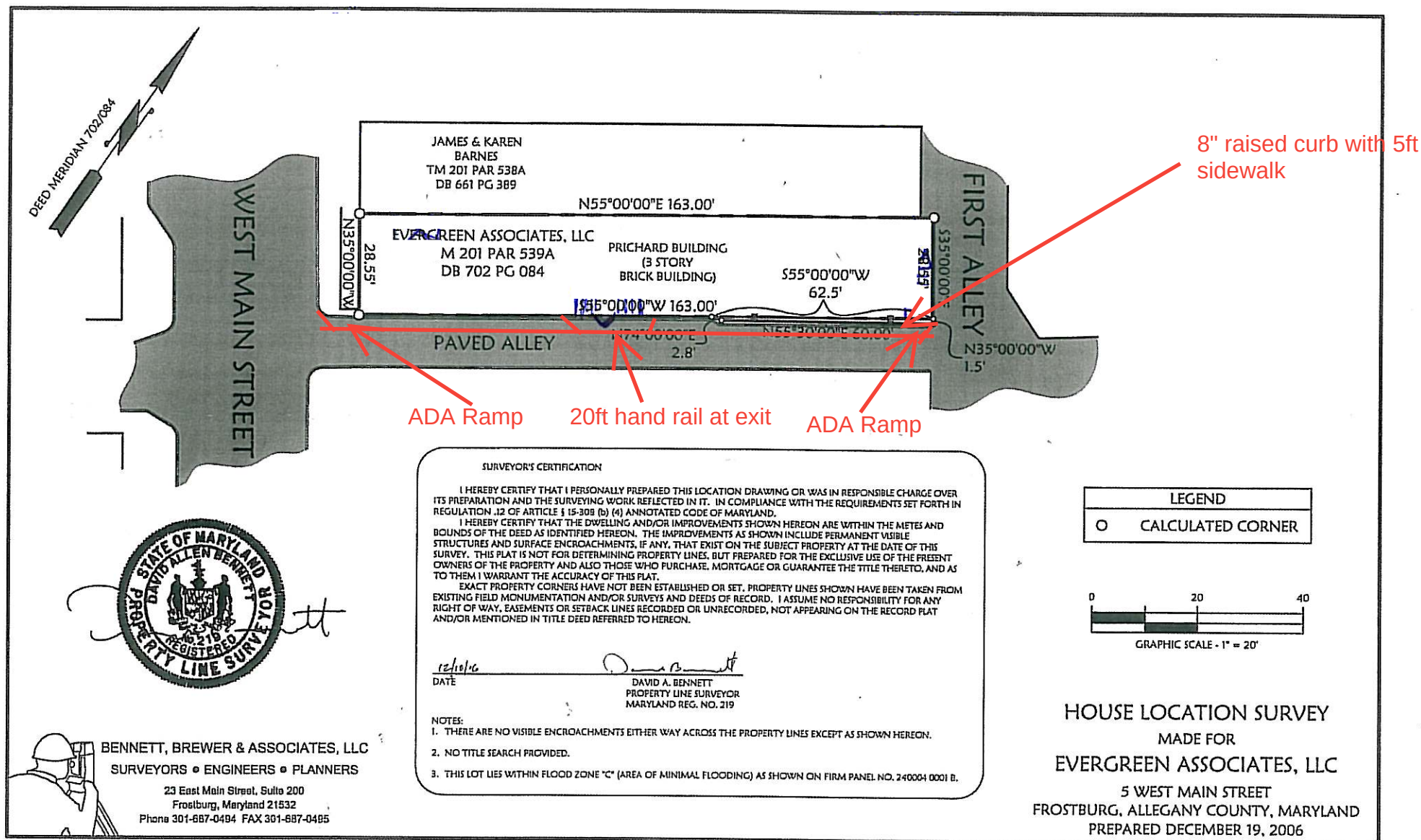
Patrick O’Brien, City Administrator



Western Maryland Construction Solutions, LLC
 26 Maple Street, Frostburg Maryland 21532
 301.687.1767/301.687.1769

Schedule of Values Construction
Prichard Building Life Safety Accessibility Sidewalk

ITEM NO.	DESCRIPTION OF WORK	Quantity	Units	Unit Cost	SCHEDULED VALUE
1	Mobilization	1	lump sum	\$ 3,000.00	\$ 3,000.00
2	Demo	970	sq/ft	\$ 11.50	\$ 11,155.00
3	6 inch aggregate base	970	sq/ft	\$ 5.75	\$ 5,577.50
4	Cast in place concrete curb	194	l/ft	\$ 55.00	\$ 10,670.00
5	Cast in place concrete sidewalk	970	sq/ft	\$ 15.50	\$ 15,035.00
6	ADA detectable warning matts	12	sq/ft	\$ 120.00	\$ 1,440.00
7	Hand Railing at door entrance section of sidewalk	22	L/ft	\$ 88.00	\$ 1,936.00
TOTALS					\$ 48,813.50



RESOLUTION 2026-47

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, DESIGNATING A NEW PLAN ADMINISTRATOR FOR THE MISSIONSQUARE RETIREMENT ACCOUNTS.

WHEREAS, The City of Frostburg is a participating local agency in a 457 supplemental retirement plan with MissionSquare; and

WHEREAS, MissionSquare requires that each participating agency or department “Designate” a Plan Administrator within their agency; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of Frostburg, Maryland designate Amy M. Phillips, CPA, Director of Finance as the City’s Plan Administrator for all MissionSquare Retirement Accounts.

BE IT FURTHER RESOLVED, that all appropriate forms and authorizations be submitted to MissionSquare indicating Amy M. Phillips as the Plan Administrator and removing Elaine Jones from the account.

ADOPTED this 20th day of October, 2026.

Frostburg Mayor and Council

BY _____
Todd J. Logsdon, Mayor

Attest:

Patrick O’Brien, City Administrator