



Town of Upper Marlboro

BOARD OF TOWN COMMISSIONERS SPECIAL TOWN MEETING / WORK SESSION

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, April 08, 2025 at 7:00 PM

AGENDA

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

<https://uppermarlbormd-gov.zoom.us/j/86847876643?pwd=4GcCOWdb8ADEAdSfg9Akf6lWoNxYBZ.1>

Webinar ID: 868 4787 6643; **Passcode:** 404232; **Audio Dial-in only:** 301 715 8592

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

Pursuant to **Maryland Annotated Code, General Provisions Article 3-305(b) (1)** ["To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"], the Board of Commissioners proposes to go into Closed Session following the Board Work Session on Tuesday, April 8th, 2025, 7:00 PM to discuss a personnel matter.

SPECIAL TOWN MEETING AGENDA: 7:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Business**
 - A. FY 2025 Budget Amendment (Public Comment)
 - B. Ordinance 2025-01: FY 2025 Budget Amendments (Introduction)
6. **Adjournment**

BOARD WORK SESSION AGENDA

7. **Call to Order**
8. **Roll Call**
9. **Business**
 - A. FY 2026 Budget (Public Comment)
 - B. FY 2026 CIP Project Budget (Board Discussion)
 - C. Ordinance 2022-05: Vacant Property (Mayor Franklin)
 - D. CivicPlus/Municode Agreement (Commissioner Lott)
10. **Administrative Updates**
11. **Preliminary Approval of Next Meeting Agenda**
12. **Motion to go into a Closed Session**

Video of the meeting will be posted to the Town YouTube Channel within 3 business days of the meeting.

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

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

ORDINANCE: 2025-01
SESSION: Regular Town Meeting
INTRODUCED: April 8, 2025
DATE ENACTED: April 22, 2025

**AN ORDINANCE OF THE BOARD OF TOWN COMMISSIONERS AMENDING THE
TOWN’S FISCAL YEAR 2025 BUDGET AS ADOPTED IN ORDINANCE 2024-01 AND
AMENDED BY ORDINANCE 2024-05**

WHEREAS, the Town of Upper Marlboro (the “Town”) is a municipal corporation of the State of Maryland expressly authorized by Maryland Code Annotated, Local Government (“LG”) Art., § 5-205(b)(1) to expend any municipal funds for any purpose deemed to be public and to affect the safety, health and general welfare of the municipality and its occupants; and

WHEREAS, pursuant to Md. Code Ann., LG Article, Section 5-205(b)(4), a municipality may spend money for a purpose different from the purpose for which the money was appropriated or spend money not appropriated at the time of the annual levy if approved by a two-thirds vote of all the individuals elected to the legislative body; and

WHEREAS, the Charter of the Town of Upper Marlboro (the “Town Charter”), Section 82-41 prescribes that the budget shall be adopted in the form of an ordinance, and that a favorable vote of at least a majority of the total elected membership of the Board shall be necessary for adoption; and

WHEREAS, the Town Charter, Section 82-11 mandates that except in cases of emergency, no ordinance shall be passed at the same meeting at which it is introduced and that at any regular or special meeting of the Board held not less than six nor more than sixty days after the meeting at which the ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date; and

WHEREAS, said Section 82-11 further mandates that each ordinance shall be posted in the Town office, and each ordinance or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town; and

WHEREAS, the Town Charter, Section 82-42 prescribes that no public money may be expended without having been appropriated by the Board, and that from the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects

and purposes named therein; and

WHEREAS, the Town Charter, Section 82-43 prescribes that any transfer of funds between major appropriations for different purposes by the President must be approved by the Board before becoming effective; and

WHEREAS, the Town Charter, Section 82-44 proscribes any expenditures or contracts to expend money or to incur any monetary liability in excess of the amounts appropriated for or transferred to a particular general classification of expenditure in the budget, and

WHEREAS, the Board of Town Commissioners approved Ordinance No. 2024-01 on May 28th, 2024 which in Section 4 thereof states that all budget amendments transferring monies between general classifications of expenditures or appropriations as reflected in the budget ordinance shall be submitted to the Board for approval, from time to time, by ordinance pursuant to Md. Code Ann., Art. 23A, §2(b), now codified as Md. Code Ann., LG Article, Section 5-205(b)(4); and

WHEREAS, the Board of Town Commissioners amended the Town’s Fiscal Year 25 budget through the adoption of Ordinance No. 2024-05; and

WHEREAS, the Board of Town Commissioners finds that it is necessary to further amend Ordinance No. 2024-01, as it was amended by Ordinance No. 2024-05, by allocating and appropriating funds for the following reason: To adjust revenue line items with year-end budget amounts, and enhancing or decreasing allocations between departments of expenditure line items, due to the elimination of certain staff positions; and

WHEREAS, the Board of Town Commissioners finds that it is necessary to amend Ordinance No. 2024-01, as amended by Ordinance No. 2024-05, by reallocating Town funds and limiting expenditures in several Town Departments.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND, AS FOLLOWS:

Section 1. The Fiscal Year 2025 Budget adopted via Ordinance 2024-01, and amended by Ordinance No. 2024-05 as restated in the center column below, and as divided into the following indicated major anticipated revenue funds or having the estimated amounts at the time of the tax levy as indicated herein below, is hereby amended and readopted as indicated in the far-right column below as follows:

<u>REVENUE SOURCE</u>	<u>ADOPTED FY 25 BUDGET AMOUNT</u>	<u>AMENDED FY25 BUDGET AMOUNT</u>
Taxes	\$1,533,280.00	\$1,679,248.81
Fines, License and Permits	\$871,000.00	\$884,133.83
Intergovernmental	\$56,000.00	\$56,000.00

Miscellaneous Revenue	\$122,725.00	\$89,370.89
Grants	\$1,415,000.00	\$1,425,000.00
Total Revenues:	\$3,997,005.00	\$4,133,753.53

Section 2. The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the FY 2025 Budget Ordinance, 2024-01 and amended by 2024-05, as amended by this FY 2025 Amendatory Budget Ordinance 2025-01 shall equal or exceed the total of the proposed expenditures within the following general classification of expenditure or major appropriations having the amounts as indicated herein below, is hereby amended and readopted as indicated in the far-right column below as follows:

<u>EXPENDITURES</u>	<u>FY25 ADOPTED BUDGET AMOUNT</u>	<u>FY 25 AMENDED BUDGET AMOUNT</u>
General Government	\$756,700.00	\$697,688.53
Public Safety	\$1,075,600.00	\$1,172,600.00
Public Works	\$618,400.00	\$627,000.00
Grants	\$1,415,000.00	\$1,415,000.00
Total Expenditures:	\$3,997,005.00	\$4,133,753.53

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that, except for the revenue and expenditure amounts provided hereinabove in Sections 1 and 2 as amendments, the remaining provisions of the FY 2025 Budget Ordinance 2024-01, as amended by Ordinance 2024-05, shall remain in full force and effect as if written word for word within this Ordinance and readopted herein.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the tax levy for Fiscal Year 2024 for the Town of Upper Marlboro and all other taxes, liens, and/or fees prescribed therein shall remain as previously approved and adopted in the FY 2024 Budget Ordinance 2024-01.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter this Ordinance shall be posted in the Town office and this FY 2025 Amendatory Budget Ordinance 2024-05 or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

AYES: _____ NAYES: _____ ABSENT: _____

INTRODUCED in a public session of the Board of Commissioners on this 8th day of April, 2025:

ORDAINED, APPROVED AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this 22nd day of April, 2025, by:

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

Sarah Franklin, President

Derrick Brooks, Commissioner

Charles Colbert, Commissioner

Karen Lott, Commissioner

Clayton Anderson, Town Administrator

Alma Prevatte, Commissioner

Reviewed and Approved for Legal Sufficiency

Karen Ruff, Esq.

Date: April 22, 2025

The Town of Upper Marlboro

Budget vs. Actuals: Budget_FY25_P&L_1 - FY25 P&L

167,403.50

July - December, 2024

	Total					FY26 Draft
	Actual	Budget	over Budget	% of Budget		
Revenue						
Revenue			0.00			
4000 Taxes			0.00			
					What are we expecting to come in for the rest of the year?	
4010 Real Estate Taxes					Who owns vs. has a mortgage	
Residential	334,427.49	491,330.00	-229,642.74	68.07%		456,936.90
4100 Personal Property Taxes	38,148.29	47,440.00	-45,979.52	80.41%		47,440.00
6101.20 PPT - FY 2020	91.31	0.00				0.00
4122 PPT FY2022	77.50	0.00	77.50			0.00
4150 PPT Public Utilities	890,402.40	744,510.00	145,657.80	119.60%		890,000.00
4310 Income Taxes	61,167.09	250,000.00	-221,202.63	24.47%		230,000.00
Total 4000 Taxes	\$ 1,324,314.08	\$ 1,533,280.00	-\$ 351,089.59	86.37%		1,624,376.90
4200 Fines, Licenses, Permits		15,000.00	-15,000.00	0.00%		0.00
4220 Town Permits	850.00	2,500.00	-1,650.00	34.00%		1,800.00
4230 Business License		7,000.00	-7,000.00	0.00%		5,000.00
4240 Parking Meters	89,852.50	250,000.00	-187,722.18	35.94%		250,000.00
4250 Speed Cameras	321,608.00	525,000.00	-300,932.00	61.26%		950,000.00
Redlight Camera						0.00
4260 Parking						
Fines/Penalties	9,088.75	55,000.00	-47,532.32	16.53%		38,000.00
4280 Pub/Edu/Govt						
Broadcasting	6,633.83	3,500.00	-156.62	189.54%		6,000.00
4290 Trader's Franchise						
Fees		13,000.00	-13,000.00	0.00%		13,000.00

Total 4200 Fines, Licenses, Permits	\$	428,033.08	\$	871,000.00	-\$	572,993.12	49.14%	1,262,000.00
4300 Intergovernmental						0.00		0.00
4320 Highway User Fee		8,482.64		32,000.00		-32,000.00	26.51%	49,925.00
4330 State Police Aid		7,721.00		21,000.00		-21,000.00	36.77%	30,000.00
4340 Financial Corporation Tax				1,500.00		-1,500.00	0.00%	0.00
4350 Disposal Fee Rebate				1,500.00		-1,500.00	0.00%	0.00
Total 4300 Intergovernmental	\$	16,203.64	\$	56,000.00	-\$	56,000.00	28.94%	79,925.00
4400 Miscellaneous Revenue				14,000.00		-14,000.00	0.00%	0.00
4410 Miscellaneous		2,176.31				2,008.01		5,000.00
4420 Interest Earnings		12,809.08		15,000.00		-9,966.26	85.39%	20,000.00
4430 Town Hall Services - Misc Rev		497.11		4,000.00		-3,727.29	12.43%	1,000.00
4440 Transfer from Reserve				78,725.00		-78,725.00	0.00%	0.00
4450 Special Events/Donations		346.00		10,000.00		-10,000.00	3.46%	1,000.00
Total 4400 Miscellaneous Revenue	\$	15,828.50	\$	121,725.00	-\$	114,410.54	13.00%	27,000.00
4500 Grants						0.00		
4520 State StreetScape				425,000.00		-425,000.00	0.00%	
4530 FIP		43,625.00		50,000.00		-6,375.00	87.25%	
4560 DHCD Circuit Rider Grant		51,088.50		84,000.00		-84,000.00	60.82%	
4570 MD DNR 21				69,000.00		-69,000.00	0.00%	
4580 MD DNR 22				132,000.00		-132,000.00	0.00%	
4590 Bond Bill				155,000.00		-155,000.00	0.00%	
4592 21-241 Bond Bill				275,000.00		-275,000.00	0.00%	168,000.00
4594 22-661 Bond Bill				150,000.00		-150,000.00	0.00%	260,000.00
4596 Misc Grants		56,668.64		0.00		9,386.50		
4600 County DPW&T Grant				75,000.00		-75,000.00		
4620 Open Space Grant				0.00		0.00		

Total 4600 County DPW&T						
Grant	\$	0.00	\$	75,000.00	-\$	75,000.00
						0.00
Total 4500 Grants	\$	151,382.14	\$	1,415,000.00	-\$	1,361,988.50 10.70%
Total Revenue	\$	1,935,761.44	\$	3,997,005.00	-\$	2,456,481.75
						3,423,101.90

Services								
Total Revenue	\$	1,935,761.44	\$	3,997,005.00	-\$	2,431,746.54	48.43%	3,423,101.90
Gross Profit	\$	1,935,761.44	\$	3,997,005.00	-\$	2,431,746.54	48.43%	3,423,101.90
Expenditures								
5000 General Government						0.00		
5105 GG Commissioner								
Salaries		16,999.96		34,000.00		-24,057.72	50.00%	34,000.00
5107 GG Commission								
Expenses		2,743.04		12,000.00		-9,959.21	22.86%	12,000.00
5110 GG Salaries		87,165.48		274,000.00		-210,719.37	31.81%	289,380.00
5111 GG Salaries - Bonuses				2,800.00		-2,800.00	0.00%	3,150.00
5120 GG FICA		9,697.56		25,000.00		-19,380.87	38.79%	23,150.40
5130 GG Health/Life/Dental								
Benefits		12,244.64		45,000.00		-36,683.64	27.21%	45,000.00
5150 GG Pension Benefits		563.66		28,000.00		-27,436.34	2.01%	28,000.00
5300 GG Professional								
Services						0.00	Estimate	To Police
5310 GG Accounting		31,422.98		40,000.00		-23,942.40	78.56%	40,000.00
5320 GG Audit		4,492.50		14,000.00		-9,507.50	32.09%	(10,000.00)
5330 GG Payroll Processing		2,888.13		4,000.00		-2,155.59	72.20%	(2,000.00)
5340 GG Town Attorney &								(1,815.00)
Legal		18,990.00		40,000.00		-24,195.00	47.48%	28,000.00
5350 GG IT Support &								
Equipment		13,513.65		15,000.00		-4,470.78	90.09%	20,000.00
5360 GG Media Relations		5,222.00		10,000.00		-5,318.00	52.22%	10,000.00
5370 GG Government								
Relations		18,200.00		32,000.00		-19,800.00	56.88%	35,000.00
5380 GG Human Resources								
Services		9,450.00		15,000.00		-9,000.00	63.00%	15,000.00
5390 GG Planning Firm		11,800.00		0.00		11,800.00		(4,950.00)
Total 5300 GG Professional								(4,950.00)
Services		115,979.26	\$	170,000.00	-\$	86,589.27	68.22%	(49,015.00)
5400 GG Operating						0.00		(18,265.00)
5200 GG Insurance &								
Benefits		19,134.99		25,000.00		-11,689.01	76.54%	30,000.00

5415 GG Merchant Services						
Fees	1,501.75	18,000.00	-17,172.45	8.34%		3,000.00
5435 GG Training	6,185.69	5,000.00	137.31	123.71%		8,000.00
5440 GG Dues &						
Subscriptions	4,156.01	20,000.00	-17,654.57	20.78%		10,000.00
5445 GG Postage	1,138.71	2,000.00	-1,098.29	56.94%		2,500.00
5450 GG Printing	3,272.31	8,000.00	-5,741.66	40.90%		18,000.00
5455 GG General Supplies	3,642.66	10,000.00	-8,613.03	36.43%		10,000.00
5460 GG Office Equipment						
R&M		0.00	472.09			0.00
5465 GG Town Hall Office						
Phones	5,159.65	8,000.00	-5,642.91	64.50%		11,000.00
5470 GG Mobile Phones	2,354.05	4,000.00	-2,867.24	58.85%		5,000.00
5475 GG Town Elections		0.00	0.00			8,000.00
5480 GG Town Hall Utilities	7,207.59	8,500.00	-4,580.59	84.80%		14,000.00
5485 GG Town Hall Repair &						
Maintenance	10,062.21	18,000.00	-11,547.56	55.90%		0.00
54XX Vehicle Maintence						2,000.00
5490 GG Other	1,229.13	5,000.00	-4,617.73	24.58%		2,000.00
5495 GG Contributions		3,000.00	-3,000.00			5,000.00
5410 CONTINGENCY - ALL						
DEPARTMENTS		10,000.00	-10,000.00			10,000.00
Total 5400 GG Operating	\$ 65,044.75	\$ 144,500.00	-\$ 103,615.64	45.01%		138,500.00
5900 GG Committee						
Expenses			0.00			
5905 Events Committee	160.00	1,200.00	-1,040.00	13.33%		2,000.00
5910 CERT Team	336.53	900.00	-725.62	37.39%		900.00
5915 Historical Committee	1,195.00	900.00	295.00	132.78%		500.00
5925 Green Team		900.00	-900.00	0.00%		1,500.00
5930 TOUM Event	3,129.00	5,500.00	-3,409.21	56.89%		5,500.00
5935 Trunk or Treat	1,347.89	2,000.00	-652.11	67.39%		2,000.00
5940 Marlboro Day	1,608.06	8,000.00	-6,391.94	20.10%		10,000.00

5950 Happy Leaf Festival

0.00

0.00

0.00

Section 9, Item A.

5955 Winter Holiday

464.96

2,000.00

-2,000.00

23.25%

3,000.00

Total 5900 GG Committee Expenses	\$	8,241.44	\$	21,400.00	-\$	14,823.88	38.51%	25,400.00
Total 5000 General Government	\$	189,265.45	\$	756,700.00	-\$	536,065.94	25.01%	735,800.40
6000 Public Safety						0.00	#DIV/0!	0.00
6000C Code Enforcement				0.00		0.00	#DIV/0!	0.00
6100C Code Vehicle Maintenance				2,000.00		-2,000.00	0.00%	2,000.00
6200C Code Parking Meter Maintenance		8,025.56		4,000.00		352.69	200.64%	4,000.00
Total 6000C Code Enforcement	\$	8,025.56	\$	6,000.00	-\$	1,647.31	133.76%	6,000.00
6110 PS Salaries		202,826.16		315,000.00		-189,682.21	64.39%	430,000.00
6111 PS Overtime		10,836.67		26,000.00		-18,225.40	41.68%	15,000.00
6112 PS Bonus				6,400.00		-6,400.00	0.00%	25,000.00
6120 PS FICA		15,411.59		30,000.00		-19,648.77	51.37%	33,000.00
6130 PS Health Benefits		0.00		30,000.00		-30,000.00	0.00%	15,000.00
6150 PS Pension Benefits		563.66		30,000.00		-29,436.34	1.88%	51,600.00
6200 PS Uniforms		2,099.68		4,500.00		-2,885.32	46.66%	4,500.00
6210 PS Weapons & Duty Equipment		13,701.77		15,000.00		-1,298.23	91.35%	17,000.00
6220 PS Training & Memberships		2,339.75		10,000.00		-8,180.25	23.40%	3,000.00
6230 PS Pre Employment		600.00		3,500.00		-3,100.00	17.14%	6,000.00
6260 PS Mobile Phone		2,264.60		4,000.00		-3,410.04	56.62%	4,000.00
6270 PS Supplies		1,150.47		8,000.00		-7,048.18	14.38%	8,000.00
6300 PS Professional Services				19,000.00		-19,000.00	0.00%	49,015.00
6400 PS Occupancy		31,625.00		90,000.00		-74,187.50	35.14%	100,000.00
PS Utilities								5,000.00
6500 PS General Supplies				0.00		0.00		0.00

						Section 9, Item A.
6700 PS Vehicle Repairs		15,000.00	-15,000.00	0.00%	15,000.00	
6710 PS Vehicle Fuel	2,956.79	18,000.00	-16,487.99	16.43%	18,000.00	
6720 PS Insurance	15,057.01	15,000.00	-1,692.99	100.38%	16,000.00	
6850 PS Speed Camera Budget			0.00	#DIV/0!	0.00	
6851 PS Speed Camera Admin Fee - 4 Cameras	66,980.00	260,000.00	-219,812.00	25.76%	301,000.00	
6852 PS Speed Camera Service Fees	23,533.40	5,000.00	9,971.87	470.67%	68,000.00	
6853 PS Speed Camera Salaries	4,997.20	85,000.00	-85,000.00	5.88%	145,000.00	
6854 PS Speed Camera FICA		20,000.00	-20,000.00	0.00%	20,000.00	
6855 PS Speed Camera Occupancy	4,508.00	45,000.00	-42,677.00	10.02%	45,000.00	
6856 PS Speed Camera General Supplies	182.62	2,000.00	-2,000.00	9.13%	2,000.00	
6857 PS Speed Camera Overtime		3,000.00	-3,000.00	0.00%	5,000.00	
6858 PS Speed Camera Uniforms	1,880.00	2,000.00	-120.00	94.00%	2,000.00	
6859 PS Speed Camera Weapons & Duty Equipment	600.57	1,000.00	-399.43	60.06%	1,000.00	
6860 PS Speed Camera Training & Membership		200.00	-200.00	0.00%	200.00	
6861 PS Speed Camera Pre-Employment		1,500.00	-1,500.00	0.00%	2,500.00	
6862 PS Speed Camera Mobile Technology	1,199.61	2,000.00	-2,000.00	59.98%	2,500.00	
6863 PS Speed Camera Supplies	76.89	500.00	-500.00	15.38%	500.00	
6864 PS Speed Camera Vehicle Repairs		500.00	-500.00	0.00%	1,000.00	
6865 PS Speed Camera Vehicle Fuel	1,235.14	1,000.00	-240.12	123.51%	2,000.00	

6866 PS Speed Camera Ubsyrabce (Change to Miscellaneous) - SAF I think this was supposed to be insurance		1,500.00	-1,500.00	0.00%		1,500.00
6867 PS Speed Camera FT23 Police Equipment-CIP Vehicle	8,165.64	0.00	8,165.64			0.00
6868 PS Speed Camera FY26 Police Equipment-CIP Vehicle		0.00	0.00			0.00
6869 PS Speed Camera FY23 Police Equipment-CIP VMS Board	3,460.81	0.00	3,460.81			0.00

6870 PS Speed Camera						
Marlboro VFD Support		0.00		0.00		0.00
6880 PS Speed Camera Due to State						8,500.00
Total 6850 PS Speed Camera Budget	\$	116,819.88	\$	430,200.00	-\$	357,850.23
Total 6000 Public Safety	\$	426,278.59	\$	1,075,600.00	-\$	805,180.76
7000 Public Works						
7110 PW Salaries		132,250.60		287,000.00		-196,822.64
7111 PW Overtime		1,879.79		11,000.00		-9,952.11
7112 PW Bonus				3,000.00		-3,000.00
7120 PW FICA		10,557.23		22,000.00		-14,647.18
7130 PW Health-Life-Dental		21,152.97		50,000.00		-38,312.25
7150 PW Pension Benefits		563.68		28,000.00		-27,436.32
7240 Public Works Operating					0.00	#DIV/0!
7210 PW Waste						
Collection/Disposal Fees		2,054.70		5,000.00		-3,827.55
7220 PW Waste						
Disposal/Contractor		31,671.00		67,000.00		-45,886.00
7230 PW Recycling				0.00		0.00
7250 PW						
Maint/Repairs/Beautification		12,856.73		18,000.00		-7,242.06
7251 PW Christmas Decor		1,025.20		2,000.00		-2,000.00
7260 PW Training &						
Memberships - Dues				5,000.00		-5,000.00
7270 PW Other		442.85		2,000.00		-1,631.08
7280 PW Streets						
Maintenance		1,452.13		10,000.00		-8,888.84
7340 PW Vehicle						
Maintenance		10,619.95		15,000.00		-11,423.60
7350 PW Utilities		257.21		3,000.00		-2,859.55
7360 PW Mobile Phone		456.07		1,400.00		-1,400.00
7370 PW Small Tools &						
Equipment		5,917.27		10,000.00		-5,466.97

7372 PW Office Supplies	493.36	1,000.00	-515.11	49.34%	1,000.00
7374 PW Computer					
Software & Equipment	4,864.47	1,500.00	3,364.47	324.30%	1,500.00
7380 PW Septic Tank	1,780.00	2,000.00	-1,434.00	89.00%	3,000.00
7385 PW Uniforms	1,107.23	3,500.00	-2,394.88	31.64%	3,500.00
5485 GG Town Hall Repair & Maintenance					18,000.00
7390 PW Weather Related Expenses	242.00	4,000.00	-4,000.00	6.05%	10,000.00
7397 PW Vehicle Fuel	4,765.48	18,000.00	-15,136.86	26.47%	18,000.00
7400 PW Streetlight Electricity	10,589.02	28,000.00	-20,729.66	37.82%	28,000.00
7410 PW Insurance	15,057.00	19,000.00	-5,693.00	79.25%	25,000.00
7420 PW Mosquito Control		2,000.00	-2,000.00	0.00%	2,700.00
Total 7240 Public Works Operating	\$ 105,651.67	\$ 217,400.00	-\$ 144,164.69	48.60%	801,880.00
Total 7000 Public Works	\$ 272,055.94	\$ 618,400.00	-\$ 434,335.19	43.99%	801,880.00
8000 Grants & Awards			0.00	#DIV/0!	
8180 FIP	48,700.00	50,000.00	-21,300.00	97.40%	0.00
8500 Resident Assistance		0.00	0.00	#DIV/0!	0.00
8600 StreetScape	11,999.27	500,000.00	-499,362.73	2.40%	0.00
8700 Community Playground		356,000.00	-356,000.00	0.00%	0.00
8710 Parking Upgrades		425,000.00	-425,000.00	0.00%	0.00
8730 Misc Grants	71,956.31	84,000.00	-23,751.33	85.66%	0.00
8740 Open Space Grant		0.00	0.00	#DIV/0!	0.00
Total 8000 Grants & Awards	\$ 132,655.58	\$ 1,415,000.00	-\$ 1,325,414.06	9.37%	-
9000 Capital Outlays			0.00	#DIV/0!	0.00
9009 Road Improvements	3,000.00	0.00	3,000.00	#DIV/0!	0.00
9010 PS Debt Service	15,497.97	57,500.00	0.00	26.95%	96,472.00
FY23 Police Equipment-CIP VMS Board					6,000.00
9020 PW Debt Service	21,854.54	43,805.00	-37,654.42	49.89%	144,731.00
9030 PW Capital Outlay		0.00	-57,500.00	#DIV/0!	0.00
90XX GG Cdebt Service					12,000.00
9050 Annexation		30,000.00	-30,000.00	0.00%	30,000.00

Total 9000 Capital Outlays	\$	40,352.51	\$	131,305.00	-\$	122,154.42	30.73%	289,203.00
Total Expenditures	\$	1,060,608.07	\$	3,997,005.00	-\$	3,223,150.37	26.54%	3,255,698.40
Net Operating Revenue	\$	791,403.83	\$	0.00	\$	791,403.83		167,403.50
Net Revenue	\$	791,403.83	\$	0.00	\$	791,403.83		167,403.50

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

Section 9, Item C.

ORDINANCE: 2022-05
SESSION: Regular Town Meeting
INTRODUCED: August 23rd, 2022
DATE ENACTED: September 27, 2022

AN ORDINANCE REQUIRING THE REGISTRATION OF CERTAIN VACANT BUILDINGS AND LOTS; REQUIRING CERTAIN OWNERS TO REGISTER A LOCAL AGENT; ALLOWING FOR CERTAIN EXCEPTIONS, WAIVERS AND APPEALS TO BE GRANTED; PROVIDING FOR CERTAIN ENFORCEMENT ACTIONS, LIENS AND PENALTIES; AND GENERALLY RELATING TO THE TAXATION, LICENSING AND REGISTRATION OF REAL PROPERTY AND ADOPTING A VACANT PROPERTY AND TAX CLASSIFICATION ORDINANCE; DEFINING VACANT DEVELOPED REAL PROPERTY FOR TAX CLASSIFICATION PURPOSES; AUTHORIZING THE REVISION OF ESTABLISHED FEES BY RESOLUTION; ALLOWING FOR CERTAIN EXCEPTIONS, WAIVERS AND APPEALS TO BE GRANTED; CREATING, DEFINING AND DESIGNATING CERTAIN TAX CLASSIFICATIONS FOR RESIDENTIAL, COMMERCIAL, VACANT DEVELOPED AND AGRICULTURAL USE REAL PROPERTY SITUATED WITHIN THE TOWN AND SUBJECT TO MUNICIPAL TAXATION; PROVIDING FOR CERTAIN ENFORCEMENT ACTIONS, LIENS AND PENALTIES; AND GENERALLY RELATING TO THE TAXATION, LICENSING AND REGISTRATION OF REAL PROPERTY

WHEREAS, The Town of Upper Marlboro is an incorporated municipality governed pursuant to Article XI-E of the Constitution of Maryland; and

WHEREAS, pursuant to LG Art., § 5-202 of said State Code, the Board of Commissioners has the authority to pass such ordinances as it deems necessary to assure the good government of the municipality, to protect and preserve the municipality's rights, to secure persons and property from danger and destruction, and to promote the health, comfort and convenience of the citizens of the municipality; and

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

WHEREAS, pursuant to LG Art., § 5-205(d)(2) of said State Code, and § 82-16(2)(hh) of the Town Charter, the legislative body of the Town is further empowered to pass ordinances 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 to Section 5-202 of the Local Government Article of Md. Ann. Code, the legislative body of a municipality in this State shall have general power to pass such ordinances, not contrary to the Constitution of Maryland or public general law, as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and

WHEREAS, pursuant to Article 15 of the Maryland Declaration of Rights, as initially adopted in 1867, “every person in the State, or person holding property therein, ought to contribute his proportion of public taxes for the support of the Government, according to his actual worth in real or personal property;” and

WHEREAS, pursuant to Section 82-47 of the Charter of the Town of Upper Marlboro (the “Charter”), all real property and all tangible personal property within the corporate limits of the Town, or personal property which may have a situs there by reason of the residence of the owner therein, shall be subject to taxation for municipal purposes, and the assessment used shall be the same as that for State and County taxes, and that authority is given by said section to impose taxes only on property over which the Maryland Constitution or any act of the General Assembly grants taxing authority to the Town of Upper Marlboro or to any municipality in the State of Maryland; and

WHEREAS, below is an extract of the 2022-2023 list of county and municipal tax rates, and property tax rates in effect on July 18, 2022, published by the Maryland State Department of Assessments and Taxation (“SDAT”):

JURISDICTION	REAL PROPERTY TAX			PERSONAL PROPERTY TAX		
	Town	County	State	Town	County	State
Upper Marlboro - Noncommercial	0.3400	.9430	.1120	.5300	2.3530	.0000
Upper Marlboro - Commercial	0.5600	.9430	.1120	.5300	2.3530	.0000

All rates are shown per \$100 of assessment; the State Utility Tax rate is 0.2800 while Town’s and County’s is currently 2.1000; and

WHEREAS, property tax rates are set by each unit of government, such as the State, counties, and incorporated cities and towns, for properties assessed (i.e., valued) by the State enabling said governments to set tax rates at the level required to fund governmental services of which said rates may be increased, decreased, or remain the same from year to year; however, should a proposed tax rate increase the total property tax revenues for a given class of real property, the governing body must advertise that fact and hold a public hearing on the new tax rate pursuant to Tax-Property Article, §6-308 of the Md. Ann. Code, which is called the Constant Yield Tax Rate process; and

WHEREAS, pursuant to the Tax-Property Article, §6-303(a) of the Md. Ann. Code, if not otherwise prohibited by said Article, the governing body of a municipal corporation may set separate rates for any classes of property that is subject to the municipal corporation property tax, in each year after the date of finality (i.e., January 1) and before the following July 1, the governing body of each municipal corporation annually shall set the tax rate for the next taxable year on all assessments of property subject to municipal corporation property tax; and

WHEREAS, pursuant to the Tax-Property Article, §6-303(c) of the Md. Ann. otherwise provided by the governing body of the municipal corporation there shall be a single municipal corporation property tax rate for all real property subject to municipal corporation property tax; and

WHEREAS, the Town currently has only two (2) classes of real property, despite having the authority to create multiple classifications as provided in the Tax-Property Article, §6-203(a) of the Md. Ann. Code whereby a “municipal corporation may impose municipal corporation property tax on those classes of property that it selects [i.e., the municipality itself is authorized to create and designate] to be subject to municipal corporation property tax;” and

WHEREAS, there are fourteen (14) administrative land use codes used by the Maryland State Department of Assessments and Taxation to describe every lot or parcel of real property as follows: agricultural, apartment, commercial, commercial condominium, commercial/residential, (residential) condominium, country club, exempt, exempt commercial, industrial, marsh, residential, residential/commercial, and town house; however, unlike the counties, the municipalities are not restricted to any enumerated statutory list or description when choosing to define classes of real property for municipal taxation purposes; and

WHEREAS, the Board finds that the City of Mount Rainier has created a vacant developed real property tax in order to facilitate and streamline the sale of vacant developed properties to new owners and the Town of Upper Marlboro wishes to enact a similar tax; and

WHEREAS, the Board further finds that residential property is a necessity of life to the inhabitant from which the owner-occupant or tenant derives little to no income, unlike commercial, agricultural, vacant developed, or industrial property, and that such a classification of real property is rationally related to an important governmental purpose in relieving the tax burden on residential property owners thereby making housing more affordable, and promoting the policies of making the Town a more sustainable, livable and family-oriented community.

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

Part 1 – VACANT PROPERTY REGISTRATION PROGRAM

Section 1. Vacant Property Registration.

A. Intent and scope. The Board of Commissioners (the “Board”) finds that the proliferation of vacant and abandoned buildings, structures, dwellings and lots in Upper Marlboro causes a deterioration of neighborhoods and areas within the Town and has a negative impact on the value of property in close proximity to the vacant and abandoned buildings, structures, dwellings and lots. The Board further finds that vacant and abandoned buildings, structures, dwellings and lots often cause a serious threat to the safety and welfare of the residents of the Town and erode the quality of life of all who live and work in the Town, and such properties are frequently places of infestation of rodents, vermin, insects, wild animals and other health-threatening creatures and diseases, provide shelter to criminals and vagrants who use such places to evade the police and to conduct illicit activities, and are a nuisance to children and adults alike.

B. Definitions.

For purposes of this section, the following words and phrases shall have the meanings respectively

Lot means an area of land designated as a separate parcel or unit of land on a legally recorded subdivision plat or deed filed among the land records of Prince George's County and assigned a property tax account identification number that is assigned to one or more such units or parcels of land.

Occupied building or structure means any building or structure wherein one or more persons actually conducts a business or resides in all or any part of the building as the business occupant, or as the legal or equitable owner/occupant or tenant on a permanent, non-transient basis, or any combination of the same. For purposes of this section, evidence offered to prove that a building is so occupied may include, but shall not be limited to, the regular receipt of delivery of regular mail through the United States Postal Service; proof of continual telephone, electric, gas, heating, water and sewer services; or a valid Town business license.

Owner means any person, partnership, limited-liability company, corporation or other entity who, alone or jointly with others, shall have legal title to any premises, with or without accompanying actual possession thereof; or who shall have charge, care or control of any dwelling unit as a cooperative shareholder or as executor, administrator, trustee, receiver or guardian of the estate or as a mortgagee in possession, title or control, including but not limited to a bank or lending institution, regardless of how such possession, title or control was obtained.

Vacant building or structure means a building or structure where no person or persons actually currently conduct a business or reside or live in any part of the building or structure as the legal or equitable owner or tenant-occupant, or owner-occupant, or tenant on a permanent, non-transient basis.

Vacant developed property means a lot or parcel of land that has a vacant building except as provided in Section 3 (Exemptions) below.

Vacant lot means a lot without a building or other valid and approved improvement which has an assessed value for taxation purposes as determined by the State of Maryland, Department of Assessments and Taxation.

C. Annual registration of vacant buildings or lots; local agent; registration fees.

1. Vacant building or lot registration. Any owner of any building or lot which has been vacant for more than 120 consecutive days shall file with the Town Administrator or his designee a vacant building or lot registration. Said registration shall be in a form prescribed by the Town Administrator which shall include the street address and parcel number of each such vacant building or lot, the names and addresses of all owners, in accordance with Subsection C.1(a) through (g) below, and any other information deemed necessary by the Town Administrator. In no instance shall the registration of a vacant building or lot and the payment of registration fees be construed to exonerate the owner, agent or responsible party from responsibility for compliance with any other building code or Town ordinance requirement. The registration fee(s), as required herein, shall be billed by the Town Treasurer or designee and shall be paid by January 1 of each year. For purposes of this section, the following shall also be applicable:

(a) If the owner is a corporation, the names and addresses of the officers of the corporation shall be provided and shall be accompanied by the name of the resident agent filed with the Maryland Department of Assessments and Taxation;

(b) If the owner is a limited-liability company, the name and address of the managing member shall be

provided;

(c) If the owner is an estate, the name and address of the executor or administrator of the estate shall be provided;

(d) If the owner is a trust, the name and address of all trustees, or grantors shall be provided;

(e) If the owner is a partnership, the names and addresses of all partners with an interest of 10% or greater shall be provided;

(f) If the owner is any other form of unincorporated association, the names and addresses of all principals or co-owners with an interest of 10% or greater shall be provided; or

(g) If the owner is an individual person, the name and address of that individual person shall be provided.

2. Local agent.

(a) If none of the persons listed in Subsection C.1(a) through (g) above are within the State, the registration statement also shall provide the name and address of a person who resides within the State and who is authorized to accept service of process on behalf of the owners.

(b) The registration statement shall designate a responsible, local party or agent for purposes of notification in the event of an emergency affecting the public health, safety or welfare.

3. Fee.

(a) The owner or owners of any vacant property located within the corporate limits shall be responsible to register and pay the annual nonrefundable registration fee of \$250; thereafter, said fee shall be billed by the Town Treasurer annually on November 1. The Board may revise or increase registration fees established under this section by written resolution, provided such fee does not exceed \$750.

(b) One vacant building or lot registration may be filed to include all vacant buildings situated upon a single property of an owner so registering or on a series of abutting or adjoining vacant lots. The fee of \$250 shall apply to the property upon which the buildings are situated or multiple vacant lots adjoining one another. A separate fee need not be paid for each building upon a single property or for more than one lot in a series of abutting or adjoining vacant lots.

(c) Appeal rights. The owner shall have the right to appeal the imposition of the registration fees to the Board of Commissioners upon filing an application in writing to the Town Administrator no later than 30 calendar days from the date of the billing statement. On appeal, the owner shall bear the burden of providing proof that the building is occupied, or the lot is improved with a building or assessed structure. The decision of the Board may not be appealed as an administrative agency decision by filing a petition for judicial review but shall be enforced pursuant to Subsection k.

(d) One-time waiver of registration fee. A one-time waiver of the registration fee for up to 90 days may be granted by the Town Administrator upon application of the owner and upon review and advice of the Town Attorney, within 30 calendar days from the date of the bill for the registration fee, or if denied by the Town manager, upon appeal to the Board, if the owner:

1. Demonstrates with satisfactory proof that he/she is in the process of demolition, rehabilitation, or other

substantial repair of the vacant building; and demonstrates the anticipated length of the demolition, rehabilitation, or other substantial repair of the vacant building; or

2. Demonstrates he/she is actively attempting to sell or lease the property during the vacancy period; and
3. Is current on all registration fees and all other financial obligations and/or debts owed to the Town which are associated with the vacant property.

F. One-year waiver. Upon application by the owner and satisfaction of Subsection e above, the Town Administrator may grant a one-time, one-year waiver of the registration fee, or if denied by the Town Administrator, upon appeal to the Board, if the owner is a nonprofit or tax-exempt organization.

G. Delinquent registration fees as a lien.

1. After the owner is given notice of the amount of the registration fee due, except for those owners that have properly perfected an appeal as provided above, and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the Town.

2. Any registration fees, when accrued or overdue, pursuant to this Section, and any penalties assessed hereto shall be considered a lien in favor of the Town on the applicable property and may be collected and enforced in the same manner as delinquent or accrued real property taxes.

H. Duty to amend registration statement. If the status of the registration information changes during the course of any calendar year, it is the responsibility of the owner, responsible party or agent for the same to contact the Town Administrator or designee within 30 days of the occurrence of such changes and advise the town manager in writing of those changes.

I. Exceptions. This section shall not apply to any building or lot owned by the United States, the State, the County, nor to any of their respective agencies or political subdivisions.

J. Duty of Town Administrator to maintain and notify. The Town Administrator or his designee shall maintain the vacant building or lot registrations in the normal course of business and shall notify the Town chief of police who shall notify local fire and ambulance services of all locations on the registry.

K. Enforcement.

1. Penalties for offenses. Any owner, or agent of an owner acting on behalf of the owner, who fails to register a vacant building or lot or to pay any fees required to be paid pursuant to the provisions of this section, within 30 days after they become due, shall constitute a municipal infraction violation punishable upon conviction thereof by a fine in the amount of \$1,000 for each failure to register, or for each failure to pay a required vacant building or lot registration fee.

2. Other enforcement. The registration of a vacant building or vacant lot or absence thereof shall not preclude action by the Town to obtain a court order to force abatement, maintenance or removal of a public nuisance or any other violation found on any vacant lot or building pursuant to any other provisions of this code of ordinances or other law. The Town shall have the right to remove litter, trash, noxious weeds, tall grass, unsanitary or flammable waste materials and to do such other maintenance or work as is necessary to bring the property into compliance with the general ordinances of the Town of Upper Marlboro. The cost of these actions shall be paid for by the owner. The Town shall send the owner an invoice or bill for the costs of such work by certified mail, return receipt requested, and by regular mail to

the owner's last known address or by any other means reasonably calculated to bring the bill to the owner's attention. Should the owner fail to pay the bill within one (1) month after it is presented or mailed, the costs shall be considered a lien against the property and may be collected in the same manner as real property taxes. Nothing in this Section shall be construed to limit the Town from seeking any other legal damages or equitable and declaratory relief permitted by law to enforce this code of ordinances in a court of competent jurisdiction in this state.

L. Violations

Unless provided otherwise, any violation of this Part 1 shall be deemed a municipal infraction. The penalty for such violation shall be a \$250.00 fine for an initial offense together with a suspension of the license for no more than 90 days and \$500.00 for each repeat offense together with a revocation of the license. Each day any violation continues shall be a separate offense.

Part 2 - REAL PROPERTY TAXES AND CLASSIFICATIONS

Section 2. Real Property Classifications

A. Effective for the tax year beginning July 1, 2023, and for each tax year thereafter unless altered by a subsequent enactment of the Board of Commissioners, the classifications of property subject to municipal taxation, with respect to those properties, businesses or utilities located within the municipal boundaries of the Town of Upper Marlboro, shall be as follows:

<u>PROPERTY CLASSIFICATIONS</u>	<u>*FY '24 RATE/\$100</u>
1. COMMERCIAL REAL PROPERTY,	0.56
2. NONCOMMERCIAL REAL PROPERTY,	0.34
3. AGRICULTURAL USE REAL PROPERTY,	0.25
4. VACANT REAL PROPERTY,	1.25
5. BUSINESS PERSONAL PROPERTY, AND	0.53
6. PUBLIC UTILITY PROPERTY	2.10

(These rates may have been established by previous legislation and are indicated herein for informational purposes only. Prior to this ordinance, which shall apply beginning in FY '24 (July 1, 2023), all real property has been taxed at the same or different rates as two (2) classes distinguished as to commercial or noncommercial real property.)*

B. Real property that is lawfully used or leased substantially for residential dwelling purposes shall be classified as noncommercial real property. All other real property shall be classified as commercial real property, agricultural real property or vacant real property as defined by this ordinance or State law. Property that is exempt from taxation shall remain exempt regardless of classification by the Town.

C. The Treasurer or their designee shall notify the Special Assistant to the Director of the Maryland State Department of Assessments and Taxation of the action taken under the provisions of this ordinance and offer a copy hereof as soon as possible, but no later than December 1, 2022.

D. The Treasurer or their designee shall coordinate with the State Department of Assessments and Taxation regarding the requirement to obtain constant yield tax rate certifications for the net assessable real property base for the two (2) separate classes of real property created by this ordinance, no later than February 1, 2023, and each year thereafter.

Section 3. Vacant Developed Real Property Tax; Exemptions

- A. The definitions prescribed in Sections 1 and 2 above shall apply to this Section.
- B. The municipal tax rate for vacant developed property shall be the amount established by the ordinance setting the tax rate for that fiscal year on assessments of property subject to municipal property tax.
- C. A lot or parcel shall be subject to the vacant developed property tax rate if it has a building that is registered or designated by the Town Administrator as a vacant building in accordance with Section 1.
- D. For mixed-use commercial and residential properties with a vacant commercial portion, the vacant developed property tax rates shall apply only to the assessed value of the improved area containing the vacant commercial portion, which shall be determined by multiplying the total assessed value of the improvements by the percentage of the improved area consisting of the vacant commercial portion.
- E. The vacant developed property tax rates shall not apply to a lot or parcel with a vacant building if the property also has an occupied building that has an above grade area equal to or greater than that of a vacant building.
- F. Vacant developed property shall not be subject to the vacant developed property tax rate when it is under active construction or undergoing active rehabilitation, renovation or repair and there is a valid building permit to make the building fit for occupancy. The exemption from the vacant developed property tax rate under this paragraph shall not exceed a total of two years while the property remains under the ownership of one person, or related persons.
- G. The Town Administrator shall transmit to the Prince George's County tax assessor a list of the property subject to the vacant developed property tax by May 1st of each year, and the vacant developed property tax rate will be levied upon the properties the following fiscal year.
- H. When a property becomes occupied or exempt from the vacant developed property tax rate pursuant to Subsection F, the owner shall notify the Town Administrator of the matter as may be prescribed by regulation approved by formal resolution or ordinance. If the request for termination of the vacant developed property tax rate is approved, determination shall be effective the following fiscal year.
- I. If the vacant developed property tax rate is paid on the property because of an error on the part of the Town, the municipal property tax paid in excess of the taxes due under the regular municipal rate shall be refunded. Refunds pursuant to this subsection shall not exceed the value of the excess payment for the period of one year.
- J. The Town Administrator will, upon request, provide written notice to the lenders for prospective purchasers of vacant, developed property, that property will not be subject to the vacant. Develop property tax rate commencing the following fiscal year if the property is occupied or satisfies the requirements of Subsection E.

- K. **Exemptions.** A residential property that becomes vacant as a result of the death of an property who resided that property, for whom the property was their domicile at the time of their test, shall not constitute a vacant developed property for a period of two years after the date of death. To qualify for this death exemption, a representative of the estate of the deceased must provide the Town Administrator with a copy of the death certificate and proof that on the date of death, the deceased resided at the property, or the property was their domicile. Domicile means the place where a person has his or her true fixed permanent home, habitation and principal establishment without any present intention of removing there from and to which place he or she has the intent to return when absent.
- L. **Temporary Exemptions for Accidental Damage.** In occupied residential property that becomes uninhabitable as a result of a fire or flood, unless intentionally caused by the owner or his or her agent or natural death, disaster shall not constitute a vacant developed property for a period of two years after the incident that caused the property to become uninhabitable. To qualify for this exemption, the owner must provide satisfactory proof to the Town Administrator that the property is uninhabitable as a result of a fire, flood, or natural disaster and the date of the fire, flood, or natural disaster occurred. Examples of records that constitutes satisfactorily proof include, but are not limited to, police and fire reports, insurance company correspondence, and claims documentation, news and weather reports, photographs, videos and code enforcement inspection records.

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

AYES: 5

NAYES: 0

ABSENT: 0

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 amended, repealed and/or superseded by the provisions of this Ordinance, as applicable, 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.

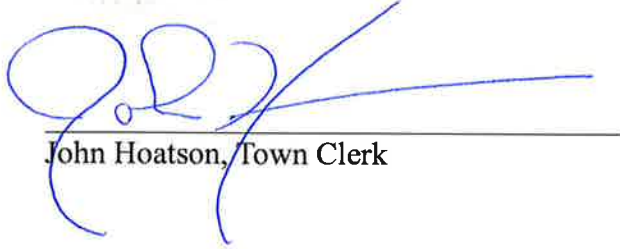
INTRODUCED in a public session of the Board of Commissioners on this 23rd day of August, 2022.

ORDAINED, APPROVED AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this 27th day of September, 2022, by:

Attest:


THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS





John Hoatson, Town Clerk


Sarah Franklin, President


Janice Duckett, Commissioner


Charles Colbert, Commissioner


Karen Lott, Commissioner


Thomas Hatchett, Commissioner

municode



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Upper Marlboro, Maryland

March 16, 2022 – Quote valid for 90 days



Tracy Stevanov

Legal Account Executive

Phone 800-262-2633 ext. 7105

Direct: 828-280-2219

Email tstevanov@municode.com

PO Box 2235 Tallahassee, FL 32316

LETTER OF INTEREST

March 16, 2022

Mr. John Hoatson
Town Clerk
Town of Upper Marlboro
14211 School Ln.
Upper Marlboro, MD 20772

via email: jhoatson@uppermd.gov

Mr. Hoatson:

Thank you for your interest in Municode's recodification services. The goal of recodification is to create a well-organized and professionally edited Code of Ordinances that is free of internal conflicts and inconsistencies; free of errors in spelling and grammar; formatted in a manner that allows for continued growth and expansion; in conformity with the laws of the State of Maryland and readily accessible to staff and citizens alike. Our staff includes 11 in-house professional codification attorneys who have completed hundreds of codification and recodification projects nationwide.

With over 70 years of experience, Municode is the oldest and most trusted codifier in the nation. We currently provide codification services to over 4,000 municipalities throughout the United States and host over 3,700 municipal codes online via our code hosting platform, MunicodeNEXT. Whether it's through the legal codification or recodification process, full-service or self-service supplementation options, online legislative search tools, meeting management and agenda software or custom government website design, we have the experience, resources and expertise to provide our local government clients with innovative products, superior technology and excellent customer service. We invite you to visit our corporate website at <https://www.municode.com/> to explore our full suite of government services.



Municode provide Code publishing services to 24 municipalities in Maryland, including many near Upper Marlboro.

In addition to codification services, we provide a “circle of governance” that offers website design, meetings management and document archival tools in one seamless experience. Customers who trust Municode with their online codes, meetings software, and municipal website enjoy a unified search engine and integration of the Meetings, Web, and Code Hosting platforms. From the Meetings platform, agendas and minutes can automatically be uploaded to the website and ordinances can be sent to Municode for codification with permanent links created within the code for the ordinances and the specific meeting from which the legislation was adopted, via our OrdBank service.

Please contact Legal Account Executive Tracy Stevanov (tstevanov@municode.com, 828-280-2219) if you have any questions regarding this proposal!

Sincerely,




Bob Geiger
Vice President of Sales
Phone: 850-692-7132
bgeiger@municode.com

EXECUTIVE SUMMARY

Recodification, Supplementation and Online Hosting

*Logic: Give your municipality a fresh start. Engage our full-time attorneys to examine the legal sufficiency of your code from top to bottom. Clean up the pagination, reprint all pages and replace binders and tabs, if needed. Quickly and efficiently transition your code to the most advanced suite of web/mobile services available in the nation: **MunicodeNEXT***

- ★ **Recodification**..... **\$9,250¹**
Timeline **10-12 months**

The recodification cost of \$9,250 is based on a 300-page, single column 10-point code, including gender neutralization. Additional format and font options are provided on the following page.

A full-time, Municode attorney will legally review the ordinances, not just a code editor. We will research all legislation against the State Constitution, State Law, and the Charter, and ordinances will be compared to Code content to determine if there are inconsistencies or conflicts within the legislation itself. We will suggest a structure and organization for the code and provide a table of contents indicating the recommended structure. We will also provide State Law references within the code and hyperlinks to internal references within the code. We will provide a legal memorandum containing recommended options and conduct a conference to review the memorandum and recommendations. Our team will edit the text of your code to reflect proper grammar and stylistic consistency; create a subject matter index; create all tables (contents, State Law reference, prior code comparison, and ordinance disposition); and insert graphics into the printed and electronic versions of the code. A draft code will be provided to you for final review prior to printing and shipment.

- ★ **MunicodeMEETINGS** (annually)..... **\$3,400**

- ★ **Supplement Service** (annually) **\$1,200**

Municode provides quarterly to annual supplementation services for a fixed annual fee. See page 4 for more details.

- ★ **Online hosting:**
MyMunicode (annually)----- **(first 3 months of online service at no charge!) \$995²**

¹ Please see page 3 for additional pricing details.
² Please see page 5 for additional features and pricing available on our MunicodeNEXT platform.

RECODIFICATION QUOTATION SHEET

Recodification base cost, includes Zoning **\$8,950³**

- ★ 300 single column 10-point font pages
- ★ Receipt, review and organization of materials
- ★ Legal analysis & research by a full-time, Municode attorney
 - ★ Preparation of legal memorandum by a Municode attorney
- ★ Conference with attorney (make selections below)
- ★ Implementation of approved legal findings
 - ★ Updating State Law references
 - ★ Editorial preparation, proofreading and page formatting
 - ★ Indexing
- ★ Tables⁴, Graphics⁵ & tabular matter⁶
- ★ Final proofreading and corrections
- ★ Quality control review and printing
 - ★ 3 printed copies, to include 3-post stamped binders and tabs
- ★ Sample adopting ordinance prepared by a Municode attorney

Project is based on the font size & pages below – please only select one:

Font Size Single Column:

☒ 12-Point (375)

Binder Color:

☒ Dark Blue

Ink Stamping Color:

☒ Gold

Conference Selection:

☒ Teleconference or web-based conference, 3-hour session

No charge⁷

Optional Services

☒ Gender Neutralization of Code

\$300

Items not included in base cost

- ★ Pages over 300 10-point, single column pages per page (or equivalent) **\$26**
- ★ Freight **Actual**
- ★ State sales tax **If applicable**
- ★ Post your code on MunicodeNEXT **See selections on page 5**

Payments for recodification project - Your project can be budgeted over two fiscal years

- ★ Execution of Agreement **\$3,130**
- ★ Submission of the Legal Memorandum **\$2,240**
- ★ Submission of Draft Code **\$2,240**
- ★ Delivery **Balance**

³ Legislation added to the project must be approved and received prior to the established cutoff date. Following the delivery of the final code draft for client proofing, any extensive changes requested in the Code content, and/or any material added to the Code that was not previously contemplated, will be subject to an additional Proof Update fee. Proofs not returned within 45 days may be subject to a proof update fee, if applicable.

⁴ The following tables will be created and are included in the base cost: supplement history table, code comparative table, State Law reference table and ordinance history table. An additional hourly charge applies for creation, modification, addition or updating of any table or schedule other than those enumerated in this footnote. This includes Traffic and Fee tables or schedules.

⁵ Includes printing all copies.

⁶ Tabular matter is defined as algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.

⁷ For the initial 3-hour session, then \$150 per hour thereafter.

SUPPLEMENTATION QUOTATION SHEET

Supplement Service⁸ (select the desired schedule).

- ☒ **Full Service:** \$1,200 annually
Schedule limited to Annual, Semi-Annual, Tri-Annual or Quarterly supplements.
- Electronic supplements not available under the standard model
 - If the client elects to upgrade to the Plus model during the annual term, the annual rate will be pro-rated
- ☐ **UPGRADE to Full Service Schedule Plus:** \$1,900 annually
Schedule can be increased to Monthly, on demand or monthly electronic supplementation.

Annual rate above includes:

- ★ Annual fee includes the supplementation of legislation permanent and general in nature. Omitted legislation is not included in annual fee.
- ★ Acknowledgement of material
- ★ Editorial work
- ★ Proofreading
- ★ Updating the index
- ★ Updating online code upon completion of each supplement
- ★ Printing⁹ up to 3 copies per "print" schedule elected
- ★ Freight for supplements
- ★ Images, Graphics & tabular matter.

Annual rate above excludes:

- ★ Additional copies, reprints, binders and tab orders
- ★ Legal work, creation of fee schedules, gender neutral review/implementation, external linking
- ★ Codifying complete replacement of complex subject matter such as, but not limited to, Zoning (or equivalent). This work is subject to a one-time editorial conversion fee and an increase in the annual supplement rate and online hosting fee(s). Quote provided upon receipt of material.
- ★ Codifying a newly adopted full Chapter/Title/Appendix. This may be subject to a one-time additional editorial fee and an increase in the annual supplement rate and online hosting fee(s). Material to be reviewed upon receipt.
- ★ Codifying a newly adopted term change legislation. This may be subject to a one-time additional editorial fee. Material to be reviewed upon receipt.
- ★ The addition of Manuals, Policies, Procedures, Comprehensive Plans, Land Use, Unified Codes, Zoning (or equivalent). Quotation upon request.
- ★ Online Code hosting and online features, see the following page.

Invoices for Supplements will be submitted annually.

Additional services added throughout the term will be pro-rated then added to the annual fee.

The annual billing month will be established upon signing of the contract or will be invoiced upon shipment of the initial conversion project.

⁸ All services under this contract can be increased annually by 5% starting year 3 of service. Sales tax will be applied where applicable.

⁹ Color printing and an increase in the desired number of supplement hard copies will result in an increase in the annual fee.


ONLINE CODE HOSTING QUOTATION SHEET (MunicodeNEXT)

Online features can be purchased on an a la carte basis, or through our budget-friendly, feature-rich MyMunicode bundle for the best value. Please visit our online library of nearly 4,000 codes on MunicodeNEXT [here](#). Please check the appropriate box (es) to indicate your selection:

My Municode - Value Pricing!

- ☒ **MyMunicode** annually. *First 3 months of service at no charge!* \$995¹⁰
Includes MunicodeNEXT (Online Code), OrdBank, CodeBank, CodeBank Compare + eNotify, MuniPRO, and Custom Banner

RECOMMENDED ADDITIONAL SERVICES *(See Additional Services)*

- ☒ **MunicodeMEETINGS**, annually  \$3,400
Cloud-based agenda meeting management system. Streamlines and automates agenda process. Increases agenda process visibility, easy agenda updates, approval workflow, live council voting & roll call, email notifications, a unified document search and automated approval routing.

¹⁰ Total value if each item were to be purchased a la carte would be approximately \$1,460 per year with participation in our OrdBank service.

COMPANY PROFILE

History, Mission, and Team

With over 70 years of experience nationwide, Municode's mission is to strengthen democracy by connecting public sector organizations to their communities. Our solutions promote transparency and efficiency - such as custom website design, meeting and agenda management, the legal codification process, and our robust suite of online legislative search tools.

Municode partners with more than 4,000 government agencies across all fifty states. Municode is a privately-owned and financially sound corporation. Our leadership focuses on improving Municode through investments in its people and its technology.

Municode is home to over 160 employees (most of whom enjoy a 10+ year tenure). Our headquarters in Tallahassee, Florida includes four buildings totaling 56,000 square feet. We have regional offices located in Oregon and Utah. Other office locations include Arizona, California, Georgia, Kentucky, Minnesota, New Hampshire, North Carolina, South Carolina, Texas, Virginia, and Washington.

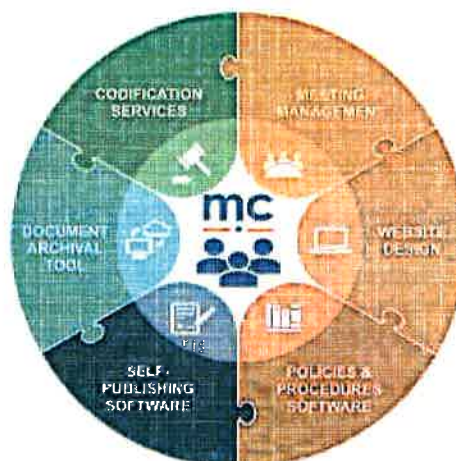


Our Vision: Simple, Seamless Integration

Our vision is to create seamless integration between our service offerings. The goal is to reduce staff workload, while at the same time, increasing the ability for municipalities to connect with their communities.

The following example integration points are either in place today or envisioned in our future strategic roadmap.

- Unified search across all platforms (website, meetings, online codes)
- Auto-publish agendas and minutes from the Meetings platform to the Website
- Ordinance auto-publishing from the Meetings platform to your online code, queued for supplementation, Code of ordinance cross-references to legislative voting history, minutes, and video/audio



SCOPE OF SERVICES

Recodification & Republication Summary

During the recodification process, the attorney assigned to your project will organize and examine every Chapter, Title and Section of your Code in order to ensure that it is free from internal conflicts and inconsistencies and conforms to the laws of the State of Maryland. Your Municode attorney will be available to consult with you and your staff at any time during the recodification process. This personal dialogue ensures that your code will accurately reflect the intent of your ordinances and the unique needs of your community. The complete process is outlined below.

Ordinances. All legislation of a general and permanent nature, passed in final form by you, as set forth in this proposal, will be included in the analysis. All material that we receive will be acknowledged via e-mail, in order to establish a record of included ordinances. Legislation not of a general and permanent nature will be omitted from the code unless otherwise instructed by you. Notations can be added in the code to reference legislation adopted by reference, if elected.

Attorney Analysis and Review of Material. Your Municode attorney, along with his/her team of legal editors, proofreaders and indexers will be assigned to this project. Our legal team will research the Code and all legislation submitted by you to ensure conformity with state statutes. The ordinances will also be compared to Code content in order to determine if there are any inconsistencies or conflicts within the legislation itself. We will suggest a structure and organization for the code and provide a Table of Contents indicating the recommended structure.

Page Format Options. We will work with you to determine the desired formatting and style of the new code, and will review page composition format options, such as font type, font size, page layout, and graphics appearance and placement with you. We will help you choose a format that produces a professional document that is easily researched.

References. We will provide State Law References within the code. Editorial notes will be provided as appropriate. Internal cross references within the code will be hyperlinked in the online version.

Legal Memorandum. We will provide you with a user-friendly Legal Memorandum containing all of our analyses and recommendations. This memorandum will reflect our attorney's Legal Review and will provide you with recommendations to remove conflicts and inconsistencies; conform to State Law, when appropriate; and ensure compliance with your charter (if applicable). This approach facilitates collaboration and dissemination among departments, thus making the process as easy for you as possible. Our goal is to make the recodification process simple and smooth for you.

Conference. Within 30 days of your receipt of the Legal Memorandum, we will conduct a conference, either in person or via telephone or webinar, to review the Legal Memorandum and our recommendations. All interested personnel may be included, but your attorney and clerk are essential. Issues discovered during the legal research will be discussed at the conference, with the goal of the conference being to come to agreement on any required changes. Your attorney has the final decision-making authority for resolution of issues brought up at the conference or noted in the Legal Memorandum.

Editing and Proofreading. Our team will edit the text of your code to reflect proper grammar and stylistic consistency. We will not reword any provision that changes the substantive intent of the code, unless you approve the revision. However, non-substantive revisions to improve readability are a part of the process. We will proofread your code. The text will be reviewed for sense and structure and to ensure the implementation of the decisions by your attorney and our attorney.

Index, Graphics and Tables. Our team will create a hierarchical, subject matter Index and all tables (contents, State Law Reference, prior code comparison and ordinance disposition) for your code as necessitated by the materials provided. We will insert the graphics you have provided into the printed and electronic versions of the code.

Post Conference Code Draft. After editing and proofreading, a post-conference Code Draft incorporating solutions captured in the Legal Memorandum and agreed upon at the legal conference will be delivered to you

for final review prior to printing and shipping. We guarantee typographical correctness. Any errors attributable to our team will be corrected at no charge during the term of this agreement. After the code draft is provided additional material can be added to the project for an additional charge.

Adopting Ordinance. Our attorney will provide a sample adopting ordinance upon completion of the recodification.

Printing and Binding. We will print your new code on high quality acid-free paper, with an SFI (Sustainable Forest Initiative) certification. These copies will be housed in heavy duty, 3-post leatherette binders (with 4 color choices), name-stamped on the front and spine of each binder. Divider tabs for each major section of the code and index (if elected) will also be provided.

The time frame for completion of the recodification project is within **10 to 12 months**, excepting any delays occasioned in our receipt of material or your return of the draft Code. Adhering to an established schedule of deadlines is critical to the success of this project and will ensure the contents of the Legal Memorandum remain current and complete at the time the Code is adopted and republished. To ensure a successful project completion, it's important that a conference is held to discuss the findings of the Legal Memorandum within 30 days of its receipt, and that the subsequent Code Draft we provide be returned within 45 days with any revisions noted. If the Code draft is not returned within 45 days, additional update fees may apply.

Supplementation Services

Municode's full-service supplementation process has been designed for timeliness, efficiency, simplicity and your convenience. Supplements can be provided on the schedule of your choice. In addition to printed supplements, we can deliver the updates in Word, PDF and/or Folio formats. We pride ourselves on a turnaround time of **30 to 35 days for printed supplements** and can provide you with "always up to date" **electronic update services within 10 to 15 days** at the same per page rate quoted for printed supplements. With printed supplementation, the online code is updated within **3 days** after shipping the supplement, and there is no additional fee for this service.

A recent analysis of our printed supplement services indicated an editorial error rate of less than .1%, which is made possible by our attention to detail, ongoing communication with our clients, and strict quality control checks to ensure we continue to produce the best printed and electronic supplements available in our industry. Any errors attributable to Municode during the preparation, printing and maintenance of the code will be corrected at no cost. The printed supplement process is outlined below:

1. Receipt of new legislation will be acknowledged within 24 hours. Our production support team will record the adoption date, effective date and ordinance number(s) and ensure that all necessary exhibits, tables and graphics are included. You will be advised promptly if any pertinent information is missing from your submission. Your material will then be immediately forwarded to our Supplement team for codification. If our OrdBank service (advance legislation service) is selected, the legislation will be posted online within 48 hours in PDF format as "Adopted Legislation not yet Codified".
2. Editorial Review – Our editorial team will review all ordinances received to determine whether the ordinance should be included in your code; where the ordinance should be placed; whether the ordinance conflicts with your existing code format; what material should be removed from your existing code; whether history notes will be added; what tables will be updated and whether the Table of Contents in the front of the code and at the Chapter/Title level should be amended. If any significant errors or numbering issues are noted, your editor will contact you for clarification. No substantive changes to your legislation will be made by our editorial team, however minor typographical errors will be corrected as part of the supplement process. Should the editorial, legal and/or proofreading team find discrepancies in your ordinances, we will communicate with you to ensure that the ordinances are correct and consistent with the existing code.



3. **Indexing** – If an Index is elected, your supplement will now be sent to our indexing team, where all new legislation is indexed and cross-referenced in all appropriate locations.
4. **Proofreading** – The proofreader assigned to your editorial team will then examine your supplement line by line to ensure editorial accuracy, code hierarchy and layout and to confirm that your supplement is grammatically correct and free of errors in spelling and capitalization. Your supplement is examined again line by line to ensure that the improvements made by the editorial team were thorough and accurate. During this process, the original ordinance is compared again with the newly added text to further ensure editorial accuracy.
5. **Posting the supplement online (MunicodeNEXT)** – After your supplement has been completed, your online code will be updated within 3 days and any electronic products requested will be provided. You will receive notification that the website has been updated via email. If our CodeBank Compare + eNotify service is selected, citizens will be notified each time the online code is updated. When your code is updated on MunicodeNEXT, all internal cross-reference links are updated. With our OrdBank feature, each history note will be linked to the ordinance that amended the respective section.
6. **Printing and Shipping** – We will print, cut, 3 hole-punch, and ship your supplement to you unless otherwise instructed. You can change your supplement schedule at any time, and there is no additional charge for more frequent supplementation. *Instruction Sheet:* With each printed supplement, we will furnish a page of instructions for removal of the obsolete pages and insertion of the new pages; as well as a *Checklist* of up-to-date pages with each supplement.

Online Code Hosting (MunicodeNEXT)

Our code hosting platform, MunicodeNEXT (<https://library.municode.com>) was created and is continuously enhanced and improved by our in-house team of Internet Technology professionals. MunicodeNEXT includes Standard and Premium features (see **Attachment A**), all of which are designed to provide a wide variety of additional capabilities for the research and navigation of your code, as well as for preserving its history. Our newest free online feature, *Public Notes*, will enable you to add external links within the contents of your online Code (such as links to Zoning maps, Fee Schedules, Council Meetings, the Clerk's office, etc.) or to post public notes or documents in the online Code to inform your citizens about current issues pertinent to specific sections of your Code.

MunicodeNEXT is extremely user-friendly and requires no special training or login information. A variety of video tutorials are offered, and we can host a personalized training webinar for you and your staff to demonstrate our online features and capabilities before your new Code goes "live" online. Our MuniDocs feature enables you to upload related documents online alongside the Code in fully searchable format. Electronic viewing statistics are available upon request on the schedule of your choice. Our MuniPro feature provides the ability to search over 3,700 online Codes in our library, save frequently used or complex searches, create notes to attach to any publication and draft new ordinances.

Our powerful search engine allows users to enter simple or advanced searches and supports Boolean operators, stemming, wildcards, proximity searches, and a global synonym list. Users can easily search the code using keywords or phrases, and can print, download and/or email any portion of your code. Search terms can be applied to the entire code or narrowed to search only within specific chapters or sections. Our recent website upgrade allows users to sort results by relevance or book order! Our collapsible Table of Contents, continuous next-hit feature and internal and external hyperlinking and cross-referencing features simplify and enhance the navigation of your online code, allowing your staff and citizens the capability of simultaneously searching your code, ordinances, minutes, resolutions, budgets and more.

With MunicodeNEXT advanced features, your staff and citizens need only click the link provided on your municipality's website to access your full Code of Ordinances. They not only have access to your complete and current Code of Ordinances, but to all archived versions of your code, every official copy of your ordinances, the power to compare versions of your code over time, the ability to be notified every time your code is updated, and the ability to translate your code into over 100 languages via **Google Translate**, which is included at no additional charge.

MunicodeNEXT is designed with accessibility in mind. Our application is fully responsive, ensuring all features are available on appropriately sized desktop, tablet, and smartphone viewports. Designed to provide easy access and an intuitive interface, it is extremely well-suited for use on tablets and mobile devices running iOS or Android. With delivery available in Word, PDF or Folio format, the Code can be viewed and researched offline.

The User Interface and all HTML content viewed via our MunicodeNEXT web application is WCAG 2.1 Level AA compliant. While we take several steps to improve the accessibility of PDF documents uploaded to the MunicodeNEXT platform, we cannot guarantee full ADA compliance of PDF documents. If a fully ADA compliant PDF document is uploaded to our MunicodeNEXT platform, it will remain compliant while stored in our system. For each PDF document that is uploaded to our platform, we OCR scanned PDFs; set document title, primary language, and other PDF metadata fields; and automatically create a base level of tags to be used by screen readers.

Our tech stack includes HTML5 & CSS3, Javascript (AngularJS), and a RESTful API written in C# running on .Net Core. All content is rendered in standard HTML and is viewable in all modern browsers including PC: Microsoft Internet Explorer 10 or later, Firefox 3.6 or later, macOS®: Safari™ 5.0 or later, and Chrome 18 or later. We host MunicodeNEXT in Microsoft's Azure Government secure cloud environment and guarantee an SLA of 99.95% uptime. SSL encryption is used by default to secure access to the site and the entire platform is backed up to multiple geographic locations within the Azure Government cloud ecosystem.

MunicodeNEXT Premium Feature Summary (See Attachment A for screenshots and full details)

We recommend our bundled feature option, MyMunicode for the most transparent and feature rich code possible. MyMunicode includes annual online hosting and maintenance service with CodeBank, CodeBank Compare + eNotify, OrdBank, MuniPro and a custom online code banner to match the City's logo or website. Our MuniPRO feature allows you to search nearly 4,000 codes in the Municode library for sample ordinances, save frequently used or complex searches, create notes to attach to any publication and draft and edit new ordinances internally. Constituents and staff can search the Code by keywords or phrases, and print or email at the section, article and chapter level of the online Code. Our newest free online feature, *Public Notes*, will enable you to add external links within the contents of your online Code (such as links to Zoning maps, Fee Schedules, Council Meetings, the Clerk's office, etc.) or to post public notes or documents in the online Code to inform your citizens about current issues pertinent to specific sections of your Code. A summary of our Premium features is provided below.

- ★ **CodeBank** will enable you to have instant access to past versions of your code after each supplementation.
- ★ **CodeBank Compare + eNotify** provides you with the ability to select a past version of your online code and compare it to any other version of the code each time the code is updated. The differences will be shown via Highlights (added materials) or Strikethrough (deleted material).
- ★ **eNotify** allows users to enroll to receive an email notification each time your online code is updated. A "modified," "removed" or "added" badge is shown within the online table of contents to alert users of recently amended sections of your code.
- ★ **OrdBank** will create one click access to every ordinance via linked history notes. Ordinances are permanently stored online in the OrdBank repository and filed in annual folders. Applies to included (amendatory) ordinances.
- ★ **OrdLink** will create highlights within your online code to help users identify what amendatory ordinances have been recently adopted and what code sections have been amended.
- ★ **MuniPRO** allows you to search nearly 4,000 codes in the Municode library, save frequently used or complex searches, create notes to attach to any publication and draft new ordinances.
- ★ **MuniDocs** has recently been upgraded to allow clients to upload a wide variety of .rtf, .doc, .docx, and .pdf documents to browse and search alongside the code. Uploading is as simple as dragging and dropping the document from your computer into the upload dialog box on the improved administrator dashboard, where previously uploaded documents can also be managed. When uploaded, users can choose from a wide list of predefined document types, including minutes, agendas, resolutions and more. These documents are immediately converted to PDF and indexed for search, organized in nested folders – allowing the public to browse and search them immediately.

ADDITIONAL SERVICES AVAILABLE FOR PURCHASE

Municode offers a wide variety of services, all of which have been designed primarily to serve local governments. Please contact us for information and pricing on any of the services listed below, all of which may be purchased under this contract and all of which are competitively priced.

Website Design and Hosting Services

Let our team of web analysts and developers create or redesign a website for your municipality that provides your staff and citizens with a stunningly beautiful website that is simple for staff to use, easy for citizens to access, responsive, interactive, dynamic, and extremely efficient! Using the popular Drupal, open-source framework, we will work with you to understand your history, anticipate your future, define your priorities and achieve the long-term goals of your community.

When Municode designs your completely mobile friendly website, our goal is to improve your image and your community profile, increase the self-service capacity of your residents, and empower your staff to create, edit and maintain website content as simply and efficiently as possible. The result will be an unparalleled municipal website solution at a very compelling price.



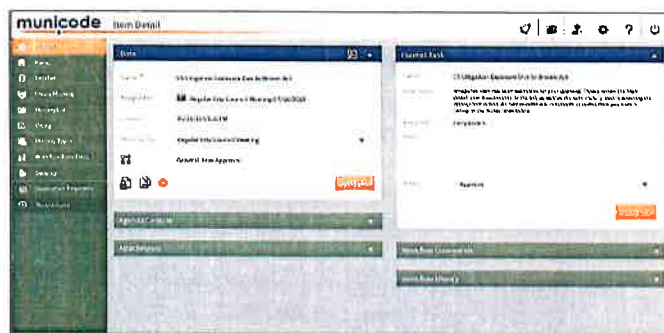
☒ Request MunicodeWEB Demo/Proposal

Meeting and Agenda Management

Municode provides a cloud-based agenda meeting management system that enables our clients to save time and money by streamlining and automating the agenda process. With zero set-up requirements, minimal budget impact, built in automatic upgrades and internal and external IT support issues managed directly by Municode's expert team of web analysts and system developers, your staff will spend significantly less time on agenda management, while still maintaining total administrative control of your agenda packets.

Municode provides the highest level of government transparency to your citizens. We will show you how to live stream your meeting videos at no cost and can provide archived video and audio linking capabilities that will allow your constituents to access the exact point in the meeting video where a specific piece of business is discussed. You can take roll call and record votes live in the meeting – and legislators can also vote directly from their Mac, PC, iPad, or Android device!

Other benefits include agenda process visibility, easy agenda updates, approval workflow, live Council voting & roll call, Email notifications, a Unified Document Search and automated approval routing. When you are ready to publish your Agenda, our “single click publishing” will provide you with automatic agenda and packet creations.



☒ Request MunicodeMEETINGS Demo/Proposal (see pricing page 5)

Payment Solutions - Point and Pay

Our preferred payment solutions partner, Point & Pay (<https://www.pointandpay.com/>) makes paying bills easier! Everything they do is backed by their best-in-class user interfaces, insightful features and high-quality service and support. Point and Pay can assist in processing City/County taxes, utility bills, permits & licensing, and more. With a focus on mobile interfaces, they enable your customers to conveniently pay bills whenever and wherever they want!

☒ **Request Point and Pay Demo/Proposal**

MCCi Services:

Laserfiche Enterprise Content Management Software and Services

MCCi understands the challenges organizations face every day with paper-based processes. We provide innovative solutions that transform these challenges into smart practices that improve efficiency, productivity and organizational structure. Recognized as one of the nation's top 20 Most Promising Government Technology Solution Providers, we are also the largest Laserfiche provider in the world. MCCi is passionate about helping organizations run their office more efficiently – saving time, money and resources! With 900 clients nationwide, MCCi is the largest provider of Laserfiche solutions in the world.

Digital Imaging Services

Through MCCi, Municode can help with your digital imaging services needs include scanning, indexing and integration of hard copy documents, electronic documents, and microfilm/microfiche. MCCi provides the most powerful index retrieval search engine available.



Open Records Request Software

JustFOIA is an affordable, easy to use, completely web-based hosted service that was created specifically to help you manage and track public records requests. Since JustFOIA is completely web-based, you are able to login anywhere that has an internet connection. You simply type in your customized web address and enter your credentials, safely and securely. Your service is available 24/7, every single day of the year.



JustFOIA helps agencies receive, track and report on open records requests. JustFOIA is a hosted solution that is user-friendly, affordable, and integrated with Laserfiche Enterprise Content Management.

☒ **Request MCCi Demo/Proposal**

Internet-based Document Editing and Presentation System

enCodePlus is a unique Internet-based document editing and presentation system used for authoring, displaying, and managing all aspects of land development regulations or zoning ordinances. Developed by community planners, **enCodePlus** assists in the creation of land development and zoning ordinances that are fully customizable, easy to navigate and rich with features including GIS interactive mapping, a "Land Use Look Up" tool, hyperlinking to outside resources, historical archiving and in-line graphics.

From its humble beginnings as a stand-alone Windows PC program, **enCodePlus** has matured to meet the needs of an innovative and exacting group of land use code writers and their client communities. To learn more about how **enCodePlus** can be an economic driver for your municipality and positively impact the transparency and navigability of your zoning or land development ordinance, please visit this link: <http://www.encodeplus.com/>



☒ **Request enCodePlus™ Demo/Proposal**

SIGNATURE PAGE

This proposal shall be valid for a period of ninety (90) days from the date appearing below unless signed and authorized by Municode and the Town of Upper Marlboro, Maryland. Municode shall not be responsible for the legal sufficiency or copyright infringement of any material initially or subsequently published.

Term of Agreement. This Agreement shall begin upon execution of this Agreement and continue for a period of three (3) years. Thereafter, the supplement service shall be automatically renewed from year to year provided that either party may cancel or change this agreement with sixty (60) days written notice.

Submitted by:

MUNICODE, LLC

Municode Officer: BS

Title: Bob Geiger, Vice President of Sales

Date: March 16, 2022

Accepted by:

TOWN OF UPPER MARLBORO, MARYLAND

Signature: [Signature]

Printed Name: Kyle Snyder

Title: Town Administrator

Date: 3/23/22

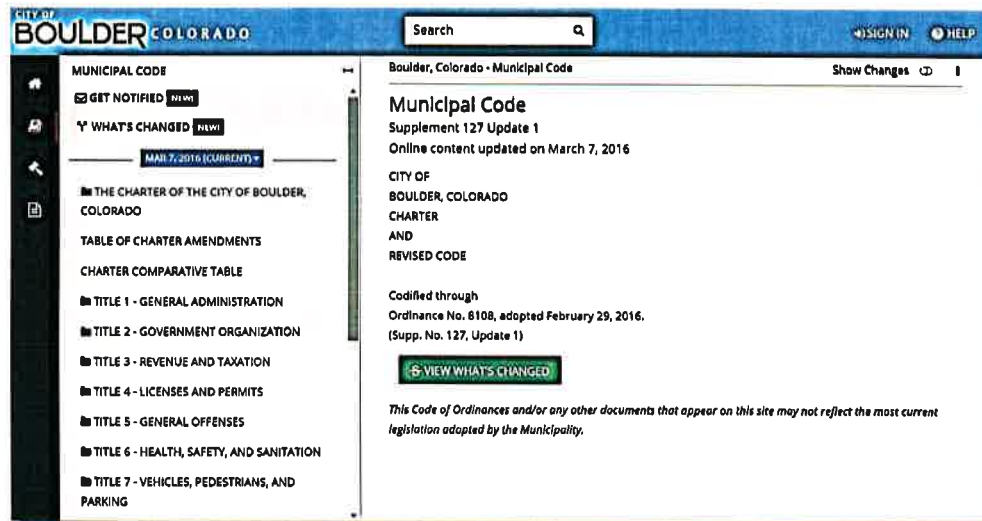


ATTACHMENT A

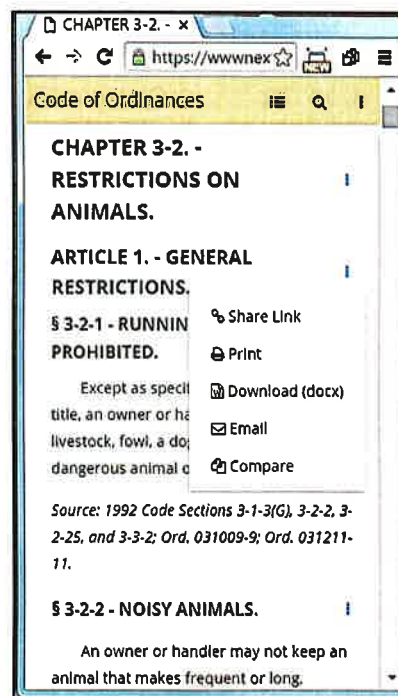
MunicodeNEXT Standard & Premium Features

Standard Features of MunicodeNEXT

Responsive Design – Our team designed MunicodeNEXT to function on any device. Over 20% of our traffic is generated from a smartphone or tablet. Our user interface, based on Google's Material Design guidelines, ensures any device that accesses our application will have access to our full suite of features.



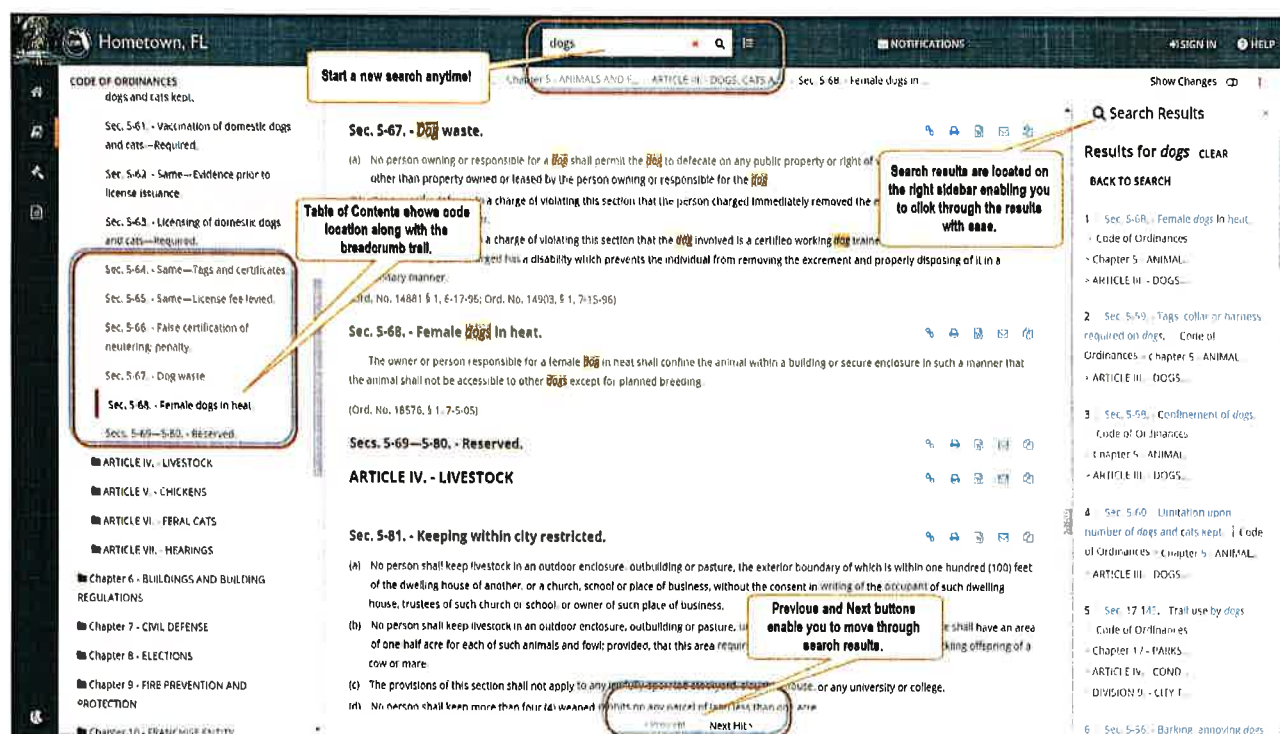
Mobile and Tablet friendly – Our application uses touch friendly icons, easy to access menus, and fly overs to expose all functionality while maintaining a clean, intuitive interface.



Standard Features of MunicodeNEXT

Print/Save/Email – Users can print, save (as WORD) or email files at the section level, as well as at the article or chapter level. You can print, save or email non-sequential sections from multiple portions of your Code(s). Not all codification companies enable you to download WORD documents directly from the website. Being able to do so greatly enhances your ability to draft new legislation.

Searching – Municode leverages a powerful open source search platform that also powers sites such as Stackexchange, Github, and Wikipedia. Search starts on a dedicated page, then moves to a persistent right-hand sidebar as you cycle through the results. This enables you to quickly move through search results without clicking “back” to a search results page. The Code is also indexed by the section, returning more accurate, granular results. Search results can be sorted by relevance or book order as seen in the screenshot below.



Municode Search Components:

- ★ **Advanced Searching** – You and your power users can conduct searches using Natural Language (think Google) or Boolean Logic.
- ★ **Multiple Publications** – If you have multiple publications (Code, zoning, etc.), they will all be searchable from one interface.
- ★ **Searchable ordinances** – With our OrdBank service, ordinances posted pre and post-codification are full-text searchable.
- ★ **Searching all content types** – If you use our OrdBank or MuniDocs service, you can search any combination of the Code, ordinances, and MuniDocs simultaneously. Search results are labeled for easy identification.
- ★ **Narrow Searching** – Your users could search selected chapters or titles in order to pinpoint their searches and find what they are looking for as quickly as possible!
- ★ **Stored Searching** – MunicodeNEXT allows all search result listings to be bookmarked under your browser's bookmark tabs. Users need only conduct a search and press Ctrl+D to add the search result listing to your browser's tabs.

Standard Features of MunicodeNEXT

The screenshot shows the MunicodeNEXT search results page for the query "animals". The interface includes a search bar at the top with the text "animals" and a "SEARCH" button. Below the search bar, there are filters for "Products" and "Content". The "Products" filter shows "Code of Ordinances" with 72 results, "Unified Development Code" with 3 results, and "Unified Development Ordinance" with 3 results. The "Content" filter shows "Chapter 5 - ANIMALS AND FOWL" with 36 results, "Chapter 29 - ZONING" with 10 results, "Chapter 12A - LAND PRESERVATION" with 4 results, and "Hometown, Florida - Unified Development Ordinance" with 3 results. The search results are displayed in a list format, showing results 1 through 25 of 78. The first result is "Sec. 16-260. - Animals and birds." and the second is "Sec. 5-57. - Dangerous or aggressive animals." Callouts explain various features: "Facets: Number of search results listed by product type. Uncheck to narrow results to only one product type." points to the "Products" filter; "Sort by relevance or book order & search results are listed by content type." points to the "Sort by" dropdown; "Facets: Search results narrowed by Chapter/Title with number of hits listed. Narrow results by unchecking the specific facet." points to the "Content" filter; and "Breadcrumb trail shown with each search result." points to the breadcrumb trail at the top of the results list.

Search enhancements provided with our latest website upgrade include (see screenshot above):

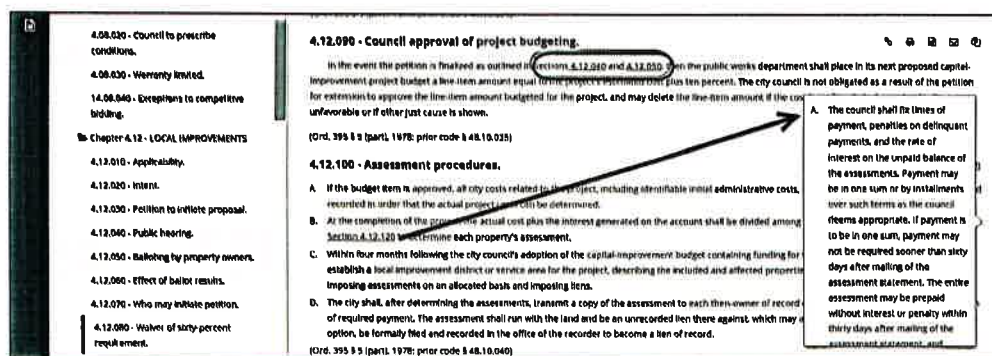
Browsing – MunicodeNEXT provides a persistent breadcrumb trail when browsing or searching and a Previous/Next button at the top and bottom of any document you're viewing. The table of contents and content pane also stay in sync as you scroll to deliver the most intuitive reading experience possible.

The screenshot shows the MunicodeNEXT document viewer for the document "Sec. 10-1,106. - Deviation from development standards." The breadcrumb trail at the top reads "Leon Coun... / CODE O... / Chapter... / ARTICLE... / DIVISIO... / Sec. 10-2...". The document content is displayed in a table of contents format, showing "ARTICLE II. - ADMINISTRATION", "DIVISION 1. - IN GENERAL", and "Sec. 10-2,101. - Comprehensive plan adopted." The document is titled "The Tallahassee-Leon County 2010 Comprehensive Plan as adopted and amended by the county is adopted." and is dated "(Ord. No. 07-20, § 2, 7-10-07)".

- ★ **Internal Cross-Reference Linking** – Cross-references within your Code are linked to their respective destination Article, Chapter or Section.
- ★ **Collapsible TOC** – The table of contents collapses, providing additional real estate with which you may view your Code. Easily view your maps, graphs and charts by simply enlarging the item.
- ★ **Mouseover (cluetips)** – Navigate to your Code and any linked cross-reference will quickly display in the pop-up preview window.
- ★ **Google Translate** – includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

Standard Features of MunicodeNEXT

(Cross-reference linking and mouseover shown below)



Translation – MunicodeNEXT includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

Social Media Sharing – You and your users are able to share Code sections via Facebook and Twitter. This will make it easier for you and your team to utilize social media in order to engage your citizenry and enhance your level of transparency.

Static Linking – Copy links of any section, chapter or title to share via email or social media.

Scrolling Tables and Charts – Headers stay fixed while you scroll through the table/chart.

GIS – We can provide a permalink to any Code section and assist staff to create a link from your GIS system to relevant Code sections.

In-line Images & PDFs – We take great care to ensure that your images match online and in print and are captured at the highest quality possible. Our online graphics can be enlarged by hiding the table of contents to maximize the image. Municode can also incorporate PDFs of certain portions of the Code that have very specific viewing and layout requirements.

Public Notes - One of our newest additions to MunicodeNEXT is the ability to post public notes or documents within the online Code to inform your citizens about current issues pertinent to any specific section of your Code.

Website Accessibility – Our current website complies with level A of the Web Content Accessibility Guidelines (WCAG) 2.1.

Support – Phone, email and web support for citizens and staff: 24-hour email response; phone support from 8:00 a.m. to 8:00 p.m. (Eastern). A variety of video tutorials are offered, and we are always available to host a personalized webinar for you and your staff to demonstrate our online features.

Premium Features of MunicodeNEXT

Custom Banner. We can customize the look and feel of your Code to more closely match your website. Please note the custom banners in each of the screenshots provided in this sample.

OrdBank. With our OrdBank solution, newly adopted legislation will be posted online in between supplements. Upon the completion of your supplement, the ordinances will be linked in your history notes and stored in your OrdBank Repository under the "OrdBank" tab.

Hyperlinked ordinance in text)

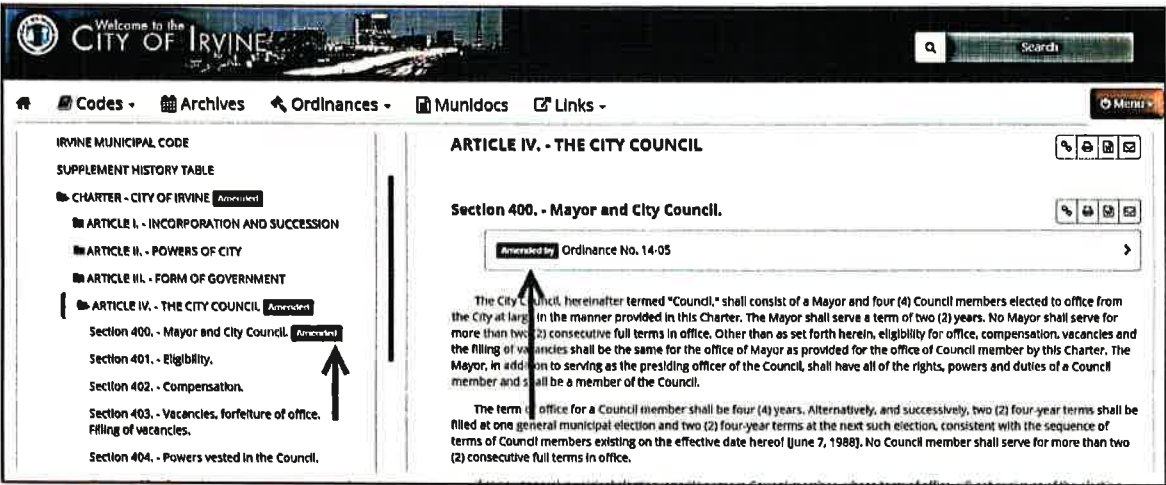
The screenshot shows the City of Arvada Code of Ordinances website. The left sidebar lists various codes, including "DIVISION 6. - WATER FEES AND RATES". The main content area displays "Sec. 102-161.5. - Residential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, the Leyden Ranch Metropolitan District, and Candelas Filings 2, 3, 4 and designated properties in Candelas Filing 1." The text is hyperlinked, and a tooltip is visible showing a list of related ordinances and their effective dates.

(One-Click access to the original ordinance in the OrdBank Repository)

The screenshot shows the City of Arvada Code of Ordinances website. The left sidebar lists various codes, including "Ordinance No. 4089". The main content area displays "COUNCIL BILL NO. 07-018 ORDINANCE NO. 4089". The text is hyperlinked, and a tooltip is visible showing a list of related ordinances and their effective dates.

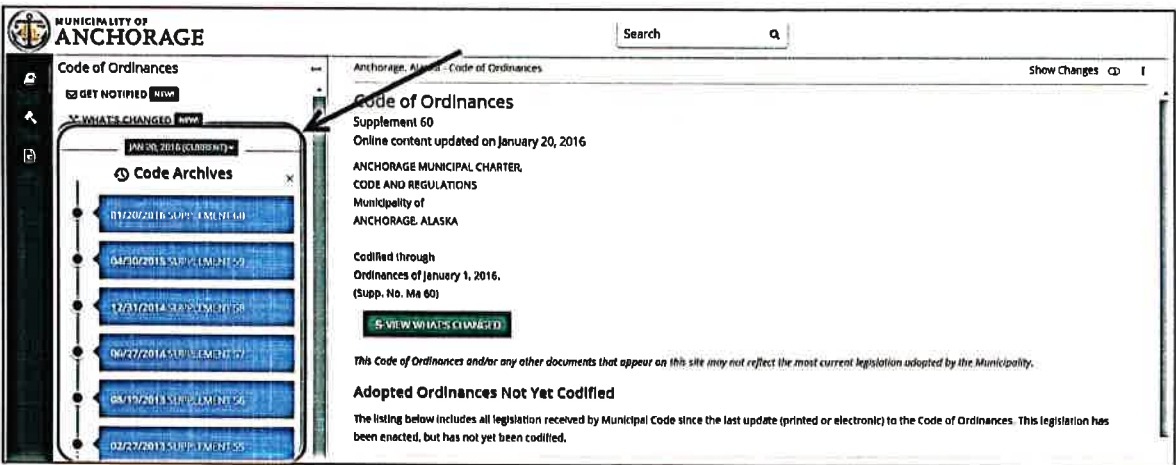
Premium Features of MunicodeNEXT

OrdLink + OrdBank. Prior to incorporating the ordinances into your Code via supplementation, the OrdLink feature can hyperlink newly adopted ordinances to the section being amended. Linked sections are highlighted in the table of contents and links are created from the amended sections to the new ordinances. Once the linked ordinances are incorporated into your Code, they are added to your OrdBank repository and hyperlinked to your history notes. This service lets everyone know that new ordinances have been adopted.



CodeBank. Our CodeBank feature provides an online archival platform for previous supplements of your Code. Empower your staff and citizens to access every previous version of your Code with one click.

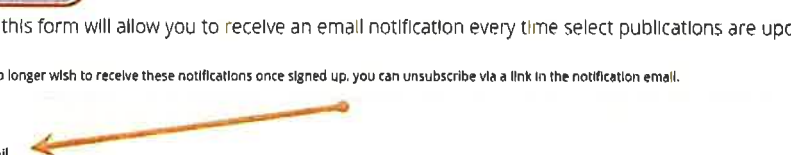
(CodeBank Tab)



CodeBank Compare. Our CodeBank Compare service is a powerful feature that provides users the ability to select a past version of your online Code and compare it to any other version of your online Code. The differences will be shown via highlights (added material) or strikethrough (deleted material). The CodeBank feature is required in order to access CodeBank Compare. Users will be notified of the changes in the table of contents and within the text of the Code via "modified," "new" or "removed" badges. Users can also select an option to view all of the changes in a single view, complete with strikethrough and highlights showing the specific textual changes that were made. The CodeBank Compare service will show all amendments to your Code that were implemented during the most recent update. **eNotify.** Our eNotify service allows users to enroll online and receive email notifications each time your online Code is updated.

Premium Features of MunicodeNEXT

This will empower your staff and citizens to receive instant notifications every time your online Code is updated. The CodeBank Compare feature is required in order to utilize the eNotify service.



The screenshot shows a 'Get Notified' form with the following elements and annotations:

- Get Notified**: A header with an envelope icon.
- Filling out this form will allow you to receive an email notification every time select publications are updated.**: A descriptive sentence.
- Note**: A blue box containing the text: "If you no longer wish to receive these notifications once signed up, you can unsubscribe via a link in the notification email."
- Email**: A label for the email input field.
- Enter email**: A text input field.
- Profession**: A label for the profession selection.
- Select One**: A label for the profession selection.
- Codes**: A label for the code selection, with a checkmark icon next to it.
- ☐ Unified Development Code
- ☐ Unified Development Ordinance
- ☒ Code of Ordinances
- Sign up to be notified for all publications or narrow notifications to only one product.**: A yellow box with an arrow pointing to the 'Codes' section.

Compare enhancements provided with our latest website upgrade include the ability to show changes in every version of the Code stored in CodeBank.

(Changes are shown in your Text Changes Tab and in your Table of Contents)

MUNICIPALITY OF ANCHORAGE

Code of Ordinances

- Chapter 2.30 - RULES OF PROCEDURE FOR ASSEMBLY
 - 2.30.010 - Organizational election of chair and vice-chair.
 - 2.30.015 - Presiding officer.
 - 2.30.020 - Meetings.
 - 2.30.040 - Appearance requests and audience participation.
 - 2.30.050 - Introduction of ordinances; action on ordinances.
 - 2.30.055 - Conduct of public hearing.
 - 2.30.060 - Public hearings and action on proposed resolutions.
 - 2.30.070 - Voting.

Anchorage, Alaska - Code of Ord., TITLE 2 - LEGISLATIVE BRANCH Chapter 2.30 - RULES OF PROCE... Show Changes

K. Executive sessions.

1. The assembly may recess to meet in executive session to discuss the following subjects if the explicit nature of the subject is stated in the motion calling for the session:
 - a. ~~A nonpublic specific legal matter, including pending litigation;~~
 - b. Labor negotiations with municipal employees;
 - c. Matters involving internal membership or knowledge disclosure of which would clearly affect adversely an interest effect upon the finances of the municipality;
 - d. Actions or subjects which tend to damage or impair the reputation and character of governmental persons, provided the person may request a public discussion;
 - e. Matters which by law, municipal charter, or ordinance are required to be confidential; and
 - f. Matters involving consideration of government records that by law are not subject to public disclosure.
2. No official action may be taken in executive sessions except by direct decision of an attorney or labor negotiator regarding a specific legal matter of pending labor negotiation. Although the public may be permitted, the session shall be electronically recorded. The tapes shall be available for public access as according to the following schedule:
 - a. If the session concerns pending litigation, the release date shall be within all claims of action have been resolved by final judgment or when further civil actions arise from the matter.

P CHANGES SECTIONS
ANCHORAGE MUNICIPAL CHARTER CODE AND REGULATIONS
LEGISLATION HISTORY TABLE
TITLE 2 - LEGISLATIVE BRANCH
CHAPTER 2.30 - RULES OF PROCEDURE
2.30.020 - Meetings.

TITLE 2 - LEGISLATIVE BRANCH
CHAPTER 2.30 - INITIATIVES, REFERENDUMS,
3.50.010 - Effect of vote.

TITLE 3 - ADMINISTRATION
CHAPTER 3.20 - EXECUTIVE ORGANIZATION,
3.20.010 - Executive and administrative order.

(Show changes button and a custom banner are shown below)

The screenshot shows the official website for the City of Bonita Springs, Florida, specifically the Code of Ordinances section. The page layout includes a header with the city logo and name, a search bar, and a sidebar on the left containing navigation links. The main content area displays the title 'Code of Ordinances' and 'Supplement 2', along with a date indicating the online content was updated on January 29, 2016. A red rectangular box highlights the 'WHAT'S CHANGED' button in the sidebar, which is a key feature for users to track updates to the ordinances.

Premium Features of MunicodeNEXT

MuniDocs. MuniDocs Upload allows you to upload many types of documents to browse and search alongside your online code and is fully searchable and filterable. After users login, they are presented with a dashboard that allows them to upload new documents and manage previously uploaded documents. When uploaded, users are able to pick from a list of predefined document types

Name

Minutes

Agendas

Budgets

Resolutions

Applications

Forms

Policies

Manuals

Misc. Documents

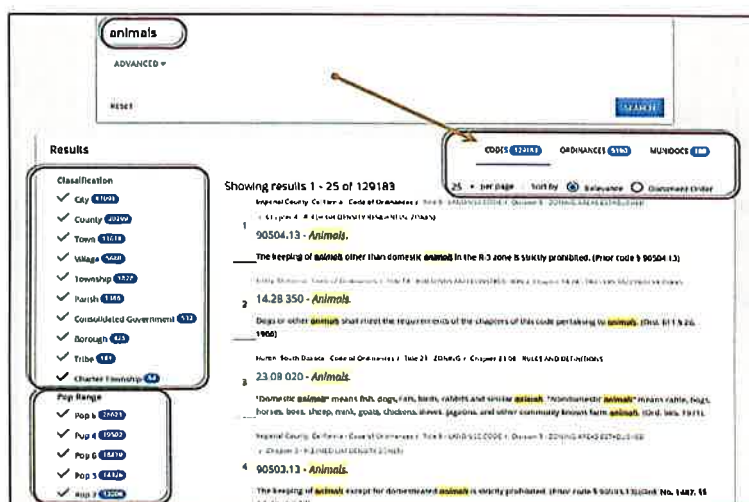
Uploading a document is as simple as dragging and dropping the document from your computer into the upload dialog box on the admin dashboard. Uploaded documents are immediately converted to PDF and indexed for search. Users may upload .rtf, .doc, .docx, and .pdf documents and organize these documents by nested folders. The public can then browse and search these documents immediately.



Premium Features of MunicodeNEXT

MuniPRO. MuniPRO Searching allows you to search the over 3,700 Codes we host (the entire country, a single state or individually selected Codes of your choosing). MuniPRO searches are ideal for researching local regulations of special interest or to find out how other communities are dealing with similar issues. If the IP based model is selected, only Multiple Code Searching is available. MuniPRO provides subscribers with the following tools:

- ★ **Multiple Code Search.** Search all Codes within one state, multiple Codes within one state, or search all Codes in the entire US hosted by Municode. Search results are sorted by relevancy and indicate the source publication, showing excerpts and keyword highlighting.
- ★ **MuniPRO Saved Searches.** Save frequently used or complex searches for easy retrieval from the MuniPRO Dashboard.
- ★ **MuniPRO Notes.** Create a note and attach it to any section in any publication. Note icons are present when viewing the section, alerting the user to a previously written note. A global listing of notes can be accessed and managed from the MuniPRO Dashboard.
- ★ **MuniPRO Drafts.** Begin a new ordinance draft to keep track of pending legislation. Drafts icons are present when viewing the section, alerting the user to a previously created draft. A global listing of drafts can also be accessed and managed from the MuniPRO Dashboard.



From: James Bonneville
Sent: Thursday, March 17, 2022 4:06 PM
To: John Hoatson
Cc: Glenn May
Subject: Following back up with you

Hello John

Good to chat with you.

Per your request, we changed the executive summary on the page 2 to reflect the changes that you requested. The total year 1 costs will be \$12,650 which entails the \$8950 for the recodification, \$300 for Gender Neutralization, \$3400 for the Meetings solutions with the Portal.

Hope this helps you.

Give me a call if you have any questions.

Talk soon.

James Bonneville

National Legal Sales Director • **Municode**

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Powering and Empowering Local Governments

