



Town of Upper Marlboro

REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, August 22, 2023 at 7:00 PM

AGENDA

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

<https://uppermarlboromd->

[gov.zoom.us/j/89099583812?pwd=aGY5K1Z0dUI5QWFNVs1d3VMNIhRQT09](https://uppermarlboromd-gov.zoom.us/j/89099583812?pwd=aGY5K1Z0dUI5QWFNVs1d3VMNIhRQT09)

Passcode:969997; **Webinar ID:** 890 9958 3812; **Dial-in only:** 301-715-8592

NOTICE OF CLOSED SESSION:

Tuesday, August 22, 2023

Before August Regular Town Meeting

6:35 PM

The Board of Commissioners proposes to go into Closed Session on Tuesday, August 22, 2023 | 6:35 PM, before the August Regular Town Meeting to discuss Annexation Agreements with legal counsel.

OPEN MEETING TO GO INTO CLOSED SESSION 6:30 PM

REGULAR TOWN MEETING AGENDA: 7:00 PM

1. Open Meeting To Go Into Closed Session 6:30 PM

2. Call to Order

3. Roll Call

4. Motion To Go Into Closed Session

5. August Regular Town Meeting 7:00 PM

6. Call to Order

7. Roll Call

8. Pledge of Allegiance

9. Review of Agenda

10. Closed Session Summary

11. Consent Agenda

A. Meeting Minutes

B. Financial Report

C. Public Safety Report

D. Public Works Report

E. Administrative Report

12. Reports

A. Arts Council Committee Report

B. CERT Committee Report

C. Economic Development Workgroup Report

D. Events Committee Report

E. Green Team Committee Report

- F. Greenwill Consulting Committee Report
- G. Historical Committee Report
- H. Commissioner Reports

13. Old Business

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

- [A.](#) Ordinance 2023-06 Seal and Logo (Board Vote)
- [B.](#) Ordinance 2023-07 Codification (Board Discussion)
- [C.](#) Ordinance 2023-10 Property Standards (Introduction)
- [D.](#) Resolution 2023-17 Revize Web Services Sales Agreement Renewal (Board Vote)
- [E.](#) Phase 3 Annexation Agreements (Board Vote)
- [F.](#) General Government Organization (Board Vote)
- [G.](#) TA Hiring Process (Board Vote)
- H. Vendor Fees (Board Vote)

14. New Business

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

15. Administrative Updates

16. Public Comment

For items not necessarily on the immediate agenda (3 minutes per item)

17. Preliminary Approval of Next Meeting Agenda

18. 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
July 2023 Treasurer Report
 Budget vs. Actuals: FY24 Budget
 July 2023 - June 2024

	Total		
	ACTUAL	BUDGET	OVER (UNDER) BUDGET
Income			
Revenue			
4000 Property Taxes	9,331	1,508,220	(1,498,889)
4200 Fines, Licenses, Permits	37,271	687,500	(650,229)
4300 Intergovernmental	-	56,000	(56,000)
4400 Miscellaneous Revenue	52	296,500	(296,448)
4500 Grants	18,180	1,901,000	(1,882,820)
Total Revenue	\$ 64,834	\$ 4,449,220	\$ (4,384,386)
Expenses			
5000 General Government	62,102	862,980	(800,878)
6000 Public Safety	54,589	998,580	(943,991)
7000 Public Works	35,841	560,660	(524,819)
8000 Grants & Awards	300	1,915,000	(1,914,700)
9000 Capital Outlays	-	112,000	(112,000)
Total Expenses	\$ 152,832	\$ 4,449,220	\$ (4,296,388)
NET INCOME	\$ (87,997)	\$ -	\$ (87,997)

Key Monthly Items

1. FY24 Start of new fiscal year!
2. YTD activity reflects a net loss of approximately 90K, revenue actuals will increase Sept-Dec for FY2
3. Expense activity is under budget YTD.
4. Cash balance is at approximately 4 months of budgeted spending, target is 6 months of cash reserves.

Bank Accounts

1000 Checking Account (Premis) 6968	639,220
1001 Petty Cash	750
1010 Payroll Account (Premis) 6976	3,818
1015 PGFSB Small Checking (Premis) 4960	1
1040 Parking Meter Checking (M&T)	75,050
1045 Speed & Red Light (M&T) 0013	215,847
1050 ARPA Checking 4957	101,885
1117 WesBanco (CD)	105,142
1140 MLGIP (MM)	311,855
Total Bank Accounts	\$ 1,453,567



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 July 2023

Incidents Reported in Town:

Found Property 2	Domestic Call 2	Lost Property 1
Commercial Alarm 5	Fight Call 1	Break-in In Progress 1
Vehicle Accident 2	Miscellaneous Report 1	Disorderly Call 1
Telephone Complaint 1	Property Damage 1	Subject Stop 1
Assist Fire Dept. 1	Suspicious Auto 1	Lock Out Call 1
Theft Call 2	Traffic Complaint 1	Check Welfare 6
Residential Alarm 3	Suspicious Person 2	Vandalism Call 1

Total calls responded by: Upper Marlboro Police 20 & Prince George’s County Police 17

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

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

Pfc. Anderson participated in the Town of Morningside July 4 Parade.

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

Chief Burse, Mayor Franklin, and Town Administrator Snyder participated in a Community Conversation on Rectory Lane.

Chief Burse, Mayor Franklin, and Town Administrator Snyder participated in an Annexation meeting.

Chief Burse participated in the quarterly Law Enforcement Coordination meeting.

Chief Burse and Cpl. Johnson participated in the weekly Conduent meeting.

Chief Burse and Mayor Franklin participated in the Marlborough Towne HOA meeting.



Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

Tel: (301) 627-6905
Fax: (301) 627-2080

info@uppermarlboromd.gov
www.uppermarlboromd.gov

Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

Date: Monday July 31, 2023

Subject: Public Works' Monthly Report

RE: July, 2023

Public Works Related

- PWD completed Training for use of Verizon connect.
- PWD assisted Ms. Agustus with info needed for grant application submittals.
- PWD touched base with Cliff Madsen of Pepco and Nathan Adams from Carrier to discuss Town Hall HVAC upgrade. Current proposed split system does not meet criteria for Pepco incentives.
- PWD began updating Cut site checklist and service requirements and Town Solid waste disposal checklist for PW staff.

Maintenance and Beautification

- PWC cut back brush and low hanging limbs along Valley Ln.
- PWC continued cleanout of PW shop.
- Site cuts continued around Town.
- Continued outfitting of enclosed cargo trailer for use as landscape trailer for added protection / security.
- Enclosure of Dumpsters behind Dominos is almost complete.
- Weeds pulled from Town Hall flower beds.
- PWD and Foreman discussed mitigation of office flooding, watering solution for Main St planters, and early morning herbicide treatments around Town.
- Verizon connect install completed on last vehicle 364.

Street and Sidewalk / Mead & Hunt Update

- Stop signs, stop lines and flagging complete on Church St.
- County contractors added curb and gutter to Old Crain Hwy. They also created culverts to directly funnel water directly into drains at School Ln and along Church St. Concrete curbs, driveway aprons, and sidewalk extended to 5518.
- Mead and Hunt submitted designs to reflect changes requested on Spring Branch Dr. This package also included cost estimates and bid form.
- PWD began surveying all Town Maintained roadways to compile striping list.

Refuse Accumulations

Bulk accumulations for items to Landfill are. Accumulations for items headed to MES totaled.. There have been no dump body rentals for the month.

Sincerely,
Darnell F. Bond

Sarah Franklin
President
sfranklin@uppermarlboromd.gov

Linda Pennoyer
Commissioner
lpennoyer@uppermarlboromd.gov

Thomas Hanchett
Commissioner / Treasurer
thanchett@uppermarlboromd.gov

Karen Lott
Commissioner
klott@uppermarlboromd.gov

Charles Colbert
Commissioner
ccolbert@uppermarlboromd.gov



Town of Upper Marlboro

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Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Monday, July 10th, 2023
Re: June 2023 Monthly General Government Report

Commissioners,

Below is the update on some of the projects and statistics from the Town of Upper Marlboro General government has undertaken in June 2023.

Major Projects Underway	
Event Planning	We are planning for the larger-scale events such as Truck or Treat and the Winter Holiday/Christmas Town events, along with handling the monthly movie nights.
Beautification	Back in March of 2022, I reached out to the Hyattsville CDC to see who they wrapped their utility boxes in art; this project is now moving forward using Streetscape grant funding.
Codification	The board is reviewing drafts, and the Town Clerk is working to get Ordinances and Resolutions uploaded that were initially not included. The Board will be passing an ordinance adopting the codes in the near future. An online portal on the website allows residents to provide comments.
Property Purchase	The Board will consider an Emergency Ordinance to authorize the purchase of 5510 Old Crain Hwy for use as a trail/park, fully reimbursable by State Program Open Space funds. TA Snyder is working with DNR for them to get the Open Space funding application processed.
Grant Applications	The Town has submitted an application for the FY24 Circuit Rider Manager program with the Town of Morningside and the Town of Eagle Harbor. Adding another municipality to our “circuit” helps strengthen the grant application and makes us eligible for additional funding. The Town continues to apply for additional grant funding in the meantime.
Playground	The County is insisting on the construction of a significant stormwater management system at the site. The engineering firm is working to get an exception made due to the very low impact of the playground on stormwater management.
PAMC Trail Study	MNCPPC has awarded the study to AECOM, the Town is awaiting next steps.
ParkMobile	The system is live and performing well! Over 4,100 transactions so far. The Town is going to pilot a validation code program with business community. Stay tuned.
Annexation	Working with Town Annexation Legal team on drafting Annexation Resolution 2023-01 for Phase 3 Annexation. Town has held two community meetings for the Phase 3 area.
State Highway Projects	SHA has finally received signed consent forms from the one property owner downtown to complete the sidewalk work. Unknown timeframe for the work to be completed. They are also coordinating with agencies on the Rt.4 and MD 717 bridge replacements (four total bridges).

Office Statistics:

- Phone Call Volume: 1,104 incoming calls (average of 44 calls per working day M-F)
- Room Rentals: 1
- Notaries: 2
- Parking Permits: 56
- Food Truck Permits: 14

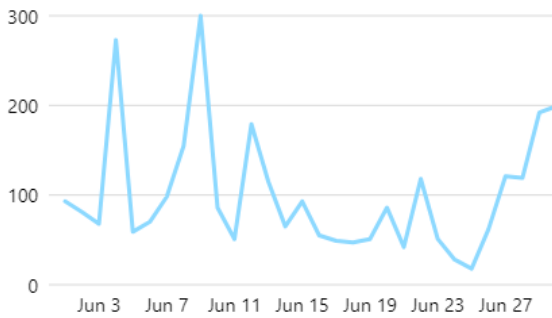
Outreach Statistics:

Facebook & Instagram-

Page and profile visits

Facebook visits ⓘ

3,024 ↓ 31.8%



Instagram profile visits ⓘ

702 ↓ 10.1%



Reach

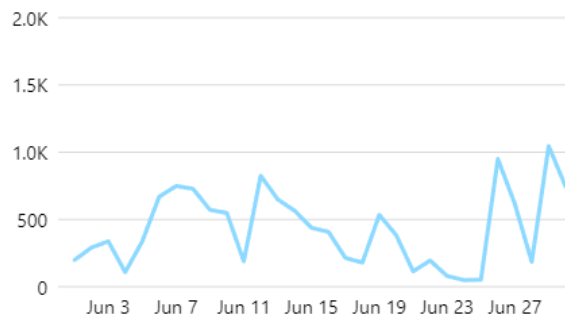
Facebook reach ⓘ

36,783 ↑ 49.6%



Instagram reach ⓘ

2,745 ↑ 22.7%



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

DRAFT

ORDINANCE: 2023-06
SESSION: Regular Town Meeting
INTRODUCED: July 25, 2023

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO AUTHORIZING AND APPROVING A NEW CHAPTER 3 (SEAL AND LOGO) OF THE TOWN CODE OF ORDINANCES ESTABLISHING, DEFINING AND DESCRIBING THE TOWN SEAL AND LOGOS; DESIGNATING THE CUSTODIAN OF THE TOWN SEAL AND LOGOS; AUTHORIZING, AND PROHIBITING CERTAIN USES OF THE TOWN SEAL OR A LOGO; AND PRESCRIBING THAT A VIOLATION OF THIS CHAPTER SHALL BE A MISDEMEANOR AND PUNISHABLE BY A FINE NOT TO EXCEED \$500 OR IMPRISONMENT NOT TO EXCEED 90 DAYS, OR BOTH; AND GENERALLY RELATING TO THE APPROVAL AND AUTHORIZED USE OF THE TOWN SEAL AND LOGOS.

WHEREAS, Section 82-16(2)(2)(a) (Advertising) of the Town Charter authorizes the Board of Commissioners to have, in addition, the power to pass ordinances not contrary to the laws and Constitution of this State, to pass ordinances for the following specific purpose: To provide for advertising for the purposes of the Town, for printing and publishing statements as to the business of the Town; and

WHEREAS, pursuant to Section 5-204(b) of the Ann. Code of Md., a municipality may establish a seal to attest to the execution of legal instruments and for authentication or attesting to documents or records; and

WHEREAS, the Board approved Resolution 2023-02 on January 24, 2023, to accept a branding and logo quote from Better City USA; and

WHEREAS, the Board finds that the Town seal and Town logos are the property of the Town and they are used for different purposes whereby the Town uses the seal to certify official Town records, legislation and instruments, and the Town uses logos as a graphic symbol to identify Town departments, programs, initiatives, partnerships and sponsorships; and

WHEREAS, Section 1-401(c) of the BR Article of the Md. Ann. Code defines "Mark" to mean a logo, slogan or tag line, program name, brand name that is different from the business name, name, symbol, word, or combination of 2 or more of these, and any person who adopts and uses a mark in Maryland may file in the Office of the Secretary of State an application for registration of the mark and

since it is a form of municipal property, the Town may use its police powers to regulate the use of such marks or logos; and

WHEREAS, the Board of Town Commissioners further finds there is a need to adopt this ordinance to further promote the health, safety and welfare of the public and the good government of the Town.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, that Chapter 3 "Seal and Logos" of The Code of Ordinances of the Town of Upper Marlboro, Maryland is hereby adopted and enacted such that said Chapter and Code shall henceforth read as follows:

* * *

PART II
CODE OF ORDINANCES
Chapter 3 (Seal and Logos)

§ 3-1. Town seal and logos.

A. Adoption of seal. There is adopted and provided for the Town a seal that shall be known as the "Seal of the Town of Upper Marlboro."

B. Description of seal. The Seal of the Town of Upper Marlboro consists of a circular disk, the center of which contains four lines: the top line contains in a semi-circle the words "Prince George's County" in capital letters; the middle line contains the word "Maryland" in capital letters, with a dot on each side of the word; and the third line contains the word "Incorporated" in capital letters and the bottom line contains the year "1870." The center of the disk also contains a dash followed by a dot followed by a dash, centered above the third line and a dot centered below the top line with a left and right arrow on either side. The center of the disk is surrounded by a ring of small dots and the outside of the seal is a braided ring, between which are the words "The Town Commissioners of Upper Marlboro" in capital letters with a star at the bottom. A facsimile is immediately below:



C. Adoption of logo. There is adopted and provided for the Town three logos that shall be known as "CRAIN MONUMENT LOGO", "UPPER MARLBORO PUBLIC WORKS" and "UPPER MARLBORO POLICE LOGO" as logos of the Town of Upper Marlboro. This ordinance also describes "THE FIRST DUKE OF MARLBOROUGH LOGO", retired in use with the adoption of this ordinance.

D. Description of Logos.

(1) The "Crain Monument" logo of the Town of Upper Marlboro consists of a circular disk, the center of which contains sky, monument, buildings, houses, and a horse in the colors of green, gold and blue. The disk is surrounded by a greenish circle, the upper half of which contains the words "Town of Upper " in green capital letters and the lower half of which contains the words "Marlboro" in green capital letters. There are the abbreviated word "ESTD" on the left side and "1706" on the right. This logo replaces the Duke of Marlborough shield surrounded by a tobacco leaf logo as the town's official logo. A facsimile is immediately below [One to be chosen from below]:



(2) The "THE FIRST DUKE OF MARLBOROUGH LOGO" of the Town of Upper Marlboro is to be phased out with the adoption of this ordinance and will no longer be in common use by the Town. It consists of an oblong disk set in the foreground of a brown tobacco leaf, the center of which contains the family crest of the First Duke of Marlborough. The disk is surrounded by a banner in the upper half of which contains the words "Town of Upper Marlboro" in black capital letters and the bottom atop the leaf stems contains the year "1706" in black numbers. The crest includes a lion rampant argent facing to the left in the upper right and lower left quadrants along with the Cross of St. George in the upper left of said quadrants, and red and yellow crossed diamonds divided by a black banner (Gules a Fret Or on a Bend Sable with four Escallops) intersecting the first and fourth quadrants. A facsimile is immediately below



(3) The "UPPER MARLBORO PUBLIC WORKS" logo consists of an oblong disk, the center of which contains the family crest of the First Duke of Marlborough. The disk is surrounded by a neon yellow-green ring in the upper half of which contains the words "Public Works" in black capital letters and the bottom contains the words "Upper Marlboro." A facsimile is immediately below:



(3) The "UPPER MARLBORO POLICE" logo consists of an oblong disk, the center of which contains the family crest of the First Duke of Marlborough. The disk is surrounded by a blue ring in the upper half of which contains the words "Police" in white capital letters and the bottom contains the words "Upper Marlboro." The right side of the disk contains the words in blue "Upper Marlboro" above the word "Police." A facsimile is immediately below:



§ 3-2. Custodian of seal and logos.

The Town Clerk of the Town of Upper Marlboro shall be the custodian of the Town Seal and logos of the Town of Upper Marlboro.

§ 3-3. Definitions.

For purposes of this article the following words and phrases are defined and shall be construed to have the following meanings:

TOWN LOGO

Includes the "CRAIN MONUMENT," "THE FIRST DUKE OF MARLBOROUGH LOGO", "UPPER MARLBORO PUBLIC WORKS," and "UPPER MARLBORO POLICE" logos of the Town of Upper Marlboro and any copy, facsimile, reproduction, or imitation thereof.

TOWN SEAL

Includes the Town seal of the Town of Upper Marlboro and any copy, facsimile, reproduction, or imitation thereof.

TOWN STATIONERY

Includes, but shall not be limited to, the following materials: letterhead, envelopes, business cards, labels, checks, warrants, business forms, ordinances, resolutions, motions, any written or printed materials, used in authorized and official Town business.

§ 3-4. Prohibited uses of Town seal or logo.

Without the express authorization the Town Board of Commissioners, no person or entity may use, or authorize the use of the Town seal or logo or any similar emblem or facsimile of the Town seal or logo that may lead a reasonable person to assume it is the Town seal or a Town logo.

§ 3-5. Authorized uses of Town seal or logo.

A. The following are authorized uses of the Town seal or the Town logos entitled as: CRAIN MONUMENT," "UPPER MARLBORO PUBLIC WORKS," and "UPPER MARLBORO POLICE" logos:

- (1) Use on Town stationery or other Town written or printed materials.
 - (a) Containing the printed names of the Mayor, or members of the Board of Commissioners when specifically authorized by the Town Board of Commissioners;
 - (b) Containing the printed name of a Town official upon prior consent of the respective Town official;
 - (c) By a Town official or employee used in authorized and official Town business; and
 - (d) By a member of the Board for individual correspondence as appropriately authorized, or the reproduction and distribution of a commissioner's letter by the recipient thereof, at no cost to the Town of Upper Marlboro.
- (2) Use on written or printed material in support of or in opposition to any state or federal legislation or statewide referendum, initiative or other ballot measure, when specifically authorized by a majority of the members of the Board.
- (3) Use for embroidery or other placement on uniforms, named badges and other clothing and identification materials worn or used by Town employees and Town officials.
- (4) Use for printing on official Town promotional and recognition materials, such as pens, plaques, coffee mugs and other similar items as may be approved by the Mayor.
- (5) Use by elected Town officials, at their own expense, for printing or placement on materials, such as shirts, pens, coffee mugs and other similar items.
- (6) For use on Town signage, marketing materials, town buildings, town vehicles, social media and other online platforms, or any other items at the discretion of the Board of Commissioners.

B. The following are authorized uses of the Town logo entitled "UPPER MARLBORO POLICE:"

- (1) Use on Town stationary or other written or printed materials so long as it is originating in the police department and its use is authorized by the Chief of Police;

(2) Use for embroidery or other placement on uniforms, named badges, and other clothing and identification materials worn or used by Town employees and Town officials;

(3) Use for printing on official police materials, as well as pens, plaques, coffee mugs, and other similar items as may be approved by the Chief of Police.

C. The following are authorized uses of the Town logo entitled "UPPER MARLBORO PUBLIC WORKS:"

(1) Use on Town stationary or other written or printed materials so long as it is originating in the police department and its use is authorized by the Director of Public Works;

(2) Use for embroidery or other placement on uniforms, named badges, and other clothing and identification materials worn or used by Town employees and Town officials;

(3) Use for printing on official public works materials, as well as pens, plaques, coffee mugs, and other similar items as may be approved by the Director of Public works.

D. Nothing in this section shall be construed so as to authorize use of the Town seal or logo in connection with any political campaign or political issue.

§ 3-6. Violation constitutes a misdemeanor.

Violation of this chapter shall be a misdemeanor and punishable by a fine not to exceed \$500 or imprisonment not to exceed 90 days, or both.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that said Board may set the fines, penalties, and fees associated with violating this Ordinance from time to time by resolution.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that it is the intent that this ordinance is to be codified in the Town’s code of ordinances or may stand alone as an individual ordinance until such time as it is codified, and any prior ordinances adopting and enacting any provision of this Ordinance or any other ordinance or resolution previously adopted pertaining to a subject or subjects embodied by the title of this Ordinance or the provisions found in conflict herein shall be deemed repealed and superseded by the provisions of this Ordinance, and should a previously enacted ordinance cover a provision or subject that is not covered by this Ordinance, it shall remain in full force and effect unless it directly conflicts with the express language of this Ordinance.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance shall be posted in the Town Hall office, and it or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

INTRODUCED and **ADOPTED** in a public session of the Board of Commissioners on this _____ day of _____, 2023.

ORDAINED, APPROVED, AND FINALLY PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this _____ day of _____, 2023, by:

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

John Hoatson, Town Clerk

Sarah Franklin, President

Date: _____

Charles Colbert, Commissioner

Thomas Hanchett, Commissioner

Karen Lott, Commissioner

Linda Pennoyer, Commissioner

Reviewed and Approved for Legal Sufficiency:

Kevin J. Best, Esq.

Date: _____

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Clerk of the Town of Upper Marlboro, Maryland, that on the ___ day of July 2023 with ___ Aye (unanimous) votes and _0___ Nay votes, the aforesaid Ordinance 2023-__ passed.

John Hoatson, Town Clerk

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

ORDINANCE: 2023-07
SESSION: Regular Town Meeting
INTRODUCED: July 25, 2023

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWN OF UPPER MARLBORO, PRINCE GEORGE'S COUNTY, STATE OF MARYLAND; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN AND OTHER PROVISIONS OF GENERAL AND SPECIFIC SUBJECT MATTER FOUND THEREIN; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

WHEREAS, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the Town of Upper Marlboro (hereinafter, the “Town”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality and to promote the good government of the Town; and

WHEREAS, the Town is a municipal corporation of the State of Maryland, organized and operating under a Charter (2021 Replacement Edition as published in the *Compilation of Municipal Charters* and prepared by the Department of Legislative Services General Assembly of Maryland), as amended, pursuant to the authority of Article XI-E, § 4 of the Constitution of the State of Maryland and Md. Code Ann., Division II (Municipalities) of the Local Government Article; and

WHEREAS, pursuant to §5-205(c) of the LG Article, Annotated Code of Maryland, and §82-16(2)(k) of the Town Charter, the Town is empowered to provide for the codification of all ordinances and resolutions which have been or may hereafter be passed; and

WHEREAS, pursuant to §4-110 of the LG Article, for the purpose of providing ready access to a current compilation of the municipal corporation’s ordinances, each municipal corporation in the State shall provide annually (if the municipal corporation during the past year has enacted any ordinances appropriate for codification) for the editing, preparation, publication, and sale or other distribution of a supplement to its most recent code of ordinances, or of a new edition of the code; and

WHEREAS, the Town Board of Commissioners has previously engaged a professional codification services company (CivicPlus LLC/Municode) to assist the Town in continuously publishing, updating, organizing and maintaining its Code of Ordinances and Town Charter so that public officials, the courts, government agencies, residents, property owners and the general public have readily available and accessible for their use on-line or in printed, hard copy format, an accurate, reliable, professional, easy to access and centralized repository of the Town’s ordinances and charter provisions; and

WHEREAS, it is the intent of the Board, by virtue of adoption of this Ordinance, to approve the Code of Ordinances of the Town of Upper Marlboro, Maryland with the first edition of the Code prepared by Civic Plus, LLC, consisting of the Town Charter, Part I. (Charter) and Part II. (Code of

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

Ordinances) including Chapter 1 (General Provisions) that heretofore had not been previously adopted by ordinance, and 23 following chapters, containing provisions that had been previously enacted as law, except for certain minor corrections and amendments placed in the final manuscript to be approved by the Board, which serves is as a final manuscript to be incorporated herein and enacted into law as said town code and is entitled the “Code of Ordinances of the Town of Upper Marlboro, Maryland (2023).”

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, that the following comprehensive codification of the general and permanent ordinances of the Town of Upper Marlboro, Maryland to be known as “The Code of Ordinances of the Town of Upper Marlboro (2023)” or “Code of Ordinances” published and maintained by CivicPlus, LLC/Municode, and attached hereto as Exhibit 1, a manuscript of 190 pages, more or less, and incorporated by reference herein as if written word for word, is hereby adopted, enacted and approved.

Section 2. AND BE IT FURTHER ORDAINED AND ENACTED, that it is the intention of the Town Board of Commissioners, and it is hereby ordained, that the provisions of this Ordinance and Exhibit 1 hereto shall become or continue to be made part of the Code of Ordinances and the sections of said Code of Ordinances may be renumbered to accomplish such intention.

Section 3. AND BE IT FURTHER ORDAINED AND ENACTED, this Ordinance shall shall be posted in the Town office, and this ordinance, or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town.

Section 4. BE IT FURTHER ORDAINED AND ENACTED, that if any section or part of a section of this ordinance shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance nor the context in which such section or part of section so held invalid shall appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Section 5. AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners.

INTRODUCED and ADOPTED in a public session of the Board of Commissioners on this ____ day of _____, 2023.

ORDAINED, APPROVED, AND FINALLY PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this ____ day of _____, 2023, by:

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

John Hoatson, Town Clerk

Sarah Franklin, President

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

Date: _____

Charles Colbert, Commissioner

Thomas Hanchett, Commissioner

Karen Lott, Commissioner

Linda Pennoyer, Commissioner

Reviewed and Approved for Legal Sufficiency:

Kevin J. Best, Esq.

Date: _____

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Clerk of the Town of Upper Marlboro, Maryland, that on the ___ day of August 2023 with _____ Aye (unanimous) votes and _0____ Nay votes, the aforesaid Ordinance 2023-__ passed.

John Hoatson, Town Clerk

[Exhibit 1 - The Code of Ordinances of the Town of Upper Marlboro (2023) – manuscript of 190 pages +/-]

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

ORDINANCE: 2023-10
SESSION: Regular Town Meeting
INTRODUCED: August 22nd, 2023
APPROVED:

AN ORDINANCE OF THE TOWN OF UPPER MARLBORO TO BE ENTITLED “~~RESIDENTIAL EXTERIOR~~ PROPERTY STANDARDS ORDINANCE” THEREBY REPLACING AND REPEALING ORDINANCE 88-1: LITTER AND WEEDS BY PROVIDING NEW SECTIONS REGARDING THE ORDINANCE’S PURPOSE AND AUTHORITY; APPLICABILITY AND SCOPE; AUTHORIZING THE OFFICE AND DUTIES OF CODE ENFORCEMENT OFFICER; PROVIDING FOR CERTAIN DEFINITIONS; ESTABLISHING AND DESCRIBING CERTAIN PROPERTY CONDITIONS OR CIRCUMSTANCES TO BE VIOLATIONS OF THE ORDINANCE; PROVIDING FOR A SYSTEM OF NOTICES OF VIOLATION OF STANDARDS AND PENALTIES FOR SUCH VIOLATIONS AND REPEAT VIOLATIONS; PROVIDING A PENALTY FOR FAILURE TO REGISTER WITH THE STATE CERTAIN FORECLOSED PROPERTIES; PROVIDING FOR THE ABATEMENT OF CERTAIN VIOLATIONS RELATING TO REAL PROPERTY BY THE TOWN; ESTABLISHING A TIMEFRAME FOR NOTICES OF STANDARDS AND PENALTIES FOR THE VIOLATION THEREOF; DESCRIBING THE TREATMENT OF RENTAL PROPERTIES; PROVIDING A PROCESS TO PURSUE A RIGHT TO APPEAL; PROVIDING A SEVERABILITY PROVISION AND ESTABLISHING CERTAIN FINES, FEES & PROMULGATION OF FINE AND FEE SCHEDULES TO BE MODIFIED BY RESOLUTION; AND GENERALLY RELATING TO RESIDENTIAL PROPERTY MAINTENANCE.

WHEREAS, pursuant to § 82-16(1) (General Powers) of the Town Charter, the Board of Commissioners shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or the Town Charter as it may deem necessary for the good government of the Town; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein; and

WHEREAS, pursuant § 82-16(2) (hh) (Specific Powers; Liens) the Board of Commissioners shall have the power to provide that any valid taxes, assessments or charges made against any real property within the Town shall be liens upon such property from the date they became payable; and

WHEREAS, pursuant § 82-16(2)(nn) (Specific Powers; Nuisances) of the Town Charter, the Board is further empowered to prevent or abate by appropriate ordinances all nuisances in the Town whether the same be therein specifically named or not; and

WHEREAS, pursuant to LG Art., § 5-205(d)(1) of the Annotated Code of Maryland, a municipality may establish and collect reasonable fees and charges associated with the exercise of a governmental or proprietary function exercised by the municipality; and

WHEREAS, THE BOARD OF TOWN COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO APPROVED RESIDENTIAL PROPERTY STANDARDS ORDINANCE 2016-03 ON OCTOBER 11TH, 2016, ALONG WITH COMMERCIAL PROPERTY STANDARDS ORDINANCE 2017-03, UNANIMOUSLY APPROVED ON OCTOBER 10TH, 2017; AND

WHEREAS, THE BOARD OF COMMISSIONERS FINDS IT TO BE IN THE BEST INTEREST OF THE TOWN TO ADOPT THE CURRENT PRINCE GEORGE’S COUNTY CODE REGARDING PROPERTY.

NOW, THEREFORE, the Board of Commissioners of the Town of Upper Marlboro, State of Maryland, does ordain and enact as follows:

RESIDENTIAL EXTERIOR PROPERTY STANDARDS ORDINANCE

SECTION 1: PURPOSE AND AUTHORITY

SECTION 2: APPLICABILITY AND SCOPE OF THE ORDINANCE

SECTION 3: CODE ENFORCEMENT OFFICER

SECTION 4: RESERVED

SECTION 5: DEFINITIONS

SECTION 6: ~~VIOLATIONS~~ ADOPTION OF COUNTY CODE

SECTION 7: NOTICE OF VIOLATION OF STANDARDS AND PENALTY FOR VIOLATION

SECTION 8: TOWN ABATEMENT

SECTION 9: VACANT AND FORECLOSED PROPERTIES

SECTION 10: TIMEFRAME FOR NOTICES OF STANDARDS AND PENALTIES OF VIOLATION

SECTION 11: REPEAT VIOLATIONS

SECTION 12: RENTAL PROPERTIES

~~SECTION 13: RIGHT TO APPEAL~~

SECTION 14: SEVERABILITY

SECTION 15: VIOLATION FINES, FEES & SCHEDULE

SECTION 1. PURPOSE AND AUTHORITY

- A. The purpose of this Residential Exterior Property Standards Ordinance is to establish standards for the exterior maintenance of residential properties in the Town of Upper Marlboro, and to prevent conditions that threaten public health, safety or welfare of residents of, or visitors to the Town of Upper Marlboro. The Ordinance creates the office of Code Enforcement Officer for the enforcement of this and other ordinances, and also establishes a system of notifications and penalties for violations to enforce the standards and a process to appeal any penalties imposed.
- B. The authority to provide for the general protection of health, safety, comfort, convenience, and welfare of Town residents and visitors is provided in Section 82-16 (General Powers) of the Charter of the Town of Upper Marlboro.
- C. The authority to enact such regulations is provided in Section 82-16(vv) (Specific Powers; Regulations) of the Charter of the Town of Upper Marlboro.
- D. The authority to impose fees and penalties for violating the regulations is provided in Section 82-18 (Enforcement) of the Charter of the Town of Upper Marlboro.
- E. The authority to create new offices and appoint officers is provided in Section 82-59 (Authority to Employ Personnel) of the Charter of the Town of Upper Marlboro.

SECTION 2. APPLICABILITY AND SCOPE OF THE ORDINANCE

- A. The provisions herein shall apply to all residentially-zoned real property located within the corporate limits of the Town of Upper Marlboro, whether improved or unimproved.
- B. The Prince George’s County Housing Code adopting with amendment the International Property Maintenance Code, 2000 Edition as found in Subtitle 13 of the Prince George’s County Code and all divisions thereof as enforced by County officials shall remain in full force and effect within the corporate limits of the Town provided; however, that any conflict between this Residential Exterior Property Standards Ordinance or any other ordinances of the Town, and any provision of Subtitles 4 and 13 of the County Code shall be resolved in favor of the provision which establishes the higher standard for the promotion and protection of the health and safety of the people. Unless a provision of County legislation conflicts with a provision of this Ordinance, nothing herein shall be construed to prevent the jurisdiction, applicability or enforcement of the County’s ordinances regarding property maintenance or nuisances within the corporate limits of the Town.
- C. This Ordinance shall be construed liberally and justly to insure the public health, safety and welfare insofar as it pertains to residential property maintenance standards.

SECTION 3. CODE ENFORCEMENT OFFICER

A. This Ordinance shall be enforced by a sworn police officer or by an appointed Code Enforcement Officer of the Town. The Office of Code Enforcement Officer is hereby created, ratified and established by this Ordinance. The appointment of a Code Enforcement Officer shall be approved by ordinance or written resolution. The Code Enforcement Officer shall be responsible to the Commission President.

B. A Code Enforcement Officer or officers appointed by the President, with the approval of the Board, shall have the following powers, authorizations, duties, qualifications and functions:

1. Subject to the requirements of the Board of Commissioners, the Code Enforcement Officer, shall, in addition to such other duties as may be assigned to him or her by the President, enforce such laws and ordinances relating to property, buildings and structures as may be specifically provided.
2. The Code Enforcement Officer shall not have any interest whatever, directly or indirectly in the sale or manufacture of any material, process or device entering into or used in or in connection with property maintenance or building construction within the Town.
3. The Code Enforcement Officer may be authorized by the Board of Commissioners to enforce the Town's ordinances and may deliver a municipal infraction citation, criminal misdemeanor violation summons, charging document or criminal citation to any person alleged to be committing or to have committed a municipal infraction or other violation.
4. The Code Enforcement Officer shall examine premises and shall make necessary inspections to see that the provisions of applicable laws or ordinances are complied with and that maintenance or use therein is implemented pursuant to applicable laws. He or she shall, when requested by the Board or when the interests of the Town so require, make investigations in connection with matters referred to within Town ordinances and render written reports on the same. For the purpose of enforcing compliance with law, to remove illegal, nuisance or unsafe conditions, to secure the necessary safeguards, or to require adequate facilities in improved properties, he or she shall issue notices or orders as may be necessary.
5. Unless posted or informed otherwise (i.e, no trespassing), the code enforcement or police officer shall have the right, upon proper identification, to routinely enter upon private property so far as is necessary for the performance of duties. The code enforcement officer's right of entry upon residential property shall be limited to entry for the purposes of obtaining consent from the owner or occupant to conduct an inspection or as otherwise permitted by law.
6. The President is hereby authorized and empowered to establish additional regulations and duties for any assigned Code Enforcement Officer provided that said officer shall not be vested with police powers of arrest. Code enforcement officers are not authorized to carry firearms, and they shall not carry firearms while on duty. Said officers shall be assigned such duties as are civilian and administrative in nature that the President, from time to time, may direct, that are not inconsistent

with the limitations and responsibilities set forth in Town ordinances, or State law and, in addition, the Code Enforcement Officer shall be vested with the authority to issue parking citations, criminal citations and citations for municipal infractions as expressly provided for in each applicable provision or section of the Town’s ordinances.

7. The Code Enforcement Officer shall keep careful and comprehensive records of applications, of relevant permits or certificates issued, of inspections made, of reports rendered, and of notices, citations or orders issued.

C. In the absence or disability of the Code Enforcement Officer, the President with approval of the Board shall designate, by ordinance or written resolution, a qualified official or subordinate to discharge the duties of the Code Enforcement Officer. Nothing in this Section shall be construed to prevent the appointment of an existing Town employee and from having the additional or collateral duties of Code Enforcement Officer.

SECTION 4. RESERVED

SECTION 5. DEFINITIONS

In this Ordinance, the following words have the meanings indicated. Where terms are not defined, they shall have their ordinarily accepted meanings such as the context may imply.

A. Abandoned, junked, wrecked, or non-road worthy motor vehicle means any motor vehicle which is unregistered, improperly registered, or which is without current State of Maryland license tags unless (i) the State of Maryland expressly exempts such vehicles from registration requirements; (ii) it bears the license tags of another vehicle; (iii) it is disabled or inoperable; (iv) it is dismantled or partially dismantled; (v) it is substantially damaged or in disrepair; or (vi) it is unable to pass inspection by the Maryland Motor Vehicle Administration.

B. Accessory structure means a building or structure, retaining wall, wall or fence that is incidental to the main building, located on the property.

C. Agent means any person or company designated by the property owner to act for him or them.

D. Debris, litter, or garbage means any quantity or combination of: putrescible animal, food and vegetable wastes resulting from the handling, combustible and noncombustible waste materials; bulk refuse, electronics or electronic recyclables, hazardous material or waste, household refuse, refuse, trash and yard waste, excluding organic compost piles, that is thrown, deposited or stored in or on private property or creates a nuisance or a threat to public health, safety and welfare.

E. Exterior property area means all areas external to improvements on the property or on unimproved property including the Town right-of-way and adjacent street curb and gutter. Exterior property area specifically excludes any trees along the Town right-of-way.

F. Foreclosed Property Registry means the foreclosed property registry established by the Maryland Department of Labor, Licensing, and Regulation under the Maryland Annotated Code, Real Property Article, § 14-126.1.

G. Hazard means a situation, condition or action by a person that creates an environment that is unsafe or threatens public health, safety, or welfare.

H. Property Owner means one who has complete dominion over a particular property and in whom legal or equitable title rests, when applied to a building or land. Property Owner further means any part owner, joint tenant in common, tenant by the entirety, or joint tenant, of the whole or part of such building or land. Property owner may also include the owner or possessor of a leasehold interest in real property.

I. Paved Parking Area means any asphalt, bluestone, bricks, brick pavers, pervious pavers, crushed gravel, poured concrete, other hard rock surface or other masonry-like material completed in a professional manner, rolled to a smooth or level surface and maintained free of loose materials or excessive vegetative growth, situated on the property behind the property line and located and accessed in accordance with the provisions of the Prince George’s County Zoning Ordinance.

J. Person means any individual, natural person, legal entity, joint stock company, partnership, voluntary association, society, club, firm, company, corporation, business trust, organization, owner, occupant, or any other group acting as a unit, principal or agent, or the manager, lessor, lessee, agent, servant, partner, member, director, officer or employee of any of them including an executor, administrator, trustee, receiver, or other representative appointed according to law.

K. Registry Law means Maryland Annotated Code, Real Property Article, §14-126.1.

L. Repeat Violator means any person that has been noticed for two violations of this Ordinance in an eighteen (18) month period.

M. Board of Commissioners means the President and Commissioners of the Town of Upper Marlboro.

N. Vacant Property means a residence that is not occupied on a regular and habitual basis by the property owner or any other person for the usual and customary purposes for which the residence is designed and lawfully permitted.

O. Weeds means brush, plants, or any noxious growth that is injurious to public health, agriculture, recreation, wildlife or property. This definition excludes properly tended trees, ornamental plants, flowers, vegetable plants, or undisturbed woodland, not otherwise in violation of this Ordinance.

SECTION 6. ~~VIOLATIONS~~ ADOPTION OF COUNTY CODE

THE PROPERTY STANDARDS OF THE TOWN OF UPPER MARLBORO SHALL BE THE CURRENT PROPERTY STANDARDS CODE OF PRINCE GEORGE'S COUNTY. THE OFFICIAL BUILDING CODE OF PRINCE GEORGE'S COUNTY AND OTHER RELATED CODES TOGETHER WITH THE CHANGES, DELETIONS, OR MODIFICATIONS

PRESCRIBED IN SAID CODES, AS AMENDED FROM TIME TO TIME, SHALL APPLY TO ALL BUILDINGS BEING CONSTRUCTED IN THE TOWN OF UPPER MARLBORO.

The following are considered violations of this Ordinance:

- ~~A. Condition of Exterior Property Areas. All exterior property areas shall be maintained in a reasonably clean and sanitary condition, free from any accumulation of debris, litter, stagnant water, or garbage. If pests are found, the property owner shall initiate the extermination process which shall not be injurious to the health of humans or domestic animals.~~
- ~~B. Tall Grass and Weeds. All exterior property areas shall be properly maintained and no grass or weeds more than twelve (12) inches tall, other than annual or perennial cultivated flowers, and plants, bushes, shrubs, garden and yard plantings, and trees properly maintained by the property owner or agent shall be allowed to accumulate or grow on any private property. No vegetation shall be allowed to grow in, or into, the public curb, gutter or paved area of the right of way.~~
- ~~C. Discarded Vehicles. It shall be unlawful for any person to discard any vehicle on any residential lot within the corporate limits of the Town.~~
- ~~D. Vehicle Condition and Storage. No property owner or agent shall permit an abandoned, junked, wrecked, unregistered, or non-road worthy vehicle as defined in this Ordinance to remain on such property, except when enclosed in a garage.~~
- ~~E. Motor Vehicle Parts. Exterior property areas shall not be utilized for the storage of motor vehicle parts.~~
- ~~F. Exterior Property Storage. Exterior property areas shall not be utilized for the open storage of building materials, bathroom or kitchen fixtures, furniture, or lawn and garden equipment, irrespective of age or condition, except for routine garden maintenance equipment, outdoor lawn furniture, or materials used in construction or renovation projects with the appropriate Prince George's County and Town permits.~~
- ~~G. Wood Storage. The storage of wood and other materials not proscribed by this Ordinance, including organic compost piles, shall be accomplished in a manner designed to avoid rodents, termites and other insect infestation. Wood shall be stored at least six (6) inches above the ground.~~
- ~~H. Vegetation. All vegetation located on exterior property areas shall be maintained in such a way so as not to pose a danger or obstruction to adjoining property, pedestrians or vision of any motorist.~~
- ~~I. Parking Surfaces. A paved parking area must be accessed by a curb cut if the property has a curb installed along the street unless granted an exception by the Board. The curb cut shall be constructed of poured concrete completed in a professional manner, situated totally within the public right of way, where applicable; constructed in accordance with the road ordinance or construction codes of Prince George's County and located in accordance with the Prince George's County Zoning Ordinance. Grassy yards or other unpaved areas shall not be used for the parking of boats, motorcycles, motor vehicles of any type, trailers or similar items on a~~

~~residential property except during a “snow emergency.” All wheels of said vehicle(s) must be parked on an approved paved parking area in order to be in compliance with this Ordinance.~~

~~J. Building Security. No property owner or agent shall allow vacant structures or property to become a public nuisance, safety or health hazard, or be in a condition that could encourage trespassing.~~

~~K. Accessory Structures. No accessory structure shall pose a public health, safety hazard, or fall into disrepair. All accessory structures shall comply with Prince George’s County and Town Ordinances and any improvements to such accessory structures shall be duly permitted. A Code Enforcement Officer or other Town designated representative may require a property owner, at the property owner’s expense, to repair or replace a fence not in compliance with the Prince George’s County Zoning Ordinance. Any fence repair or replacement shall comply with provisions regarding location, height, and material in the Prince George’s County Zoning Ordinance.~~

~~L. Identification. All premises shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property.~~

SECTION 7. NOTICE OF VIOLATION OF STANDARDS AND PENALTY FOR VIOLATION

A. Except for violations of the Registry Law, whenever the Code Enforcement Officer, a sworn police officer or other designated Town representative determines that there are reasonable grounds to believe that there has been, or is, a violation of any provision of this Ordinance or of any rule or regulation adopted pursuant thereto, the Code Enforcement Officer, sworn police officer or designated representative shall give notice of such alleged violation to the person or persons responsible therefore, as herein after provided unless otherwise noted in this Ordinance. Such notice shall:

1. Be in writing;
2. Include a description of the real property sufficient for identification;
3. Include a statement of the reason why the notice is being issued with reference to the Section of this Ordinance violated;
4. Allow time, as set forth in this Ordinance, for the remedial action required to correct the violation; and
5. Contain:
 - a. An outline of the remedial action which, if taken, will effect compliance with the provisions of this Ordinance and with the rules and regulations adopted pursuant thereto, if any; and
 - b. The requirement that the violation must be fully corrected within the timeframe, as specified in Section 10 of this Ordinance. For each additional prescribed period that the

violation is not fully corrected, notice will be issued of the fine amount as due and payable to the Town of Upper Marlboro. Fines for failure to take remedial action shall be established by Resolution of the Board of Commissioners, but shall not exceed the amount of one thousand dollars (\$1,000.00). Failure to pay a fine may result in the amount of any fine or fines imposed to be collected in the same manner as delinquent Town taxes.

B. Service of notice that a person and/or property is in violation shall be as follows:

1. By delivery to the property owner or agent personally or by leaving the notice at the usual place of abode of the property owner or office of the agent with a person of suitable age and discretion who shall be informed of the intent thereof; or
2. By appropriate means of mail addressed to the property owner or agent at the address provided to the Town by the property owner or agent with postage prepaid thereon with return receipt requested, or if said letter is returned with receipt showing non-delivery, then
3. By posting a copy of the notice in a conspicuous place on the premises affected by such notice.

SECTION 8. TOWN ABATEMENT

Provided that notice has been served pursuant to Section 7 of this Ordinance, the Town of Upper Marlboro and its officials, employees and agents shall have the right, after thirty (30) days of continued violation, to enter onto the premises of the property in violation to abate any violation. The costs of such abatement shall be charged to the property owner and after attempting to deliver an invoice payable within thirty (30) days to the property owner may be collected in the same manner as delinquent Town property taxes. If the property is vacant, and upon serving notice the Town shall have the right to abate after fifteen (15) days of continued violation.

SECTION 9. VACANT AND FORECLOSED PROPERTIES

A. In the event that a Code Enforcement Officer, sworn police officer or other Town designated representative determines that the condition of a vacant property constitutes a violation, a responsible person or occupant shall be notified of the violation of this Ordinance by certified mail and have fifteen (15) calendar days to correct the violation. If, after fifteen (15) days from the date of notification, the violation has not been corrected, the Town of Upper Marlboro and its officials, employees and agents shall have the right to enter upon the premises of the property in violation to abate any and all violations. Failure of the property owner to pay the Town within thirty (30) days for the cost of abatement upon the Town’s reasonable attempt to deliver an invoice may result in collection in the same manner as delinquent Town property taxes.

B. All foreclosed properties within the Town shall register with the State of Maryland Foreclosed Property Registry. Failure to register a property located in the Town under the Registry Law shall be a municipal infraction punishable by a fine of up to one thousand (\$1,000.00) or as otherwise established from time to time by Resolution.

C. The Code Enforcement Officer shall obtain access to the Foreclosed Property Registry and maintain an updated list of all known vacant residential properties, and corresponding contact information, located within the Town.

SECTION 10. TIMEFRAME FOR NOTICES OF STANDARDS AND PENALTIES OF VIOLATION

The definitions below provide categories of timeframes for issuing the initial violation notice, a subsequent violation notice and assessment of penalties and fines.

- 1. First Offense: a person shall have fifteen (15) days from the time the correction notice has been issued to correct the violation. If, after fifteen (15) days, the violation has not been corrected, another notice to correct which imposes a fine shall be issued. A recurring and cumulative fine and subsequent notice to correct shall be issued in seven (7) day intervals thereafter until the violation is corrected.
- 2. Repeat Offender: a person shall have seven (7) days from the time the correction notice was issued to correct the violation. If, after seven (7) days, the violation has not been corrected, another notice to correct which imposes a fine shall be issued. A recurring fine and notice to correct shall be issued in seven (7) day intervals thereafter until the violation is corrected.

SECTION 11. REPEAT VIOLATIONS

A. Unless otherwise noted in this Ordinance, two (2) violations of the same type occurring within an eighteen (18) month period shall be considered a repeat of any previous violation and the property owner or agent shall be deemed a repeat violator. Repeat violations are subject to Town abatement if not corrected within twenty-one (21) days. The costs of such abatement may be charged to the property owner and may be collected in the same manner as delinquent Town taxes. A repeat violation may pertain to a subsequently noticed violation of the same of a different subsection of Section 6 of this Ordinance.

B. Unless otherwise noted in this Ordinance, if a property is issued three (3) or more notices for the same violation occurring within an eighteen (18) month period, the property shall become subject to immediate fines.

SECTION 12. ~~RIGHT TO APPEAL~~

~~A. Any person affected by any notice of violation and subjected to a fine may elect to appeal to the Board of Commissioners as follows:~~

- ~~1. Any person affected by any notice of violation which had been issued in connection with the enforcement of any provision of this Ordinance and subject to a fine may request and shall be granted a hearing on the matter by the Board of Commissioners, provided that such person shall within ten (10) days after service of a notice of violation, file with the Board of Town Commissioners a signed written notice of administrative appeal, requesting a hearing and setting forth a brief statement of the reasons therefore. Upon receipt of such notice of appeal, the Board of Commissioners shall set a time and place for such hearing and shall determine such appeals as promptly~~

~~as practicable. The Board of Commissioners, with a quorum present, shall hear such appeals.~~

~~2. After such hearing, the Board of Commissioners may, by a majority of members present, affirm, amend, modify, rescind or withdraw the notice of violation with any assessed fine that has been appealed. Any person who shall fail, refuse or neglect to comply with the decision of the Board of Commissioners shall be deemed guilty of violating the provisions of this Ordinance.~~

~~3. In the event a person affected by a notice of violation and subjected to a penalty wishes to contest the decision of the Board of Commissioners, he or she may notify the Town Clerk or designee of his or her intent within ten (10) days after the rendering of the decision by the Board of Commissioners. In such event, the Town shall issue a municipal infraction citation to the affected person who may request a de novo trial in the District Court of Maryland for Prince George’s County pursuant to Md. Ann. Code, Local Government Article, Title 6. The decision of the Board of Commissioners in such a case shall be stayed, pending adjudication of the matter by the District Court of Maryland for Prince George’s County. To the extent of this Section of the Ordinance, any notice of violation of this Ordinance previously issued and made subject to adjudication shall be considered a municipal infraction of the Town.~~

~~B. Failure to pay any fine and/or cost of abatement included in a judgment awarded pursuant to adjudication may result in the amount of any fine, fee or cost imposed or sanctioned by the court to be collected in the same manner as delinquent Town property taxes.~~

~~C. An appeal of an assessment or collection of any fee or cost to abate any violation as permitted by this Ordinance that was not awarded pursuant to adjudication by the court may be sought pursuant to the procedures provided in Subtitles 4 and 9 of Title 13 of the Tax General Article of the Md. Ann. Code.~~

SECTION 13. RENTAL PROPERTIES

All rental properties within the cooperate limits, regardless of zoning, shall be properly licensed and inspected, as required, by Prince Georges County. The Town shall notify the County in a timely manner of any unlicensed rental properties found as they are discovered.

SECTION 14. SEVERABILITY

If any section or part of a section of this Ordinance shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance.

SECTION 15. VIOLATION FINES, FEES AND SCHEDULE

SHALL BE THE SAME AS PRINCE GEORGE’S COUNTY

~~A. Unless otherwise stated herein, violation of any provision of this Ordinance shall be subject to a fine and/or fee, which may be set or changed from time to time by resolution of the Board of Commissioners. Failure to pay any fee, fine, late fee and/or costs to abate, or incurred to repair~~

~~damage to Town property such as aprons, curbs, gutters, sidewalks, or streets will result in the amount of any fine, late fee or repair costs incurred being recorded as a lien against the property and collected in the same manner as delinquent taxes.~~

~~B. A late fee not to exceed \$25 may be assessed for any fine, charge or invoice for abatement that is left unpaid for more than 30 days. A late fee may not be assessed unless included in the judgment if the violation is adjudicated in the District Court.~~

~~C. The initial fine and fee schedule established by this Ordinance is as follows:~~

CATEGORY OF VIOLATION (§ 6, SUBSECTION)	Fine, 1st Offense	Repeat, Multiple Offense
A. Condition of Exterior Property Areas	\$50	\$100
B. Tall Grass and Weeds	\$50	\$100
C. Discarded Vehicle	\$50	\$100
D. Vehicle Condition & Storage	\$50	\$100
E. Motor Vehicle Parts	\$50	\$100
F. Exterior Property Storage	\$50	\$100
G. Wood Storage	\$50	\$100
H. Vegetation	\$50	\$100
I. Parking Surfaces	\$25/ incident	\$25
J. Building Security	\$50	\$100
K. Accessory Structures	\$50	\$100
L. Premises Identification	\$50	\$100

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that said Board may set the fines, penalties, and fees associated with violating this Ordinance from time to time by resolution.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that any prior ordinances adopting and enacting any provision of this Ordinance or any other ordinance or resolution previously adopted pertaining to a subject or subjects embodied by the title of this Ordinance or the provisions found in conflict herein shall be deemed repealed and superseded by the provisions of this Ordinance, and should a previously enacted ordinance cover a provision or subject that is not covered by this Ordinance, it shall remain in full force and effect unless it directly conflicts with the express language of this

Ordinance.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance 2016-03 upon taking effect shall replace and repeal Ordinance 88- 1: Litter and Weeds.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that Deputy Clerk Kyle Snyder is hereby appointed to serve as Code Enforcement Officer of the Town with all powers, authority, responsibilities, immunities and privileges thereunto pertaining.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance shall be posted in the Town Hall office, and it or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall be fully effective throughout the corporate territory of the Town including any subdivision governed by a homeowners or condominium association as defined by Titles 11 and 11B of the RP Article of Md. Ann. Code.

Adopted this _____ day of _____, 2023.

THE TOWN OF UPPER MARLBORO,
BOARD OF COMMISSIONERS

The Town of Upper Marlboro

RESOLUTION: 2023-17
SESSION: Regular Town Meeting
DATED: August 22, 2023

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO APPROVING THE REVIZE WEB SERVICES SALES AGREEMENT

WHEREAS, the Board of Commissioners for the Town of Upper Marlboro has authority pursuant to §82-56 of the Town Charter, and Ordinance 2022-06 to enter into professional services contracts; and

WHEREAS, pursuant to Town’s Charter, Section 82–56 (Purchasing and Contracts), all expenditures for contracts and purchases with an anticipated cost of more than ten thousand dollars (\$10,000) shall be subject to competitive sealed bidding unless the Board, by unanimous vote of the full Board, finds another method of procurement to be more advantageous; and

WHEREAS, the Town Board of Commissioners hereby finds that sufficient funds have been appropriated and that Revize Software Systems is a responsible offeror or interested business whose proposal is the most advantageous to the Town, taking into consideration the price and the evaluation factors set forth in the request for proposals; and

WHEREAS, the Town Board of Commissioners unanimously approved the current contract with Revize Software Systems at the Regular Town Meeting held on December 17, 2018

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session this 22nd day of August 2023, that the Town Board of Commissioners hereby approves and further authorizes the President to sign, on behalf of the Town, the contract, as an Annual Software Subscription, Tech Support, CMS Updates, Website Hosting, 50 GB Website Storage, 100 GB Month Bandwidth, SSL Certificate, Pre-Paid Annual Fee, 5 Year Agreement, Free Redesign Year 5, locked-in rate.

AND BE IT FURTHER RESOLVED, that prior to the President’s/Mayor’s execution of said proposal/contract, the Town Administrator shall ensure that the vendor is in good standing with the State.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage and that the President/Mayor is authorized to execute the subject contract or proposal not to exceed \$3,000 annually with the subject website company trading as or having the legal name of Revize

Software Systems, and any related indemnification forms, addenda, schedules, exhibits or change orders thereto pertaining not exceeding the authority of said official pursuant to Town law and this Resolution.

ATTEST:

THE TOWN OF UPPER MARLBORO

John Hoatson, Town Clerk

Sarah Franklin, President

Date: _____

Charles Colbert, Commissioner

Thomas Hanchett, Commissioner

Karen Lott, Commissioner

Linda Pennoyer, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present, adopted this Ordinance, and that said Ordinance is in full force and effect and has not been amended or repealed.

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 22nd day of August 2023.

John Hoatson, Town Clerk

ATTACHMENT A- Revize Web Services Sales Agreement Dated 8/15/2023

Revize Web Services Sales Agreement

This Sales Agreement is between Town of Upper Marlboro, MD (“CLIENT”) and Revize LLC, aka Revize Software Systems, (“Revize”). Federal Tax ID# 20-5000179 Date: 8/15/2023

CLIENT INFORMATION:	REVIZE LLC:
Company Name: <u>Upper Marlboro</u>	Revize Software Systems
Company Address: <u>14211 School Lane</u>	150 Kirts Blvd, Suite B
Company City/State/Zip: <u>Upper Marlboro, MD 20772</u>	Troy, MI 48084
Contact Name: <u>Kyle Snyder</u> <u>ksnyder@uppermarlboromd.gov</u> <u>301-627-6905</u>	248-269-9263
Client Website Address: <u>https://www.uppermarlboromd.gov/</u>	

The CLIENT agrees to purchase the following products and services provided by REVIZE:

<u>Quantity</u>	<u>Description</u>	<u>Set-up Price</u>	<u>Annual</u>
1	Discovery & Design from Scratch: <ul style="list-style-type: none"> 1 mockup with up to 3 rounds of changes Home page template and inner page design and layout. Includes Responsive Web Design 	Included	-
1	Revize Template Development: <ul style="list-style-type: none"> Set-up all CMS modules listed in this agreement Integration with all 3rd party web applications New Calendar 	Included	-
1	Revize Annual Software Subscription, Tech Support, CMS Updates, Website Hosting, 50GB website storage, 100GB/Month Bandwidth, SSL Certificate, pre-paid annual fee, 5-year agreement, free redesign year 5, locked in rate:		\$3,000
1	GRAND TOTAL		\$3,000

The Town of Upper Marlboro will have the option for a free redesign four years from execution of this agreement (this assumes four consecutive years of support/updates/hosting through Revize).

Redesign Terms:

1. *One new Town website design concept, up to 3 sets of changes, Departments will have the same home page look and layout as the city’s home page*
2. *The current main navigation of your website will remain the same and will be moved over “as is” including all interior left navigations. The main navigation is also referred to as your top navigation. There will be no rearrangement of links/menus. You can easily edit the menu headings to say whatever you like.*
3. *There will not be any reorganization, rearrangement or reformatting of any content on any inner pages. It will be the town’s responsibility to populate any new sections with content, if those sections are added to the new design. This includes quick links buttons, news sections content areas and any other areas of content.*
4. *“As is” means content will be moved over with the same styles and not reformatted. As you know you can use the Revize CMS to reformat, if need be, once you have editing rights after development.*

5. Note: There may be tables, forms and/or any page specific styles etc. in your current site page content that may not display properly in the new site. In that case, you need to login to the new site and reformat and fix those pages. Keep in mind if you need help you can call in to tech support for help with changes. If you want Revize to do the work and fix those pages, that will be billable work billed on time & material.

Terms:

1. **Payments: All Invoices are due upon receipt. Work begins upon receiving initial payment.**
2. **Additional content migration, if requested, is available for \$3 per web page or document.**
3. **This Sales Agreement is the only legal document governing this sale.**
4. **Both parties must agree in writing to any changes or additions to this Sales Agreement.**
5. **This Sales Agreement is subject to the laws of the State of Michigan.**
6. **Client understands that project completion date is highly dependent on their timely communication with Revize. Client also agrees and understands that;**
 - a. **The primary communication tool for this project and future tech support is the Revize customer portal found at <https://support.revize.com>.**
 - b. **During the project, Client will respond to Revize inquiries within 48 hours of the request to avoid any delay in the project timeline.**

AGREED TO BY:	CLIENT	REVIZE
<i>Signature of Authorized Person:</i>		
<i>Name of Authorized Person:</i>		<i>Dylan Johnston</i>
<i>Title of Authorized Person</i>		<i>Sales Account Manager</i>
<i>Date:</i>		

Revize provides applications and features specifically designed for municipalities. The applications and features are categorized into:

- **Citizen’s Communication Center Apps**
- **Citizen’s Engagement Center Apps**
- **Staff Productivity Apps**
- **Site Administration and Security Features**
- **Mobile Device and Accessibility Features**

Citizen’s Communication Center Apps

- E-Notify with Text/Email Alerts
- Document Center
- FAQs
- News Center with Facebook/Twitter Integration
- “Share This” Social Media App
- Online Forms
- Photo Gallery
- Quick Link Buttons
- Revize Web Calendar - Unlimited
- Sliding Feature Bar
- Language Translator

Citizen’s Engagement Center Apps

- Citizen Request Center with Captcha
- Online Bill Pay
- RSS Feed

Staff Productivity Apps

- Image Manager
- iCal Integration
- Link Checker
- Menu Manager
- Online Form Builder
- Staff Directory
- Website Content Archiving
- Website Content Scheduling

Site Administration and Security Features

- Audit Trail
- History Log
- URL Redirect Setup
- Roles and Permission-based Security Mode
- Secure Site Gateway
- Unique Login/Password for each Content Editor
- Web Statistics and Analytics
- Workflows by Department

Mobile Device and Accessibility Features

- Font Size Adjustment
- ADA Button
- Alt-Tags
- Responsive Website Design (RWD) –Latest Government Design Trend to accommodate better viewing of text and graphics for any size screen, i.e. smart phones, tablets, iPads, iPhones, Windows and Android devices

Service Level Agreement

Maximum Response Times via Severity Level

- 1 hour for crisis issues
- 4-6 hours for critical issues
- 24 hours for normal issues

Crisis issues are defined as when a website error renders the CMS program or website completely unusable or nearly unusable or introduces a high degree of operational risk and no workaround is available. Till this every error is resolved, the website is essentially halted. A large number of users and or core program functionality a severely impacted.

Critical issues are defined as website errors that are an inconvenience or causes a consistent behavior of the website, which does not impede the normal functioning of the website. It could be an error that occurs consistently and affects non-essential functions and is an inconvenience which impacts a small number of users. May also contain visual errors for the graphical display of the website that is not ideal but still functioning correctly.

Normal issues are defined as an error that has a small degree of significance or is a minor cosmetic issue, or is a one-off case. A one-off case occurs when the error occurs and cannot be reproduced easily. These are errors that do not impact the daily use of the website. A low error is something that does not affect normal use, and can be accepted for a period of time, but user would eventually want changed.

Technical Support Escalation:

If an issue cannot be remedied by the Tech Support technician within 3 days, it will be escalated to the CTO, Ray Akshaya. If the problem is not resolved within 3 business days, then the Business Development Director, Joseph Nagrant, will assemble a team to work on the issue and have a conference call with the client explaining the resolution path the company will take to resolve the issue. If additional time is needed, the Business Development Director will contact the client and notify the client with an explanation and a follow up date as agreed by both the client and Revize.

Revize Support

- 8 a.m. – 8 p.m. EST Phone Support (Monday thru Friday)
- 24X7X365 Portal & Email Support

- Dedicated support staff to provide assistance and answer all questions
- Training refreshers
- Video tutorials and online training manual

www.revize.com

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT (this "Agreement") is made this 14th day of August, 2023 by and between The Town of Upper Marlboro ("the Town"), a municipal corporation of the State of Maryland, with its offices located at 14211 School Lane, Upper Marlboro, Maryland 20772, and A.B. Green, LLC ("Owner"), a Maryland Limited Liability Company with its principal offices at 8106 Grayden Lane, Brandywine, Maryland 20613.

RECITALS

WHEREAS, the Owner is the record owner of certain real property located in Prince George's County, Maryland, commonly known as 15500 Marlboro Pike, Upper Marlboro, Maryland 20772, and more particularly described in the deed attached hereto as Exhibit A, which is made a part hereof as if set forth in full in the body of this Agreement, the Tax ID for which is 03-0238337 (hereinafter referred to as "the Annexation Area" or "the Property"); and

WHEREAS, Owner and the Town desire to have the Annexation Area incorporated into the corporate boundaries of the Town; and

WHEREAS, Owner acknowledges that the Annexation Area will be annexed along with other properties and that the exact timing of the initiation of the annexation contemplated in this Agreement is not known; and

WHEREAS, Owner desires to use the Annexation Area for a martial arts training center, which is categorized as a private school use under the Prince George's County Zoning Ordinance. On or about May 18, 2023 Owner submitted an application for a preliminary plan of subdivision to allow development of greater than 5,000 square feet on the currently unplatted parcel known as the Annexation Area ("Preliminary Plan No.: PPS 2022-041"); and

WHEREAS, Owner has requested that the Town support its development of the Annexation Area by calling the Maryland-National Capital Park and Planning Commission and/or Prince George's County and expressing support for the development as a property being considered for annexation into the Town. The Town agreed to make this call as partial consideration for the Owner entering into this Annexation Agreement; and

WHEREAS, pursuant to the authority contained in Md. Code Ann., Local Gov't Art., Title 4, Subtitle 4, the Owner and the Town have agreed that the following conditions and circumstances will apply to the annexation proceedings and to the Annexation Area.

WITNESSETH:

NOW THEREFORE, in consideration of the mutual promises, obligations, and benefits imposed and conferred herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree that the foregoing recitals are incorporated as operative terms of the parties' agreement and further agree as follows:

1. **WARRANTIES AND REPRESENTATIONS OF TOWN:**

A. The Town supports the development of the Annexation Area (Tax ID # 03-0238337) consisting of 1.2193 acres zoned RMF-48, as a martial arts center.

B. The parties understand and agree that the Town's covenant of support herein is not intended, nor could it be construed, to prohibit the Board of Commissioners from enacting such future ordinances or charter provisions or design or engineering standards deemed necessary to protect the public health, safety and welfare of the citizens of the Town, nor from applying such ordinances, charter provisions, or regulations to the development of the Annexation Area, provided such application does not operate to divest prior approvals, nor interfere with Owner's vested rights.

C. The Board of Commissioners of the Town of Upper Marlboro, Maryland will introduce a resolution approving the annexation of the Property into the corporate limits of the Town ("Annexation Resolution") subject to the terms and conditions set forth in this Agreement and the Annexation Resolution. The terms of this Agreement are contingent upon the enactment of the Annexation Resolution by the Board of Commissioners and the Annexation Resolution becoming effective. The introduction of the Annexation Resolution shall be at the Town's convenience and in its sole discretion after the Property meets the requirements for annexation set forth in Md. Code Ann., Local Govt. Art., § 4-401 *et seq.*

2. **WARRANTIES AND REPRESENTATIONS OF OWNER:**

A. Owner acknowledges and agrees that the Town may annex the Annexation Area pursuant to the authority of Md. Code Ann., Local Govt. Art., § 4-401 *et seq.* and that it may be initiated at the Town's convenience and in its sole discretion.

B. This Agreement constitutes the Owner's formal written consent to annexation as required by Md. Code Ann., Local Gov't Art., § 4-404. The Owner acknowledges that it will receive a benefit from annexation and agrees that it waives and completely relinquishes any right to withdraw

its consent to annexation from the date of execution of this Agreement by all parties. The Owner further agrees that it will not petition the Annexation Resolution to referendum and that, in the event of a referendum in which it is permitted to vote, that it shall vote in favor of the Annexation Resolution, and to that end waives any ballot confidentiality.

C. The Owner warrants and represents that it has full authority to sign this Agreement and is the sole owner of One Hundred Percent (100%) of the assessed valuation in the Property described in Exhibit A. The Owner further warrants and represents that there is no action pending against it or involving it that would in any way affect its right and authority to execute this Agreement.

D. The Owner warrants and represents, for itself and its successors and assigns, that there are no persons residing on the Property. Owner, for itself and its successors and assigns, further agrees that, until the expiration of any referendum period relating to an annexation resolution with respect to the Annexation Area, it will require any person intending to occupy any part of the Annexation Area for residential purposes to execute an irrevocable consent to annexation in substantially the same form as that attached hereto as Exhibit "B" prior to allowing such person(s) to occupy any portion of the Annexation Area.

E. The Owner shall provide the Town copies of all development and permit approvals it obtains from the State, Prince George's County and the Maryland-National Capital Park and Planning Commission relating to the Annexation Area.

3. TAXES:

Except as provided in this Section 3, the Town agrees that from and after the effective date of the Annexation Resolution, the Property shall be exempt from Town real property taxes for any portion of Fiscal Year 2024 that the Property is located within the Town of Upper Marlboro and for Fiscal Year 2025 (July 1, 2024 through June 30, 2025). During Fiscal Year 2026, the entire Property shall be subject to Town real property taxes in an amount equivalent to the "municipal differential" portion of its Prince George's County real property taxes as established each year pursuant to Section 6-305 of the Tax-Property Article of the Annotated Code of Maryland. During Fiscal Year 2027, the entire Property shall be subject to Town real property taxes in an amount equal to twenty five percent (25%) of the Town real property tax then applicable to the Property. During Fiscal Year 2028, the entire Property shall be subject to Town real property taxes in an amount equal to fifty percent (50%) of the Town real property tax then applicable to the Property. During Fiscal Year 2029, the entire Property shall be subject to Town real property taxes in an

amount equal to seventy five percent (75%) of the Town real property tax then applicable to the Property. Commencing with Fiscal Year 2030, the entire Property shall be subject to payment of full Town real property taxes.

The taxation exemption provided above shall extend only to the Owner. Any transfer of the Property or any portion thereof after the date of this Agreement, shall result in termination of the taxation exemption for the Property or portion thereof transferred.

The Town further represents and the Owner acknowledges that the Prince George's County Director of Finance collects both county and municipal real property taxes for properties located within the Town of Upper Marlboro. To effectuate the tax exemption herein granted, the Town will provide to the Prince George's County Director of Finance an abated, and as appropriate in the future, a reduced municipal tax rate to apply to the Property in accordance with this Agreement. If the Prince George's County Director of Finance cannot accommodate differing tax rates to properties to carry out the exemption provided hereinabove, then, to give effect to the exemption herein granted, the City will refund to Owner, upon application for such refund, pursuant to the authority contained in Section 14-905(b) of the Tax Property Article, Annotated Code of Maryland, an amount equal to the tax exemption agreed to herein. The refund shall be paid within thirty days of the receipt of the funds by City from Prince George's County

4. APPLICATION OF TOWN CODE AND CHARTER:

From and after the effective date of the Annexation Resolution, all provisions of the Charter and Code of the Town shall have full force and effect within the Annexation Area except as otherwise specifically provided herein.

5. MUNICIPAL SERVICES:

Upon the effective date of an Annexation Resolution accomplished pursuant to this Agreement, the Town will provide all applicable municipal services to the Property. Furthermore, Owner will receive all current and future Town services in accordance with the same standards, rules, and procedures as they are provided throughout the Town including, but not limited to Town police and snow removal from Town streets.

6. TOWN BOUNDARY MARKERS

The Town may install Town Boundary Markers at the boundary lines to the newly enlarged Town boundaries.

6. MISCELLANEOUS.

A. The use of singular verb, noun and pronoun forms in this Agreement shall also include the plural forms where such usage is appropriate; the use of the pronoun "it" shall also include, where appropriate "he" or "she" and the possessive pronoun "its" shall also include, where appropriate, "his," "hers" and "theirs."

B. From time to time after the date of this Annexation Agreement, the parties, without charge to each other, will perform such other acts, and will execute, acknowledge and will furnish to the other such instruments, documents, materials and information which either party reasonably may request, in order to effect the consummation of the transactions provided for in this Agreement.

C. This Agreement, which includes all exhibits, schedules and addenda hereto, each of which is incorporated in this Agreement by this reference, shall be recorded among the Land Records of Prince George's County and be binding upon and inure to the benefit of the parties, their heirs, successors and assigns, and embodies and constitutes the entire understanding between the parties with respect to the subject matter hereof, and all prior agreements, understandings, representations, and statements, whether oral or written, are merged in this Annexation Agreement. Neither this Agreement nor any provision hereof may be waived, modified or amended unless such modification is in writing and is signed by the party against whom the enforcement of such waiver, modification or amendment is sought, and then only to the extent set forth in such instrument.

D. The parties hereto acknowledge that, in entering into this Agreement, neither party has been induced by, nor has relied upon, nor included as part of the basis of the bargain herein, any representation or statement, whether express or implied, made by any agent, representative or employee, which representation or statement is not expressly set forth in this Agreement.

E. This Agreement shall be construed according to its plain meaning without giving regard to any inference or implication arising from the fact that it may have been drafted in whole or in part by or for any one of the parties hereto.

F. This Agreement, its benefit and burden, shall be assignable, in whole or in part, by Owner without the consent of the Town or of its elected officials, employees or agents, to any purchasers or contract purchasers of the property or any part thereof. However, Owner will not transfer or pledge as security for any debt or obligation, any interest in all or part of the Annexation Area, without first obtaining the written consent and acknowledgment of the transferee or pledgee to the Annexation Agreement and to the complete observance hereof. Owner shall provide the Town

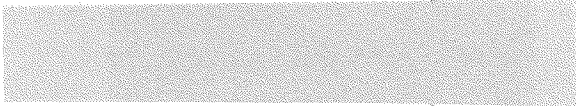
copies of all documents of transfer or assignment, including exhibits when the documents are fully executed, regardless of recordation.

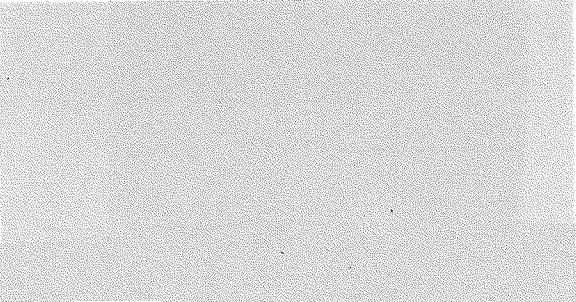
G. The captions in any Agreement are inserted for convenience only, and in no way define, describe or limit the scope of intent of this Agreement or any of the provisions hereof.

H. The laws of the State of Maryland shall govern the interpretation, validity and construction of the terms and provisions of this Agreement. If any term or provision of this Agreement is declared illegal or invalid for any reason by a court of competent jurisdiction, the remaining terms and provisions of this Agreement shall, nevertheless, remain in full force and effect. Any suit to enforce the terms hereof or for damages or other remedy for breach or anticipated breach hereof shall be brought exclusively in the courts of the State of Maryland in and for Prince George's County and the parties expressly acknowledge that venue is proper therein and consent to the jurisdiction thereof and waive any right that they may otherwise have to bring such action in or transfer or remove such suit to the courts of any other jurisdiction.

I. All notices and other communications under this Agreement shall be in writing and shall be sent either by first class mail, postage prepaid, or by personal delivery, addressed to the parties as provided below. Notice shall be deemed given on the date delivered or attempted to be delivered during normal working hours on business days.

If to the Town: Town Administrator
Town of Upper Marlboro
14211 School Lane
Upper Marlboro, Maryland 20772

If to the Owner: A.B. Greene LLC


With a copy to: Manotti Jenkins, Esq.


IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

The Town of Upper Marlboro

BY: _____

Name: _____

Title: _____

Owner: A. B. Greene, LLC

BY: MARSHALL J. EARL

Name: [Signature]

Title: President (CEO)

STATE OF MARYLAND
COUNTY OF _____ to wit:

I HEREBY CERTIFY, that on this ____ day of _____, 20__, before me, a Notary Public in and for the State aforesaid, personally appeared _____, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged himself to be the Mayor of the Town of Upper Marlboro, a municipal corporation of the State of Maryland, and that said Mayor, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such Mayor.

WITNESS my hand and notarial seal.

(SEAL)
Notary Public

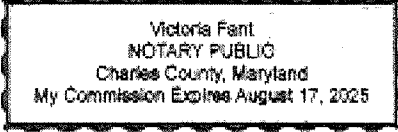
My Commission Expires: _____

STATE OF MARYLAND,
COUNTY OF Prince Georges, to wit:

I HEREBY CERTIFY, that on this 17 day of August, 2023 before me, a Notary Public in and for the State aforesaid, personally appeared Marviam Isaac, President of A.B. Green LLC, acknowledged that, being authorized by his principal to do so, she executed the foregoing instrument on behalf of A.B. Green LLC. for the purposes therein contained, by signing the name of such limited liability corporation as such President.

WITNESS my hand and notarial seal.

Victoria Fant (SEAL)
Notary Public



My Commission Expires: 08.17.2025

I HEREBY CERTIFY that the foregoing instrument was prepared by or under the supervision of an attorney duly admitted to practice before the Supreme Court of Maryland.

Karon P. Ruff, Esq.



Town of Upper Marlboro

Job Descriptions

Position Title: Town Administrator

Department: Town Management/General ~~Government~~Government

Direct Report: President & Board of Town Commissioners

Classification Description Summary

Under direction, this position performs complex professional, administrative and management work in providing daily control over ongoing Town activities as well as assisting the Board of Commissioners to discharge the duties of the office; and all other related work as required. The Town Administrator is responsible for maintaining and improving upon the efficiency and effectiveness of all areas under their direction and control. The Town Administrator is responsible for implementing the plans and directions of the Board of Commissioners and any existing approved planning documents of the Town. This may include but is not limited to: coordinating with various levels of government regarding processes, procedures, and funding; coordinating and managing grant funding, coordinating with other municipalities on collaborative projects; working with M-NCPPC’s planning department, property owners and developers to review plans and ensure development in and around the Town complies with the documented direction; collaborating with the Town’s many government partners that have offices and properties throughout the Town. This position is designated in the Town Charter.

Essential Functions

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

- Supervises, directs, and assumes responsibility for the efficient administration of all functions and activities for which the office of Town Administrator is given authority, responsibility, or control by by-law, by the President/Mayor, or by the Board of Town Commissioners.
- Assists the President, Treasurer, and Board of Commissioners with the Planning & Development of the annual Town Budget.
- Works with the President, Treasurer, and Director of Finance to oversee the Town’s day-to-day financial operations.
- Monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; recommends, within Town policy, appropriate service and staffing levels.
- Plan, direct, coordinate, and review the work plan for the Town’s Office; assign work activities, projects, and programs; review and evaluate work products, methods, and procedures; meet with staff to identify and resolve problems.
- Select, train, motivate, and evaluate assigned personnel; provide or coordinate staff training; work with employees to correct deficiencies; implement discipline and termination procedures.

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- Oversee and participate in the development and administration of department annual budgets; participate in the forecast of funds needed for staffing, equipment, materials, and supplies; monitor and approve expenditures; implement adjustments.
- Responsible for the administration of town personnel policies and practices, rules and regulations, and programs of the Board of Town Commissioners.
- Makes recommendations on personnel staffing requirements to the Board of Town Commissioners.
- Manage the collection and deposit of Town fees, penalties and revenues except general taxes and special assessments; ensure compliance with overall Town financial goals, policies and auditor recommendations.
- Serve as liaison with other Town departments, divisions and outside agencies; negotiate and resolve sensitive and controversial issues; provide guidance and direction to other departments in the development of reports, resolutions and other materials for submittal to the Town Board of Commissioners.
- Evaluate the effectiveness of units reporting to him/her and take actions necessary to achieve optimum performance levels.
- Oversees risk management for the Town, including health, life, worker's compensation, fleet, property and liability. Works closely with vendors, and consultants and makes recommendations to the Board concerning choice of carriers and long-term strategy.
- Work with the Town's Board and Government Relations firm to strategize and plan the Town's legislative priorities on the Federal, State, and local level.
- May be called to represent the Town on Federal, State, or local-level Boards, commissions, or advisory groups.
- Works with the Board of Town Commissioners, Town Attorney, and Town Clerk to draft, plan, implement, and receive public input on Town legislation.
- Develop working relationships with Federal, State, and local-level officials.
- Answers complaints and refers complaints to the proper Town department for attention, submits recommendations for the disposition of specific complaints to the Board of Commissioners.
- Oversees the Town's social media, communication, and outreach functions. Works with the Town's Media Relations firm to develop press releases.
- Works with Department heads to oversee and manage special, capitol, or large-scale projects and initiatives.
- Coordinates with Department heads and Town Committees, volunteers, and stakeholders to plan and carry-out large scale Town events.
- Acts as primary liaison with all legal counsels on matters relevant to the Town and assists Town Counsel with preparation of litigation.
- Works with the Town Clerk to plan meeting agendas, packets, and schedules of the Board of Town Commissioners.
- Oversees the Town's Information Technology infrastructure, and coordinates with the Town's IT firm on routine maintenance, upgrades, and security.
- Provides training support for newly elected Town Commissioners, including but not limited to, policies and current issues and background information.
- Works with ~~the Director of Finance~~ relevant staff and contractors to complete the annual Town Budget audit.

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- ~~Should~~ Tracks the progress and provide support as needed to Town Committees.

Minimum Qualifications

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

- Knowledge of public administration, budgeting and municipal accounting standards.
- Ability to maintain Town’s financial regulatory compliance.
- Ability to express ideas clearly and concisely, both orally and writing with tact and diplomacy.
- Ability to problem solve by researching alternatives and developing creative solutions.
- Ability to keep office records and to prepare accurate reports from file sources.
- Ability to perform and organize work independently.
- General knowledge of current office practices and procedures and knowledge of the operation of standard
- office equipment and software including Microsoft Office, automated payroll services and financial software.
 - Ability to interpret and implement local policies and procedures; written instructions, general correspondence and Federal, State and local regulations.
 - Ability to maintain discretion regarding business-related files, reports and conversations, within the provision of open records law and other applicable State and Federal Statutes and Regulations.
 - Organizational and time management skills needed to meet deadlines.
 - Other duties as assigned.

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Minimum Qualifications

Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education/Training

- Bachelor’s degree from an accredited college or university with major course work in in public administration or related field.
- Master’s degree preferred.
- Spanish speaking or other special ~~languagelanguage~~ skills preferred.

Experience

- ~~Ten (10)~~ Three to five years of increasingly responsible professional-level municipal governmental experience, preferably in a variety of municipal departments.

Physical Demands and Working Environment

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment: ~~Work is performed primarily in a standard office environment between the hours of 9am-5pm Monday through Friday with some travel to different sites. Work is performed primarily in a standard office setting.~~

Physical: Primary functions require sufficient physical ability and mobility to work in an office setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; and to verbally communicate to exchange information.



Town of Upper Marlboro

Job Descriptions

Position Title: Town Clerk
Classification: ~~General Government~~ Management
Direct Report: ~~President and~~ Town Administrator
Town Paygrade:

Classification Description Summary

Under administrative direction of the ~~President/Mayor, Board of Town Commissioners, and~~ Town Administrator, plans, organizes, provides oversight to and participates in all Town Clerk functions, including retaining custody of and maintaining the Town's official records and history; coordinating the conduct of Town elections; directs, manages, supervises, and coordinates assigned activities and operations of the Town's Office, including the preparation of agenda and meeting materials and minutes for Town Board of Commissioners meetings; coordinate assigned activities with other divisions, departments, and outside agencies, including responding to requests for public records; and provide highly responsible and complex administrative support and technical assistance to the ~~Mayor and Town Commissioners~~ Town Administrator.

DISTINGUISHING CHARACTERISTICS

This is a single position class, which is appointed by the Mayor and Town Commissioners under authority of the Town Charter in accordance with applicable Maryland Revised Statutes, as the Town's election official, custodian of records, legislative administrator and the official collector of penalties and other revenues except general taxes and special assessments. The incumbent is responsible for accomplishing goals and objectives of the office and for furthering Town goals and objectives within general policy guidelines.

Essential Functions

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

- Assumes ~~management~~ responsibility for all services and activities of the Town Clerk's Office.
- Manages and participates in the development and implementation of goals, objectives, policies, and priorities for assigned programs; recommend and administer policies and procedures.
- ~~Monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures; recommend, within Town policy, appropriate service and staffing levels.~~
- Maintains custody of official records and archives of the Town; ensures the maintenance and availability of records and information needed to provide an accurate account of government

actions; ensure historical Town records are collected and preserved; oversee the development and implementation of the Town's record management procedures and guidelines; serve as the corporate secretary and maintain custody of the Town Seal.

- ~~• Plan, direct, coordinate, and review the work plan for the Town's Office; assign work activities, projects, and programs; review and evaluate work products, methods, and procedures; meet with staff to identify and resolve problems.~~
- ~~• Select, train, motivate, and evaluate assigned personnel; provide or coordinate staff training; work with employees to correct deficiencies; implement discipline and termination procedures.~~
- ~~• Oversee and participate in the development and administration of department annual budgets; participate in the forecast of funds needed for staffing, equipment, materials, and supplies; monitor and approve expenditures; implement adjustments.~~
- Direct the preparation, review, and editing of agenda packets and official records for all Town Board of Commissioner meetings; ensure the recording of Town Board of Commissioners meeting actions are accurate and timely.
- Provide and manage the official notification and follow up of Town agenda items including ordinances, resolutions, agreements, deeds, and easements to the public regarding public hearings including legal advertising of notices.
- ~~• Manage the collection and deposit of Town fees, penalties and revenues except general taxes and special assessments; ensure compliance with overall Town financial goals, policies and auditor recommendations.~~
- Administer municipal elections in accordance with local, state, and federal regulations; and accept, verify and maintain filings from candidates for office.
- Attest, publish, index and file ordinances and resolutions.
- Execute official Town documents; administer and file oaths of office and oaths of allegiance.
- ~~• Serve as liaison with other Town departments, divisions and outside agencies; negotiate and resolve sensitive and controversial issues; provide guidance and direction to other departments in the development of reports, resolutions and other materials for submittal to the Town Board of Commissioners.~~
- Serve as staff to a variety of boards, commissions and committees; prepare and present staff reports and other necessary correspondence.
- Provide responsible staff assistance to the Town Administrator.
- Conduct a variety of organizational studies, investigations, and operational studies; recommend modifications to programs, policies, and procedures of the Town Clerk's Office as appropriate.
- Attend and participate in professional group meetings; maintain awareness of new trends and developments in the field; incorporate new developments as appropriate.
- Provide assistance to internal and external customers; respond to and resolve difficult and sensitive inquiries and complaints; retrieves documents as necessary in response to requests for information.
- Assists coordination and design of communication and outreach efforts.
- Perform related duties as required.

Minimum Qualifications

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Education and Experience Guidelines

Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education/Training:

A Bachelor's degree from an accredited college or university with major course work in public administration, business administration, records and information management, or a related field.

Experience:

~~Three~~ ^{Six} years of increasingly responsible professional and technical experience that includes substantial experience in a Town Clerk's Office or other public agency with similar duties as the Clerk, and two years of administrative and project management ~~and at least one year of supervisory responsibility.~~

License or Certificate:

High School Diploma or GED equivalency required. An associate degree or bachelor's degree is preferred but not required.

Possession of, or ability to obtain a Certified Municipal Clerk (CMC) accreditation within two years of employment. A Master Municipal Clerk (MMC) accreditation and Certified Records Manager (CRM) designation preferred.

Possession of a valid appropriate drivers' license.

Supplemental Information

Environment: Work is performed primarily in a standard office environment between the hours of 9am-5pm Monday through Friday with some travel to different sites. ~~Works is performed primarily in a standard office setting.~~

Physical: Primary functions require sufficient physical ability and mobility to work in an office setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; and to verbally communicate to exchange information.

Compensation & Benefits

- Current starting salary- N/A
- Full health, dental, and vision benefits
- Annual/vacation, sick, bereavement, and paternity leave.
- Maryland State Retirement System



Town of Upper Marlboro

Job Descriptions

Position Title: ~~Deputy Clerk~~/Administrative Assistant

Classification: General Government

Direct Report: Town ~~Clerk~~ Administrator

Town Paygrade:

Classification Description Summary

~~A perfect entry level position for a motivated individual interested in municipal government.~~

This position provides administrative support for all departments under the direction of the Town ~~Clerk~~ Administrator. This position is responsible for extending upon the efficiency and effectiveness of the Town's Administrative Office. The Administrative Assistant ~~Deputy Clerk~~ is the first point of contact for residents and the general public. This position requires a person who likes working with the public, is friendly and professional, detail oriented, able to prioritize and ~~can~~ multi-task effectively. Though duties will vary, records maintenance and archiving historical documents will always be the task at hand.

Essential Functions

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

- Provides administrative assistance to the ~~Town Clerk and~~ Town Administration.
- Responds to requests for information and assistance from Town residents and citizens via phone, email, and walk-in visitors. This includes providing copying, faxing, and notarizing services to the public.
- Assists with processing payments received in person, mail, or online.
- Assists the Town Clerk with the proper filing and management of documents per the Town's Records Retention Schedule.
- Assists the Town Clerk with all meetings of the Board, sharing responsibilities of developing agendas, posting required notices, and the preparation of minutes for the permanent record.
- Collects and processes incoming mail in compliance with established policies and procedures.
- Collects and processes incoming payments for services rendered at Town Hall in compliance with established policies and procedures.
- ~~Assists with the development and drafting of new Town Legislation, Policies and Directives.~~
- ~~Assists the Town Clerk in developing and maintaining mechanisms to enable the legislative process to include annual reviews of Town policies, directives, and Charter provisions.~~

Commented [MF1]: What is Lucy's role in the financial process?

Commented [KS2R1]: Collects payments for services rendered at Town Hall.

- Assists with parking citation payment and release processing requests from mail, phone and walk-in customers.
- Assists with the posting of content and timely postings of News, Alerts and Official Notices for the Town’s Social Media outlets, Cable Access channel and Town website.
- Manages office equipment needs, establishes maintenance & upgrade schedules as needed.
- Manages the routine inventory and procurement of office supplies for the Town Hall Offices.
- Provides correspondence/contacts with State and County agencies for the Board as needed.
- Provides promotional and technical support for Town & Town Committee-sponsored events.
- Performs various management responsibilities for Special Town Projects and Events as assigned.
- Assists and supports Commissioners with Board ~~approved~~ tasks and duties approved by the Town Administrator, ensuring statutory and administrative integrity of town activities by upholding the provisions of the Town’s Charter, Ordinances, Resolutions, Policies and Directives.
- ~~Serve on the Maryland Municipal Clerk’s Association and/or other Boards & Committees.~~
- Performs related duties as required.

Education and Experience Guidelines

Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education/Training:

High School Diploma or GED equivalency required. An associate degree or bachelor’s degree is preferred but not required.

Experience:

2-3 years of progressively responsible management, administrative, or staff experience in government or office setting that provides a broad base understanding on issues material to organizational programs, processes, and influences.

License or Certificate:

Possession of an appropriate, valid driver's license.
Become a Maryland State Notary within 90 days of start date.

~~Other~~

Physical Demands and Working Environment

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

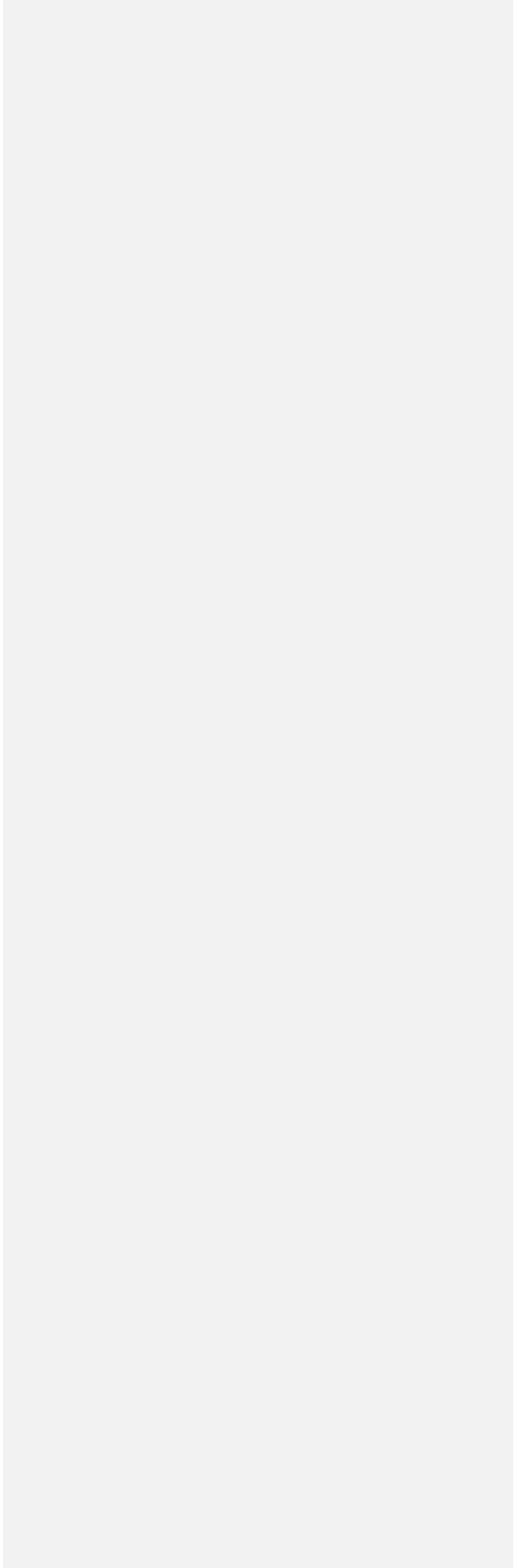
Environment: Work is performed primarily in a standard office environment between the hours of 9am-5pm Monday through Friday with some travel to different sites.

Physical: Primary functions require sufficient physical ability and mobility to work in an office setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a

computer keyboard; to travel to other locations using various modes of private and commercial transportation; and to verbally communicate to exchange information.

Compensation & Benefits

- This is an hourly/Non-Exempt position.
- Starting salary range is \$32,000 to \$49,530.
- Maryland State Retirement System
- 12+ paid holidays per year
- Medical benefits (health, dental, and vision)
- Annual/vacation, sick, bereavement, and family leave





Town of Upper Marlboro

Job Descriptions

Position Title: Bookkeeper/~~Administrative Assistant~~

Department: General Government

Direct Report: Town Administrator

Town Paygrade 2

Job Summary: Bookkeeper job duties include working closely with the Town's Accounting team and the Town Administrator to create and analyze financial reports and ensure legal requirements compliance, process accounts payable and receivable and manage invoices and tax payments. Position also assists with taking phone calls and assisting the public at Town Hall.

Essential Functions

The following duties are typical for this classification. Incumbents may not perform all the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

- Record day to day financial transactions and complete the posting process.
- Verify that transactions are recorded in the correct day book, supplier's ledger, customer ledger and general ledger.
- Bring the books to the trial balance stage & perform partial checks of the posting process
- Assist Accounting firm with completing tax forms as needed and process IRS 1099 forms.
- Enter data, maintain records and create reports and financial statements.
- Process accounts receivable/payable and handle payroll in a timely manner.
- Assist with processing payments received in person, mail, or online.
- Responds to requests for information and assistance from Town residents and citizens via phone, email, and walk-in visitors. This includes providing copying, faxing, and notarizing services to the public.
- Assist with payroll as needed.
- Assist with grants as needed.
- Assist the Town Administrator and Code Enforcement Officer with the Town Business License program.
- Support Department heads (General Government, Public Works, Public Safety) with monthly credit card reconciliations and budget management & reporting.
- Perform related duties as required.

Minimum Qualifications

Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

- Handles stress effectively without interfering with performance.

- Organize, set priorities, and exercise sound independent judgement within area of responsibility.
- Operate a computer, using word processing, spreadsheet, database software, and other standard office equipment.
- Communicate clearly and effectively, both orally and in writing.
- Ability to keep office records and to prepare accurate reports from file sources.
- General knowledge of current office practices and procedures and knowledge of the operation of standard.
- Knowledge of QuickBooks or similar accounting software.
- Bilingual/Spanish Speaking preferred but not required.

Education/Training

- High School Diploma or GED equivalency required.
- Associate degree or bachelor’s degree is preferred but not required.

Experience

- Two (2) years of progressively responsible administrative, or staff experience in local government or financial field.
- Broad base understanding on issues material to organizational programs, processes, and influences.
- Basic understanding of financial processes and/or payroll.

Physical Demands and Working Environment

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment

Work is performed primarily in a standard office environment and remotely during both normal office hours. Telework opportunities available. There may be rare occasions for work and after hours, weekends, and holidays.

Physical

Primary functions require sufficient physical ability and mobility to work in an outdoor event setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift min. of 20 lbs., carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; to travel to other locations using various modes of private and commercial transportation; and to verbally communicate to exchange information.



Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

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Fax: (301) 627-2080

info@uppermarlboromd.gov
www.uppermarlboromd.gov

Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

MEMORANDUM

To: Board of Town Commissioners
From: Sarah Franklin, Mayor/President
Date: Tuesday, August 15th, 2023
Re: Town Administrator Hiring Process

Commissioners,

With the resignation of current Town Administrator Kyle Snyder effective later this month, the Town has begun the search for candidates to fill the position. The Town Personnel Ordinance requires that all Town positions be posted for at least 30 days, and since this is a Department Head position, a majority vote of the Board of Town Commissioners is required to select someone. The Town’s HR Firm is collecting applicants’ submissions and will serve as the main point of contact with applicants. They will sort the resumes, screen applicants & references, and recommend the top three candidates to be interviewed by both a staff panel and the Board of Commissioners. The staff panel will comprise of one representative from each department. The HR Firm will create a list of standard questions for both sets of interviews, and the Commissioners will receive an overview of the staff panel interview from the HR firm.

Recommended Timeline:

Job Posted on Town Website	Thursday August 3 rd , 2023
Resumes & Cover Letters Due	Tuesday, September 5 th , 2023. 9 am
HR Firm Review of Applicants	Tuesday-Thursday 9/7
HR Firm Provides Overview of Applicants & top 3 applicants to Board & Staff Panel	Friday, September 8 th , 2023 by 5pm.
Staff Panel Interview	Friday September 15 th , 2023
Town Commissioners Interview (Closed Session) Motion & Board approval to extend offer.	Saturday September 16 th , 2023
Job Offer Extended	Monday September 18 th , 2023
Potential Start Dates	Monday, October 2 nd , 2023, or Monday, October 16 th , 2023.

Job Announcement Posted to Town Website:

The Town of Upper Marlboro is seeking a motivated and experienced individual to serve as a full-time Town Administrator. Under direction, this position performs complex professional, administrative, and management work in providing daily control over ongoing town activities and helping the Board of Commissioners to discharge the duties of the office; and all other related work as required. The Town Administrator is responsible for maintaining and improving the efficiency and effectiveness of all areas under their direction and control. This position is designated in the Town Charter.

Job Description [Click Here](#)

**The Town is currently reviewing the job description and may make minor edits before the position is filled.*

Please submit your letter of interest, resume, and list of references (optional) to info@allprofithr.com . Questions can also be emailed to this email address as well. Submissions are due by Tuesday, September 5th, 2023, at 9 am.

Salary Range: \$79,300 to \$100,720 annually (depending on experience).

Benefits: The Town participates in the [Maryland State Retirement & Pension Program](#), and offers CareFirst BlueCross BlueShield Medical, Dental, and Vision to its full-time employees. Other Benefits include Parental Leave, Bereavement Leave, Disability Leave, and Term Life Insurance.

Paid Vacation and Sick Leave

Below is the vacation accrual chart for the employees of the Town of Upper Marlboro:

Length of Service	Vacation PTO Accrual Rate	Vacation PTO Total Annual	Sick Leave Accrual Rate	Sick Leave Total Annual
0-4 Years	4 hours	13 days	4 hours	13 days
5-10 Years	6 hours	19.5 days	4 hours	13 days
10+ Years	8 hours	26 days	4 hours	13 days