



Town of Upper Marlboro

JULY REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, July 25, 2023 at 7:00 PM

AGENDA

This meeting will be conducted via Hybrid: Zoom Video Teleconference and Town Hall.

<https://uppermarlbormd->

[gov.zoom.us/j/81562533841?pwd=VTBHamVxZ0NCZIBPeW0rOVhQUIZkQT09](https://uppermarlbormd-gov.zoom.us/j/81562533841?pwd=VTBHamVxZ0NCZIBPeW0rOVhQUIZkQT09)

Passcode: 917485; **Webinar ID:** 815 6253 3841; **Dial-in only:** 301-715-8592

REGULAR TOWN MEETING AGENDA: 7:00 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Review of Agenda**
- 5. Consent Agenda**
 - A. Meeting Minutes
 - [B.](#) Financial Report
 - [C.](#) Public Safety Report
 - [D.](#) Public Works Report
 - [E.](#) Administrative Report
- 6. Reports**
 - A. Arts Council Committee Report
 - B. CERT Committee Report
 - C. Economic Development Workgroup
 - D. Events Committee Report
 - E. Green Team Committee Report
 - F. Historical Committee Report
 - G. Greenwill Consulting Committee Report
 - H. Commissioner Reports
- 7. Business**

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

 - A. Property Standards (Public Input)
 - [B.](#) Resolution 2023-14 Department of Public Works Utility Cart Purchase (Board Vote)
 - [C.](#) Resolution 2023-15 Vision Plan (Board Vote)
 - [D.](#) Ordinance 2023-06 Town of Upper Marlboro Logo (Introduction)
 - [E.](#) Ordinance 2023-07 Codification (Introduction)
 - [F.](#) Ordinance 2023-08 Year End Budget Amendment (Emergency Ordinance)
 - [G.](#) Ordinance 2023-09 Land Purchase 5510 Old Crain Highway (Emergency Ordinance)
 - H. FIP / CIP Approval
- 8. Public Comment**

For items not necessarily on the immediate agenda (3 minutes per item)
- 9. Administrative Updates**

10. Preliminary Approval of Next Meeting Agenda

11. Adjournment

PUBLIC COMMENT PROCEDURES

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

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

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

Citizen Input:

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

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

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

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

Town of Upper Marlboro

June 2023 Treasurer Report

Section 5, Item B.

Budget vs. Actuals: FY23 Budget
July 2022 - June 2023

	Total		
	ACTUAL	BUDGET	OVER (UNDER) BUDGET
Income			
Revenue			
4000 Property Taxes	1,297,353	1,399,540	(102,187)
4200 Fines, Licenses, Permits	614,763	524,783	89,980
4300 Intergovernmental	56,216	59,899	(3,683)
4400 Miscellaneous Revenue	48,961	75,000	(26,039)
4500 Grants	785,877	1,662,610	(876,733)
Total Revenue	\$ 2,803,170	\$ 3,721,832	\$ (918,662)
Expenses			
5000 General Government	901,625	815,202	86,423
6000 Public Safety	911,729	960,601	(48,872)
7000 Public Works	522,482	504,344	18,138
8000 Grants & Awards	368,528	1,441,685	(1,073,157)
Total Expenses	\$ 2,704,364	\$ 3,721,832	\$ (1,017,468)
NET INCOME	\$ 98,806	\$ -	\$ 98,806

Key Monthly Items

1. FY23 YTD Increase in fund balance is 98K.
2. FY23 Budget Amendments adopted and reflect fines revenue is on pace to match budget.
3. At fiscal year end, revenues raised reasonably match budgeted amounts.
from operating revs, income tax collections are under raised, along with grant revenues.
4. Expenses actuals are approximately \$1M underspent as compared to budget.
5. Year end cash balance is at approximately 5 months of budgeted spending, target is 6 months of cash reserves.

Bank Accounts		
1000 Checking Account (Premis) 6968		96,088
1001 Petty Cash		750
1010 Payroll Account (Premis) 6976		370
1015 PGFSB Small Checking (Premis) 4960		1
1040 Parking Meter Checking (M&T)		257,422
1045 Speed & Red Light (M&T) 0013		217,567
1050 ARPA Checking 4957		151,885
1117 WesBanco (CD)		105,142
1140 MLGIP (MM)		811,855
Total Bank Accounts		\$ 1,641,079

Town of Upper Marlboro Police Department

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



David A. Burse
Chief of Police

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

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

Monthly Town Police Department Report For the Month of June 2023

Incidents Reported in Town:

Injured Person 1	Domestic Call 2	Family Dispute 1
Commercial Alarm 1	Hold-up Alarm 2	911 Disconnect 1
Vehicle Accident 5	Miscellaneous Incident 1	Disorderly Call 2
Hit & Run Accident 2	Party Complaint 1	Loud Music Call 1
Assault Call 1	Suspicious Auto 1	Theft from Auto 1
Theft Call 1	Traffic Complaint 3	Check Welfare 4
Residential Alarm 2		

Total calls responded by: Upper Marlboro Police 17 & Prince George’s County Police 16

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

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

Chief Burse and Mayor Franklin, Town Administrator Snyder, and Public Works Director Bond participated in the Business Meeting at Freeman’s Barber Shop parking lot.

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

Sgt. Irby participated in the Town Annual Movie Night Event.

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

Chief Burse, Mayor Franklin, and Town Staff participated in the FOX 5 Zip Trip event at Show Place Arena.

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

Sgt. Irby, Cpl. Brooks, Det. Johnson, Pfc. Anderson, participated in a Domestic Violence Training at Town all.

Chief Burse and Det. Johnson participated in the monthly Coffee with a Cop event.

Chief Burse attended the Memorial Mass Service for John Wyvill.



Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

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

info@uppermarlboromd.gov
www.uppermarlboromd.gov

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

Date: Monday July 17, 2023
Subject: Public Works' Monthly Report
RE: June 2023

Public Works Related

- Ford F-550 finally received from Chesapeake Ford Trucks. Salt spreader and plow removed. Working on getting it registered with County fleet and Gasboy. Next step is getting the PW logos, vehicle numbers, chevron striping for the rear, MES numbers and county hauler inspection.
- PWD attended OEM Hazard mitigation assistance grant program meeting.
- Final review of Hazcom before distribution to staff. Last item pending is First Aid training.
- PWD and Foreman received PD message board shipment. Unloaded and assembled unit.
- PWD and crewmember Raynor stayed over for threat of severe weather to monitor the Town.
- PWD and Foreman Sheckels attended PGCOCs Lunch and Listen held at the community center pavilion.
- PWD attended two Annexation community meetings.
- Assisted grant writer Augustus with info needed for Sustainable Community grant submission.

Maintenance and Beautification

- PWC cut back rose bushes at TH and identified 8 trees/shrubs for pruning.
- PWC preened and mulched TH flower beds and trees.
- PWC Planted spiral evergreens at TH Driveway entry.
- PWC loaded sandbags for business owner in Old Mill Office Park.
- Bushes trimmed along 725 sidewalk, and low hanging limb cut on Valley Ln.
- Flooding of PW office area cleaned up. Foreman Sheckels and I discussed retaining wall installation to prevent backflow from French drain that will hopefully mitigate the issue at a low cost.
- Herbicide treatment completed at PW yard.

Street and Sidewalk / Mead & Hunt Update

- Pedestrian crosswalk pedestal concrete set and hardwired, Pedestal poles still not on site. Driveway aprons, curb bump outs, sidewalk extensions complete on Water St.
- Re-patch of Spring Branch Dr. completed.
- Mead and Hunt engineers submitted a revision to the road survey report. Still reviewing all documents and updating them with additional changes to be made.
- Working to re-schedule miss utility for stop signs.

Refuse Accumulations

- There have been two dump body rentals for the month. Yard waste totals are 2.55, Bulk waste totals are for the month.

Sincerely,
Darnell F. Bond

Sarah Franklin
President

sfranklin@uppermarlboromd.gov

Linda Pennoyer
Commissioner

lpennoyer@uppermarlboromd.gov

Thomas Hanchett
Commissioner / Treasurer

thanchett@uppermarlboromd.gov

Karen Lott
Commissioner

klott@uppermarlboromd.gov

Charles Colbert
Commissioner

ccolbert@uppermarlboromd.gov



Town of Upper Marlboro

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

MEMORANDUM

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

Commissioners,

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

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

Office Statistics:

- Phone Call Volume: 1,104 incoming calls (average of 44 calls per working day M-F)

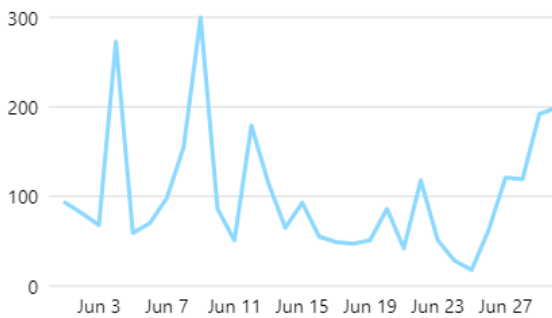
- Room Rentals: 1
- Notaries: 2
- Parking Permits: 56
- Food Truck Permits: 14

Outreach Statistics:
Facebook & Instagram-

Page and profile visits

Facebook visits ⓘ

3,024 ↓ 31.8%



Instagram profile visits ⓘ

702 ↓ 10.1%



Reach

Facebook reach ⓘ

36,783 ↑ 49.6%



Instagram reach ⓘ

2,745 ↑ 22.7%



The Town of Upper Marlboro

RESOLUTION: 2023 - 14
SESSION: Regular Town Meeting
DATED: July 25th, 2023

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO TO AUTHORIZE THE PURCHASE OF A BOBCAT UTV

WHEREAS, the Board of Commissioners for the Town of Upper Marlboro strives to equip its Public Works Department with the proper tools to ensure the cleanliness of our Town for all residents and visitors: and

WHEREAS, the Upper Marlboro Public Works Department has obtained a quote (219921190) from United Rentals, a company in good standing with the State, in the amount of \$12,900.00 to purchase one Bobcat Utility Terrain Vehicle (UTV): and

WHEREAS, Ordinance 2022-06 (Purchasing and Contracts), Section 3.B states that expenditures for supplies, materials, equipment, construction of public improvements or contractual services involving Ten Thousand Dollars (\$10,000.00) to Seventy-Five Thousand Dollars (\$75,000.00), shall be made by the Board without requiring any quotes, advertisements offering sale, proposals or through the use of any other competitive procurement methods; however, a majority of the Board present and voting may elect to require any such competitive method so designated be used; and

WHEREAS, the Town Board of Commissioners hereby finds that sufficient funds have been appropriated to purchase this Bobcat UTV in the FY2024 Budget to be leased or applicable grant funding available,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro hereby authorizes the President and/or the Director of Public Works to execute a Proposal/Quote by United Rentals for an amount not to exceed \$13,000 and to execute any other relevant contract documents to effectuate the purpose of this Resolution.

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on this 25th day of July, 2023.

Attest:

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

Sarah Franklin, President

Charles Colbert, Commissioner

Karen Lott, Commissioner

John Hoatson, Town Clerk

Thomas Hanchett, Commissioner

Linda Pennoyer, Commissioner

CERTIFICATION

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

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 25th Day of July, 2023.

John Hoatson, Town Clerk

Attachment A: Sales Quote 219921190 - Dated 5/22/23



Section 7, Item B.

BRANCH 391
5301 CHRYSLER WAY
UPPR MARLBORO MD 20772-3142
301-627-3800

219921190

Job Site

PUBLIC WORKS
5335 JUDGES DR
UPPER MALBORO MD 20772

Office: 301-627-6905 **Cell:** 301-509-4756

Customer #	: 1459515
Quote Date	: 05/22/23
UR Job Loc	: 5335 JUDGES DR, UPPE
UR Job #	: 5
Customer Job ID:	
P.O. #	: UTILITY VEHICLE
Ordered By	: DARNELL BOND
Written By	: SUSAN NICHOLS
Salesperson	: SUSAN NICHOLS

TOWN OF UPPER MARLBORO
14211 SCHOOL LN
UPPR MARLBORO MD 20772-2866

**This is not an invoice
Please do not pay from this document**

Qty	Equipment #	Price	Amount
1	10485476 CC: 955-1126 UTV 4WD DSL 2SEAT CAB Make: BOBCAT Model: 3650 Model Year: 16 Serial #: B3C212068 HR OUT: 1.000	12900.00	12900.00

Sub-total:	12900.00
Total:	12900.00

CONTACT: DARNELL BOND
CELL#: 301-509-4756
URI ID# 10485476

TO SCHEDULE EQUIPMENT FOR PICKUP, CALL 800-UR-RENTS (800-877-3687)
WE ARE AVAILABLE 24/7 TO SUPPLY YOU WITH A CONFIRMATION #
IN ORDER TO CLOSE THIS CONTRACT

Note: This proposal may be withdrawn if not accepted within 30 days.

WHERE PERMITTED BY LAW, UNITED RENTALS MAY IMPOSE A SURCHARGE OF 1.8% FOR CREDIT CARD PAYMENTS ON CHARGE ACCOUNTS. THIS SURCHARGE IS NOT GREATER THAN OUR MERCHANT DISCOUNT RATE FOR CREDIT CARD TRANSACTIONS AND IS SUBJECT TO SALES TAX IN SOME JURISDICTIONS. THIS IS NOT A SALE AGREEMENT/INVOICE. THE ITEMS LISTED ABOVE ARE SUBJECT TO AVAILABILITY AND ACCEPTANCE OF THE TERMS AND CONDITIONS OF UNITED'S SALE AGREEMENT/INVOICE WHICH ARE AMENDED FROM TIME TO TIME AND POSTED ONLINE AT <https://www.unitedrentals.com/legal/sale-agreement> AND INCORPORATED HEREIN BY REFERENCE. A PAPER COPY OF THE SALE AGREEMENT/INVOICE TERMS IS AVAILABLE UPON REQUEST.

The Town of Upper Marlboro

RESOLUTION: 2023-15
SESSION: Regular Town Meeting
DATE: July 25th, 2023

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO APPROVE THE TOWN OF UPPER MARLBORO VISION PLAN DEVELOPED WITH THE HELP OF TOWN RESIDENT INPUT & BETTER CITY, LLC.

WHEREAS, the Vision of the Town of Upper Marlboro will be an authentic, vibrant, thriving historic Town that leverages its history while boldly embracing an inclusive future; and

WHEREAS, the Vision Plan outlines specific priorities to create a vibrant, connected, and safe place; and

WHEREAS, the Town of Upper Marlboro Vision Plan focuses on the key areas of Vibrant Downtown, Connected Community and a Safe Place; and

WHEREAS, the Town of Upper Marlboro Vision Plan addresses key focus areas of streetscapes; façade development; wayfinding; transportation; parking; Town support; business network; trails; public parks; public art; downtown events; libraries; Showplace Arena; bike / pedestrian safety; bus stop visibility; flooding mitigation and sinkhole prevention; and

WHEREAS, the Vision Plan for the Town of Upper Marlboro will help to create a strong inclusive community that will make it a great place to live, thrive and grow; and

WHEREAS, The Town of Upper Marlboro will implement the Vision Plan according to the timeline and recommendations set forth by the Board of Town Commissioners with input from Better City, LLC.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO that the Board, supports and approves the Vision Plan developed with the help of Town Resident Input and Better City, LLC.

BE IT FURTHER RESOLVED that this Vision Plan shall take effect immediately upon passage.

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a Regular Town meeting on the 25th day of July, 2023.

The Town of Upper Marlboro

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN
OF UPPER MARLBORO, MARYLAND

Sarah Franklin, President

Charles Colbert, Commissioner

Karen Lott, Commissioner

John Hoatson, Town Clerk

Thomas Hanchett, Commissioner

Linda Pennoyer, Commissioner

CERTIFICATION

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

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 25th day of July, 2023.

John Hoatson, Town Clerk



DRAFT



Town of Upper Marlboro Vision Plan

Introduction

The Town of Upper Marlboro has a rich history dating back to the earliest colonial times and retains a close-knit, small-town culture. As the county seat of Prince George’s County, it is the region’s historical center of commerce and entertainment.

This Vision Plan will articulate the core values of the Town and define how those values inform and drive the development of the Downtown, the culture, the places, and the businesses.

Vision

Downtown Upper Marlboro will be an authentic, vibrant, thriving historic town that leverages its history while boldly embracing an inclusive future.

Values

- Thriving & vibrant Downtown
- Safety
- Outdoor recreation
- Natural beauty
- Family-friendly places
- Community connections

The Plan

This Vision Plan outlines specific priorities to create a vibrant, connected, and safe place.

Contents

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Facilitating Connection	8
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Protecting People	10
Strengthening Infrastructure	11

DRAFT

Vibrant Downtown



Town of Upper Marlboro Vision Plan

VISION

Main Street is vibrant and bustling during the workday with excellent dining options, engaging gathering spots and inviting areas to walk and relax during evenings and weekends. Transit and parking are convenient and welcoming. Downtown is connected to the Schoolhouse Pond and surrounding trails by appealing walkways.

Experiencing Downtown

The image a community projects should not only be authentic to its core values but also present an affirmative, aspirational vision anticipating its future. Downtown Upper Marlboro is a symbol of the community’s economic health, the partnership between the private and the public sectors, local quality of life, civic pride, history, and the heart of a community.

Streetscape

The appearance of buildings, storefronts, and streets plays an important role in shaping the character and identity of downtown. A cohesive streetscape with proper lighting, appealing landscaping, trees and well-designed and maintained facades creates a sense of unity and continuity and conveys an image of prosperity and relevance. Inviting, well-attended streetscapes lead to increased foot traffic, more business, and higher property values—creating a thriving and prosperous commercial district that benefits the entire community.

Tasteful landscaping incorporates seasonal colors and verdant contrasts to the brick and mortar buildings, shade trees all along Main Street, wide walkways, inviting spaces to sit and rest all combine to create an peaceful, welcoming ambiance that encourages walking and strolling. Visuals obstructions like power poles and discordant signage are eliminated to preserve sight lines and to maintain the aura of historicity.

Attractive lighting illuminates the downtown area, brightening the ambiance and enhancing the perception of safety.

Façades / Development

The historic buildings along Main Street - some dating back to the early 1700s are an irreplicable treasure. To stay authentic to the Town’s history and leverage the charm of the existing building stock, the street’s aspirational aesthetic is colonial-era historic.

New buildings are designed to integrate into the historic look of surrounding buildings. Building codes reflect design standards that preserve and enhance the historic district. New development in downtown will be two or three stories with restaurant and retail on the bottom floor and offices and housing on the upper floors.

Renovations of existing building stock will conform to the design standards.

In some cases, buildings along Main Street were originally designed as offices. Retail storefronts and restaurants create energy and generate foot traffic that is synergistic to adjacent businesses. Over time and utilizing incentives, office buildings are converted to retail and restaurants and the upstairs converted to housing. Utilizing upper floors for housing creates evening foot traffic downtown and enhances the sense of security.

Building owners make civic-minded investments to improve their façades and refurbish their buildings - contributing to a thriving commercial district.



Experiencing Downtown

Wayfinding

Effective, appealing and prevalent signage (wayfinding) enhances the experience of residents and visitors. Clear signage and directions to key attractions, businesses, shopping areas, and cultural sites help visitors and tourists navigate easily, increasing their satisfaction and encouraging them to explore and spend - supporting local businesses and promoting economic growth.

Strategically placed throughout downtown, visible and visually appealing signs guide visitors in their discovery of Upper Marlboro, while reflecting the town's new branding. These signs are not only visually consistent but also deliver informative and overtly welcoming messages. The additional signages and monuments at the entrances of the downtown area enhance the overall experience for both residents and visitors. These new landmarks will proudly represent the town's grandeur and identity, serving as distinctive symbols that warmly welcome people into the heart of the community. The clear delineation of entrances not only provides practical guidance but also evokes a sense of excitement and anticipation, setting the stage for an immersive and memorable exploration of the vibrant downtown area.

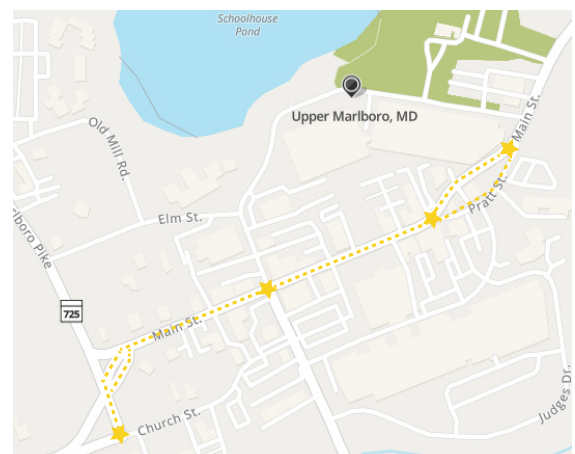
Informative signs direct visitors to abundant, easily accessible parking, from the parking to convenient access to Main Street, and highlights the access to the trail network. Signage highlights local businesses and serves as a business directory. QR codes link to an app that includes information about local businesses and events and curates walking tours.

Local businesses consistently project a friendly and welcoming image, fostering a positive and inviting environment. All private signage throughout the area is crafted with respect, helpfulness, and an inviting tone, further contributing to the overall welcoming atmosphere of Upper Marlboro.

Transportation

Forward-looking transportation connections ensure easy and sustainable access to the Town. From well-integrated bus routes and direct shuttle/trolley links to Metro train stations to designated bike lanes and pedestrian-friendly pathways, these transportation improvements are designed to create a seamless and convenient experience for visitors, allowing them to explore and enjoy the vibrant offerings of Upper Marlboro with minimal hassle.

By prioritizing sustainable transportation options, the town is not only making it more accessible for visitors but also contributing to the preservation of the environment and the overall livability of the community.



Experiencing Downtown

Parking

Abundant and convenient parking encourages people to visit, shop, dine, and browse in the downtown district, boosting local businesses and the overall economic vitality. It creates the perception of easy access and is inviting and contributes to the overall livability and attractiveness of the downtown. The 2010 Parking Study found that there is “sufficient parking in Upper Marlboro.”

While convenient auto access is important, having parking lots for each business can lead to increased walking distances between buildings and detract from the appeal of a walkable downtown environment. Off-street parking, on the other hand, provides unimpeded access to shops and restaurants, allowing for a greater density of attractions within a short walking distance. This contiguous density enhances the overall experience, providing visitors with more to see and do.

To facilitate parking, off-street public parking lots are strategically located at both ends of Main Street. These lots are clearly identified with well-placed signage that directs visitors to the parking areas. The public lots offer low-cost or free parking options and feature convenient and well-marked access points to Main Street. Signboards are strategically placed to welcome visitors and guide them on their journey through downtown.

Private parking is reserved for off-street lots and is clearly indicated to visitors, providing clear directions to alternative parking areas. Excess parking, particularly along Main Street, is repurposed for infill development, ensuring optimal use of the available space and contributing to the ongoing revitalization of the area.



Thriving Businesses

Upper Marlboro’s locally-owned businesses are the foundation of the downtown district’s prosperity and community’s sense of place and connection. The businesses along Main Street play a vital role in creating a vibrant and thriving downtown. From unique shops to restaurants and service providers, the businesses in Upper Marlboro offer a diverse range of offerings that are authentic, unique and appealing and draw people from throughout the area.

Town Support

Upper Marlboro is renowned for its unique, eclectic, authentic shopping and eating scene. Visitors come from a wide area to engage in a unique experience that is completely different from the polished sameness of suburbia.

The Town supports the local business community through policies and programs that support local businesses and help them thrive. Through organic growth and annexation, the Town grows large enough to qualify for a Main Street designation and fully supports the program through grant applications and administrative support. The Town also pursues other grant opportunities to support its businesses.

Especially during the early stages of the renaissance, the Town plays an active role in identifying potential new businesses that would be good fits for its downtown and recruits them. The Town has compelling recruitment materials and an established incentive program to facilitate the recruitment efforts.

Business Network

Businesses in Upper Marlboro band together to provide opportunities to connect with other businesses, potential customers, and resources through a formal networking organization. The networking connections help business owners to build relationships and gain access to new markets, as well as providing opportunities for collaboration through joint marketing efforts, shared resources, and strategic partnerships to support their growth and innovation.

The business network provides small businesses with a collective voice on issues that affect them—enabling them to advocate for policies and regulations that support their interests and address challenges that they may face. The combined market power and shared knowledge of the business owners gives them leverage when working with owners of buildings and

ensures that property owners are fulfilling their obligations as landlords and are investing in their properties.

The support of the Town business network boosts the vitality of all the businesses and the thriving ecosystem allows shops and restaurants to stay open into the evening hours and expand their service offerings.



Connected Community



Residents of Upper Marlboro know their neighbors. They meet at community gatherings, sports events, in public spaces, parks, along trails, and on Main Street. The Town is a place where you can live and work or come home to relax from a job in the city.

Shared spaces and opportunities to gather facilitate connection. Accessible trails, public spaces, community events, and recreational opportunities for a wide range of interests and age groups provide the ability to connect.

Public Connections

Trails

Community trails are consistently identified as the most popular and highly used public amenities. Aside from the fitness benefits, walking engenders a connection with a place and promotes a sense of community.

Town residents value the trails that connect neighborhoods to downtown, Schoolhouse Pond, and the State Trail Network. The well-maintained and accessible trails are identified by trail markers and wayfinding signs throughout the Town. The trails provide such a pleasant experience and are so well connected to downtown, pond and amenities that they become an attraction, bringing visitors from surrounding areas and driving visitation and spending at local businesses.

The Water Street trail develops into a cafe district with restaurants and patio dining along the Patuxent River.

Public Parks

Public parks of various sizes serve as gathering places for planned activities and spontaneous connection. Public parks are a significant contributor to quality of life perception - particularly for families with children, pet owners and the physically active.

Upper Marlboro's has a network of neighborhood parks that are well-maintained, well-appointed, and have amenities and features that are relevant to residents. As new areas are annexed into the Town, they are evaluated for the prevalence and quality of their parks and remediation plans ensure they are quickly brought up to the Town's standards. These parks are thoughtfully designed with features that cater to the needs of residents, providing additional spaces for both residents and visitors to sit back, unwind, and relax.

Acknowledging the impact of parks on quality of life perceptions, the Town makes strategic investments to ensure the parks are prioritized and constantly being upgraded. The parks reflect the community's commitment to nature and provide convenient connections to the trail networks.



Public Connections

Public Art

Public art contributes to the cultural enrichment of a community by adding aesthetic value and diversity to public spaces. It can reflect the history, heritage, and values of a community, fostering a sense of identity and pride among its residents. Public art has the power to transform mundane or neglected areas into vibrant and attractive spaces. Especially in the age of selfies, having unique and notable public art can draw visitors and generate buzz.

Building on the success of the painted horses and murals, public art that is consistent with the Town’s brand and identity is integrated throughout the town and becomes a key driver of the Town’s ‘je ne sais pas’ appeal. The Town has many ‘Instagram-worthy’ vignettes and pieces that become a driver of visits.

Local and regional artists are commissioned to do work based on themes that resonate with the community, and are consistent with the Town’s brand and are done in partnerships with local businesses and artists. Vacant ground-floor spaces are provided free of charge to local artists as studios and visitors can watch art being created while strolling the Town.

Public Art

Art galleries provide a dedicated space where the local and regional artists can showcase their creative works, offering them an invaluable platform for exhibition. By seamlessly integrating these galleries into the town's overall brand and identity, they will contribute to the town's distinct and captivating charm. Collaborating with the local artists, the galleries will curate exhibitions that truly reflects the community’s values and interests, allowing visitors to witness art in progress while exploring the town, thereby enriching their interactive and immersive experience.

Vacant shopfront space is offered to local artist as studio space at no cost so visitors to downtown can witness art in the making - enhancing the downtown experience while also creating more interest in the art.



Facilitating Connection

Facilitating opportunities for community members to connect is essential for creating a strong and cohesive community. When community members connect with each other, they develop relationships and a sense of belonging, which can help to promote social cohesion and a shared sense of purpose. Connecting with others in the community can promote social and cultural understanding, as individuals learn about different perspectives, experiences, and backgrounds. This can help to break down barriers and promote a more inclusive and welcoming community.

Downtown Events

Upper Marlboro is a destination location for community events that appeal to a wide range of interests and age groups. The Town's Events Committee, established in 2019 to build community and relationships, hosts events throughout the year. Building on the success of events such as Marlboro Day, Trunk or Treat, Outdoor Movie Nights, the Classic Car Show, the Happy Leaf Art Festival, additional high quality events are created.

Main Street is the centerpiece of the events and the downtown is filled with residents and visitors who shop at the stores, browse the galleries, and eat at the restaurants and cafés. Ice cream shops, coffee shops, and food trucks in the downtown area serve an exciting variety of flavors and cuisines, satisfying the cravings of locals and visitors alike. Events are well-promoted and high quality but don't detract from the Town's culture of being family friendly, relaxed, and welcoming.

Libraries

Library upgrades transform it into a vibrant community gathering place, catering to the diverse needs and interests of residents. The library features comfortable seating areas, collaborative workspaces, and dedicated zones for children, teens, and adults. Through these upgrades, the library has evolved into a dynamic hub where individuals can gather, connect, and foster a sense of belonging, promoting the exchange of ideas and fostering lifelong learning.

Showplace Arena

There is strong collaboration and coordination between the Town and County for events at the Showplace Arena. Signage, inviting walkways, shuttle busses and marketing materials encourage participants in Showplace events to explore Main Street. Signage and marketing materials create awareness of and interest in Main Street.

For larger arena events there are concurrent events on Main Street that are synergistic events that bring event participants downtown.



DRAFT

Safe Place



Upper Marlboro is a community where children walk to their bus stops and are safe. Kids walk and bike to meet up with their friends after school and on the weekends. Adults walk to commercial centers and parks for exercise or convenience. Town residents know police officers by name, consider them community partners and go to them with their concerns. When an emergency happens, residents know they will have a compassionate, safe, and timely response from their neighbors, police, fire, and EMS services.

DRAFT

Protecting People

Roadway design has a strong impact on how people drive and has greater influence on driver behavior than the posted speed limit. Driver and pedestrian safety - feeling safe on the roads, is a significant quality of life determinant. The Town coordinates with the County and State Highway Administration to provide vehicular and non-vehicular routes.

Bike & Pedestrian Safety

Upper Marlboro coordinates with the County and SHA to design safer streets — such as narrowing traffic lanes and turn radii, curb extensions, high-visibility crosswalks, and creating connected and accessible sidewalks and bike networks.

Bus Stop Visibility

The placement of school bus stops dictates not only the routes that students will have to travel between home and the stop, but also the conditions in which the student will be waiting, and both impact student safety. The Town and Prince George’s County Public Schools District work together to ensure that the sites of bus stops are located according to best practices for student safety.



Strengthening Infrastructure

Strengthening infrastructure against flooding and sinkholes is crucial for ensuring the safety of people in a community. Floods and sinkholes can cause extensive damage to homes, businesses, and public infrastructure, and can even threaten the lives of those in affected areas. By strengthening infrastructure, such as improving drainage systems and reinforcing bridges and roadways, communities can reduce the risk of flooding and sinkholes and ensure that critical infrastructure remains intact during extreme weather events.

Flooding Mitigation

Flooding occurs regularly in Upper Marlboro, impacting mobility around Town as well as flooding residences, businesses, and government offices. If there is a large storm event upriver from Upper Marlboro it is possible for two to three of the four main entrances and exits to Town to flood and become impassable for a time. There are areas of Town where residents can be stuck in their neighborhoods because the roads are impassable. Further, homes frequently flood throughout town in large storm events. As climate conditions worsen the need for adequate stormwater management systems will only increase.

Public Works Crews monitor sites when there is potential flooding to close the sites when flooded to keep the drivers safe. Long-term solutions are studied and funding acquired. Over time, structural solutions dramatically reduce the incidence of and impact of flooding.

Sinkhole Prevention

A sinkhole is an area of ground that has no natural external surface drainage—when it rains, the water stays inside the sinkhole and typically drains into the subsurface. Sinkholes can vary drastically in size, and while they typically form slowly, the collapse tends to happen suddenly. Sinkholes can result from both natural and human causes, and the first step to preventing future sinkholes is to understand what is causing the sinkholes in Upper Marlboro.

The Department of Public Works coordinates with the Washington Suburban Sanitary Commission (WSSC), USGS, and Prince Georges County Soil Conservation District to study sinkholes in the Town and determine their cause. They jointly pursue funding to address and remediate current problem areas and prevent future occurrences.



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

DRAFT

ORDINANCE: 2023-06

SESSION: Regular Town Meeting

INTRODUCED: July 25, 2023

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

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

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

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

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

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

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

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

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

* * *

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

§ 3-1. Town seal and logos.

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

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



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

D. Description of Logos.

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

Please use these images as reference for the question below



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



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



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



§ 3-2. Custodian of seal and logos.

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

§ 3-3. Definitions.

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

TOWN LOGO

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

TOWN SEAL

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

TOWN STATIONERY

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

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

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

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

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

- (1) Use on Town stationery or other Town written or printed materials.
 - (a) Containing the printed names of the Mayor, or members of the Board of Commissioners when specifically authorized by the Town Board of Commissioners;
 - (b) Containing the printed name of a Town official upon prior consent of the respective Town official;
 - (c) By a Town official or employee used in authorized and official Town business; and
 - (d) By a member of the Board for individual correspondence as appropriately authorized, or the reproduction and distribution of a commissioner's letter by the recipient thereof, at no cost to the Town of Upper Marlboro.
- (2) Use on written or printed material in support of or in opposition to any state or federal legislation or statewide referendum, initiative or other ballot measure, when specifically authorized by a majority of the members of the Board.
- (3) Use for embroidery or other placement on uniforms, named badges and other clothing and identification materials worn or used by Town employees and Town officials.

(4) Use for printing on official Town promotional and recognition materials, such as pens, plaques, coffee mugs and other similar items as may be approved by the Mayor.

(5) Use by elected Town officials, at their own expense, for printing or placement on materials, such as shirts, pens, coffee mugs and other similar items.

(6) For use on Town signage, marketing materials, town buildings, town vehicles, social media and other online platforms, or any other items at the discretion of the Board of Commissioners.

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

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

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

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

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

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

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

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

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

§ 3-6. Violation constitutes a misdemeanor.

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

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

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

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

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

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

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

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

John Hoatson, Town Clerk

Sarah Franklin, President

Date: _____

Charles Colbert, Commissioner

Thomas Hanchett, Commissioner

Karen Lott, Commissioner

Linda Pennoyer, Commissioner

Reviewed and Approved for Legal Sufficiency:

Kevin J. Best, Esq.

Date: _____

CERTIFICATION

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

John Hoatson, Town Clerk

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

John Hoatson, Town Clerk

Sarah Franklin, President

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

Date: _____

Charles Colbert, Commissioner

Thomas Hanchett, Commissioner

Karen Lott, Commissioner

Linda Pennoyer, Commissioner

Reviewed and Approved for Legal Sufficiency:

Kevin J. Best, Esq.

Date: _____

CERTIFICATION

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

John Hoatson, Town Clerk

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

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

ORDINANCE: 2023-08
SESSION: Regular Town Meeting
INTRODUCED: July 25th, 2023
DATE ENACTED: _____

**AN ORDINANCE RELATING TO ADOPTING AND APPROVING BUDGET
AMENDMENTS FOR THE FISCAL YEAR 2023 BUDGET**

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

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

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

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

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

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

WHEREAS, the Town Charter, Section 82-43 prescribes that any transfer of funds between

major appropriations for different purposes by the President must be approved by the Board becoming effective; and

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

WHEREAS, the Board of Town Commissioners has previously approved Ordinance No. 2022-03 on June 7th, 2022 which in Section 4 thereof states that all budget amendments transferring monies between general classifications of expenditures or appropriations as reflected in the budget ordinance shall be submitted to the Board for approval, from time to time, by ordinance pursuant to Md. Code Ann., Art. 23A, §2(b), now codified as Md. Code Ann., LG Article, Section 5-205(b)(4); and

WHEREAS, the Board of Town Commissioners finds that it is necessary to amend Ordinance No. 2022-03 by allocating and appropriating funds for the following reason: To adjust revenue line items with year-end budget amounts, and enhancing or decrease allocations between departments of expenditure line items, due to the elimination of certain staff positions; and

WHEREAS, the Board of Town Commissioners finds that it is necessary to amend Ordinance No. 2022-03, and supersede Ordinance No. 2023-01 by reallocating Town funds and limiting expenditures in several Town Departments.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AND ENACT AS FOLLOWS:

Section 1. The Fiscal Year 2023 Budget Ordinance 2022-03, and supersede Ordinance No. 2023-01 as restated in the center column below, and as divided into the following indicated major anticipated revenue funds or having the estimated amounts at the time of the tax levy as indicated herein below, is hereby amended and readopted as indicated in the far-right column below as follows:

<u>REVENUE SOURCE</u>	<u>AMENDED FY 23 BUDGET AMOUNT</u>	<u>AMENDED FY23 BUDGET AMOUNT</u>
Taxes	\$1,399,540	\$1,399,540
Fines, License and Permits	\$444,407	\$521,707
Intergovernmental	\$299,899	\$299,899
Miscellaneous Revenue	\$75,000	\$151,500
Total Revenues:	\$2,218,846	\$2,372,646

Section 2. The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the FY 2020 Budget Ordinance 2022-03, as amended by this FY 2023 Amendatory Budget Ordinance 2023-01 shall equal or exceed the

total of the proposed expenditures within the following general classification of expenditures and appropriations having the amounts as indicated herein below, is hereby amended and readopted as indicated in the far-right column below as follows:

<u>EXPENDITURES</u>	<u>FY23 ADOPTED BUDGET AMOUNT</u>	<u>FY 23 AMENDED BUDGET AMOUNT</u>
General Government	\$815,202	\$941,502
Public Safety	\$568,283	\$568,283
Public Works	\$484,344	\$511,844
Transfer to CIP	\$96,610	\$96,610
Speed & Red-Light Program	\$254,407	\$254,407
Total Expenditures:	\$2,218,846	\$2,372,646

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that except for the revenue and expenditure amounts provided hereinabove in Sections 1 and 2 as amendments, the remaining provisions of the FY 2023 Budget Ordinance 2022-03 shall remain in full force and effect as if written word for word within this Ordinance and readopted herein.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the tax levy for Fiscal Year 2023 for the Town of Upper Marlboro and all other taxes, liens, and/or fees prescribed therein shall remain as previously approved and adopted in the FY 2023 Budget Ordinance 2022-03.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter this Ordinance shall be posted in the Town office and this FY 2023 Amendatory Budget Ordinance 2023-08 or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

AYES: _____ NAYES: _____ ABSENT: _____

INTRODUCED in a public session of the Board of Commissioners on this _____ day of _____, 20____:

ORDAINED, APPROVED AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this _____ day of _____, 20____, by:

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

Sarah Franklin, President

Charles Colbert, Commissioner

Thomas Hanchett, Commissioner

Karen Lott, Commissioner

John Hoatson, Town Clerk

Linda Pennoyer, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____

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

EMERGENCY ORDINANCE: 2023-09

SESSION: Regular Town Meeting

INTRODUCED: July 25, 2023

ENACTED: July 25, 2023

AN EMERGENCY ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO AUTHORIZING THE PURCHASE OF 5510 OLD CRAIN HIGHWAY ALSO KNOWN AS PARCEL 197, TAX ACCOUNT NO. 03-0235184, APPROXIMATELY 26.03 ACRES IN AREA, LOCATED NEAR THE TOWN OF UPPER MARLBORO AND THE EXECUTION OF A CONTINGENCY LAND SALES CONTRACT CONVEYING SAID REAL PROPERTY TO THE TOWN; AND GENERALLY RELATING TO THE ACQUISITION OF REAL PROPERTY FOR A PUBLIC PURPOSE.

WHEREAS, Md. Ann. Code, LG Art., § 5-204 and § 82-81 of the Town Charter authorizes the Town to acquire real, personal, or mixed property within or without the corporate limits of the Town for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise and may sell, lease, convey, or otherwise dispose of or encumber any property belonging to the Town, at public or private sale after 20 days public notice, and convey to the purchaser any real or leasehold property belonging to the municipality if the legislative body of the municipality determines that the property is no longer needed for public use; and

WHEREAS, the real estate that is the subject of this ordinance (the “Subject Property”) has an address of 5510 Old Crain Highway, Upper Marlboro, MD 20772, is owned by AIM Manassas School Building, LLC and the Subject Property is depicted on Map 0101, Grid E2, Parcel 197, Neighborhood 3010001.17; and

WHEREAS, the subject parcel is located between MD Route 4 and Old Crain Highway in Upper Marlboro, Prince George’s County, and the site is unimproved, irregular in shape, and is zoned RR or Residential, Rural; and

WHEREAS, the Board of Commissioners has retained the legal services of Byron L. Huffman, P.C. for representation in the matter of the acquisition of 5510 Old Crain Highway, Upper Marlboro, MD 20772; and

WHEREAS, the Town has allocated funds in the FY 2024 Budget which may be utilized to purchase the subject property and is seeking Program Open Space (POS) Funding from the Md. Department of Natural Resources; and

WHEREAS, an Unimproved Land Contract of Sale for the Subject Property dated 5/22/2023, attached hereto as Exhibit A, provides that the seller agrees to sell the subject property for \$516,000.00 subject to certain contingencies including obtaining State POS funding; and

WHEREAS, the Board of Town Commissioners finds it to be in the best interest of the Town to

ratify and approve the purchase of the subject property which is planned to be used for a public use such as a park or open space; and

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

WHEREAS, said Section 82-11 further states that in cases of emergency, the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by unanimous vote of the Board of Commissioners; and

WHEREAS, the Board of Town Commissioners further finds there is a need to expedite the adoption of this ordinance to ensure the acquisition of property, facilitate cooperation and agreement between the parties to the transaction and further promote the health, safety and welfare of the public.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, that said Board hereby authorizes and approves the purchase and acquisition of certain real property located 5510 Old Crain Highway, Upper Marlboro, MD 20772 near the Town of Upper Marlboro, Maryland as further described in the above recitals for a purchase price of \$516,000.00 (credited by \$9,000.00 as earnest money deposit) for the land and other transactional costs provided that settlement costs shall be paid by the Town as follows and as indicated on the ALTA Settlement Statement – Combined dated 7/13/2023, attached hereto and incorporated herein as Exhibit B: (i) \$5,764.75 in County taxes, (ii) Title Charges of \$3,518.00, (iii) Recordation and Transfer Charges (shared 50/50) of \$6,381.00, and (iv) Added Settlement Charges of \$275.

AND BE IT FURTHER ORDAINED AND ENACTED, that the Town Board of Commissioners further ratifies and authorizes the President to enter into a Purchase Agreement, or Unimproved Land Contract of Sale for the Subject Property with the seller, AIM MANASSAS SCHOOL BUILDING, LLC, of said property, attached hereto and incorporated herein as Exhibit A, and to execute any documents necessary to complete the sale and transfer of fee simple title in said property to the Town.

AND BE IT FURTHER ORDAINED AND ENACTED, that the Town Board of Commissioners further authorizes and approves the Mayor to sign on behalf of the Town any and all documents and legal instruments to carry out the purposes and intent of this ordinance.

AND BE IT FURTHER ORDAINED AND ENACTED, that the Town Board of Commissioners further authorizes and approves engaging the services of Assurance Title, LLC to serve as the settlement agent for the subject transaction.

AND BE IT FURTHER ORDAINED AND ENACTED, that the Town Board of Commissioners further authorizes and directs the Town Treasurer to pay the amounts set forth in the applicable agreements regarding said real estate transaction upon receipt of appropriate documentation, and the Town Treasurer under the supervision of the Mayor is further authorized to amend the FY 24 Budget, as necessary before the transaction, to delineate, authorize and appropriate said real estate purchase in the total line item amount of \$516,000.00 or the actual costs, whichever is less, which if not done so at the time of levy, is to be approved by the requisite majority or 2/3rds vote of the legislative

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that due to the exigent circumstances and important governmental interests as indicated in the above recitals and herein and in order to further promote the health, safety and welfare of the Town and the general public, the Charter provision requiring that an ordinance may not be passed at the meeting at which it is introduced is hereby suspended by unanimous vote of the Board of Commissioners, and that this Emergency Ordinance shall become effective immediately following approval by the Board of Commissioners.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland, that this ordinance shall become effective immediately upon approval by the Board of Commissioners.

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

INTRODUCED and **ADOPTED** in a public session of the Board of Commissioners on this 25th day of July, 2023.

ORDAINED, APPROVED, AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this 25th day of July, 2023, by:

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

John Hoatson, Town Clerk

Sarah Franklin, President

Date: _____

Charles Colbert, Commissioner

Thomas Hanchett, Commissioner

Karen Lott, Commissioner

Linda Pennoyer, Commissioner

Reviewed and Approved for Legal Sufficiency:

Section 7, Item G.

Kevin J. Best, Esq.

Date: _____

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Clerk of the Town of Upper Marlboro, Maryland, that on the 25th day of July 2023 with _____ Aye (unanimous) votes and _0_ Nay votes, the aforesaid Ordinance 2023-09 passed.

John Hoatson, Town Clerk