



# Town of Upper Marlboro

## TOWN COUNCIL WORK SESSION

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, March 10, 2026 at 7:00 PM

### AGENDA

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This meeting will be conducted in person.

Persons who are unable to attend the meeting may attend virtually via phone or the following Zoom Video Teleconference link: <https://uppermarlboromd-gov.zoom.us/j/81658536488> Persons who desire to speak during public comment shall sign-in with the Clerk.

#### **WORK SESSION AGENDA: 7:00 PM**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Business**
  - A. Women's History Month Proclamation (Mayor Colbert)
  - B. Budget FY2027 (Council Discussion)
  - C. Budget FY2027 (Public Comment)
  - D. Meeting Regulations(Council Discussion)
  - E. Proposed Amendment to Vacant Property Tax Ordinance (Councilmember Franklin/ Council Discussion)
6. **Administrative Updates**
7. **Preliminary Approval of Next Meeting Agenda**
8. **Adjournment**

**Town of Upper Marlboro, Maryland**

**Proclamation**

***Women's History Month – March 2026***

WHEREAS, Women's History Month is celebrated annually during the month of March to recognize and honor the significant contributions women have made to our community, our state, and our nation; and

WHEREAS, women of every background have played a vital role in shaping the history and future of the United States through leadership, service, innovation, and advocacy; and

WHEREAS, women have made lasting contributions in government, education, business, healthcare, public service, the arts, and many other fields that strengthen and enrich our communities; and

WHEREAS, the Town of Upper Marlboro proudly recognizes the achievements, leadership, and dedication of women who have helped shape the Town and continue to inspire future generations; and

WHEREAS, Women's History Month provides an opportunity to reflect on the progress made toward equality, recognize the achievements of women throughout history, and encourage continued advancement for women and girls.

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Mayor Colbert, Mayor of the Town of Upper Marlboro, do hereby proclaim the month of March 2026 as Women's History Month in the Town of Upper Marlboro, and encourage all residents to observe this month by learning about, honoring, and celebrating the contributions and achievements of women in our community and throughout our nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Upper

Marlboro to be affixed this 10<sup>th</sup> day of March, 2026.

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Charles Colbert, Mayor

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Derrick Brooks, Vice Mayor

# THE TOWN OF UPPER MARLBORO

## Projected Revenue Summary — Fiscal Year 2027

### Summary

The Town of Upper Marlboro projects total revenues of \$3,405,491.30 for Fiscal Year 2027. This summary is based on historical actuals and conservative estimates. To facilitate discussion, only existing line items are used; new line items will be introduced in subsequent presentations. Note: The \$250,000 Capital Outlay for the School/Wilson Lane project is not included in this projection. The Town Clerk's budget will be presented in separate line item under General Government. This separation provides greater transparency and clarity in tracking administrative operations distinct from other departmental expenditures.

### Key Revenue Notes

**Speed & Red Light Cameras (4250):** The Town did not significantly increase camera revenue this cycle; however, the updated fee structure is expected to generate higher returns going forward. The FY27 projection of \$910,000 reflects a conservative estimate based on the new schedule and actuals.

**Business Licenses (4230):** Revenue declined due to limited collection activity in calendar years 2024 and early 2025 when only 27 licenses were processed significantly less than FY26. The 27 licenses are due for renewal in FY27, and the projection of \$9,000 reflects this.

**Transfer from MLGIP — Investment Pool (4560):** A transfer of \$40,000 is requested from the MLGIP investment pool account to fund the purchase of snow equipment for sidewalk clearing operations.

**Transfers from M&T Accounts (4592 & 4594):** Two transfers are included: \$18,000 from the M&T Speed Camera account and \$13,800 from the M&T Parking account. These funds will be used to pay off one Police Vehicle and the Parking Vehicle.

**Interest Earnings / Investment Pool (4420):** Projected at \$63,000 which is consistent with current actuals.

**PPT Public Utilities (4150):** Projected at \$925,000, above both the FY26 actuals (\$786,146.75) and the FY 26 budget (\$890,000).

Account	Description	FY25 Actuals	FY26 Actuals	FY27 Projected Revenue
<b>4000 — Taxes</b>				
4010	Real Estate Taxes — Residential	\$503,255.00	\$485,763.36	\$503,255.00
4100	Personal Property Taxes	\$43,004.00	\$49,536.30	\$49,536.30
4150	PPT Public Utilities	\$890,402.00	\$786,146.75	\$925,000.00
4310	Income Taxes	\$221,847.00	\$218,609.54	\$225,000.00
<b>Total 4000 Taxes</b>		<b>\$1,658,508.00</b>	<b>\$1,540,055.95</b>	<b>\$1,702,791.30</b>
<b>4200 — Fines, Licenses &amp; Permits</b>				
4220	Town Permits	\$850.00	—	\$1,000.00
4230	Business License	\$600.00	\$4,494.47	\$9,000.00
4240	Parking Meters	\$179,979.00	\$127,286.10	\$197,000.00
4250	Speed & Red Light Cameras	\$599,576.00	\$503,188.85	\$910,000.00
4260	Parking Fines / Penalties	\$24,946.00	\$22,134.02	\$55,000.00
4280	Pub/Edu/Govt Broadcasting	\$10,000.00	—	\$3,900.00

4290	Trader's Franchise Fees	—	\$3,000.00	
<b>Total 4200 Fines, Licenses &amp; Permits</b>		<b>\$815,951.00</b>	<b>\$660,103.44</b>	<b>\$1,181,900.00</b>
<b>4300 — Intergovernmental</b>				
4320	Highway User Fee	\$42,665.00	\$48,074.94	\$45,000.00
4330	State Police Aid	\$30,884.00	\$9,924.15	\$34,000.00
<b>Total 4300 Intergovernmental</b>		<b>\$73,549.00</b>	<b>\$57,999.09</b>	<b>\$79,000.00</b>
<b>4400 — Miscellaneous Revenue</b>				
4410	Miscellaneous	\$15,519.00	\$17,661.06	\$15,000.00
4420	Interest Earnings / Investment Pool	\$49,569.00	\$39,403.13	\$63,000.00
4430	Town Hall Services — Misc Revenue	\$746.00	\$430.42	\$1,000.00
4440	Transfer from Reserve	—	—	—
4450	Special Events / Donations	\$1,064.00	\$65.00	\$1,000.00
<b>Total 4400 Miscellaneous Revenue</b>		<b>\$66,898.00</b>	<b>\$57,559.61</b>	<b>\$80,000.00</b>
<b>4500 — Grants &amp; Transfers</b>				
4530	FIP Grant	\$49,207.00	—	\$50,000.00
4560	Transfer from MLGIP (Snow Equipment)	\$0.00	\$0.00	\$40,000.00
4592	Transfer from M&T — Speed Camera	—	—	\$18,000.00
4594	Transfer from M&T — Parking Vehicle	—	—	\$13,800.00
4596	PGCO CIP	—	\$10,000.00	\$240,000.00
4630	BJAG	—	\$29,708.00	—
<b>Total 4500 Grants &amp; Transfers</b>		<b>\$49,207.00</b>	<b>\$39,708.00</b>	<b>\$361,800.00</b>
<b>TOTAL PROJECTED REVENUE</b>		<b>\$2,664,113.00</b>	<b>\$2,355,426.09</b>	<b>\$3,405,491.30</b>

*Note: The \$250,000 Capital Outlay for School/Wilson Lane is NOT included in this projection. New line items will be presented in future discussions.*

**TOWN OF UPPER MARLBORO**

**PROPOSED GENERAL GOVERNMENT BUDGET**

Presented to Council

Account #	Line Item Description	Amount
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**EXPENDITURES**

**5000 General Government**

5105	GG Commissioner Salaries	\$34,000.00
5107	GG Commission Conferences and Fees	\$10,000.00
5110	GG Salaries	\$328,600.00
5111	GG Salaries - Bonuses	\$3,300.00
5120	GG FICA	\$28,000.00
5130	GG Health/Life/Dental Benefits	\$42,753.98
5150	GG Pension Benefits	\$21,500.00

**5000 General Government Salaries Total \$468,153.98**

**5300 GG Professional Services**

5310	GG Accounting	\$36,000.00
5320	GG Audit	\$14,000.00
5330	GG Payroll Processing	
5340	GG Town Attorney & Legal	\$35,000.00
5350	GG IT Support & Equipment	\$24,000.00
5360	GG Media Relations	\$1,000.00
5370	GG Government Relations	\$36,000.00
5380	GG Human Resources Services	\$4,500.00
5390	GG Planning Firm	

**Total 5300 GG Professional Services \$150,500.00**

**5400 GG Operating**

5200	GG Town Hall and General Government Insurance	
5410	CONTINGENCY	\$10,000.00
5415	GG Merchant Services Fees	\$10,305.70
5435	GG Training	\$7,000.00
5440	GG Dues & Subscriptions	\$25,000.00
5445	GG Postage	\$3,500.00
5450	GG Printing	\$11,500.00

5455	GG General Supplies/ Staff Refreshments	\$7,000.00
5465	GG Town Hall Office Phones	\$9,000.00
5470	GG Mobile Phones	\$5,000.00
5475	GG Town Elections	\$3,000.00
5480	GG Town Hall Utilities	\$14,000.00
5485	GG Town Hall Repair & Maintenance	
5490	Vehicle Fuel	\$3,029.96
5495	GG Resident Assistance	\$4,000.00
	<b>Total 5400 GG Operating</b>	<b>\$112,335.66</b>

<b>5900</b>	<b>GG Committee Expenses</b>	
5905	Events Committee	\$2,000.00
5910	CERT Team	\$964.34
5915	Historical Committee	\$1,195.00
5925	Green Team	\$2,000.00
5930	TOUM Event	\$2,500.00
5935	Trunk or Treat	\$2,500.00
5940	Marlboro Day	\$10,000.00
5950	Happy Leaf Festival	
5955	Winter Holiday	\$2,250.00
	<b>Total 5900 GG Committee Expenses</b>	<b>\$23,409.34</b>

	<b>Total Expenditure</b>	<b>\$754,398.98</b>
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<b>6000</b>	<b>Prince Georges County CIP</b>	
6100	Prince Georges County CIP Funding	\$240,000.00
	<b>Total Prince Georges County CIP</b>	<b>\$240,000.00</b>

	<b>TOTAL EXPENDITURES</b>	<b>\$994,398.98</b>
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**TOWN OF UPPER MARLBORO**

**PROPOSED GENERAL GOVERNMENT BUDGET**

Presented to Council

Account #	Line Item Description	Amount
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**EXPENDITURES**

**7000 Public Works**

7110	PW Salaries	\$380,000.00
7111	PW Overtime	\$11,000.00
7112	PW Bonus	\$6,500.00
7120	PW FICA	\$25,000.00
7130	PW Health-Life-Dental	\$55,000.00
7150	PW Pension Benefits	\$50,000.00
	<b>Total 7000 PW Salaries &amp; Benefits</b>	<b>\$527,500.00</b>

**7240 Public Works Operating**

7210	PW Waste Collection/Disposal Fees	\$6,500.00
7220	PW Waste Disposal/Contractor	\$78,030.00
7250	PW Beautification	\$10,000.00
7251	PW Facility Repairs	\$12,000.00
7252	PW Facility Maintenance	\$15,000.00
7260	PW Training & Memberships - Dues	\$7,000.00
7270	PW Miscellaneous	\$3,500.00
7280	PW Streets Maintenance	\$45,000.00
7340	PW Vehicle Maintenance	\$16,000.00
7350	PW Utilities	\$4,000.00
7360	PW Mobile Phone	\$10,000.00
7370	PW Small Tools & Equipment	\$12,000.00
7372	PW Office Supplies	\$2,000.00
7374	PW Computer Software & Equipment	\$4,000.00
7380	PW Septic Tank	\$3,000.00
7385	PW Uniforms	\$6,000.00
7390	PW Weather Related Expenses	\$10,000.00
7397	PW Vehicle Fuel	\$19,500.00
7400	PW Streetlight Electricity	\$28,000.00

7410	PW Facilities and Fleet Insurance	\$35,000.00
7420	PW Mosquito Control	\$4,700.00
7450	PW Holiday	\$2,500.00
	<b>Total 7240 Public Works Operating</b>	<b>\$333,730.00</b>
<b>New Line Items</b>		
7279	Street Light Cost	
7281	Marlborough Towne Cost	
7282	Tree Removal/ Arborist	\$7,000.00
7284	Contingency	\$10,000.00
7285	Tractor/Vehicle Debt	\$46,250.00
7253	Splash Pad Maintenance	\$5,000.00
	Sidewalk Snow Removal Equipment	\$40,000.00
7271	Petty Cash	\$500.00
	<b>Total New Line Items</b>	<b>\$108,750.00</b>
<b>TOTAL EXPENDITURE 7000 Public Works</b>		<b>\$969,980.00</b>



**TOWN OF UPPER MARLBORO**

**PROPOSED GENERAL GOVERNMENT BUDGET**

Presented to Council

Account #	Line Item Description	Amount
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**EXPENDITURES**

**6000 Public Safety**

**6000C Parking Authority**

*6001	Salaries	\$55,000.00
*6002	Overtime	\$3,000.00
*6004	FICA	\$10,000.00
*6005	Health Benefits	\$20,000.00
*6006	Pension Benefits	\$10,000.00
*6007	Uniforms	\$2,000.00
*6008	Duty Equipment	\$1,000.00
*6009	Training & Membership	\$1,000.00
*6010	Pre Employment	\$500.00
*6011	Mobile Technology	\$1,000.00
*6012	Supplies	\$1,500.00
*6013	Vehicle Fuel	\$3,000.00
6100C	Vehicle Maintenance	\$3,000.00
6200C	Parking Meter Maintenance	\$10,000.00
*6201	Parking Vehicle Debt	\$13,800.00
	<b>Total Parking Authority</b>	<b>\$134,800.00</b>

**6000 Public Safety**

6110	PS Salaries	\$380,000.00
6111	PS Overtime	\$20,000.00
6112	PS Bonus	\$20,000.00
6120	PS FICA	\$33,000.00
6130	PS Health Benefits	\$20,000.00
6150	PS Pension Benefits	\$51,000.00
6200	PS Uniforms	\$6,000.00
6210	PS Weapons & Duty Equipment	\$20,000.00
6220	PS Training & Memberships	\$5,000.00

6230	PS Pre Employment	\$5,000.00
6260	PS Mobile Technology and IT	\$8,000.00
6270	PS Supplies	\$8,000.00
6300	PS Professional Services- Legal Fees	\$5,000.00
6400	PS Occupancy	\$105,000.00
6500	PS Miscellaneous	\$3,000.00
6505	PS Petty Cash	\$500.00
6510	Community Engagement	\$2,000.00
6600	PS Utilities	\$5,000.00
6700	PS Vehicle Repairs	\$15,000.00
6710	PS Vehicle Fuel	\$18,000.00
6720	PS Insurance	\$22,500.00
6750	GOCCP Police State Aid	\$34,000.00
<b>PS Public Safety Budget Total</b>		<b>\$786,000.00</b>

<b>6850</b>	<b>PS Speed Camera Budget</b>	
6851	PS Speed Camera Admin Fee - 4 Cameras	\$200,000.00
6852	PS Speed Camera Service Fees	\$68,000.00
6853	PS Speed Camera Salaries	\$180,000.00
6854	PS Speed Camera FICA	\$10,000.00
6855	PS Speed Camera Occupancy	\$80,000.00
6856	PS Speed Camera General Supplies	\$2,000.00
6857	PS Speed Camera Overtime	\$8,000.00
6858	PS Speed Camera Uniforms	\$2,000.00
6859	PS Speed Camera Weapons Duty Equipment	\$1,000.00
6860	PS Speed Camera Training & Membership	\$200.00
6861	PS Speed Camera Pre-Employment	\$2,500.00
6862	PS Speed Camera Mobile Technology	\$5,000.00
6863	PS Speed Camera Supplies	\$500.00
6864	PS Speed Camera Vehicle Repairs	\$1,000.00
6865	PS Speed Camera Vehicle Fuel	\$3,000.00
6866	PS Speed Camera Miscellaneous	\$1,500.00
6867	PS Speed Camera FY27 Police Vehicle	\$18,000.00
6868	PS Speed Camera FY27 Police Vehicle	\$18,000.00
6869	PS Speed Camera FY 27 Police Vehicle	\$18,000.00
6870	PS Speed Camera Marlboro VFD Support	\$7,000.00
6872	PS Speed Camera Health Benefits	\$19,412.32
6873	PS Speed Camera Pension Benefits	\$10,000.00

6880	PS Speed Camera Due to State	
	<b>Total 6850 PS Speed Camera Budget</b>	<b>\$655,112.32</b>
	<b>Total 6000 Public Safety</b>	<b>\$1,441,112.32</b>

**A RESOLUTION  
OF THE COUNCIL OF THE TOWN OF UPPER MARLBORO  
ADOPTING NEW RULES OF ORDER AND REGULATIONS FOR  
PUBLIC MEETINGS**

**WHEREAS**, the Council of the Town of Upper Marlboro (the "Council") must meet as required by the Charter of the Town of Upper Marlboro ("Town Charter"), § 82-6 "Meetings of the Council," and at such other times as may be required in the Town Charter and Town Code; and

**WHEREAS**, when the Council meets, it is required to comply with Maryland Annotated Code, General Provisions, Title 3 "Open Meetings Act," Subtitle 3 "Open Meetings Requirements," and Town Charter, § 82-6 (Meetings of the Council), Town Charter, § 82-8 (Quorum) and Town Charter, § 82-9 (Procedure of Council), as well as other applicable provisions of the Town Charter and Town Code; and

**WHEREAS**, pursuant to Town Charter, § 82-9, the Council shall determine its own rules of order of business, which rules must comply with State law, the Town Charter and Town Code; and

**WHEREAS**, pursuant to this authority, the Council desires to repeal the rules for the conduct of its meetings as adopted in Resolution No. 2022-05 and to adopt the rules and order of business set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Town of Upper Marlboro hereby approves and adopts the following rules and order of business for the conduct of its meetings:

**ARTICLE 1. AUTHORITY, APPLICABILITY, & AMENDMENT**

**1.1 Authority**

Section 82-9 of the Charter of the Town of Upper Marlboro grants the Council of the Town of Upper Marlboro the right to determine its own rules of procedure and order of business. These rules are adopted pursuant to this authority.

**1.2 Applicability; Robert's Rules**

The rules of procedure adopted by the Council are applicable to Town Council meetings. Should these rules be silent on or inapplicable to a matter of procedure, then the latest edition of Robert's Rules shall control the matter if addressed therein.

**1.3 Amendment**

These rules may be amended, or new rules adopted, by a majority vote of the members of the Council present.

#### **1.4 Recession and Suspension of Rules**

These rules of procedures may be suspended by a majority vote of the members of the Council present.

### **ARTICLE 2. GENERAL RULES OF PROCEDURES & POLICES**

#### **2.1 Meetings**

- A. A meeting occurs when a quorum of the Council convenes to consider or transact public business. However, no ordinance shall be approved, nor any other action taken, without the favorable vote of a majority of the whole number of members elected to the Council.
- B. All meetings of the Council shall be governed by the Maryland Open Meetings Act (Maryland Code Ann., General Provisions, Title 3) and shall ordinarily be open to the public. The Act provides that the public has the right to attend and observe open meetings of the Council, but not the right to speak unless the Town Charter or meeting rules provide otherwise. Town Charter § 82-6 provides that the residents of the town shall have a reasonable opportunity to be heard at any regular meeting. Notices of Council meetings shall be posted as provided under the Maryland Open Meetings Act. Nothing in this section precludes the Council from meeting in closed session as authorized in the Maryland Open Meetings Act. A closed session under the Maryland Open Meetings Act is sometimes referred to as an executive session. The information required in 3-306 of the Open Meetings Act as to notice to the public of the time, vote, persons present and topics discussed shall be appended to the minutes of the next public meeting.
- C. The Council shall meet in accordance with the provisions of Town Charter, § 82-6 "Meetings of the Council." The monthly meeting required by the Town Charter, § 82-6 shall be on the fourth Tuesday of each month, unless the fourth Tuesday is on or around a holiday or there is another conflict that prevents a quorum of the Council from meeting on the fourth Tuesday, in which case Council shall reschedule the meeting for a date on which a quorum of the Council can attend.
- D. Work sessions. A work session of the Council is a public meeting for the in-depth review, study, and discussion of Town business, policies, or issues that may come before the Council, allowing council members to ask questions, obtain staff presentations, and prepare for official decisions. Although work sessions are generally open meetings that the public may attend and observe, participation of the public at a work session is at the discretion of the Council. The Council may call and hold work sessions as it deems necessary. The formal adoption or passage of ordinances, resolutions, charter amendments, annexation resolutions, budget amendments, shall not be done at a work

session. Notice that formal action may occur at a work session should be noted on the agenda for the meeting. In lieu of scheduling a separate work session to discuss an issue, the issue may be placed under new business on an agenda for a regular monthly meeting.

- E. Special meetings. Should an item of Town business require action before the next monthly meeting of the Council, the Council may call a special meeting. A special meeting may be called at the request of the Mayor or a majority of the members of Council. The Town shall provide at least three days' advance notice of a special meeting.
- F. Emergency meetings are a type of special meeting. In the case of urgent public necessity or unexpected circumstances that require immediate consideration, the Council may call an emergency meeting as set forth hereinabove. The reason for the emergency meeting shall be included in the notice of the meeting. An emergency meeting may be called upon giving a minimum of two hours' advance notice of the meeting to each councilmember, by posting notice thereof on the Town website and at Town Hall and providing a copy of the notice to the media who regularly cover Town meetings and events, if any. Notwithstanding any other provision of these Rules, the Council may take appropriate action, including introducing and adopting an emergency ordinance, at an emergency meeting.
- G. Closed Sessions. The Council may close a meeting to the public in accordance with the provisions of the Maryland Open Meetings Act, § 3-305 "Closed Session." Notice of Closed Sessions shall be given as required by law. Additionally, the Council may meet in closed session to perform an administrative function such as to discuss the implementation of existing law, policy or pre-decisional administrative matters, and may not delve into policy or legislative or administrative rule making.

**2.2 Presiding Officer**

The Mayor shall serve as the Presiding Officer for all meetings of the Council. In the absence of the Mayor, the Vice-Mayor shall serve as the Presiding Officer. In the absence of the Vice-Mayor, the clerk to the Council shall call the meeting to order if a quorum of the Council is present and the first order of business shall be for the Council to elect by majority vote, a temporary Presiding Officer from the members seated and in attendance. The temporary Presiding Officer shall serve in such capacity until either the Presiding Officer arrives or the meeting is adjourned.

**2.3 Recessed Meetings**

A meeting that is recessed shall be recessed to a date, time and location approved by motion of the Council.

## 2.4 Informational Meetings

The Council may hold informational meetings to present information to, and obtain feedback from, residents of the Town. The Council will determine the rules governing presentations at such meetings.

## 2.5 Public Hearings

This section is only used when a statutorily required public hearing is part of the order of business. The Presiding Officer shall open the public hearing and request staff comments. The Presiding Officer shall then receive public input. While the public hearing is open, the Council Members may ask questions of the speakers. Those speaking at a public hearing are required to follow the rules established herein for citizen comments. Upon conclusion of public comments and determining that Council members do not have any further questions, the Presiding Officer may close the public hearing. The Council then may deliberate or act on the matter at hand upon the closing of the public hearing.

## 2.6 Roll Call and Attendance

- A. Before the Council proceeds with the business before it, the Town Clerk shall conduct a roll-call and declare whether there is a quorum present. The Town Clerk shall note the members present for the minutes. The late arrival of members shall be entered into the minutes.
- B. Except when participating by telephone or video conference (with cameras on), members must be physically present at Council meetings. Proxy or absentee voting is not permitted. Participation by telephone or video conference is permitted provided the option to do so is properly advertised in the notice of the meeting.

## 2.7 Quorum

- A. A quorum of the Council shall be required to conduct business, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by Town legislation.
- B. Unless otherwise required by law or the Town Charter or Code, the affirmative vote of a majority of the members elected to the Council shall be necessary to adopt any ordinance, or approve any other action taken except that a vote to adjourn, or decide a procedural matter, or regarding the attendance of absent members, may be adopted by a majority of the members present.
- C. If a meeting is conducted virtually or is an in-person meeting at which virtual attendance is permitted, a quorum of the Council shall be maintained at all times. Those who

participate in a Council meeting virtually, shall have their video on with their faces visible to the public at all times.

**2.8 Loss of a Quorum**

- A. Once a meeting has been properly convened with the presence of a quorum and the number of persons necessary to constitute a quorum is no longer present, the Presiding Officer, as defined in Sec. 2.2, shall declare the meeting recessed until a quorum is reestablished. All Council members have a duty to attend all meetings of the Council unless there is good cause to be absent.
- B. Upon re-establishment of the quorum, the Council shall resume consideration of the matter before it at the time of the recess. If, in the opinion of the Presiding Officer, as defined in Sec. 2.2, a quorum cannot be obtained within a reasonable period of time; the Presiding Officer shall declare the meeting adjourned until the next scheduled meeting.
- C. At that next meeting, after taking up the usual preliminary matters, the Council shall resume its consideration of the matter that was before it when it previously adjourned. This shall not prevent any Council member from moving to table (i.e. to temporarily set aside a pending motion to deal with something more urgent, without setting a specific time to return to it), defer (a more general term for delaying a decision, often used to mean putting off a decision until a condition is met), postpone (to delay a vote on an item until a specific future time or meeting, usually to allow for more information gathering)<sup>1</sup>, or make any other appropriate motion with respect to any pending matter.

<sup>1</sup> Summary of Key Differences

Feature	Table (Lay on Table)	Postpone (to a Time)	Defer
Goal	Immediate, urgent switch	Intentional delay for review	Delay until condition met
When to return?	No specific time set	Specific time/meeting	Future time/condition
Debatable?	No	Yes	Yes
Return Method	Needs "Take from Table"	Automatic (Unfinished Biz)	Often needs new agenda item
Primary Use	Emergency/Urgency	Preparation/Information	Delay for further study



**2.9 Conflict of Interest**

- A. A Council Member prevented from voting by a conflict of interest shall file a conflict-of interest statement with the Town Clerk as soon as possible after the posting of an agenda that contains a conflict unless a prior conflict of interest statement has already been filed with the Town Clerk.
  
- B. A Council Member prevented from voting by a conflict shall step down from the dais and leave the room, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, and shall not attend Closed Sessions regarding the matter. Definitions and examples of conflicts or potential conflicts of interest may be found in Town Code, Chapter 2 "Administration," Article III "Officers and Employees," Division 2 "Public Ethics", as amended.

**2.10 Place of Meeting**

All meetings of the Council, unless otherwise determined, shall be held at the Town of Upper Marlboro Town Hall, in the meeting/conference room. In addition to the customary forms of notification, notice of a change in the meeting place shall be prominently posted on the doors of Town Hall .

**2.11 Notice of the Meeting**

Written notice of all public meetings of the Council shall be posted at Town Hall and posted on the Town's website and social media outlets, if any. The notice shall show the date, time, place and topic(s) of such meetings and shall include a proposed agenda if one is available at the time the notice is posted, and, if applicable, a notice that portions of the meeting may be closed.

**2.12 Conduct of Meetings**

Council Members shall be recognized by the Presiding Officer before speaking. At each regular Town meeting, councilmembers will be granted five minutes to address each business item with comments or questions. Councilmembers may yield to another councilmember or reserve any unused time which will otherwise expire once the next business item is introduced. Other people at the meeting of the Council may speak when called upon or invited to do so by the Presiding Officer.

**2.13 Dissents and Protests**

Every Council Member shall have the right to express dissent from or protest against any ordinance, resolution, or act of the Council and have the reason therefore entered into the minutes. Such dissent or protest may be filed in writing, if expressed in a respectful manner, and presented to the Clerk no later than the next regular meeting following the date of passage of the ordinance or other legislation.

## 2.14 Courtesy, Decorum, Conduct and Order

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the Presiding Officer, as hereinafter defined, and members of the Council to maintain an atmosphere of courtesy and decorum. The Presiding Officer should always ensure that debate and discussion focus on the item and the policy in question. In order to assist in the creation and maintenance of that atmosphere the following rules shall govern all meetings:

- A. Before a Council member, staff member or an audience member may speak, they must first be recognized by the Presiding Officer. Upon recognition, the person requesting to speak shall hold the floor, shall state their name and address and shall make their point clearly and succinctly. Public comments will be limited to three (3) minutes or as determined by the Presiding Officer. The Presiding Officer may bar people making inappropriate, disrespectful and/or, personal attacks, overly redundant, misleading, or slanderous remarks from further comments before the Council during the meeting. Audience members who wish to speak during a meeting must first be recognized by the Presiding Officer. The Presiding Officer has the right to cut a speaker off if the discussion becomes too personal, too loud, too crude, inappropriate, disrespectful, redundant, misleading, or slanderous. The Maryland Open Meetings Act allows for the Presiding Officer or public body to remove an individual from a meeting if the Presiding Officer determines the behavior of the individual is disrupting an open session.
- B. If a person fails to request to speak before speaking, the Presiding Officer shall rule them "out of order" and remind them that they do not have the floor. While the Council is in session, all members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of any Council meeting, whether a Regular meeting, Special meeting or a work session, nor disturb any other person while speaking or refusing to obey the orders of the Presiding Officer. Members of the Council should not leave their seats during a meeting without first making a motion to recess.
- C. Every person desiring to speak at a Council meeting shall address the entire body and hall, not single out a member of the Council, the audience, or a staff member, and shall confine their comments to the items on the agenda, avoiding all personal attacks and indecorous language.
- D. If a council member believes the discussion has strayed from the agenda, the councilmember may make a motion to return to the agenda ("call for orders of the day"). The motion does not require a vote. If the Presiding Officer discovers that the discussion has strayed from the agenda, he or she shall simply return to the business of the day.

- E. A member indulging in any language or conduct unbecoming a Council Member shall be called to order by the Presiding Officer, and, in such case, the offending member shall lose the floor and shall not proceed without the approval of a majority of the members present. The Council may, by majority vote, expel a member from a meeting for disorderly conduct or violation of Council rules. A member of the staff or the public can likewise be expelled by order of the Presiding Officer subject to review by the Council. The Presiding Officer may be expelled if a motion is made by a Council Member and approved unanimously by the Council. The Presiding Officer to continue the meeting shall be determined in accordance with Section 2.14 above.
- F. Members shall not raise any personnel matters, especially those pertaining to alleged improper performance or conduct of any Town employee(s) or Council appointee(s), at a public open meeting. Any concerns about conduct or performance of any Town employee(s) or appointee(s) shall be brought to the attention of the Town Manager. Concerns about the conduct or performance of the Town Manager shall be brought to the attention of the Mayor.
- G. Demonstration or Disorder Amongst Bystanders - If any confusion, demonstration or disorder arises during a Council meeting, the Presiding Officer may, upon his or her initiative or upon the request of any member, enforce order. The offending person(s) may be ejected from the meeting. If any member of the Council shall object to the ruling of the Presiding Officer, such member shall have the right to appeal to the body. In the event of an appeal, a majority vote of the Council may overturn the Presiding Officer's ruling.
- H. Members of Staff - The Town Manager and Town Clerk shall have the right to take part in the discussion of all matters coming before the Council, and other members of staff shall be entitled to take part in discussions of the Council relating to their respective offices.
- I. Members of the public may speak for three (3) minutes, during Public Comment Period, at Regular Town meetings of the Council according to procedures established by the herein.
1. Members of the public will be called to speak at the podium. If the meeting is held virtually or members of the public attend virtually, the public will be able to "raise their hand" or chat with the Town Clerk to speak.
  2. 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.

3. If the subject matter does not pertain to Town business, the Presiding Officer shall so advise the individual and/or make a recommendation as to how the issue may be addressed.
4. Citizens speaking on agenda items shall restrict their comments to the subject matter listed.
5. Citizens speaking on non-agenda items shall only speak on matters pertaining to Town business or issues which the Council would have the authority to act upon if brought forth as an agenda item.
6. The Council 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.
7. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, misleading, or personal attacks are strictly prohibited, and violators may be removed from the meeting.
8. No placards, banners or signs may be displayed during Council meetings. Exhibits relating to a presentation are acceptable.
9. Arguing, intimidation or other disruptive behavior is prohibited.

### **2.15 Council May Discipline its Own Members**

- A. In the event a Council member violates a provision of the Town Charter, the Town Code, these rules or any other law or regulation of the Town or acts in a manner that causes embarrassment or disgrace to the Town of Upper Marlboro, the Town Council by majority vote of its members may discipline the offending member.
- B. Such action may only take place after an executive session is held to discuss the offense. The offending member shall be present at the executive session to answer any questions asked by members of the Council or make other statements as he or she may desire to make in his or her defense. If the offending member refuses to attend the executive session, the remaining members of the body may proceed in his or her absence.
- C. The outcome of the executive session may be as follows and shall be made publicly in open session in accordance with the Maryland Open Meetings Act:
  1. No Action. The Council chooses to take no action.
  2. Private Censure: The Council may choose to privately censure the offending member, leaving their individual or collective comments to the offending member left in the confines of the closed session.
  3. Public Censure: The Council may choose to publicly censure the offending member through a written or oral resolution passed by majority vote and entered into the public record. The public censure may include a separate

written letter of censure that will be a public record and placed in the member's personnel record along with any formal resolution.

- D. Town elected officials alleged or found to be in violation of the Town's Public Ethics Ordinance may, in addition to or in lieu of receiving a censure under these rules, be further subject to the enforcement procedures and penalties of the ethics ordinance.

**2.16 Motions: When Reduced to Writing**

Any member of the Council may call for a motion that has been made and seconded to be written down and read by the Town Clerk before debate.

**2.17 Other Procedural Motions**

- A. Motion to Adjourn: This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meetings. This motion requires a simple majority.
- B. Motion to Recess: This motion, if passed, requires the body to immediately take a recess. Normally the Presiding Officer will determine the length of the recess which could last for a few minutes to several hours. It requires a simple majority vote.
- C. Motion to Table: This motion, if passed, requires discussion of the agenda item to be halted immediately, and the agenda item to be placed on hold. The motion may or may not contain a specific date and time to bring the item up again. If no date and time is specified, the item shall be placed on the agenda at the following Town Council meeting.
- D. Motion to Remove from the Table: This motion, if passed, allows the Council to remove an item previously placed on hold. A vote in favor of removing an item from the table must be made before the body can take action on an item that was tabled.
- E. Withdraw a Motion: During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Council members are free to make the same motion or another motion.
- F. Motion to Postpone: Delays consideration of a pending motion until a specified later time or meeting. The original or main motion is set aside and becomes an order of business at a specified time or its postponed indefinitely. Typically, the reason for this motion is to obtain additional information to be better prepared to discuss an issue.
- G. Motion to Defer: This motion if passed, would delay a matter to a future time until a condition established by the Council is met (study session, research).

## **2.18 Rules of Discussion of Pending Questions**

After the previous question has been seconded and the main questions ordered, the member who has introduced, or the staff member who has reported on the matter under consideration, shall have ample time to discuss the proposition pending, at the close of which the vote shall be taken.

## **ARTICLE 3. VOTING**

### **3.1 Voting Rules**

- A. When a question is put before the Council for a vote, every Council member present shall vote either in the affirmative or negative or abstain.
- B. All votes will be taken by a "roll call" by the Town Clerk with voting being made by voice vote, except when determined by the body to vote using another method. A record of the affirmative and negative votes and abstentions shall be entered upon the minutes of the proceedings of the Council.
- C. Prior to a Council vote, the Presiding Officer shall call each Council Member's name to check with each one individually if they have any comments, questions, or concerns, prior to the vote.

### **3.2 Voting - Abstention**

- A. A member shall abstain from voting upon any matter on which the member is disqualified due to a conflict of interest or participate in any quasi-judicial action regarding which the member is biased.
- B. A member shall openly state an abstention due to a conflict of interest or bias.
- C. A member who is abstaining due to a financial conflict of interest shall publicly identify the financial interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
- D. As to any other conflict of interest, the member's determination may be accompanied by an oral or written disclosure of the conflict of interest.
- E. A member who is disqualified by a conflict of interest in any matter, in accordance with Sec. 2.13 hereof shall not remain on the dais during the discussion and shall not vote on that matter.

**3.3 Tie Votes in Filling Vacancy**

In the case of a vacancy under Section 82-32 of the Town Charter in the office of Mayor . and the remaining elected members of the Board cannot agree on a successor to temporarily fill the office of Mayor, then the Council member who received the highest number of votes in the last two general elections shall become the Interim Mayor until the vacancy can be filled by a special election.

**ARTICLE 4. MINUTES & RECORD KEEPING**

**4.1 Minutes of Meetings**

Minutes of regular meetings, special meetings, public hearings, public meetings, and work sessions that have been approved by the Council at a regular meeting shall be made available to the Public by the Town Clerk. Approved minutes shall also be posted on the Town's website. Minutes of closed sessions of the body held in accordance with applicable state law shall not be open to public inspection, shall be approved in closed session, and shall remain sealed until the body votes to disclose them.

**4.2 Record of Meetings**

The Town Clerk or designee shall be responsible for minutes of each Regular or Special Meeting and Work Session of the Council and for maintaining the official record, which shall include all Council actions. Minutes shall include:

- A. All motions made, the name of the motion maker and second, the method and outcome of the votes taken, names of guests and their affiliation; and
- B. Copies of resolutions, new or revised ordinances or other actions approved by the Town Council.
- C. All ordinances, charter amendment resolutions, and annexation resolutions shall have their titles and sequential numbers read into the record.

**ARTICLE 5. SUSPENSION & AMENDMENT OF RULES**

**5.1 Suspension of Rules**

Any provisions of these rules not governed or controlled by state law, or the Town Charter or ordinances, may be temporarily suspended by a majority vote of all elected members of the Town Council and may be amended in a similar fashion if such amendment was introduced at the previous regular meeting of the Town Council and shall have received preliminary approval of the Town Council at such meeting.

## 5.2 Enforcement of Rules and Procedures

The following provisions may be used to enforce the good order of the meeting. The action may be taken by the Presiding Officer under his or her own action, or upon a motion to enforce by any Council member.

- A. **Warning:** The Presiding Officer may order any person (Council member, staff member, or audience member) in violation of these rules to be silent.
- B. **Removal:** If, after receiving a warning from the Presiding Officer, the person continues to disturb the good order of the meeting, the Presiding Officer may order the person to leave the meeting. If the person does not leave the room, the Presiding Officer may have the individual removed by the Police.
- C. **Motion to Enforce:** Any Council member may move to require the Presiding Officer to enforce these rules and the affirmative vote of a simple majority of the body shall require the Presiding Officer to do so. A motion to enforce is an allowable interruption and is not debatable. Failure of the Presiding Officer to comply will result in a new Presiding Officer taking over the meeting (as set forth in Sec. 2.14 hereof) and directing staff to have the Presiding Officer removed from the meeting.

## ARTICLE 6. THE AGENDA

### 6.1 Agenda

- A. The agenda shall outline the established order of business.
- B. Any agenda changes shall be requested five business days prior to the meeting to the Town Clerk, Town Manager and Mayor and shall contain a description of the item for inclusion.
- C. The Friday before each regular meeting, the Town Clerk shall provide each member of the Council a copy of the agenda for the forthcoming meeting, together with copies of all ordinances, resolutions, and background material of matters to be considered at the meeting.
- D. Under Section 3-302(c) of the Maryland Open Meetings Act found in the General Provisions Article of the Maryland Code, the ability to observe does not mean that the public body must provide to the audience copies of the documents being reviewed by the members. However, the public must be given a grasp of what is being discussed and acted upon at the meeting. The Maryland Open Meetings Compliance Board has advised



that an oral summary or general description of the documents in question will ordinarily serve this purpose.

- E. Copies of the agenda shall be posted on the Town website and at Town Hall at least one business day prior to each regular meeting. A reasonable number of copies of the agenda shall be available to the public at the Council meeting or earlier upon request, as available.
- F. All meeting agendas and amendments to the agenda shall be approved by the Town Council at the beginning of the meeting. Items on the agenda can be reordered by the Council during the scheduled meeting.
- G. Items of routine business that generally require no discussion by the body may be placed on the Consent Agenda of a Regular Meeting. Any member of the Council may remove an item from the Consent Agenda and place it under Action Items.
- H. Agendas for Regular Meetings and Work Sessions shall be published at least 3-5 days prior to the meeting. Agendas for special or emergency meetings may be published as far in advance as reasonably practicable.

**6.2 Order of Business**

The Town Council shall observe an order of business at Town regular or special meetings that fit the type of meeting and needs of the body given the agenda items addressed at the meeting subject to amendment at the meeting. The order of business shall include, at a minimum, call to order, roll call, pledge of allegiance, approval of the agenda, approval of minutes and financial reports, staff reports, Councilmember reports, old business, new business, public comment and adjournment.

**ARTICLE 7. WORK SESSION POLICIES & PROCEDURES**

**7.1 Agenda**

Only a limited number of matters should be considered by the Council during a work session, and sufficient time for consideration of such matters shall be provided. At the two hour mark of any meeting, the Council will determine, by a majority vote, whether the meeting should continue or whether the remaining agenda items should be placed on the agenda of the next Council meeting. An abbreviated agenda order shall be used for all work session agendas.

## **7.2 Documents and Exhibits to be Presented**

When possible, staff shall make available to the Council all documents, proposed legislation, policies, contracts, exhibits, maps, plans, architectural drawings, specifications, correspondence, or other similar documents no later than the close of business on the fourth day prior to the meeting.

## **7.3 Technical or Legal Questions**

All questions of a technical or legal nature, which require a detailed explanation for understanding, may be considered in a work session. The Council Members may, through the Mayor, request the attendance of such staff members, the Town Attorney or outside experts as may be required to answer such questions. A work session or portion thereof, like any other public meeting, may be closed to confer with legal counsel, staff or other experts as permitted by the Maryland Open Meetings Act.

## **7.4 Audience Comments or Questions**

Audience comments or questions will not be considered at a work session. Unless permitted by the Presiding Officer or unless the Council will be voting on an issue in compliance with section 7.1 above.

# **ARTICLE 8. GENERAL COUNCIL MEMBER REQUESTS**

## **8.1 Council Member Requests**

Council Member requests that deal with policy issues and Council Member requests that may be construed as direction or orders to staff shall be directed to the Town Manager or their designee, except for general inquiries or questions involving constituent services, in which case the Council Members may go to the Department Head.

## **8.2 Council Member Requests for Funding**

Council Member requests requiring funding must go through the Mayor and the Town Manager and may require Council approval. The Mayor and the Town Manager shall respond in a timely manner.

## **8.3 Use of Staff Resources**

A request for the use of staff time, other than standard requests for information from department heads, by a Council Member must be made through the Town Manager unless already approved by the Council.

**ARTICLE 9. PUBLIC STATEMENTS BY COUNCIL MEMBERS**

**9.1 Representation or position by the Council or the Mayor**

When the individual Council members give a public statement in their elected capacity on an issue affecting the Town, the Council member shall first identify the adopted position of the Town Council with respect to that subject, if any. Thereafter, the elected official may provide a statement of personal opinion or comment (including a minority or opposing viewpoint), provided the Council member expressly acknowledges that such statements do not represent the position of the Town.

**INTRODUCED AND PASSED** by the Council of the Town of Upper Marlboro at a Regular Meeting on \_\_\_\_\_, 2026.

Attest :

THE COUNCIL OF THE TOWN OF  
MARLBORO

\_\_\_\_\_  
Telaya Bush, Town Clerk

\_\_\_\_\_  
Charles Colbert, Mayor

## **Summary of Proposed Changes to Vacant Property Regulations**

The following is a summary of the proposed amendments submitted by Council Member Sarah Franklin for legal review and consideration by the Town Council on March 3, 2026.

- Redefining Vacancy on a "Per-Unit" Basis: In multi-tenant or mixed-use buildings, vacancy will be assessed per individual unit or commercial suite. Additionally, buildings that are more than 45% empty will be legally presumed "Substantially Vacant."
- Establishing "Evidence of Vacancy" Criteria: To prevent owners from feigning occupancy, the update provides Code Enforcement with an objective visual checklist. If a property meets these criteria, it is legally presumed vacant, shifting the burden of proof to the owner to prove lawful occupancy.
- Creating a "Blighted Property" Designation: Properties suffering from severe, unabated exterior decay will be subject to the same registration requirements and fees as vacant buildings, ensuring that slumlords cannot continue to let an occupied building rot.
- Implementing an Escalating Fee Schedule: To prevent negligent owners from absorbing a flat registration fee as a "cost of doing business," the proposed fee structure escalates aggressively for every consecutive year the property remains vacant or blighted (e.g., \$500 in Year 1, up to \$8,000+ by Year 5).
- Strengthening Enforcement via Tax Liens: Unpaid registration fees and penalties will automatically convert into a first lien on the property and be added to the municipal tax bill, subjecting the property to a tax sale if ignored. Furthermore, the "clock" on escalating fees will not reset if an owner sells or transfers the property.
- Vacant Property Plan: Requiring the owner of a vacant property to provide a plan for repair, maintenance, and occupancy for the property.
- Ensuring Due Process and Fair Exemptions: To protect the Town from liability and assist responsible owners facing temporary hardships, the draft includes a structured appeals process, as well as temporary fee waivers for properties undergoing active, permitted construction or those actively listed on the real estate market.

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*ARTICLE V. VACANT PROPERTY REGISTRATION*

Sec. 6-123. Definitions.

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

**BLIGHTED PROPERTY MEANS ANY BUILDING, STRUCTURE, OR PARCEL OF LAND, WHETHER OCCUPIED OR VACANT, THAT EXHIBITS SEVERE MAINTENANCE DEFICIENCIES, CONSTITUTES A NUISANCE, OR ENDANGERS PUBLIC HEALTH, SAFETY, OR WELFARE.**

*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 the 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 article, 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] **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.

**SUBSTANTIALLY VACANT MEANS A BUILDING WHERE FORTY-FIVE-PERCENT (45%) OR MORE OF THE GROSS FLOOR AREA OF ANY INDIVIDUAL FLOOR OF A BUILDING IS UNOCCUPIED, OR IF SUBSTANTIALLY ALL LAWFUL, PRODUCTIVE USE HAS CEASED.**

*Vacant building or structure* [means a building or structure where no person actually currently conducts a business or resides or lives 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.] **MEANS ANY BUILDING, STRUCTURE, OR DISTINCT PORTION THEREOF (INCLUDING INDIVIDUAL COMMERCIAL SUITES OR RESIDENTIAL DWELLING UNITS), THAT IS NOT LEGALLY OCCUPIED OR ACTIVELY USED FOR ITS DESIGNATED, LAWFUL PURPOSE FOR A PERIOD OF NINETY (90) CONSECUTIVE DAYS OR MORE.**

*Vacant developed property* means a lot or parcel of land that has a vacant building except as provided in section 6-129.

*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 department of assessments and taxation] **STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.** FOR PURPOSES OF THIS ORDINANCE, A VACANT LOT DOES NOT INCLUDE A LOT THAT:

1. IS AN INDIVIDUALLY ASSESSED PARCEL OR UNIT OF LAND,
2. IS ZONED FOR RESIDENTIAL USE (IE. IS NOT ZONED COMMERCIAL OR INDUSTRIAL),
3. IS CONTIGUOUS TO A LOT OR LOTS IN COMMON OWNERSHIP THAT ARE ALSO ZONED FOR RESIDENTIAL USE,
4. ONE OF THE LOTS IN COMMON OWNERSHIP IS IMPROVED WITH A HOUSE IN WHICH THE OWNER(S) OR A TENANT RESIDES, AND 5. THE LOT FUNCTIONS AS A FRONT, SIDE OR REAR YARD TO THE LOT ON WHICH THE HOUSE IS LOCATED.

Sec. 6-124. Intent and scope.

The [board of commissioners] **TOWN COUNCIL** finds that the proliferation of vacant and abandoned buildings, structures, dwellings and lots in the town causes a deterioration of neighborhoods and **COMMERCIAL** areas within the town and has a negative impact on **THE TOWN'S ECONOMIC DEVELOPMENT GOALS AND ON** the value of property in close proximity to the vacant and abandoned buildings, structures, dwellings and lots. *<add paragraph for separation of ideas>*

[Bold Brackets] indicate removed text

**ALL CAPITAL BOLD** text indicates added text

ALL CAPITAL text indicates uncodified text from Ordinance 2025-02, adopted on 5- 20- 25.

The [board] **COUNCIL** 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 **AND VISITORS TO** 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.

Sec. 6-125. Annual registration of vacant buildings or lots; local agent; registration fees.

a. ***SUBSTANTIALLY Vacant OR BLIGHTED building or lot registration.***

1. Any owner of any building or lot which has been **SUBSTANTIALLY vacant OR BLIGHTED** for more than 120 consecutive days shall file **A VACANT BUILDING OR LOT REGISTRATION** with the [town administrator] **TOWN MANAGER** [or designee a vacant building or lot registration].
2. Said registration shall be in a form prescribed by the [town administrator] **TOWN MANAGER**, which shall include the street address and parcel number of each such **SUBSTANTIALLY vacant OR BLIGHTED** building or lot, the names and addresses of all owners, in accordance with subsections (a)(1) through (7) of this section, and any other information deemed necessary by the [town administrator] **TOWN MANAGER**. In no instance shall the registration of a **SUBSTANTIALLY vacant OR BLIGHTED** 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] **TOWN ordinance requirement.**
3. The registration fee, as required herein, shall be billed by the [town administrator] **TOWN MANAGER** [or designee] and shall be paid by January 1 of each **CALENDAR** year. For purposes of this [article] **ARTICLE**, 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 [state department of assessments and taxation] **STATE DEPARTMENT OF ASSESSMENTS AND TAXATION;**
- b. If the owner is a [limited liability company] **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 ten percent 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 ten percent 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.

b. *Local agent.*

- 1. If none of the persons listed in subsections (a)(1) through (7) are within the state, the registration statement also shall provide the name and address of a person who resides within the [state] **STATE OF MARYLAND** and who is authorized to accept service of process on behalf of the owners.
- 2. 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.

c. **ANNUAL Fee.**



1. The owner of any **SUBSTANTIALLY** vacant **OR BLIGHTED** property located within the corporate limits of the [town] **TOWN** shall be responsible to register and pay the annual nonrefundable registration fee **IN ACCORDANCE WITH THE FEE SCHEDULE IN TABLE 1** [of \$250.00]; thereafter, [said] **THE ANNUAL** fee shall be billed by the [town treasurer] **TOWN MANAGER** annually on November 1. The [board] **COUNCIL** may revise or increase registration fees established under this article[, provided such fee does not exceed \$750.00.]**THE FEE IS DESIGNED TO RECOVER THE ADMINISTRATIVE COSTS OF MONITORING THE PROPERTY AND TO INCENTIVIZE THE REHABILITATION AND PRODUCTIVE USE OF THE BUILDING.**

**TABLE 1: FEE SCHEDULE:**

<b>YEARS VACANT/BLIGHTED</b>	<b>ANNUAL REGISTRATION FEE</b>
<b>YEAR 1</b>	<b>\$500.00</b>
<b>YEAR 2</b>	<b>\$1,000.00</b>
<b>YEAR 3</b>	<b>\$2,000.00</b>
<b>YEAR 4</b>	<b>\$4,000.00</b>
<b>YEAR 5 AND EACH SUBSEQUENT YEAR</b>	<b>\$8,000.00</b>

**THE CONSECUTIVE YEARS OF VACANCY SHALL NOT BE PRO-RATED, RESET, OR ALTERED BY THE SALE, TRANSFER, OR CONVEYANCE OF THE PROPERTY TO A NEW OWNER, OR THE TRANSFER OF THE PROPERTY INTO A TRUST, LLC, OR OTHER CORPORATE ENTITY. THE NEW OWNER ASSUMES THE PROPERTY AT ITS CURRENT TIER ON THE ESCALATING FEE SCHEDULE.**

2. One **SUBSTANTIALLY** vacant **OR BLIGHTED** 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 \$250.00 shall apply to the

[Bold Brackets] indicate removed text

**ALL CAPITAL BOLD** text indicates added text

ALL CAPITAL text indicates uncodified text from Ordinance 2025-02, adopted on 5- 20- 25.

property upon which the buildings are situated or multiple vacant lots adjoining one another.] A separate fee [need not] **SHALL** be paid for each building upon a single property or for [more than one] **EACH** lot in a series of abutting or adjoining vacant lots.

**d. VACANT BUILDING PLAN**

- 1. THE OWNER OF ANY SUBSTANTIALLY VACANT OR BLIGHTED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN SHALL BE RESPONSIBLE TO SUBMIT A VACANT BUILDING PLAN WITHIN THIRTY (30) CALENDAR DAYS OF THE REGISTRATION. THE PLAN SHALL CONTAIN THE FOLLOWING:**
- 2. A PLAN OF ACCESS TO THE INTERIOR BY THE CODE ENFORCEMENT OFFICER OF SUFFICIENT FREQUENCY TO DETERMINE THAT, FROM EVIDENCE ON THE INTERIOR, THE EXTERIOR STRUCTURE IS IN GOOD REPAIR, STRUCTURALLY SOUND AND SANITARY, AND WEATHERPROOF.**
- 3. A PLAN OF ACTION TO REPAIR ANY DOORS, WINDOWS, OR OTHER OPENINGS WHICH ARE BOARDED UP OR OTHERWISE SECURED BY ANY MEANS OTHER THAN CONVENTIONAL METHODS USED IN THE DESIGN OF THE BUILDING OR PERMITTED FOR NEW CONSTRUCTION OF SIMILAR TYPE. THE PROPOSED REPAIR SHALL RESULT IN OPENINGS SECURED BY CONVENTIONAL METHODS USED IN THE DESIGN OF THE BUILDING OR BY METHODS PERMITTED FOR NEW CONSTRUCTION OF SIMILAR TYPE.**
- 4. FOR BUILDINGS AND PROPERTY WHICH ARE IDENTIFIED AS BEING OR CONTAINING DEFECTS WHICH CONSTITUTE PUBLIC NUISANCES, THEN THE VACANT BUILDING PLAN SHALL CONTAIN A PLAN OF ACTION TO REMEDY SUCH PUBLIC NUISANCE(S).**
- 5. FOR EACH REQUIRED PLAN, A TIME SCHEDULE SHALL BE SUBMITTED IDENTIFYING A DATE OF COMMENCEMENT OF REPAIR AND DATE OF COMPLETION OF REPAIR FOR EACH IMPROPERLY SECURED OPENING AND IDENTIFIED DEFECT.**
- 6. WHENEVER THE OWNER PROPOSES TO DEMOLISH THE VACANT BUILDING, THEN THE OWNER SHALL SUBMIT A PLAN AND TIME SCHEDULE FOR SUCH DEMOLITION AND OBTAIN THE NECESSARY PERMIT(S) AS REQUIRED BY THE LAWS OF THIS TOWN, PRINCE GEORGE'S COUNTY, OR THE STATE OF MARYLAND.**

7. **A PLAN OF ACTION TO MAINTAIN THE BUILDING AND PREMISES IN CONFORMANCE WITH ALL REGULATIONS OF THIS CHAPTER.**
  8. **THE OWNER OR AGENT OF THE REGISTERED BUILDING SHALL PLACE A TOWN-PROVIDED IDENTIFICATION PLACARD ON THE BUILDING'S EXTERIOR AS DIRECTED BY THE TOWN MANAGER SO AS TO BE CLEARLY VISIBLE FROM THE NEAREST PUBLIC RIGHT-OF-WAY. SUCH IDENTIFICATION PLACARD SHALL BE KEPT IN READABLE CONDITION BY THE OWNER OR AGENT, AND SHALL PROVIDE THE FOLLOWING INFORMATION:**
    - a. **OWNER'S NAME,**
    - b. **ADDRESS,**
    - c. **PHONE NUMBER,**
    - d. **EXPIRATION DATE OF REGISTRATION.**
    - e. **THE TOWN MANAGER MAY REQUIRE REMOVAL OF ALL OTHER SIGNAGE AND GRAFFITI AT THE OWNER'S EXPENSE.**
  9. **IF THE PROPOSED VACANT BUILDING PLAN COMPLIES WITH THE STANDARDS HEREIN AND IN REGULATIONS TO BE PROMULGATED BY THE TOWN MANAGER, THE TOWN MANAGER SHALL APPROVE IT. IF THE TOWN MANAGER APPROVES THE PLAN, NOTICE SHALL BE SENT TO THE OWNER OR AGENT OF THE VACANT BUILDING.**
- e. ~~[(3)]~~*Appeal rights.*
1. The owner shall have the right to appeal the imposition of the registration fees to the ~~[board of commissioners]~~ **TOWN MANAGER** upon filing an application in writing ~~[to the town administrator]~~ **WITH THE TOWN CLERK** no later than 30 calendar days from the date of the billing statement.
  2. On appeal, the owner shall bear the burden of providing proof that the building is **SUBSTANTIALLY** occupied, or the lot is improved with a building or assessed structure. The decision of the ~~[board]~~ **TOWN MANAGER** may not be appealed as an administrative agency decision by filing a petition for judicial review but shall be enforced pursuant to section 6-131.
- f. ~~[(4)]~~*One-time waiver of registration fee.*

1. A one-time waiver of the registration fee for up to 90 days may be granted by the [town administrator] **TOWN MANAGER** upon application of the owner and upon review and advice of the [town attorney,] **TOWN ATTORNEY** within 30 calendar days from the date of the bill for the registration fee, or if denied by the [town administrator] **TOWN MANAGER**, [upon appeal to the board], if the owner:
  - a. Demonstrates with satisfactory proof that said owner is in the process of demolition, rehabilitation, or other substantial repair of the vacant **OR BLIGHTED** building; and demonstrates the anticipated length of time for the demolition, rehabilitation, or other substantial repair of the vacant **OR BLIGHTED** building; or
  - b. Demonstrates that said owner is actively attempting to sell or lease the property during the vacancy period; **OR**
  - c. **DEMONSTRATES THAT THE PROPERTY WAS RECENTLY DAMAGED BY FIRE, WEATHER, OR NATURAL DISASTER WITHIN THE LAST 120 DAYS, AND THE OWNER IS ACTIVELY WORKING WITH INSURANCE OR CONTRACTORS TO REMEDIATE THE DAMAGE;** and
  - d. [c]Is current on all registration fees and all other financial obligations and/or debts owed to the [town] **TOWN** which are associated with the vacant **OR BLIGHTED** property.

Sec. 6-126. **EVIDENCE AND PRESUMPTION OF VACANCY** [One-year waiver.

Upon application by the owner and satisfaction of section 6-125(c)(4), 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.]

- a. **A BUILDING, STRUCTURE, OR PORTION THEREOF SHALL BE LEGALLY PRESUMED SUBSTANTIALLY VACANT OR BLIGHTED IF THE CODE OFFICIAL OBSERVES ONE OR MORE OF THE FOLLOWING CONDITIONS:**
- b. **THE PROPERTY LACKS ACTIVE, LEGALLY ESTABLISHED UTILITY SERVICES (INCLUDING BUT NOT LIMITED TO WATER, SEWER, OR ELECTRICITY) NECESSARY FOR SAFE OCCUPANCY; OR**

- c. **DOORS, WINDOWS, OR OTHER PRIMARY OPENINGS ARE BOARDED UP WITH PLYWOOD OR OTHER MATERIALS, UNHINGED, BROKEN, OR OTHERWISE UNSECURED; OR**
  - d. **THE PROPERTY HAS BEEN CITED FOR PROPERTY MAINTENANCE VIOLATIONS AND NO CORRECTIVE ACTION HAS BEEN TAKEN BY THE OWNER FOR A PERIOD OF 60 DAYS; OR**
  - e. **ACCUMULATION OF MAIL, NEWSPAPERS, OR CIRCULARS; OR**
  - f. **ACCUMULATION TRASH, DEBRIS, OR OVERGROWN/DEAD VEGETATION; OR**
  - g. **A PARTIALLY CONSTRUCTED OR DEMOLISHED STRUCTURE THAT HAS BEEN ABANDONED FOR 180 DAYS OR MORE; OR**
  - h. **STATEMENTS FROM NEIGHBORS, DELIVERY AGENTS, OR GOVERNMENT OFFICIALS THAT THE PROPERTY IS VACANT; OR**
  - i. **THE PROPERTY ATTRACTS ILLEGAL ACTIVITY AS DOCUMENTED BY POLICE CALLS FOR SERVICE, CONSTITUTES A FIRE HAZARD, OR HAS RESULTED IN THE CANCELLATION OF ADJACENT PROPERTIES' INSURANCE POLICIES; OR**
  - j. **ABSENCE OF FURNISHINGS.**
- b. **IF A PROPERTY IS PRESUMED SUBSTANTIALLY vacant OR BLIGHTED BY THE CODE OFFICIAL BASED ON THE EVIDENCE ABOVE, THE BURDEN OF PROOF TO REBUT THIS PRESUMPTION RESTS ENTIRELY WITH THE PROPERTY OWNER. THE OWNER MUST PROVIDE TANGIBLE PROOF OF ACTIVE, LAWFUL OCCUPANCY, WHICH MAY INCLUDE CONSECUTIVE MONTHS OF ACTIVE UTILITY BILLS, VALID AND ACTIVE LEASE AGREEMENTS ACCOMPANIED BY PROOF OF RENT PAYMENT, OR A CURRENT, ACTIVE BUSINESS LICENSE DEMONSTRATING CONTINUOUS OPERATION AT THE PREMISES.**

Sec. 6-127. Delinquent registration fees as a lien.

- (a) After the owner is given notice of the amount of the registration fee due, except for those owners that have **[properly perfected]** **BEEN GRANTED** an appeal as provided in section 6-125(c)(3), and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the **[town] TOWN.**
- (b) Any registration fees, when accrued or overdue, pursuant to this article, and any penalties assessed hereto shall be considered a lien in favor of the **[town] TOWN** on the applicable property and may be collected and

enforced in the same manner as delinquent or accrued real property taxes.

Sec. 6-128. 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] **TOWN MANAGER** within 30 days of the occurrence of such changes and advise the [town administrator] **TOWN MANAGER** in writing of those changes.

Sec. 6-129. Exceptions.

This article shall not apply to any building or lot owned by the United States, the [state] **STATE OF MARYLAND**, [the county] **PRINCE GEORGE'S COUNTY**, nor to any of their respective agencies [or political subdivisions].

Sec. 6-130. Duty of [town administrator] **TOWN MANAGER** to maintain and notify.

The [town administrator or designee] **TOWN MANAGER** shall maintain the **SUBSTANTIALLY** vacant **AND BLIGHTED** building or lot registrations in the normal course of business and shall notify the [town chief of police] **TOWN CHIEF OF POLICE** who shall notify local fire and ambulance services of all locations on the registry.

Sec. 6-131. Enforcement. *<This section has added paragraphs, sections, and subsections for clarity.>*

(a) *Penalties for offenses.*

Any owner, or agent of an owner acting on behalf of the owner, who fails to register a **SUBSTANTIALLY** vacant **OR BLIGHTED** building or lot or to pay any fees required to be paid pursuant to the provisions of this article, within 30 days after they become due, shall constitute a municipal infraction violation punishable, upon conviction thereof, by a fine in the amount of [~~\$1,000.00~~] **\$2,000** for each failure to register, or for each

failure to pay a required vacant **OR BLIGHTED** building or lot registration fee.

(b) *Other enforcement.*

1. The registration of a **SUBSTANTIALLY** vacant **OR BLIGHTED** building or vacant lot or absence thereof shall not preclude action by the [town] **TOWN** to obtain a court order to force abatement, maintenance or removal of a public nuisance or any other violation found on any **SUBSTANTIALLY** vacant **OR BLIGHTED** lot or building pursuant to any other provisions of this Code or other law.
2. The [town] **TOWN** shall have the right to remove litter, trash, noxious weeds, tall grass, or 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] **TOWN**.
  - a. The cost of these actions shall be paid for by the owner.
  - b. The [town] **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.
  - c. Should the owner fail to pay the bill within one 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.
3. Nothing in this article shall be construed to limit the [town] **TOWN** from seeking any other legal damages or equitable and declaratory relief permitted by law to enforce this Code in a court of competent jurisdiction in the state.

Sec. 6-132. Violations.

Unless provided otherwise, any violation of this article shall be deemed a municipal infraction. The penalty for such violation shall be a **[\$250.00] \$1,000** fine for an initial offense together with a suspension of the license for no

more than 90 days and ~~[\$500.00]~~ **\$2,000** for each repeat offense together with a revocation of the license. Each day any violation continues shall be a separate offense.



### **Summary of Proposed Changes to Vacant Property Regulations**

The following is a summary of the proposed amendments submitted by Council Member Sarah Franklin for legal review and consideration by the Town Council on March 3, 2026.

- **Redefining Vacancy on a "Per-Unit" Basis:** In multi-tenant or mixed-use buildings, vacancy will be assessed per individual unit or commercial suite. Additionally, buildings that are more than 45% empty will be legally presumed "Substantially Vacant."
- **Establishing "Evidence of Vacancy" Criteria:** To prevent owners from feigning occupancy, the update provides Code Enforcement with an objective visual checklist. If a property meets these criteria, it is legally presumed vacant, shifting the burden of proof to the owner to prove lawful occupancy.
- **Creating a "Blighted Property" Designation:** Properties suffering from severe, unabated exterior decay will be subject to the same registration requirements and fees as vacant buildings, ensuring that slumlords cannot continue to let an occupied building rot.
- **Implementing an Escalating Fee Schedule:** To prevent negligent owners from absorbing a flat registration fee as a "cost of doing business," the proposed fee structure escalates aggressively for every consecutive year the property remains vacant or blighted (e.g., \$500 in Year 1, up to \$8,000+ by Year 5).
- **Strengthening Enforcement via Tax Liens:** Unpaid registration fees and penalties will automatically convert into a first lien on the property and be added to the municipal tax bill, subjecting the property to a tax sale if ignored. Furthermore, the "clock" on escalating fees will not reset if an owner sells or transfers the property.
- **Vacant Property Plan:** Requiring the owner of a vacant property to provide a plan for repair, maintenance, and occupancy for the property.
- **Ensuring Due Process and Fair Exemptions:** To protect the Town from liability and assist responsible owners facing temporary hardships, the draft includes a structured appeals process, as well as temporary fee waivers for properties undergoing active, permitted construction or those actively listed on the real estate market.

**DRAFT AMENDMENTS TO:**

Part II - Code Of Ordinances

Chapter 6 - Buildings And Building Regulations Article V. Vacant  
Property Registration

ARTICLE V. VACANT PROPERTY REGISTRATION

Sec. 6-123. Definitions.

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

**BLIGHTED PROPERTY MEANS ANY BUILDING, STRUCTURE, OR PARCEL OF LAND, WHETHER OCCUPIED OR VACANT, THAT EXHIBITS SEVERE MAINTENANCE DEFICIENCIES, CONSTITUTES A NUISANCE, OR ENDANGERS PUBLIC HEALTH, SAFETY, OR WELFARE.**

*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 the 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 article, 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] 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.

Drafted by Council Member Sarah Franklin for legal review - 03-02-2026

1 OF 12 **SUBSTANTIALLY VACANT**

**MEANS A BUILDING WHERE FORTY-FIVE-PERCENT (45%) OR MORE OF THE GROSS FLOOR AREA OF ANY INDIVIDUAL FLOOR OF A BUILDING IS UNOCCUPIED, OR IF SUBSTANTIALLY ALL LAWFUL, PRODUCTIVE USE HAS CEASED.**

*Vacant building or structure* [means a building or structure where no person actually currently conducts a business or resides or lives 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.~~] **MEANS**

**ANY BUILDING, STRUCTURE, OR DISTINCT PORTION THEREOF (INCLUDING INDIVIDUAL**

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**COMMERCIAL SUITES OR RESIDENTIAL DWELLING UNITS), THAT IS NOT LEGALLY OCCUPIED OR ACTIVELY USED FOR ITS DESIGNATED, LAWFUL PURPOSE FOR A PERIOD OF NINETY (90) CONSECUTIVE DAYS OR MORE.**

*Vacant developed property* means a lot or parcel of land that has a vacant building except as provided in section 6-129.

*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 department of assessments and taxation] **STATE**

**DEPARTMENT OF ASSESSMENTS AND TAXATION.** FOR PURPOSES OF THIS ORDINANCE, A VACANT LOT DOES NOT INCLUDE A LOT THAT:

1. IS AN INDIVIDUALLY ASSESSED PARCEL OR UNIT OF LAND,
2. IS ZONED FOR RESIDENTIAL USE (IE. IS NOT ZONED COMMERCIAL OR INDUSTRIAL),
3. IS CONTIGUOUS TO A LOT OR LOTS IN COMMON OWNERSHIP THAT ARE ALSO ZONED FOR RESIDENTIAL USE,
4. ONE OF THE LOTS IN COMMON OWNERSHIP IS IMPROVED WITH A HOUSE IN WHICH THE OWNER(S) OR A TENANT RESIDES, AND 5. THE LOT FUNCTIONS AS A FRONT, SIDE OR REAR YARD TO THE LOT ON WHICH THE HOUSE IS LOCATED.

Sec. 6-124. Intent and scope.

The [board of commissioners] **TOWN COUNCIL** finds that the proliferation of vacant and abandoned buildings, structures, dwellings and lots in the town causes a deterioration of neighborhoods and **COMMERCIAL** areas within the town and has a negative impact on **THE TOWN'S ECONOMIC DEVELOPMENT GOALS AND ON** the value of property in close proximity to the vacant and abandoned buildings, structures, dwellings and lots. *<add paragraph for separation of ideas>*

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The [board] **COUNCIL** 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 **AND VISITORS TO** 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.

Sec. 6-125. Annual registration of vacant buildings or lots; local agent; registration fees.

- a. ***SUBSTANTIALLY Vacant OR BLIGHTED building or lot registration.***

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ALL CAPITAL text indicates uncodified text from Ordinance 2025-02, adopted on 5- 20- 25.

1. Any owner of any building or lot which has been **SUBSTANTIALLY vacant OR BLIGHTED** for more than 120 consecutive days shall file a **VACANT BUILDING OR LOT REGISTRATION** with the [town administrator] **TOWN MANAGER** [or designee a vacant building or lot registration].
2. Said registration shall be in a form prescribed by the [town administrator] **TOWN MANAGER**, which shall include the street address and parcel number of each such **SUBSTANTIALLY vacant OR BLIGHTED** building or lot, the names and addresses of all owners, in accordance with subsections (a)(1) through (7) of this section, and any other information deemed necessary by the [town administrator] **TOWN MANAGER**. In no instance shall the registration of a **SUBSTANTIALLY vacant OR BLIGHTED** 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] **TOWN** ordinance requirement.
3. The registration fee, as required herein, shall be billed by the [town administrator] **TOWN MANAGER** [or designee] and shall be paid by January 1 of each **CALENDAR** year. For purposes of this [article] **ARTICLE**, the following shall also be applicable:

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- 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 [state department of assessments and taxation] **STATE DEPARTMENT OF ASSESSMENTS AND TAXATION;**
- b. If the owner is a [limited liability company] **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 ten percent 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 ten percent or greater shall be provided; or

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

b. Local agent.

1. If none of the persons listed in subsections (a)(1) through (7) are within the state, the registration statement also shall provide the name and address of a person who resides within the [state] **STATE OF MARYLAND** and who is authorized to accept service of process on behalf of the owners.
2. 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.

c. ANNUAL Fee.

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1. The owner of any **SUBSTANTIALLY** vacant **OR BLIGHTED** property located within the corporate limits of the [town] **TOWN** shall be responsible to register and pay the annual nonrefundable registration fee **IN ACCORDANCE WITH THE FEE SCHEDULE IN TABLE 1** [of \$250.00]; thereafter, [said] **THE ANNUAL** fee shall be billed by the [town treasurer] **TOWN MANAGER** annually on November 1. The [board] **COUNCIL** may revise or increase registration fees established under this article[, provided such fee does not exceed \$750.00.]**THE FEE IS DESIGNED TO RECOVER THE ADMINISTRATIVE COSTS OF MONITORING THE PROPERTY AND TO INCENTIVIZE THE REHABILITATION AND PRODUCTIVE USE OF THE BUILDING.**

**TABLE 1: FEE SCHEDULE:**

<b>YEARS VACANT/BLIGHTED</b>	<b>ANNUAL REGISTRATION FEE</b>
<b>YEAR 1</b>	<b>\$500.00</b>
<b>YEAR 2</b>	<b>\$1,000.00</b>
<b>YEAR 3</b>	<b>\$2,000.00</b>
<b>YEAR 4</b>	<b>\$4,000.00</b>

[Bold Brackets] indicate remove:

**ALL CAPITAL BOLD** text indicates actual text

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YEAR 5 AND EACH SUBSEQUENT YEAR	\$8,000.00
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THE CONSECUTIVE YEARS OF VACANCY SHALL NOT BE PRO-RATED, RESET, OR ALTERED BY THE SALE, TRANSFER, OR CONVEYANCE OF THE PROPERTY TO A NEW OWNER, OR THE TRANSFER OF THE PROPERTY INTO A TRUST, LLC, OR OTHER CORPORATE ENTITY. THE NEW OWNER ASSUMES THE PROPERTY AT ITS CURRENT TIER ON THE ESCALATING FEE SCHEDULE.

- 2. One SUBSTANTIALLY vacant OR BLIGHTED 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 \$250.00 shall apply to the property upon which the buildings are situated or multiple vacant lots adjoining one another.] A separate fee [need not]

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SHALL be paid for each building upon a single property or for [more than one] EACH lot in a series of abutting or adjoining vacant lots.

**d. VACANT BUILDING PLAN**

- 1. THE OWNER OF ANY SUBSTANTIALLY VACANT OR BLIGHTED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN SHALL BE RESPONSIBLE TO SUBMIT A VACANT BUILDING PLAN WITHIN THIRTY (30) CALENDAR DAYS OF THE REGISTRATION. THE PLAN SHALL CONTAIN THE FOLLOWING:
- 2. A PLAN OF ACCESS TO THE INTERIOR BY THE CODE ENFORCEMENT OFFICER OF SUFFICIENT FREQUENCY TO DETERMINE THAT, FROM EVIDENCE ON THE INTERIOR, THE EXTERIOR STRUCTURE IS IN GOOD REPAIR, STRUCTURALLY SOUND AND SANITARY, AND WEATHERPROOF.
- 3. A PLAN OF ACTION TO REPAIR ANY DOORS, WINDOWS, OR OTHER OPENINGS WHICH ARE BOARDED UP OR OTHERWISE SECURED BY ANY MEANS OTHER THAN CONVENTIONAL METHODS USED IN THE DESIGN OF THE BUILDING OR PERMITTED FOR NEW CONSTRUCTION OF SIMILAR TYPE. THE PROPOSED REPAIR SHALL RESULT IN OPENINGS SECURED BY CONVENTIONAL METHODS USED IN THE DESIGN OF THE BUILDING OR BY METHODS PERMITTED FOR NEW CONSTRUCTION OF SIMILAR TYPE.
- 4. FOR BUILDINGS AND PROPERTY WHICH ARE IDENTIFIED AS BEING OR CONTAINING DEFECTS WHICH CONSTITUTE PUBLIC NUISANCES, THEN THE VACANT BUILDING PLAN SHALL CONTAIN A PLAN OF ACTION TO REMEDY SUCH PUBLIC NUISANCE(S).

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- 5. FOR EACH REQUIRED PLAN, A TIME SCHEDULE SHALL BE SUBMITTED IDENTIFYING A DATE OF COMMENCEMENT OF REPAIR AND DATE OF COMPLETION OF REPAIR FOR EACH IMPROPERLY SECURED OPENING AND IDENTIFIED DEFECT.
- 6. WHENEVER THE OWNER PROPOSES TO DEMOLISH THE VACANT BUILDING, THEN THE OWNER SHALL SUBMIT A PLAN AND TIME SCHEDULE FOR SUCH DEMOLITION AND OBTAIN THE NECESSARY PERMIT(S) AS REQUIRED BY THE LAWS OF THIS TOWN, PRINCE GEORGE’S COUNTY, OR THE STATE OF MARYLAND.
- 7. A PLAN OF ACTION TO MAINTAIN THE BUILDING AND PREMISES IN CONFORMANCE WITH ALL REGULATIONS OF THIS CHAPTER.

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- 8. THE OWNER OR AGENT OF THE REGISTERED BUILDING SHALL PLACE A TOWN-PROVIDED IDENTIFICATION PLACARD ON THE BUILDING'S EXTERIOR AS DIRECTED BY THE TOWN MANAGER SO AS TO BE CLEARLY VISIBLE FROM THE NEAREST PUBLIC RIGHT-OF-WAY. SUCH IDENTIFICATION PLACARD SHALL BE KEPT IN READABLE CONDITION BY THE OWNER OR AGENT, AND SHALL PROVIDE THE FOLLOWING INFORMATION:
  - a. OWNER'S NAME,
  - b. ADDRESS,
  - c. PHONE NUMBER,
  - d. EXPIRATION DATE OF REGISTRATION.
  - e. THE TOWN MANAGER MAY REQUIRE REMOVAL OF ALL OTHER SIGNAGE AND GRAFFITI AT THE OWNER'S EXPENSE.

- 9. IF THE PROPOSED VACANT BUILDING PLAN COMPLIES WITH THE STANDARDS HEREIN AND IN REGULATIONS TO BE PROMULGATED BY THE TOWN MANAGER, THE TOWN MANAGER SHALL APPROVE IT. IF THE TOWN MANAGER APPROVES THE PLAN, NOTICE SHALL BE SENT TO THE OWNER OR AGENT OF THE VACANT BUILDING.

e. ~~(3)~~ *Appeal rights.*

- 1. The owner shall have the right to appeal the imposition of the registration fees to the [board of commissioners] TOWN MANAGER upon filing an application in writing [to the town administrator] WITH THE TOWN CLERK no later than 30 calendar days from the date of the billing statement.

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- 2. On appeal, the owner shall bear the burden of providing proof that the building is **SUBSTANTIALLY** occupied, or the lot is improved with a building or assessed structure. The decision of the [board] **TOWN MANAGER** may not be appealed as an administrative agency decision by filing a petition for judicial review but shall be enforced pursuant to section 6-131.

f. [(4)] *One-time waiver of registration fee.*

- 1. A one-time waiver of the registration fee for up to 90 days may be granted by the [town administrator] **TOWN MANAGER** upon

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application of the owner and upon review and advice of the [town attorney,] **TOWN ATTORNEY** within 30 calendar days from the date of the bill for the registration fee, or if denied by the [town administrator] **TOWN MANAGER**, [upon appeal to the board], if the owner:

- a. Demonstrates with satisfactory proof that said owner is in the process of demolition, rehabilitation, or other substantial repair of the vacant **OR BLIGHTED** building; and demonstrates the anticipated length of time for the demolition, rehabilitation, or other substantial repair of the vacant **OR BLIGHTED** building; or
- b. Demonstrates that said owner is actively attempting to sell or lease the property during the vacancy period; **OR**
- c. **DEMONSTRATES THAT THE PROPERTY WAS RECENTLY DAMAGED BY FIRE, WEATHER, OR NATURAL DISASTER WITHIN THE LAST 120 DAYS, AND THE OWNER IS ACTIVELY WORKING WITH INSURANCE OR CONTRACTORS TO REMEDIATE THE DAMAGE;** and
- d. [c]Is current on all registration fees and all other financial obligations and/or debts owed to the [town] **TOWN** which are associated with the vacant **OR BLIGHTED** property.

Sec. 6-126. **EVIDENCE AND PRESUMPTION OF VACANCY** [One-year waiver.

Upon application by the owner and satisfaction of section 6-125(c)(4), 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.]

- a. **A BUILDING, STRUCTURE, OR PORTION THEREOF SHALL BE LEGALLY PRESUMED SUBSTANTIALLY VACANT OR BLIGHTED IF THE CODE OFFICIAL OBSERVES ONE OR MORE OF THE FOLLOWING CONDITIONS:**

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- b. **THE PROPERTY LACKS ACTIVE, LEGALLY ESTABLISHED UTILITY SERVICES (INCLUDING BUT NOT LIMITED TO WATER, SEWER, OR ELECTRICITY) NECESSARY FOR SAFE OCCUPANCY; OR**

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- c. **DOORS, WINDOWS, OR OTHER PRIMARY OPENINGS ARE BOARDED UP WITH PLYWOOD OR OTHER MATERIALS, UNHINGED, BROKEN, OR OTHERWISE UNSECURED; OR**
- d. **THE PROPERTY HAS BEEN CITED FOR PROPERTY MAINTENANCE VIOLATIONS AND NO CORRECTIVE ACTION HAS BEEN TAKEN BY THE OWNER FOR A PERIOD OF 60 DAYS; OR**
- e. **ACCUMULATION OF MAIL, NEWSPAPERS, OR CIRCULARS; OR f. ACCUMULATION TRASH, DEBRIS, OR OVERGROWN/DEAD VEGETATION; OR g. A PARTIALLY CONSTRUCTED OR DEMOLISHED STRUCTURE THAT HAS BEEN ABANDONED FOR 180 DAYS OR MORE; OR**
- h. **STATEMENTS FROM NEIGHBORS, DELIVERY AGENTS, OR GOVERNMENT OFFICIALS THAT THE PROPERTY IS VACANT; OR**
- i. **THE PROPERTY ATTRACTS ILLEGAL ACTIVITY AS DOCUMENTED BY POLICE CALLS FOR SERVICE, CONSTITUTES A FIRE HAZARD, OR HAS RESULTED IN THE CANCELLATION OF ADJACENT PROPERTIES' INSURANCE POLICIES; OR**
- j. **ABSENCE OF FURNISHINGS.**

**b. IF A PROPERTY IS PRESUMED SUBSTANTIALLY vacant OR BLIGHTED BY THE CODE OFFICIAL BASED ON THE EVIDENCE ABOVE, THE BURDEN OF PROOF TO REBUT THIS PRESUMPTION RESTS ENTIRELY WITH THE PROPERTY OWNER. THE OWNER MUST PROVIDE TANGIBLE PROOF OF ACTIVE, LAWFUL OCCUPANCY, WHICH MAY INCLUDE CONSECUTIVE MONTHS OF ACTIVE UTILITY BILLS, VALID AND ACTIVE LEASE AGREEMENTS ACCOMPANIED BY PROOF OF RENT PAYMENT, OR A CURRENT, ACTIVE BUSINESS LICENSE DEMONSTRATING CONTINUOUS OPERATION AT THE PREMISES.**

Sec. 6-127. Delinquent registration fees as a lien.

- (a) After the owner is given notice of the amount of the registration fee due, except for those owners that have **[properly perfected]** **BEEN GRANTED** an appeal as provided in section 6-125(c)(3), and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the **[town]** **TOWN**.
- (b) Any registration fees, when accrued or overdue, pursuant to this article, and any penalties assessed hereto shall be considered a lien in favor of the **[town]** **TOWN** on the applicable

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property and may be collected and enforced in the same manner as delinquent or accrued real property taxes.

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Sec. 6-128. 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] **TOWN MANAGER** within 30 days of the occurrence of such changes and advise the [town administrator] **TOWN MANAGER** in writing of those changes.

Sec. 6-129. Exceptions.

This article shall not apply to any building or lot owned by the United States, the [state] **STATE OF MARYLAND**, [the county] **PRINCE GEORGE'S COUNTY**, nor to any of their respective agencies [or political subdivisions].

Sec. 6-130. Duty of [town administrator] **TOWN MANAGER** to maintain and notify.

The [town administrator or designee] **TOWN MANAGER** shall maintain the **SUBSTANTIALLY** vacant **AND BLIGHTED** building or lot registrations in the normal course of business and shall notify the [town chief of police] **TOWN CHIEF OF POLICE** who shall notify local fire and ambulance services of all locations on the registry.

Sec. 6-131. Enforcement. *<This section has added paragraphs, sections, and subsections for clarity.>* (a) *Penalties for offenses.*

Any owner, or agent of an owner acting on behalf of the owner, who fails to register a **SUBSTANTIALLY** vacant **OR BLIGHTED** building or lot or to pay any fees required to be paid pursuant to the provisions of this article, within 30 days after they become due, shall constitute a municipal infraction violation punishable, upon conviction thereof, by a fine in the amount of [~~\$1,000.00~~] **\$2,000** for each failure to register, or for each failure to pay a required vacant **OR BLIGHTED** building or lot registration fee.

(b) *Other enforcement.*

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1. The registration of a **SUBSTANTIALLY** vacant **OR BLIGHTED** building or vacant lot or absence thereof shall not preclude action by the [town] **TOWN** to obtain a court order to force abatement, maintenance or removal of a public nuisance or any other violation found on any **SUBSTANTIALLY** vacant **OR BLIGHTED** lot or building pursuant to any other provisions of this Code or other law.
2. The [town] **TOWN** shall have the right to remove litter, trash, noxious weeds, tall grass, or 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] **TOWN**.
  - a. The cost of these actions shall be paid for by the owner.
  - b. The [town] **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.
  - c. Should the owner fail to pay the bill within one 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.
3. Nothing in this article shall be construed to limit the [town] **TOWN** from seeking any other legal damages or equitable and declaratory relief permitted by law to enforce this Code in a court of competent jurisdiction in the state.

Sec. 6-132. Violations.

Unless provided otherwise, any violation of this article shall be deemed a municipal infraction. The penalty for such violation shall be a [~~\$250.00~~] **\$1,000** fine for an initial offense together with a suspension of the license for no more than 90 days and [~~\$500.00~~] **\$2,000** for each repeat offense together with a revocation of the license. Each day any violation continues shall be a separate offense.

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