



# Town of Upper Marlboro

## REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, December 10, 2024 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/88605465733?pwd=lbLHGCPRO1PvbEIE5aFV3vn6cUSMhk.1>  
**Passcode:** 218230; **Webinar ID:** 886 0546 5733; **Dial-in only:** 301-715-8592

### NOTICE OF CLOSED SESSION:

The Board of Commissioners proposes to go into Closed Session following the Board's Regular Town Meeting on Tuesday, December 10, 2024, at 7:00 PM pursuant to Maryland Annotated Code, General Provisions Article § 3-305(b)(3) "To consider the acquisition of real property for a public purpose and matters directly related thereto." The closed session is proposed for the Board of Commissioners to consider the acquisition of real property in downtown Upper Marlboro for a public purpose and matters directly related to the acquisition. The December 10, 2024 Regular Town Meeting will be held at 7:00 p.m. at Town Hall, 14211 School Lane, Upper Marlboro, MD 20772.

### REGULAR TOWN MEETING AGENDA: 7:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Consent Agenda**
  - A. Meeting Minutes
  - B. Public Safety Report
  - C. Public Works Report
6. **Business**

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

  - A. Greenwill Consulting (Board Discussion)
  - B. Lease Agreement (Board Vote)
  - C. Charter Review (Board Discussion)
7. **Administrative Updates**
8. **Public Comment**

*For items not necessarily on the immediate agenda (3 minutes per item)*
9. **Preliminary Approval of Next Meeting Agenda**
10. **Motion to Go Into A Closed Session**

### PUBLIC COMMENT PROCEDURES

Your Town government appreciates citizen input. To maximize effective resolutions on resident's issues, we encourage Town residents and businesses to contact us at Town Hall weekdays: 9 a.m.–5 p.m., or by written correspondence (or email to [info@uppermarlbormd.gov](mailto:info@uppermarlbormd.gov)). You are always welcome to schedule an appointment

with the President or a Commissioner to discuss municipal problems and quality-of-life issues one-on-one and work together towards a satisfactory solution.

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

Our meetings are open to the public, and we ask that residents who want to comment to please follow the rules that have been established by **“RESOLUTION 2022-05: A RESOLUTION FOR THE ADOPTION OF NEW RULES OF ORDER AND REGULATIONS FOR PUBLIC MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO.”**

**Citizen Input:**

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

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

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

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



# Town of Upper Marlboro

## REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, November 26, 2024 at 7:00 PM

## MINUTES

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

<https://uppermarlboromd-gov.zoom.us/j/88605465733?pwd=lbLHGCPRO1PvbEIE5aFV3vn6cUSMhk.1> **Passcode:** 218230;

**Webinar ID:** 886 0546 5733; **Dial-in only:** 301-715-8592

### REGULAR TOWN MEETING AGENDA: 7:00 PM

1. **Call to Order – 7:02 PM**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda (tabled Police Space Lease Agreement)**
5. **Consent Agenda (2:40)**

- A. Meeting Minutes
- B. Financial Report
- C. Public Safety Report
- D. Public Works Report
- E. General Government Report

**Motion was made by Commissioner Lott to approve the Consent Agenda**

**Motion was seconded by Commissioner Prevatte**

**Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye**

6. **Business**

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

- A. **Annexation Agreement (Board Vote) (3:26)**

**Motion was made by Commissioner Lott to approve the Annexation Agreement**

**Motion was seconded by Commissioner Prevatte**

**Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye**

- B. **Ordinance 2024-04: Property Standards (Board Vote) (6:00)**

**Motion was made by Commissioner Lott to approve Ordinance 2024-04**

**Motion was seconded by Commissioner Colbert**

**Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye**

- C. **Job Description Update (Board Vote) (8:10)**

**Motion was made by Commissioner Colbert to approve the Job Description Update from Town Clerk to Deputy Town Administrator / Town Clerk**

**Motion was seconded by Commissioner Lott**

**Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye**

- D. **Police Space Lease Agreement (Board Discussion) (tabled)**

**7. Administrative Updates (13:08)**

**8. Public Comment (17:35)**

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

**9. Preliminary Approval of Next Meeting Agenda (25:35)**

**10. Adjournment**

**Motion was made by Commissioner Lott to adjourn the meeting**

**Motion was seconded by Commissioner Prevatte**

**Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Prevatte, Aye**



David A. Burse  
Chief of Police

# Town of Upper Marlboro Police Department

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

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

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

## Monthly Town Police Department Report For the Month of November 2024

### Incidents Reported in Town:

Vehicle Accident 4	Vandalism Call 1	Commercial Alarm 1
Suspicious Auto 1	Residential Alarm 1	Stolen Auto 1
Property Damage 2	Check Welfare 1	Subject Stop 1
Attempted Suicide 1	Theft Call 2	Domestic Call 1
Suspicious Person 1	Disorderly Call 1	Overdose Call 1
Fraud Call 2		

**Total calls responded by: Upper Marlboro Police 7 & Prince George's County Police 15**

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

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

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

Chief Burse participated in the weekly Conduent meeting.

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

Chief Burse attended the Prince George's County Police vehicle test drive demonstration.

Chief Burse participated in the Prince George's County Public Safety Valor Awards Luncheon.

Chief Burse participated in the Division 2 CSA 23 Coffee Club Meeting.

**Date:** Thursday, December 5, 2024

**Subject:** Public Works' Monthly Report

**RE:** November 2024

#### **Public Works Related**

- PWD uploaded and approved bills for PW assigned in Bill.com.
- PWD attended finance meetings with Todd.
- Payroll processing and review.
- 16FT Christmas tree ordered for tree lighting event.
- Foreman Sheckels and I conducted interviews for PW Crew Lead position.
- PWD began working on Tax Exemption Status issues. Task picked up by TA Anderson.
- PWD met with sparks at Play at their Owings Mills office to assess the storage needs for our playground equipment.

#### **Maintenance and Beautification**

- PWC began sorting and testing Christmas decorations in early November.
- PWF fielded multiple old recycle bin requests.
- PWC removed leaves from town properties and streets that were in rough shape.
- PWD continued with asset inventory.
- Christmas tree delivery received by PW staff.
- PWC routinely weeded and watered planters downtown.
- PWC conducted last site cuts of the year around Town.
- PWD provided feedback for wayfinding signage as Econo Signs makes them.
- PWC began decorating and wrapping the poles at the CAB walk, and roofline of Town Hall.
- PWC planted pansies at Monument, aerated and fertilized Town properties.

#### **Street and Sidewalk / Mead & Hunt Update**

- PWC performed storm drain checks and clearing of leaves and debris.
- PWC conducted litter patrols around Town.
- PWD continued checking items on the HPS-20 annual report will be wrapped up in December.

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

#### **Refuse Accumulations**



- There was one dump body rental for the month.
- Bulk day refuse totals for items to landfill were \_\_\_\_\_ tons.
- Yard waste totals for items to MES were \_\_\_\_\_ tons.

Sincerely,

Darnell F. Bond / Director of Public Works

# Section 82–1 (CORPORATE NAME).

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**Section 82–1 (CORPORATE NAME).**

The inhabitants of the town of Upper Marlboro are hereby continued a body corporate and a municipal corporation by the name of “The Town of Upper Marlboro” with all of the privileges thereof, by that name to sue and be sued, to plead and be impleaded in any court of law or equity, to have and use a common seal and to have perpetual succession.



# Corporate Limits

Section 82-2. The corporate limits of the Town shall be as follows:

- Original Commencing at the mouth of the Federal Spring Branch at its confluence with the Western Branch and running down with the meanders of the Western Branch on the south side thereof, and exclusive of said branch, to the stream beyond James B. Belt's meadow; then up and with said stream to the small bridge culvert on the road from Upper Marlboro to Rosaryville, back of the former residence of A. S. Brooke; then in an air or direct line across the land of Frederick Sasscer to the Federal Spring Branch at a point which will throw into the corporation all the land formerly purchased by Thomas E. Williams and C. C. Magruder, Jr., of the trustees of D. Benedict J. Gardiner; then down and with the meanders of said Federal Spring Branch on the south side thereof, and exclusive of said branch to its mouth, the beginning point aforesaid.
- First Annexation. The boundaries of Upper Marlboro are hereby extended to include the following parcel or area of land:
  - Beginning for the same at a point on the Northerly side of the Western Branch of the Patuxent River, said point also being on the Westerly Right-of-Way line of Water Street (30' wide), thence leaving the aforesaid Westerly Right-of-Way line of Water Street, and running with and binding on the aforesaid Northerly side of the Western Branch of the Patuxent River, which line is also the present southern boundary line of the Town of Upper Marlboro, the following course and distance
    - North 59°22'15" East, 30.20 feet to a point on the Easterly Right-of-Way line of the aforesaid Water Street, thence leaving the aforesaid Easterly Right-of-Way line of Water Street, and running with and binding on the aforesaid Northerly side and the Westerly side of the aforesaid Western Branch of the Patuxent River, which line is also the present southern and eastern boundary lines of the Town of Upper Marlboro, the following thirty-seven courses and distances
    - North 59°22'15" East, 65 feet to a point, thence
    - North 78°17'37" East, 21 feet to a point, thence
    - South 80°47'48" East, 15 feet to a point, thence
    - South 71°19'31" East, 94 feet to a point, thence
    - South 76°01'28" East, 69 feet to a point, thence
    - South 83°05'54" East, 68 feet to a point, thence
    - South 89°32'06" East, 41 feet to a point, thence
    - South 85°04'07" East, 07 feet to a point, thence
    - North 80°58'04" East, 19 feet to a point, thence
    - North 71°21'18" East, 74 feet to a point, thence
    - North 72°44'50" East, 09 feet to a point, thence
    - North 58°16'59" East, 36 feet to a point, thence
    - North 35°36'26" East, 84 feet to a point, thence
    - North 10°50'22" East, 08 feet to a point, thence
    - North 10°09'29" West, 53.08 feet to a point, thence
    - North 23°22'29" West, 68.12 feet to a point, thence
    - North 14°10'44" West, 43.37 feet to a point, thence
    - North 06°08'00" West, 88.43 feet to a point, thence
    - North 15°30'05" West, 105.41 feet to a point, thence
    - North 10°38'44" West, 22.55 feet to a point, thence
    - North 05°24'42" East, 91 feet to a point, thence

- North 24°36'20" East, 46 feet to a point, thence
- North 29°58'08" East, 58 feet to a point, thence
- North 01°08'40" East, 14 feet to a point, thence
- North 12°22'04" West, 101.83 feet to a point, thence
- North 02°42'06" West, 34 feet to a point, thence
- North 18°30'24" East, 68 feet to a point, thence
- North 25°23'06" East, 06 feet to a point, thence
- North 17°35'07" East, 80 feet to a point, thence
- North 23°00'32" East, 31 feet to a point, thence
- North 43°34'57" East, 61 feet to a point, thence
- North 31°19'50" East, 66.99 feet to a point, thence
- North 16°33'44" East, 18 feet to a point, thence
- North 01°52'36" East, 08 feet to a point, thence
- North 10°09'43" West, 94 feet to a point, thence
- North 13°27'01" West, 91 feet to a point, thence
- North 24°14'35" West, 64 feet to a point on the Southerly Right-of-Way line of Marlboro Pike (MD Rte. 725 [formerly MD Rte. 4], variable width) as shown on State Roads Commission Plat Number 26495, thence leaving the aforesaid Westerly side of the Western Branch of the Patuxent River, and running with and binding on the aforesaid Southerly Right-of-Way line of Marlboro Pike, and also running for a new boundary line of Upper Marlboro, the following three courses and distances
- North 61°30'04" East, 88 feet to a point, thence (xl) North 31°46'10" West, 35.06 feet to a point, thence

(xli) North 62°31'27" East, 39.26 feet to a point on the extension of the Seventh or North 28°04'00" West, 64.92 feet as described in a Deed from Prince George's County to L. Thomas Wellons, III and Thomas Franklin Houck, Sr., dated January 13, 1987 and recorded among the Land Records of Prince George's County, Maryland in Liber 6627 at Folio 682, thence leaving the aforesaid Southerly Right-of-Way line of Marlboro Pike, and running reversely with and binding on the aforesaid extension of the Seventh line, and the Sixth through Third lines as

described in the aforesaid Deed recorded in Liber 6627 at Folio 682, the following five courses and distances

(xlii) South 27°41'57" East, 74.04 feet to a point, thence (xlili) South 83°24'34" West, 20.30 feet to a point, thence (xliv) South 06°35'26" East, 140.00 feet to a point, thence (xlv) North 83°24'34" East, 18.27 feet to a point, thence

(xlvi) North 43°26'56" East, 110.97 feet to a point on the Thirty-Seventh or South 54°13' East, 315.00 feet line as described in a Deed from Southern Maryland Agricultural Association, Inc., a Maryland corporation, to Prince George's County, Maryland, a Municipal corporation, dated August 26, 1980 and recorded among the aforesaid Land Records in Liber 5299 at Folio 269, distant 269.71 feet from the end thereof, thence running with and binding on the aforesaid Thirty-Seventh line, and the Thirty-Eighth and Thirty-Ninth lines as described in aforesaid Deed recorded in Liber 5299 at Folio 269, the following three courses and distances

(xlvi) South 57°45'59" East, 269.71 feet to a point, thence (xlviii) South 39°18'37" East, 470.00 feet to a point, thence

(xlix) South 23°03'37" East, 608.50 feet to a point on the Westerly line of the Pope's Creek Branch Railroad Right-of-Way, thence running with and binding on the aforesaid Westerly line of the Pope's Creek Branch Railroad Right-of-Way, and also running with and binding on the Fortieth through Forty-Sixth lines as described in the aforesaid Deed recorded in Liber 5299 at Folio 269, the following seven courses and distances

(l) South 13°43'37" East, 435.00 feet to a point, thence (li) South 18°25'37" East, 110.00 feet to a point, thence (lii) South 07°25'37" East, 70.00 feet to a point, thence (liii) South 10°10'37" East, 45.00 feet to a point, thence (liv) South 09°24'23" West, 110.00 feet to a point, thence (lv) South 03°14'23" West, 130.00 feet to a point, thence

(lvi) South 09°24'23" West, 34.66 feet to a point on the Northerly Right-of-Way line of Pennsylvania Avenue (Relocated MD Rte. 4, variable width) as shown on State Roads Commission Plat Number 19971, thence leaving the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue, and also leaving the aforesaid Forty-Sixth line as described in Liber 5299 at Folio 269, and running in, through, over and across the aforesaid Pennsylvania Avenue Right-of-Way, and also continuing with the Westerly line of the Pope's Creek Branch Railroad Right-of-Way, the following course and distance

(lvii) South 09°06'50" West, 307.99 feet to a point on the Southerly Right-of- Way line of the aforesaid Pennsylvania Avenue, thence leaving the aforesaid Southerly Right-of- Way line of Pennsylvania Avenue, and continuing with the Westerly line of the Pope's Creek Branch Railroad Right-of-Way the following fourteen courses and distances

(lviii) South 13°46'35" West, 184.23 feet to a point, thence (lix) South 04°56'07" East, 65.46 feet to a point, thence (lx) South 16°30'10" West, 21.02 feet to a point, thence (lxi) South 65°06'58" West, 12.81 feet to a point, thence (lxii) South 07°04'00" West, 68.47 feet to a point, thence (lxiii) South 16°27'37" West, 192.21 feet to a point, thence (lxiv) South 12°24'11" West, 292.08 feet to a point, thence (lxv) South 13°46'35" West, 202.00 feet to a point, thence (lxvi) South 19°07'56" West, 128.56 feet to a point, thence

(lxvii) South 15°16'41" East, 20.59 feet to a point, thence (lxviii) South 40°46'20" West, 59.48 feet to a point, thence (lix) South 13°46'35" West, 938.84 feet to a point, thence (lxx) South 26°57'07" East, 53.00 feet to a point, thence

(lxxi) South 13°52'27" West, 10.67 feet to a point at the end of the Ninth or South 89°32'00" East, 107.60 feet line as described in a Deed from Bertha Alene Curtis, et al, to Jose Mararac, dated April 29, 2008 and recorded among the aforesaid Land Records in Liber 29657 at Folio 228, thence leaving the aforesaid Westerly line of the Pope's Creek Branch Railroad Right-of-Way, and running reversely with and binding on the aforesaid Ninth line, and the Eighth through Fourth lines as described in the aforesaid Deed recorded in Liber 29657 at Folio 228, the following six courses and distances (lxxii) South 89°59'27" West, 107.60 feet to a point, thence

(lxxiii) South 66°33'04" West, 117.25 feet to a point, thence (lxxiv) South 63°54'04" West, 274.05 feet to a point, thence (lxxv) South 73°28'04" West, 191.42 feet to a point, thence (lxxvi) South 77°23'04" West, 161.22 feet to a point, thence

(lxxvii) North 89°48'51" West, 166.95 feet to a point at the Southerly end of the Easterly or South 18°08'22" West, 346.42 feet plat line as shown on a Record Plat entitled "Plat Two, The Reserve" and recorded among the aforesaid Land Records in Plat Book 149 on Page 2, thence leaving the aforesaid Fourth line as described in Liber 29657 at Folio 228, and running reversely with and binding on the outline of the aforesaid Record Plat the following fifteen courses and distances

(lxxviii) North 18°08'32" East, 346.42 feet to a point, thence (lxxix) North 89°13'01" West, 123.10 feet to a point, thence (lxxx) South 67°57'42" West, 191.72 feet to a point, thence (lxxxii) South 79°06'27" West, 69.28 feet to a point, thence (lxxxiii) North 65°58'23" West, 100.94 feet to a point, thence (lxxxiv) North 49°33'44" West, 373.62 feet to a point, thence (lxxxv) North 61°00'06" West, 252.03 feet to a point, thence (lxxxvi) North 45°53'18" West, 132.48 feet to a point, thence (lxxxvii) North 50°53'11" West, 190.16 feet to a point, thence (lxxxviii) North 37°06'19" West, 305.81 feet to a point, thence (lxxxix) North 24°27'00" West, 83.42 feet to a point, thence (xc) North 09°51'55" West, 178.84 feet to a point, thence (xci) North 00°52'02" East, 171.54 feet to a point, thence

(xcii) North 10°05'29" West, 124.18 feet to a point on the aforesaid Southerly Right-of-Way line of Pennsylvania Avenue, thence leaving the aforesaid Southerly Right-of-Way line of Pennsylvania Avenue, and also leaving the aforesaid outline of Plat Two of The Reserve Record Plat, and running in, through, over and across the aforesaid Pennsylvania Avenue Right- of-Way the following course and distance

(xciii) North 04°54'22" West, 325.42 feet to a point on the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue, thence running with and binding on the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue the following five courses and distances

(xciv) North 62°17'50" East, 440.10 feet to a point of curvature, thence

(xcv) 429.67 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 700.00 feet and a chord bearing and distance of North 29°04'02" East, 422.96 feet to a point of compound curvature, thence

(xcvi) 247.41 feet along the arc of a tangent curve, deflecting to the left, having a radius of 400.00 feet and a chord bearing and distance of North 06°14'11" West, 243.48 feet to a point, thence with a tangent line

(xcvii) North 23°57'20" West, 19.39 feet to a point, thence

(xcviii) North 66°02'40" East, 47.00 feet to a point on the aforesaid Westerly Right- of-Way line of Water Street  
thence leaving the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue, and running with and binding on the  
aforesaid Westerly Right-of-Way line of Water Street the following course and distance

Section 6, Item C.

(xcix) North 23°57'20" West, 47.30 feet to the point of beginning, containing

189.08 acres of land. (Annexation Res. No. 01–2019, 10–12–2019.)

# The Board of Commissioners

[TO SHARE YOUR COMMENTS CLICK HERE](#)

## **Section 82-3. (Number, Selection, Term).**

All legislative powers of the Town shall be vested in a Board of Commissioners consisting of ~~three~~ FIVE Commissioners who shall be elected as hereinafter provided and who shall hold office for a term of two years and until the succeeding Board takes office. The regular term of the Commissioners shall expire on the ~~first Monday~~ SECOND MONDAY OF DECEMBER following the election of their successors. [The Commissioners holding office at the time this charter becomes effective shall continue to hold office for the term for which they were elected and until the succeeding Board takes office under the provisions of this charter.]

NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, THE INCUMBENT COMMISSIONERS SERVING THEIR TERMS OF OFFICE AS PREVIOUSLY SET TO EXPIRE IN JANUARY OF 2022 SHALL INSTEAD END THEIR TERMS EARLIER ON THE SECOND MONDAY OF DECEMBER OF 2021 OR SHALL SERVE UNTIL THEIR SUCCESORS QUALIFY. **(C.A. Res. No. 2-21, 8/10/21.)**

## **Section 82-4. (Qualification of Commissioners).**

Commissioners shall have resided in the Town for at least two years immediately preceding their election, shall be qualified voters of the Town, and shall be at least 25 years of age. If, at any time such person shall remove from the town, his or her office shall automatically become vacant. (Res. No. 2-01, 9/26/01.)

## **Section 82-5. (Salary of Commissioners).**

Each Commissioner shall receive an annual salary which shall be equal for all Commissioners and shall be as specified from time to time by an ordinance passed by the Board in the regular course of its business, provided, however, that the salary specified at the time any Board takes office shall not be changed during the period for which that Board was elected. The ordinance making any change in the salary paid to the several Commissioners, either by way of increase or decrease, shall be finally ordained prior to the general election for the members of the next succeeding Board and shall take effect only as to the members of the next succeeding Board.

## **Section 82-6. (Meetings of the Board).**

The newly elected Board shall meet at 8:00 p.m. on the ~~first~~ SECOND Monday of DECEMBER following its election for the purpose of organization AND CONDUCTING OTHER TOWN BUSINESS, after which the Board shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month. Special meetings may be called upon the request of the President or a majority of the members of the Board. All meetings of the Board shall be open to the public, except that the Board may, by majority vote, meet in closed session for any purpose then authorized by State law; and, the residents of the Town shall have a reasonable opportunity to be heard at any regular meeting in regard to any municipal question. (Res. No. 1-2008, 1-07-09.) **(C.A. Res. No. 2-21, 8/10/21.)**

## **Section 82-7. (Board to be the Judge of Qualifications of ~~its~~ ITS Members).**

The Board shall be the judge of the election and qualification of its members. **(C.A. Res. No. 1-21, 3/9/21.)**

## **Section 82-8. (Quorum).**

A majority of the members of the Board shall constitute a quorum for the transaction of business, but no ordinance shall be approved nor any other action taken without the favorable votes of a majority of the whole number of members elected to the Board.

## **Section 82-9. (Procedure of Board).**

The Board shall determine its own rules and order of business. It shall keep a journal of its proceedings and enter therein the yeas and nays upon final action on any question, resolution, or ordinance, or at any other time if required by any one member. The journal shall be open to public inspection.

## **Section 82-10. (Vacancies in Board).**

Vacancies in the Board shall be filled as provided in Section 82-32 of this charter.

## **Section 82-11. (Ordinances).**

No ordinance shall be passed at the meeting at which it is introduced. At any regular or special meeting of the Board of Commissioners held not less than six nor more than sixty days after the meeting at which an ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date. In cases of emergency, the

provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by unanimous vote of the Board of Commissioners. Every ordinance, unless it is passed as an emergency ordinance, shall become effective at the expiration of twenty (20) calendar days following approval of the Board of Commissioners. 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. (Res. 5-77, 9/22/77.)

**Section 82-12. (File of Ordinances).**

The complete text of each and every ordinance and resolution passed by the Board shall be permanently filed by the clerk and shall be kept available for public inspection.

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CAPITALS: Indicate matter added to existing law  
~~Strikethrough~~: Indicate matter deleted from existing



# The President

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**Section 82–13. (Selection).**

At their organizational meeting, a majority of the Commissioners shall elect one of their members President. The President shall preside at all meetings of the Board in accordance with the accepted rules of ~~[parliamentary]~~ PARLIAMENTARY procedure, except that he OR SHE may vote on any question before the Board. THE PRESIDENT SHALL BE THE CEREMONIAL MAYOR OF THE TOWN AND SHALL BE IDENTIFIED EITHER AS THE PRESIDENT OF THE BOARD OF COMMISSIONERS OR AS THE TOWN MAYOR. **(C.A. Res. No. 1–21, 3/9/21.)**

**Section 82–14. (Salary of the President).**

The President may receive an annual salary in addition to that received as a Commissioner, as set from time to time by an ordinance passed by the Board in the regular course of business. Provided, however, that no change shall be made in the salary for any president during the term for which he was elected. The ordinance making any change in the salary paid to the President, either by way of increase or decrease, shall be finally ordained prior to the general election to elect the next succeeding Board, and shall take effect only as to the next succeeding President.

**Section 82–15. (Powers and Duties).**

- a. The President shall see that the ordinances of the Town are faithfully executed and shall be the chief executive officer and the head of the administrative branch of the Town government.
- b. The president, with the approval of the Board, shall appoint the heads of all offices, departments, and agencies of the Town government as established by this charter or by ordinance. All office, department, and agency heads shall serve at the pleasure of the President. All subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the President, in accordance with rules and regulations in any merit system which may be adopted by the Board.
- c. The President each year shall report to the Board the condition of municipal affairs and make such recommendations as he deems proper for the public good and the welfare of the Town.
- d. The President shall have complete supervision over the financial administration of the Town government. He shall prepare or have prepared annually a budget and submit it to the Board. He shall supervise the administration of the budget as adopted by the Board. He shall supervise the disbursement of all monies and have control over all expenditures to assure that budget appropriation are not exceeded.
- e. The President shall have such other powers and perform such other duties as may be prescribed by this charter or as may be required of him by the Board, not inconsistent with this charter.

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CAPITALS: Indicate matter added to existing law  
~~Strikethrough~~: Indicate matter deleted from existing

# General Powers

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## Section 82-16.

1. *(General Powers)*. The Board shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or this charter as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein.
2. *(Specific Powers)*. The Board shall have, in addition, the power to pass ordinances not contrary to the laws and Constitution of this State, for the following specific purposes:
  - a. *(Advertising)*. To provide for advertising for the purposes of the Town, for printing and publishing statements as to the business of the Town.
  - b. *(Aisles)*. To regulate and prevent the obstruction of aisles in public halls, churches and place of amusement, and to regulate the construction and operation of the doors and means of egress therefrom.
  - c. *(Amusements)*. To provide in the interest of the public welfare for licensing, regulating, or restraining theatrical or other public amusements.
  - d. *(Appropriations)*. To appropriate municipal monies for any purpose within the powers of the Board.
  - e. *(Auctioneers)*. To regulate the sale of all kinds of property at auction within the Town and to license auctioneers excepting that such power shall exclude authority over such sales conducted pursuant to judicial or foreclosure sales to be reported to the Circuit Court and sales made by any public official pursuant to the duties of his office.
  - f. *(Band)*. To establish a municipal band, symphony orchestra or other musical organization, and to regulate by ordinance the conduct and policies thereof.
  - g. *(Billboards)*. To license, tax and regulate, restrain or prohibit the erection or maintenance of billboards within the Town, the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole, or other place within the Town.
  - h. *(Bridges)*. To erect and maintain
    - i. *(Buildings)*. To make reasonable regulations in regard to buildings and signs to be erected, constructed, or reconstructed in the Town, and to grant building permits for the same; to formulate a building code and a plumbing code and to appoint a building inspector and a plumbing inspector, and to require reasonable charges for permits and inspections; to authorize and require the inspection of all buildings and structures and to authorize the condemnation thereof in whole or in part when dangerous or insecure, and to require that such buildings and structures be made safe or be taken down.
    - j. *(Cemeteries)*. To regulate or prohibit the interment of bodies within the municipality and to regulate cemeteries.
    - k. *(Codification)*. To provide for the codification of all ordinances and resolutions which have been or may hereafter be passed.
    - l. *(Community Services)*. To provide, maintain, and operate community and social services for the preservation and promotion of the health, recreation, welfare, and enlightenment~~-enlightenment~~ of the inhabitants of the Town.
  - m. *(Cooperative Activities)*. To make agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions.
  - n. *(Curfew)*. To prohibit the youth of the Town from being in the streets, lanes, alleys, or public places at unreasonable hours of the night.
  - o. *(Dangerous Conditions)*. To compel persons about to undertake dangerous improvements to execute bonds with sufficient sureties conditioned that the owner or contractor will pay all damages resulting from such work which may be sustained by any persons or property.
  - p. *(Departments)*. To create, change, and abolish offices, departments, or agencies, other than offices, departments, and agencies established by this Charter; to assign additional functions or duties to offices, departments or agencies, established by this Charter, but not including the power to discontinue or assign to any other office, department, or agency, any function or duty assigned by this charter to a particular office, department, or agency.
  - q. *(Disorderly Houses)*. To suppress bawdy houses, disorderly houses and houses of ill fame.
  - r. *(Dogs)*. To regulate the keeping of dogs in the Town and to provide, whether the County does not license or tax dogs, for the licensing and taxing of the same; to provide for the disposition of homeless dogs and dogs on which no license fee or taxes are paid.
  - s. *(Elevators)*. To require the inspection and licensing of elevators and to prohibit their use when unsafe or dangerous or without a license.



- t. (*Explosives*). To regulate or prevent the storage of gunpowder, oil, or any other explosive or combustible material; to regulate or prevent the use of firearms, fireworks, bonfires, explosives, or any other similar things which may endanger persons or property.
- u. (*Filth*). To compel the occupant of any premises, building or outhouse situated in the Town, when the same has become filthy or unwholesome, to abate or cleanse the condition; and after reasonable notice to the owners or occupants to authorize such work to be done by the proper officers and to assess the expense thereof against such property, making it collectible by taxes or against the occupant or occupants.
- v. (*Finances*). To levy, assess, and collect ad valorem property taxes; to expend municipal funds for any public purpose; to have general management and control of the finances of the Town.
- w. (*Fire*). To suppress fires and prevent the dangers thereof and to establish and maintain a fire department; to contribute funds to volunteer fire companies serving the Town; to inspect buildings for the purpose of reducing fire hazards, to issue regulations concerning fire hazards, and to forbid and prohibit the use of fire-hazardous buildings and structures permanently or until the conditions of Town fire-hazard regulations are met; to install and maintain fire plugs where and as necessary, and to regulate their use; and to take all other measures necessary to control and prevent fires in the Town.
- x. (*Food*). To inspect and to require the condemnation of, if unwholesome, and to regulate the sale of any food products.
- y. (*Franchises*). To grant and regulate franchises to water companies, electric light companies, gas companies, telegraph and telephone companies, transit companies, taxicab companies, and any others which may be deemed advantageous and beneficial to the Town. No franchise shall be granted for longer period than fifty years.
- z. (*Gambling*). To regulate, restrain or prohibit
- aa. (*Garbage*). To prevent the deposit of any unwholesome substance either on private or public property, and to compel its removal to designated points; to require slops, garbage, ashes and other waste or other unwholesome materials to be removed to designated points, or to require the occupants of the premises to place them conveniently for removal.

(bb) (*Grants-in-Aid*).

To accept gifts and grants of federal or of state funds from the federal or state governments or any agency thereof, and to expend the same for any lawful public purpose, agreeably to the conditions under which the gifts or grants were made.

(cc) (*Hawkers*). To license, tax, regulate, suppress and prohibit hawkers and itinerant dealers, peddlers, pawnbrokers and all other persons selling any articles on the streets of the Town, and to revoke such licenses for cause.

(dd) (*Health*). To protect and preserve the health of the Town and its inhabitants; to appoint a public health officer, and to define and regulate his powers and duties; to prevent the introduction of contagious diseases into the Town; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; to inspect, regulate, and abate any buildings, structures, or places which cause or may cause unsanitary conditions or conditions detrimental to health.

(ee) (*House Numbers*). To regulate the numbering of houses and lots and to compel owners to renumber the same or in default thereof to authorize and require the same to be done by the Town at the owner's expense, such expense to constitute a lien upon the property collectible as tax monies.

(ff) (*Jail*). To establish and regulate a station house or lock-up for temporary confinement of violators of the laws and ordinances of the Town or to use the County jail for such purpose.

(gg) (*Licenses*). Subject to any restrictions imposed by the public general laws of the State, to license and regulate all persons beginning or conducting transient or permanent business in the Town for the sale of any goods, wares, merchandise, or services, to license and regulate any business, occupation, trade, calling, or place of amusement or business; to establish and collect fees and charges for all licenses and permits issued under the authority of this charter.

(hh) (*Liens*). 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.

(ii) (*Lights*). To provide for the lighting of the Town.

(jj) (*Livestock*). To regulate and prohibit the running at large of cattle, horses, swine, fowl, sheep, goats, dogs or other animals; to authorize the impounding, keeping, sale and redemption of such animals when found in violation of the ordinance in such cases provided.

(kk) (*Markets*). To obtain by lease or rent, own, construct, purchase, operate, and maintain public markets within the Town.

(ll) (*Minor Privileges*). To regulate or prevent the use of public ways, sidewalks, and public places for signs, awnings, posts, steps, railings, entrances, racks, posting handbills and advertisement, and display of goods, wares, and merchandise.

(mm) (*Noise*). To regulate or prohibit unreasonable ringing of bells, crying of goods or sounding of whistles, horns and speakers.

(nn) (*Nuisances*). To prevent or abate by appropriate ordinance all nuisances in the Town whether the same be herein specifically named or not; to regulate, to prohibit, to control the location of, or to require the removal from the Town of all trading in, handling of, or manufacture of any commodity ~~commodity~~ which is or may become offensive, obnoxious, or injurious to the public comfort or health. In this connection the Town may regulate, prohibit, control the

location of, or require the removal from the Town of such things as stockyards, junkyards, slaughterhouses, hog pens, tanneries, and renderies. This listing is by way of enumeration, not limitation.

(oo) (*Obstructions*). To remove all nuisances and obstructions from the streets, lanes and alleys and from any lots adjoining thereto, or any other places within the limits of the Town.

(pp) (*Parking Facilities*). To license and regulate and to establish, acquire by purchase, lease or other transfer, own, construct, operate, and maintain parking lots and other facilities for off street parking.

(qq) (*Parking Meters*). To install parking meters on the streets and public places of the Town in such places as by ordinance may be determined, and by ordinance prescribe rates and provisions for the use thereof, except that the installation of parking meters on any street or road maintained by the State Roads Commission of Maryland must first be approved by the Commission.

(rr) (*Parks and Recreation*). To establish and maintain public parks, gardens, playgrounds, and other recreational facilities and programs to promote the health, welfare, and enjoyment of the inhabitants of the Town.

(ss) (*Police Force*). To establish, operate, and maintain a police force. All Town policemen shall, within the municipality, have the powers and authority of constables in this State.

(tt) (*Police Powers*). To prohibit, suppress, and punish within the Town all vice, gambling, and games of chance; prostitution and solicitation therefor and the keeping of bawdy houses and houses of ill fame; all tramps and vagrants; all disorder, disturbances, annoyances, disorderly conduct, obscenity, public profanity, and drunkenness ~~[drunkenness]~~.

(uu) (*Property*). To acquire by conveyance, purchase or gift, real or leasehold property for any public purpose; to erect buildings and structures thereon for the benefit of the Town and its inhabitants; and to sell, lease, convey or otherwise dispose of or encumber any real or leasehold property when no longer needed for the public use, after having given at least twenty days' public notice thereof; to control, protect and maintain public buildings, grounds and property of the Town.

(vv) (*Regulations*). To adopt by ordinance and enforce within the corporate limits police, health, sanitary, fire, building, plumbing, traffic, speed, parking, and other similar regulations not in conflict with the laws of the State of Maryland or with this charter.

(ww) (*Sidewalks*). To regulate the use of sidewalks and all structures in, under or above the same; to require the owner or occupant of premises to keep the sidewalks in front thereof free from ice, snow or other obstructions; to prescribe hours for cleaning sidewalks.

(xx) (*Sweepings*). To regulate or prevent the throwing or depositing of sweepings, dust, ashes, offal, garbage, paper, trash or handbills, dirty liquids, or other unwholesome materials into any public way or onto any public or private property in the Town.

(yy) (*Taxicabs*). To license, tax and regulate public hackmen, taxicab men, draymen, drivers, cabmen, porters and expressmen, and all other persons pursuing like occupations.

(zz) (*Vehicles*). To regulate and license wagons and other vehicles not subject to the licensing powers of the State of Maryland.

(aaa) (*Voting Machines*). To purchase, lease, borrow, install, and maintain voting machines for use in Town elections.

(bbb) (*Savings Clause*). The enumeration of powers in this section is not to be construed as limiting the powers of the Town to the several subjects mentioned.

### **Section 82-17. (Exercise of Powers).**

For the purpose of carrying out the powers granted in this charter, the Board may pass all necessary ordinances. All the powers of the Town shall be exercised in the manner prescribed by this charter, or, if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

### **Section 82-18. (Enforcement).**

To ensure the observance of the ordinances of the Town, the Board shall have the power to provide that violation thereof shall be a misdemeanor or municipal infraction, punishable as provided in Sec. 82-88 hereof. (Res. No. 01-2009, 9/2/09).

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CAPITALS: Indicate matter added to existing law

Strikethrough: Indicate matter deleted from existing