



Town of Upper Marlboro

REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, October 22, 2024 at 7:00 PM

AGENDA

This meeting will be conducted at the Town and online via Zoom Video Teleconference:
<https://uppermarlboromd-gov.zoom.us/j/89736051499?pwd=OkNAE0Tau2wezHAF0tJdyaf7ksuGJe.1>
Passcode: 869669; **Webinar ID:** 897 3605 1499; **Dial-in only:** 301-715-8592

REGULAR TOWN MEETING AGENDA: 7:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Consent Agenda**
 - [A.](#) Meeting Minutes
 - [B.](#) Financial Report
 - [C.](#) Public Safety Report
 - [D.](#) Public Works Report
 - [E.](#) General Government Report
6. **Business**

Public comment will be taken prior to Business line items (3 minutes per item)

 - [A.](#) DRAFT Ordinance 2024-04: Property Standards (Introduction)
 - B. Charter Review (Public Comment)
7. **Administrative Updates**
8. **Public Comment**

For items not necessarily on the immediate agenda (3 minutes per item)
9. **Preliminary Approval of Next Meeting Agenda**
10. **Adjournment**

PUBLIC COMMENT PROCEDURES

Your Town government appreciates citizen input. To maximize effective resolutions on resident's issues, we encourage Town residents and businesses to contact us at Town Hall weekdays: 9 a.m.–5 p.m., or by written correspondence (or email to info@uppermarlboromd.gov). You are always welcome to schedule an appointment with the President or a Commissioner to discuss municipal problems and quality-of-life issues one-on-one and work together towards a satisfactory solution.

Agendas for meetings are posted on our website and notices of legislative items are also posted on the Town's social media accounts (Facebook, Twitter & Instagram).

Our meetings are open to the public, and we ask that residents who want to comment to please follow the rules that have been established by **“RESOLUTION 2022-05: A RESOLUTION FOR THE ADOPTION OF NEW RULES OF**

ORDER AND REGULATIONS FOR PUBLIC MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO.”

Citizen Input:

- Members of the public may speak for three (3) minutes, during Public Comment Time, at Regular Town meetings of the Board of Commissioners according to procedures established by the Board.
- A sign-up sheet will be placed on the side table in the room for people to sign-in if they wish to speak. They will be called to speak at the podium in the order in which they were signed-in. If the meeting is held virtually, the public will be able to "raise their hand" or chat with the Town Clerk to sign up to speak.
- Each speaker is limited to one presentation per agenda item allowing for public comment per meeting and a maximum timed limit of three (3) minutes unless another limit is established.
- If the subject matter does not pertain to Town business the Mayor shall advise the individual and/or make recommendations as to how they may get the issue addressed.
- Citizens speaking on agenda items shall restrict their comments to the subject matter listed.
- Citizens speaking on non-agenda items shall only speak on matters pertaining to Town business or issues which the Board would have the authority to act upon if brought forth as an agenda item.
- The Board may not act upon or discuss any issue brought forth as a non-agenda item; except to: Make a statement of specific factual information given in response to the inquiry, or a recitation of existing policy in response to the inquiry.
- Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, misleading, or personal attacks are strictly prohibited. Violators may be removed from the Commission chambers.
- No placards, banners or signs may be displayed in the Board chambers or Town Hall. Exhibits relating to a presentation are acceptable.
- Arguing, intimidation or other disruptive behavior is prohibited. Discussion and/or debate are acceptable only on items specifically listed on the agenda, or that are municipal issues and must be complete within the three-minute comment period allotted to the speaker.

Each individual speaker must stand, state their name and home of record (street name only) and approach the Board to a designated position in order to be recognized by the Chair of the Board, and to be heard by the recording Clerk, as well as others in attendance.

When the meeting is held on a virtual platform, please sign-in with your First and last name and raise your hand to comment on an item.

All meetings are subject to closure in accordance with the State Open Meetings Act—House Bill 17.



Town of Upper Marlboro

REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, September 24, 2024 at 7:00 PM

AGENDA

This meeting will be conducted via Town Hall & Zoom Video Teleconference.

<https://uppermarlbormd-gov.zoom.us/j/84540329805?pwd=ouNFrgHCSWVhj2XuW3sVRqNjFrB9do.1>

Passcode: 146610; **Webinar ID:** 845 4032 9805; **Dial-in only:** 301-715-8592

REGULAR TOWN MEETING AGENDA: 7:00 PM

1. **Call to Order – 7:01 PM**
2. **Roll Call – Commissioner Franklin Absent**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Consent Agenda (2:30)**
 - A. Meeting Minutes
 - B. Financial Report
 - C. Public Safety Report
 - D. Public Works Report
 - E. Administrative Report

Motion was made by Commissioner Colbert to approve the Consent Agenda
Motion was seconded by Commissioner Lott
Franklin, Absent | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye
6. **Business**

Public comment will be taken prior to Business line items (3 minutes per item)

 - A. Police Office Grant Funds Approval (Board Vote) (2:50-34:28) (tabled at 8:23)
Motion was made by Commissioner Colbert to approve the use of grant funds for the Police Office Space
Motion was seconded by Commissioner Prevatte
Franklin, Absent | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye
 - B. DRAFT Ordinance 2024-04: Property Standards (Introduction) (8:36)
(Discussion of tabling introduction. Vote on no motion.)
Franklin, Absent | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye
 - C. Charter Review (Public Comment) (30:45)
7. **Administrative Updates (37:37)**
8. **Public Comment (39:37)**

For items not necessarily on the immediate agenda (3 minutes per item)
9. **Preliminary Approval of Next Meeting Agenda (41:45)**
10. **Adjournment**

Motion was made by Commissioner Prevatte to adjourn the meeting

Motion was seconded by Commissioner Colbert
Franklin, Absent | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye



Town of Upper Marlboro

BOARD OF TOWN COMMISSIONERS WORK SESSION

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, October 08, 2024 at 7:00 PM

AGENDA

This meeting will be conducted at the Town Hall and via Zoom Video Teleconference.

<https://uppermarlboromd-gov.zoom.us/j/84122710428?pwd=PjLLYEDCYMn0KINnczMV4ArFUKGiXP.1>

Webinar ID: 841 2271 0428; **Passcode:** 136630; **Audio Dial-in only:** 301 715 8592

Work Sessions are open to public observation, however, public participation is at the discretion of the Board

WORK SESSION AGENDA: 7:00 PM

1. **Call to Order – 7:06 PM**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Business**
 - A. M-NCPPC PAMC-Chesapeake Beach Rail Trail (Presentation) **(2:56)**
 - B. DRAFT Ordinance 2024-04: Property Standards (Board Discussion) **(48:39)**
 - C. Charter Review (Public Comment) **(1:18:18)**
6. **Administrative Updates (1:20:19)**
7. **Preliminary Approval of Next Meeting Agenda (1:21:55)**
8. **Adjournment**

Motion was made by Commissioner Colbert to adjourn the meeting
Motion was seconded by Commissioner Brooks
Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye

Video of the Special Meeting / Work Session will be posted to the Town YouTube Channel within 1 business days of the meeting.

All meetings are subject to closure in accordance with the State Open Meetings Act—House Bill 217



Town of Upper Marlboro

Town Hall, 14211 School Lane Tel: (301) 627-6905 info@uppermarboromd.gov
 Upper Marlboro, MD 20772 Fax: (301) 627-2080 www.uppermarboromd.gov
 Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

Town of Upper Marlboro September 2024 Treasurer Report Budget vs. Actuals: FY24 Budget July 2024 - June 2025

	Total		
	ACTUAL	AMENDED BUDGET	OVER (UNDER) BUDGET
Income			
Revenue			
4000 Property Taxes	95,369	1,508,220	(1,412,851)
4200 Fines, Licenses, Permits	214,495	687,500	(473,005)
4300 Intergovernmental	-	56,000	(56,000)
4400 Miscellaneous Revenue	6,217	296,500	(290,283)
4500 Grants	51,346	1,901,000	(1,849,654)
Total Revenue	\$ 367,428	\$ 4,449,220	#
Expenses			
5000 General Government	151,816	862,980	(711,164)
6000 Public Safety	180,384	998,580	(818,196)
7000 Public Works	118,860	560,660	(441,800)
8000 Grants & Awards	79,776	1,915,000	(1,835,224)
9000 Capital Outlays	9,151	112,000	(102,849)
Total Expenses	\$ 539,987	\$ 4,449,220	#
NET INCOME	\$ (172,559)	\$ -	\$ (172,559)



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Town of Upper Marlboro September 2024 Treasurer Report Budget vs. Actuals: FY24 July 2024 - July 2025

Key Monthly Items

1. September wraps up Q1 of fiscal year 25.
2. YTD activity reflects a net loss of approximately 173K
Significant property tax collections will occur through January and erase the YTD deficit
Revenues and expenses are mostly tracking as expected, no significant items to flag.
3. Cash balance is approximately 3 months of operating spending(excludes grant or reimbursable spending)
Our recommendation is no new significant appropriations in FY25 in prep for FY26 budgeted priorities.

Bank Accounts

1000 Checking Account (Premis) 6968	250,000
1001 Petty Cash	
1010 Payroll Account (Premis) 6976	37,501
1020 ICS Sweep Account	33,564
1040 Parking Meter Checking (M&T) 0032	127,421
1045 Speed & Red Light (M&T) 0013	182,704
1140 MLGIP (MM)	231,740
Total Bank Accounts	\$ 862,931



Town of Upper Marlboro Police Department

14211 School Lane, Upper Marlboro, Maryland 20772 Tel: (301) 627-6905

David A. Burse
Chief of Police

For ALL Police Calls dial 911 or the Non-Emergency number at 301-352-1200

Police Reports can be obtained In-Person or By Mail for a fee of \$10.00 at the Prince George’s County Police Records Division located at 4923 43rd Avenue, 3rd Floor Hyattsville, Maryland 20781. Phone: 301-985-3638

Monthly Town Police Department Report For the Month of September 2024

Incidents Reported in Town:

Vehicle Accident 7	Animal Complaint 1	Commercial Alarm 1
Stolen Vehicle 3	Residential Alarm 1	Threat Complaint 1
Property Damage 1	Lock Out Call 1	Gunshot Call 2
Miscellaneous Police Incident 1	Theft Call 2	Assist Call 1
Suspicious Person 4	Disorderly Call 11	Check Welfare 5
Suspicious Auto 1		

Total calls responded by: Upper Marlboro Police 18 & Prince George’s County Police 25

Chief Burse participated in the Prince George’s Chiefs Association meeting.

Sgt. Dawson, Cpl. Irby and Pfc. Anderson conducted high visibility patrols throughout the Town.

Chief Burse participated in the weekly Prince George’s County Police Crime meeting.

Chief Burse participated in the weekly Conduent meeting.

Chief Burse participated in the monthly Coffee with a Cop meeting.

Chief Burse attended the Criminal Justice Coordinating Council meeting with Judge Cotton.

Chief Burse, Cpl. Irby and Code Officer Mr. UK participated in the Marlboro Fire Department Car Show.



Date: Thursday, October 17, 2024

Subject: Public Works' Monthly Report

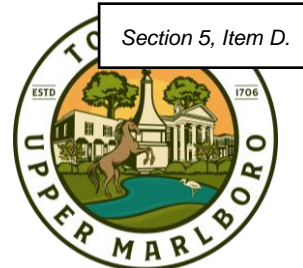
RE: September 2024

Public Works Related

- PWD uploaded and approved bills for PW assigned in Bill.com.
- PWD attended finance meetings with Todd.
- Payroll processing and review.
- PWD sent signed Cummins generator contract to Cummins legal. Contract was signed and returned.
- PWD paid floodplain inquiry fee to DPIE for Site Design Inc. Submitted phase completion invoices for payment.
- PWD reviewed Fence Permit for sightline and ROW issues. Found no issues.
- PWD gathered documents needed for Streetscape Grant compliance folder.
- PWD Attended in person events committee meeting.
- PWD received United Rentals Training Pocket Cards for all PW staff. This allows us to track all trainings received, associated grades, records, and know recertification intervals with a quick scan.
- PWC provided traffic control for Cruisin Car Show.
- PWD completed revisions to PEPCO streetlight survey. Rejections submitted. Billing meeting set for Oct 23.
- PWD met with Adrienne to discuss items needed for T-Mobile grant for pocket park.
- PWD spoke with John Carpenter of Greenwill and County Council member Calvin Hawkins about the Water St bridge project and connected them with Justin Mohr of MDOT.

Maintenance and Beautification

- PWF fielded multiple old recycle bin requests.
- PWC completed distribution of all new recycle bins to residents.
- PWC corrected issues with multiple mowers, Pole saw, and Kubota Tractor.
- PWD pruned trees at Church St lot and adjacent Town lot near TH.
- PWC provided tables for Trinity Church Block Party event.
- PWD began asset inventory for PW. Designed and ordered asset tags for equipment with significant value.
- PWD showed Foreman Sheckels pickup procedures and necessary documentation for County vehicle inspections.
- PWC weeded planters downtown.
- PWC sprayed the playground grounds with insect shield.
- PWC performed maintenance on pet waste stations around Town.



- PWD facilitated mileage update discrepancy and mileage reset with the County.
- PWD changed filters for original HVAC unit.
- PWC watered Main St Planters.
- PWC conducted site cuts around Town.
- PWC continued removal of old banners around Town.

Street and Sidewalk / Mead & Hunt Update

- PWC performed storm drain checks and clearing ahead and during Hurricane Helene remnants.
- PWD checked funding status of Water St Bridge Project when notified of MDOT budget shortfall. Project still underway. Should be put out for bid mid-2025.
- PWC conducted litter patrols around Town.
- PWD continued working Better City to review Town Wayfinding signage design. Now have designs for all 6 sign types.
- PWD and Foreman monitored water levels at The Water St Bridge during Hurricane Helene remnants.
- PWC completed herbicide treatments for downtown and TH.
- PWD began working on HPS-20 annual report.

Playground and Splash Pad Phase II Update: DPIE is still submitting feedback and questions on the Final report submitted by Sparks at Play. They are now requiring a stormwater management system because the overall project has an area of disturbance slightly above 5,000 sq ft. The estimated cost of these requirements adds \$200,000 to the overall project. We are working to get an exemption from this to move the project forward.

Refuse Accumulations

- There were no dump body rentals for the month.
- Bulk day refuse totals for items to landfill were 1.91 tons.
- Yard waste totals for items to MES were 6.32 tons.

Sincerely,

Darnell F. Bond / Director of Public Works



MEMORANDUM

To: Board of Town Commissioners
From: Clayton A. Anderson, Town Administrator

Date: October 22, 2024

Re: September 2024 Monthly General Government Report

Below is the update on some of the projects and statistics from the Town of Upper Marlboro General Government has undertaken in through September of 2024.

Major Projects Underway	
Codification	Once Property Standards are adopted, Attorney Ruff will finalize the project with Municode.
Charter Review	General Government updated the engagement portal with the current property standards and the link to Prince Georges County Property standards ordinance.
Event Planning	The Town will begin planning for the following events: <ul style="list-style-type: none"> • The National Faith in Blue free shred day held on 10/12/2024 • Trunk or Treat on Saturday, October 26th, 2024 • Food Truck Festival was held on October 04, 2024
PAMC Trail Study	The M-NCPPC presented the Chesapeake Beach Rail Trail Design Study.
Annexation	Staff has confirmed assessed property values, are working to confirm the voter rolls, and coordinate the survey of the area.
Website Update	General Government Staff has updated the news archives, updated the agenda and minutes page, and launched the property standards community engagement portal
Cable Channel	The Town's cable channel has been updated and the speed of the slides has been reduced
Grant Updates	General Government is working with the Economic Development Working Group to finalize reimbursement for a façade improvement project.

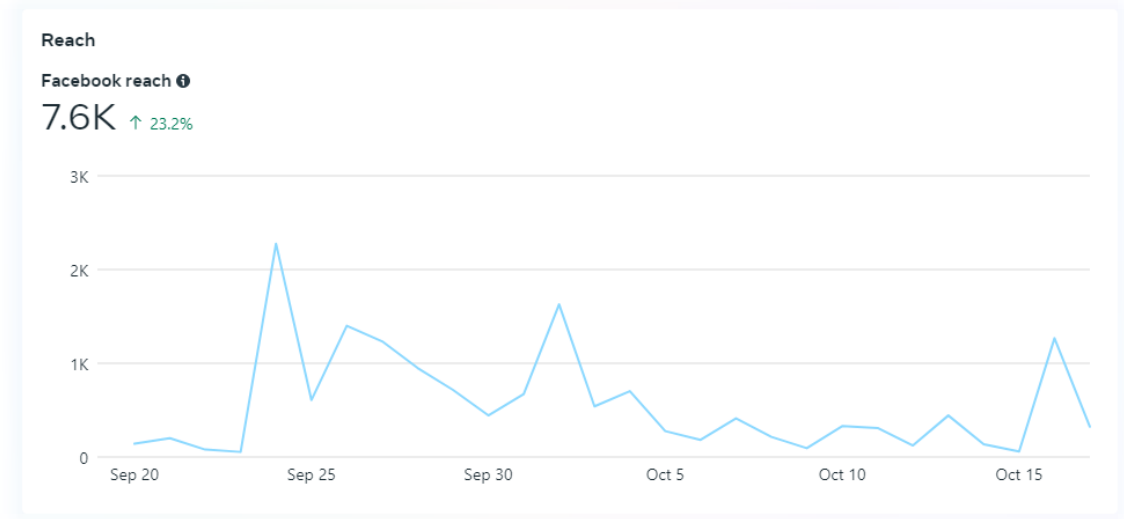
Office Statistics:

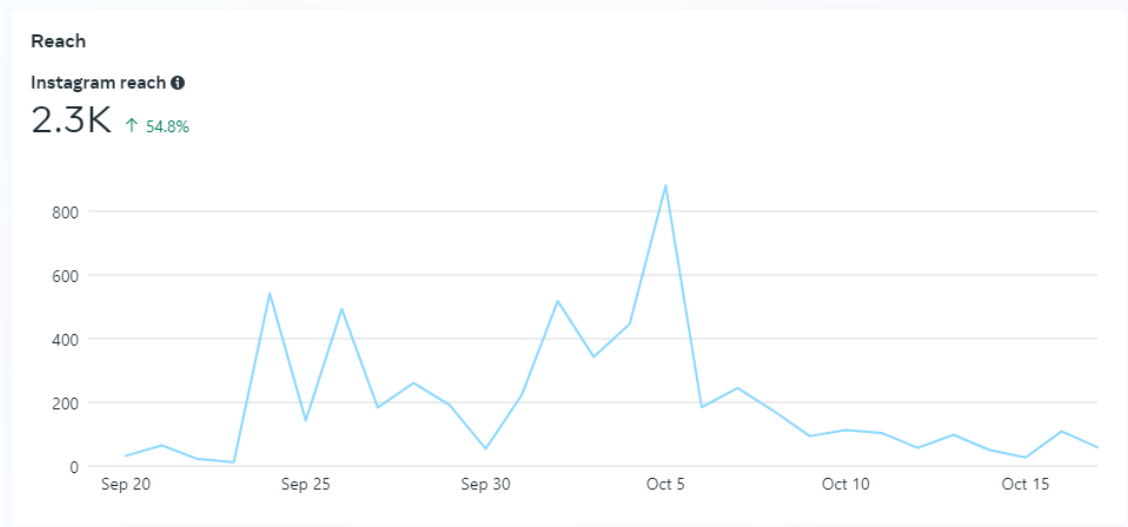


	September
Room Rentals	0
Notaries	0
Food Truck Permits	1
Parking Permits	0

Outreach Statistics:

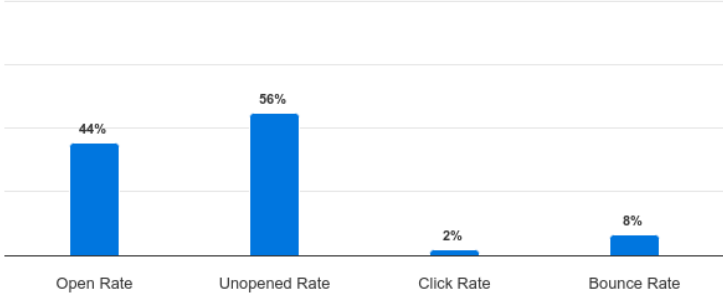
Facebook & Instagram



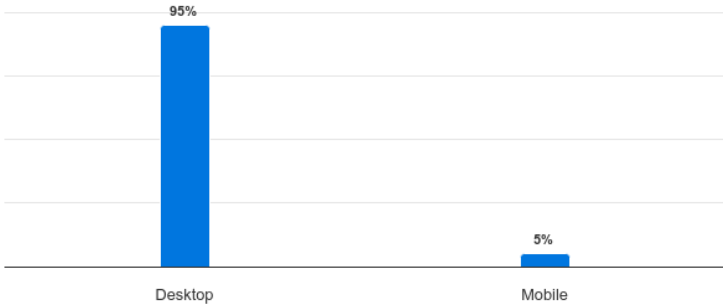




6,855 Sends



2,750 Opens



137 Clicks



**BOARD OF COMMISSIONERS
FOR THE
TOWN OF UPPER MARLBORO**

ORDINANCE: 2024-04
SESSION: Regular Town Meeting
INTRODUCED: October 22, 2024
DATE ENACTED: _____, 2024
EFFECTIVE DATE: _____, 2024

AN ORDINANCE OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO AMEND ALL ORDINANCES PREVIOUSLY ENACTED RELATING TO PROPERTY MAINTENANCE STANDARDS IN THE TOWN OF UPPER MARLBORO, AND TO ENACT THIS ORDINANCE, ORDINANCE 2024-04, ADOPTING PROPERTY MAINTENANCE STANDARDS FOR THE TOWN OF UPPER MARLBORO, AND REPEALING ALL PROVISIONS OF PRIOR TOWN ORDINANCES THAT ARE INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE

WHEREAS, MD Code Ann, Local Gov’t, § 5-202 authorizes the legislative body of a municipality to adopt ordinances to protect and preserve the municipality’s rights, property and privileges and to protect the health, comfort and convenience of the residents of the municipality; and

WHEREAS, MD Code Ann., Public Safety, § 12-203 “Minimum Livability Code,” requires each political subdivision to adopt by regulation a local housing code that sets minimum maintenance standards for housing within its jurisdiction;and

WHEREAS, pursuant to this authority, the Board of Commissioners for the Town of Upper Marlboro enacted various property maintenance standards for the Town; and

WHEREAS, the Board of Commissioners for the Town of Upper Marlboro has determined it to be in the best interest of the residents of the Town of Upper Marlboro to adopt the same property maintenance standards as Prince George’s County to facilitate the County’s assistance with Code enforcement issues, yet to retain some of its own requirements.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AND ENACT a Building and Property Maintenance Code to read as follows:

BUILDING AND PROPERTY MAINTENANCE CODE

ARTICLE I. BUILDING CODE

§ 1. ADMINISTRATION.

THIS ARTICLE SHALL BE ADMINISTERED AND ENFORCED BY A CODE OFFICIAL, AS DEFINED IN OTHER SECTIONS OF THIS CODE OR OTHER TOWN OFFICIALS AND EMPLOYEES AS DESIGNATED BY THE TOWN MANAGER.

§ 2. APPLICABILITY OF AND COMPLIANCE WITH COUNTY BUILDING CODE.

THE BUILDING CODE FOR PRINCE GEORGE'S COUNTY, SUBTITLE 4, DIVISION 1, OF THE CODE OF PRINCE GEORGE'S COUNTY, MARYLAND, AS AMENDED FROM TIME TO TIME, SHALL BE THE BUILDING CODE FOR THE TOWN.

§ 3. TOWN BUILDING PERMIT REQUIRED.

THE TOWN REQUIRES A TOWN BUILDING PERMIT AT ALL TIMES THAT PRINCE GEORGE'S COUNTY REQUIRES A COUNTY BUILDING PERMIT. A PERSON MAY NOT ERECT, RECONSTRUCT, REPAIR, OR REMOVE ANY BUILDING OR STRUCTURE WITHIN THE TOWN EXCEPT IN COMPLIANCE WITH THE BUILDING CODE OF PRINCE GEORGE'S COUNTY AND IN ACCORDANCE WITH BUILDING PERMITS ISSUED BY PRINCE GEORGE'S COUNTY.

§ 4. APPLICABILITY OF AND COMPLIANCE WITH CHAPTER.

IN ADDITION TO COMPLYING WITH § 3, A PERSON MAY NOT ERECT, CONSTRUCT, RECONSTRUCT, REPAIR, OR REMOVE ANY BUILDING OR STRUCTURE WITHIN THE TOWN FOR WHICH A PRINCE GEORGE'S COUNTY BUILDING PERMIT IS REQUIRED EXCEPT IN COMPLIANCE WITH THIS ARTICLE AND WITH A BUILDING PERMIT FROM THE TOWN ISSUED UNDER THIS ARTICLE.

§ 5. PERMIT APPLICATIONS.

(A) AFTER A BUILDING PERMIT FOR PROPOSED WORK HAS BEEN ISSUED BY PRINCE GEORGE'S COUNTY, AN OWNER OF A PROPERTY, OR THE OWNER'S AUTHORIZED AGENT, SHALL APPLY FOR A TOWN BUILDING PERMIT BY SUBMITTING AN APPLICATION UPON FORMS FURNISHED BY THE TOWN. EACH APPLICATION SHALL BE SIGNED UNDER PENALTY OF PERJURY THAT THE CONTENTS OF THE APPLICATION ARE TRUE AND CORRECT TO THE BEST OF THE APPLICANT'S KNOWLEDGE, INFORMATION AND BELIEF. EACH APPLICATION SHALL BE ACCOMPANIED BY A COPY OF THE PRINCE GEORGE'S COUNTY PERMIT APPLICATION, BUILDING PERMIT ISSUED BY PRINCE GEORGE'S COUNTY, AN ELECTRONIC AND/OR PHYSICAL COPY OF THE SITE PLAN, AND ALL OTHER PLANS AND SPECIFICATIONS APPROVED BY PRINCE GEORGE'S COUNTY AS PART OF THE COUNTY'S BUILDING PERMIT.

WHERE THE APPLICATION IS FOR A BUILDING PERMIT FOR A FENCE, THE APPLICATION SHALL DEMONSTRATE THAT THE PROPOSED FENCE COMPLIES WITH THE REQUIREMENTS OF THE TOWN OF UPPER MARLBORO. THE TOWN MAY WAIVE THE SUBMITTAL OF ALL OR PORTIONS OF OTHER PLANS AND SPECIFICATIONS ON A CASE-BY-CASE BASIS WHEN THE TOWN DETERMINES THAT THESE WILL NOT ASSIST THE TOWN IN DETERMINING WHETHER TO ISSUE A TOWN BUILDING PERMIT. EACH APPLICATION ALSO

SHALL BE ACCOMPANIED BY A NON-REFUNDABLE APPLICATION FEE OF \$50.

(B) AFTER RECEIVING AN APPLICATION AND APPLICATION FEE, THE TOWN SHALL REVIEW THE APPLICATION, PLANS AND ACCOMPANYING MATERIALS. THE TOWN'S REVIEW OF THE APPLICATION SHALL FOCUS ON THE COMPLETENESS AND ACCURACY OF THE APPLICATION AND ACCOMPANYING MATERIALS, WHETHER THE TOWN CONCURS WITH PRINCE GEORGE'S COUNTY'S APPROVAL OF THE COUNTY BUILDING PERMIT, AND WHETHER THERE ARE ANY TOWN-SPECIFIC REQUIREMENTS THAT MUST BE ADDRESSED. IF THE TOWN DETERMINES THAT A PRINCE GEORGE'S COUNTY BUILDING PERMIT SHOULD NOT HAVE BEEN ISSUED, THE TOWN SHALL IMMEDIATELY NOTIFY PRINCE GEORGE'S COUNTY AND THE APPLICANT.

§ 6. ACTION ON PERMIT APPLICATIONS.

(A) THE TOWN SHALL REVIEW EACH APPLICATION FOR A TOWN BUILDING PERMIT. AFTER REVIEW OF AN APPLICATION, THE TOWN SHALL NOTIFY THE APPLICANT IN WRITING THAT:

- (1) THE APPLICATION IS APPROVED AND AVAILABLE FOR ISSUANCE UPON PAYMENT OF THE APPLICABLE PERMIT FEE; OR**
- (2) THE TOWN IS WITHHOLDING APPROVAL OF THE APPLICATION UNTIL THE APPLICANT SUBMITS ADDITIONAL REQUIRED DOCUMENTATION TO THE TOWN; OR**
- (3) THERE ARE APPARENT ERRORS REGARDING PRINCE GEORGE'S COUNTY'S ISSUANCE OF THE COUNTY BUILDING PERMIT THAT THE APPLICANT MUST RESOLVE WITH THE COUNTY BEFORE THE TOWN WILL COMPLETE PROCESSING OF THE TOWN BUILDING PERMIT APPLICATION; OR**
- (4) THE APPLICATION HAS BEEN APPROVED WITH CONDITIONS OR RESTRICTIONS; OR**
- (5) THE APPLICATION HAS BEEN DENIED AND THE REASONS FOR THE DENIAL.**

§ 7. PERMIT ISSUANCE OR DENIAL.

THE TOWN SHALL ISSUE A PERMIT AFTER THE TOWN IS SATISFIED THAT THE APPLICATION IS COMPLETE, ALL REQUIRED APPLICATION MATERIALS HAVE BEEN SUBMITTED, ANY APPARENT ERRORS IN THE ISSUANCE OF THE PRINCE GEORGE'S COUNTY BUILDING PERMIT HAVE BEEN RESOLVED, PROVIDED THAT ALL DELINQUENT FEES AND FINES OWED TO THE TOWN RELATED TO THE PREMISES ARE PAID IN FULL.

§ 8. PERMIT FEES.

THERE SHALL BE A PERMIT APPLICATION FEE SUBMITTED WITH EACH BUILDING PERMIT APPLICATION. THE FEE SHALL BE ESTABLISHED BY THE BOARD OF COMMISSIONERS BY RESOLUTION

§ 9. PERMIT TO BE KEPT POSTED ON PREMISES.

A TOWN BUILDING PERMIT SHALL BE KEPT CONSPICUOUSLY DISPLAYED AT A LOCATION VISIBLE FROM THE STREET ON THE PREMISES ON WHICH THE WORK AUTHORIZED BY PERMIT IS BEING PERFORMED UNTIL THE WORK HAS BEEN COMPLETED.

§ 10. PERMIT EXPIRATION.

A TOWN BUILDING PERMIT SHALL BE VALID FOR SIX (6) MONTHS, STARTING FROM THE DATE CONSTRUCTION BEGINS AND/OR PURSUANT TO THE CONDITIONS OUTLINED IN THE CORRESPONDING PRINCE GEORGE’S COUNTY BUILDING PERMIT.

§ 11. PERMITTED CONSTRUCTION HOURS.

AUTHORIZED CONSTRUCTION HOURS FOR WORK CONDUCTED UNDER A TOWN BUILDING PERMIT ARE FROM 8 A.M. TO 7 P.M., MONDAYS THROUGH FRIDAYS AND FROM 9 A.M. TO 5 P.M. SATURDAYS AND SUNDAYS, EXCLUDING LEGAL HOLIDAYS. EXCEPTIONS TO THIS REQUIREMENT MAY BE GRANTED BY THE TOWN IN WRITING UPON APPLICATION ON A FORM PROVIDED BY THE TOWN AND UPON A SHOWING OF GOOD CAUSE.

§ 12. TOWN INSPECTIONS.

(A) THE TOWN PERIODICALLY MAY INSPECT ALL WORK SITES FOR WHICH THE TOWN ISSUED A BUILDING PERMIT. THE PURPOSE OF THE TOWN’S INSPECTIONS IS TO DETERMINE WHETHER A VIOLATION OF THE COUNTY BUILDING CODE MAY EXIST. IF A VIOLATION EXISTS, THE TOWN SHALL PROMPTLY NOTIFY APPROPRIATE PRINCE GEORGE’S COUNTY AUTHORITIES FOR SUCH AUTHORITIES TO TAKE SUCH ACTION AS MAY BE DEEMED APPROPRIATE.

(B) THE TOWN ALSO SHALL INSPECT SITES WHERE WORK IS BEING PERFORMED AND FOR WHICH A TOWN BUILDING PERMIT HAS NOT BEEN ISSUED. THE PURPOSE OF THESE INSPECTIONS IS TO DETERMINE WHETHER A TOWN BUILDING PERMIT IS REQUIRED FOR THAT WORK AND WHETHER THE CONDITIONS ARE IN VIOLATION OF ANY OTHER PROVISIONS OF THIS CODE.

§ 13. STOP WORK ORDERS.

(A) WHENEVER ANY WORK IS BEING DONE IN VIOLATION OF A TOWN ORDINANCE OR CODE PROVISION, WITHOUT A REQUIRED TOWN BUILDING PERMIT OR IN VARIANCE WITH THE TERMS OF ANY TOWN BUILDING PERMIT ISSUED FOR THE WORK, A CODE OFFICIAL MAY ORDER ALL OR A PART OF THE WORK STOPPED UNTIL THE VIOLATION OR VARIANCE IS ELIMINATED AND ANY WORK UNDERTAKEN IN VIOLATION OF THIS CHAPTER OR TOWN BUILDING PERMIT IS CORRECTED. A "STOP WORK" ORDER, IF ORAL, SHALL BE FOLLOWED BY A WRITTEN STOP WORK ORDER WITHIN TWENTY-FOUR (24) HOURS (EXCLUDING SATURDAYS, SUNDAYS, AND HOLIDAYS). A CODE OFFICIAL SHALL POST A COPY OF A WRITTEN “STOP WORK” ORDER ON THE PREMISES OR SITE TO WHICH THE ORDER APPLIES. THE POSTED ORDER SHALL NOT BE REMOVED UNTIL THE TOWN HAS LIFTED IT.

(B) A “STOP WORK” ORDER ISSUED BY PRINCE GEORGE’S COUNTY SHALL BE TREATED AS A STOP WORK ORDER ISSUED BY THE TOWN.

§ 14. PENALTIES AND ENFORCEMENT.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, VIOLATIONS OF

THIS ARTICLE AND ANY TOWN BUILDING PERMIT ISSUED UNDER THIS ARTICLE ARE DECLARED TO BE MUNICIPAL INFRACTIONS, THE FINE FOR WHICH SHALL BE TWO HUNDRED FIFTY DOLLARS (\$250) FOR EACH OFFENSE. EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE AND REPEAT OFFENSE.

(B) UNLAWFUL CONTINUANCE OF WORK IN VIOLATION OF A STOP WORK ORDER ISSUED PURSUANT TO § 15-13 SHALL BE SUBJECT TO A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000).

(C) IN ADDITION TO THE PENALTIES SPECIFIED IN SUBSECTIONS (A) AND (B) OF THIS SECTION, THE TOWN MAY ENFORCE THE PROVISIONS OF THIS CHAPTER, AND ABATE VIOLATIONS OF THIS CHAPTER AND ANY PERMIT OR STOP WORK ORDER, BY JUDICIAL PROCEEDINGS FOR INJUNCTION OR OTHER APPROPRIATE CIVIL RELIEF.

§ 15 - § 19. RESERVED

ARTICLE II. PROPERTY MAINTENANCE STANDARDS

§ 20. ADOPTION OF PROPERTY MAINTENANCE STANDARDS BY REFERENCE

SUBTITLE 13, HOUSING AND PROPERTY STANDARDS, OF THE PRINCE GEORGE'S COUNTY CODE ("SUBTITLE 13"), DIVISION I "HOUSING CODE" AND DIVISION 7 "PROPERTY STANDARDS AND MAINTENANCE," AS THEY MAY FROM TIME TO TIME BE AMENDED, ARE HEREBY ADOPTED BY THE TOWN AS THE HOUSING AND PROPERTY STANDARDS CODE OF THE TOWN OF UPPER MARLBORO, MARYLAND, AS IF SET OUT IN FULL HEREIN. ALL OF THE POWERS, RIGHTS AND REQUIREMENTS OF COMPLIANCE IN SUBTITLE 13, DIVISIONS 1 AND 7 NOT IN CONFLICT WITH TOWN CHARTER, THIS CODE, OR TOWN REGULATIONS, MAY BE EXERCISED BY THE TOWN. HOWEVER, ALL REFERENCES IN CHAPTER 13 OF THE COUNTY CODE (OR THE INTERNATIONAL PROPERTY MAINTENANCE CODE WHICH THE COUNTY CODE CURRENTLY INCORPORATES) TO THE APPOINTMENT, DISCIPLINE, EMPLOYMENT AND TERMINATION OF ANY PROPERTY OR CODE ENFORCEMENT PERSONNEL OR TO A BOARD OF APPEALS SHALL NOT BE EFFECTIVE IN THE TOWN. IN THE EVENT OF A CONFLICT BETWEEN SUBTITLE 13, DIVISION 1 AND/OR DIVISION 7 AND ANY PROVISION OF A TOWN ORDINANCE OR CODE, SUCH CONFLICT SHALL BE RESOLVED IN FAVOR OF THE PROVISION THAT ESTABLISHES THE HIGHER STANDARD FOR THE PROMOTION AND PROTECTION OF THE HEALTH AND SAFETY OF THE PEOPLE.

§ 21. APPOINTMENT OF THE TOWN CODE OFFICIAL

THE CODE OFFICIAL SHALL BE THE CHIEF OF POLICE, THE CHIEF'S DESIGNEE OR ANY CODE ENFORCEMENT OFFICER OF THE TOWN.

§ 22. NOTICES AND ORDERS

A. NOTICE TO PERSON RESPONSIBLE. WHENEVER THE CODE OFFICIAL DETERMINES THAT THERE HAS BEEN A VIOLATION OF THIS CODE OR HAS GROUNDS TO BELIEVE THAT A VIOLATION HAS OCCURRED, NOTICE SHALL BE GIVEN IN THE MANNER PRESCRIBED IN §§ B AND C, IMMEDIATELY BELOW, TO THE

PERSON RESPONSIBLE FOR THE VIOLATION AS SPECIFIED IN THIS CODE. NOTICES FOR CONDEMNATION PROCEDURES SHALL ALSO COMPLY WITH § 68-2(C).

B. SUCH NOTICE PRESCRIBED IN § A SHALL BE IN ACCORDANCE WITH ALL OF THE FOLLOWING:

- (1) BE IN WRITING.**
- (2) INCLUDE A DESCRIPTION OF THE REAL ESTATE SUFFICIENT FOR IDENTIFICATION.**
- (3) INCLUDE A STATEMENT OF THE VIOLATION OR VIOLATIONS, WHY THE NOTICE IS BEING ISSUED AND THE DAY AND TIME THE VIOLATION WAS DISCOVERED.**
- (4) INCLUDE A CORRECTION ORDER ALLOWING A REASONABLE TIME TO MAKE THE REPAIRS AND IMPROVEMENTS REQUIRED TO BRING THE DWELLING UNIT OR STRUCTURE INTO COMPLIANCE WITH THE PROVISIONS OF THIS CODE.**
- (5) INFORM THE PROPERTY OWNER OF THE RIGHT TO APPEAL.**
- (6) INCLUDE A STATEMENT OF THE RIGHT OF THE TOWN TO FILE A TAX LIEN.**

C. METHOD OF SERVICE. SUCH NOTICE SHALL BE DEEMED TO BE PROPERLY SERVED IF A COPY THEREOF IS:

- (1) DELIVERED PERSONALLY TO THE TENANT IF ANY, AND TO THE OWNER OF RECORD; OR**
- (2) SENT BY CERTIFIED MAIL ADDRESSED TO THE LAST KNOWN ADDRESS OF THE OWNER AND THE TENANT, IF ANY, SO LONG AS A COPY THEREOF SHALL BE POSTED IN A CONSPICUOUS PLACE OR ABOUT THE STRUCTURE AFFECTED BY SUCH NOTICE.**

D. PENALTIES. PENALTIES FOR NONCOMPLIANCE WITH ORDERS AND NOTICES SHALL BE AS SET FORTH IN SECTION 23.

E. TRANSFER OF OWNERSHIP. IT SHALL BE UNLAWFUL FOR THE OWNER OF ANY DWELLING UNIT OR STRUCTURE WHO HAS RECEIVED A COMPLIANCE ORDER OR UPON WHOM A NOTICE OF VIOLATION HAS BEEN SERVED TO SELL, TRANSFER, MORTGAGE, LEASE OR OTHERWISE DISPOSE OF SUCH DWELLING UNIT OR STRUCTURE TO ANOTHER UNTIL THE PROVISIONS OF THE COMPLIANCE ORDER OR NOTICE OF VIOLATION HAVE BEEN COMPLIED WITH, OR UNTIL SUCH OWNER SHALL FIRST FURNISH THE GRANTEE, TRANSFEREE, MORTGAGEE OR LESSEE A TRUE COPY OF ANY COMPLIANCE ORDER OR NOTICE OF VIOLATION ISSUED BY THE CODE OFFICIAL AND SHALL FURNISH TO THE CODE OFFICIAL A SIGNED AND NOTARIZED STATEMENT FROM THE GRANTEE, TRANSFEREE, MORTGAGEE OR LESSEE, ACKNOWLEDGING THE RECEIPT OF SUCH COMPLIANCE ORDER OR NOTICE OF VIOLATION AND FULLY ACCEPTING THE RESPONSIBILITY WITHOUT CONDITION FOR MAKING THE CORRECTIONS OR REPAIRS REQUIRED BY SUCH COMPLIANCE ORDER OR NOTICE OF VIOLATION.

§ 23. PENALTIES AND ENFORCEMENT.

(A) VIOLATIONS OF THIS ARTICLE ARE DECLARED TO BE MUNICIPAL INFRACTIONS, THE FINE FOR WHICH SHALL BE FIFTY DOLLARS (\$50) FOR THE FIRST OFFENSE AND ONE HUNDRED DOLLARS (\$100) FOR EACH SUBSEQUENT VIOLATION. EACH DAY A VIOLATION CONTINUES IS A SEPARATE AND REPEAT OFFENSE.

(B) IN ADDITION TO THE PENALTIES SPECIFIED ABOVE, THE TOWN MAY ENFORCE THE PROVISIONS OF THIS ARTICLE, AND ABATE VIOLATIONS OF THIS CHAPTER , BY JUDICIAL PROCEEDINGS FOR INJUNCTION OR OTHER APPROPRIATE CIVIL RELIEF.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance shall operate to repeal those Town Ordinances previously adopted that are inconsistent with the amended provision

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that should any part of this Ordinance be held invalid, all remaining parts shall remain in effect.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter, this Ordinance shall be posted inthe Town office and a fair summary of it shall be published once in a newspaper of general circulation inthe Town and effective 20 days after passage by the Board.

AYES: _____ NAYES: _____ ABSENT: _____

INTRODUCED in a public session of the Board of Commissioners on this _____ day of September, 2024.

ORDAINED, APPROVED, AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this _____ day of _____, 2024, by:

Attest:

THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND

Clayton Anderson, Town Administrator

Sarah Franklin, President

Derrick Brooks, Commissioner

Charles Colbert, Commissioner

Karen Lott, Commissioner

Alma Prevatte, Commissioner

Reviewed and Approved for Legal Sufficiency

Karen Ruff, Esq., Town Attorney

Date: _____

DRAFT