



**Agenda of the Meeting of the City Council
City of New Carrollton**

WEDNESDAY, DECEMBER 19, 2018, 7:00 P.M.

Council Action

1. Call-to- Order/ Pledge of Allegiance
2. **Presentation** – 2018 Holiday Decorating Contest Winners
3. **Report of the Treasurer – Consideration of Bills**
Batch #1 (November 21, 2018)
Batch #2 (December 3, 2018)
Batch #3 (December 6, 2018)
Batch #4 (December 13, 2018)
4. **Meeting Minutes**
 - a.) City Council Workshop Meeting Minutes (November 7, 2018)
 - b.) City Council Workshop Meeting/Special Legislative Meeting Minutes (November 19, 2018)
5. **Council Member Announcements** (1 Minute Each)
6. **Public Hearing** – Ordinance 19-04: Chapter 50 Elections
7. **Public Hearing** – Ordinance 19-05 Chapter 12 Ethics
8. **Public Hearing** – Emergency Ordinance 19-06 Chapter 6 Budget and Finance
9. Additions to the Agenda by the Council
10. **OLD BUSINESS**
11. **Ordinance 19-04: Chapter 50 Elections (Second Reading)**
Motion: I move that the Council adopt Ordinance 19-04, an Ordinance of the City Council of New Carrollton amending the Code to the City of New Carrollton, Chapter 50 “Elections” to add section 50-2A “Nominating Petitions” requiring that candidates identify the office for which they are running in their nominating petition; Section 50-35 “Authority Line” clarifying the circumstances under which an authority line is required and what it is to contain; Section 50-36 “Vote Count” clarifying the process for counting votes and who may be present during the count; Section 50-37 “Challengers and Watchers” clarifying what challengers and watchers are permitted to do; and Section 50-38 “Certification of Candidates Elected” requiring, consistent with the City Charter, that all successful candidates be qualified for the office to which they are elected (Second Reading). –
Nembhard

12. **Emergency Ordinance 19-06: Chapter 6 Budget and Finance (Second Reading)** _____

Motion: I move that the Council adopt Ordinance 19-06, an emergency Ordinance of the City Council of New Carrollton amending the Code of the City of New Carrollton, Chapter 6 “Budget and Finance” to add Section 6-0 “City Treasurer” to name the Director of Finance and Accounting as the City Treasurer, to amend Section 6-6 “Issuance of Checks” to clarify the City’s process for issuing checks to make payments to satisfy City financial obligations and to authorize electronic signatures, and to amend Section 6-7 Petty Cash Fund to make the Director of Finance and Accounting Responsible for the Fund (Second Reading). – **Peterson**

13. **NEW BUSINESS**

14. **Charter Amendment Resolution 19-01: Elections (First Reading)** _____

Motion: I move that the Council introduce Charter Amendment Resolution 19-01: Election, a Charter Amendment Resolution of the City Council of New Carrollton amending City Charter, Section C-3 “Government of the City” to remove the requirement for staggered term for elected officials and to provide for how the change will occur; and amending City Charter Section C-7 “Elections” to effectuate the elimination of staggered terms (First Reading). – **Robbins**

15. **Emergency Ordinance 19-09 Budget Amendment Reconciliation No. Two: To Amend Ordinance 18-08 Current Expense Budget for FY 2019** _____

Motion: I move that the Council adopt Emergency Ordinance 19-09, an Emergency Ordinance of the City Council of New Carrollton amending the adopted budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019 as embodied in Ordinance 18-08 to reflect money brought into the budget from City Restricted/Designated Funds and to adjust various expenditures. – **Nembhard**

16. **Approval of City Van Purchase** _____

Motion: I move that the Council authorize the Administration and the Department of Public Works to purchase a Dodge Grand Caravan SE with a rear-entry wheelchair ramp in the amount of \$35,810.00 from Ride-Away/Mobility Works for the purposes of providing senior transportation within our Call-A-Bus Program. – **Robbins**

17. **Ordinance 19-10 Chapter 100 Streets and Sidewalks (First Reading)** _____

Motion: I move that the Council introduce Emergency Ordinance 19-10, an Ordinance of the City Council of New Carrollton, amending City Code Chapter 100, “Streets and Sidewalks” to rename the Chapter “Streets, Sidewalks, Public Property and Rights-of-Way”, to divide the Chapter into two articles, with the existing provisions of Chapter 100 becoming Article I, “General Provisions” and adding Article II “Wireless Telecommunications Facilities in Public Rights-Of-Way” to provide for certain standards and regulations relating to the location of small wireless telecommunications towers, antennae, and other structures within the City’s public-rights-of-way or on City property, consistent with federal and state law (First Reading). – **Lashley**

18. **Ordinance 19-07 Chapter 75 Licenses (First Reading)**
Motion: I move that the Council introduce Ordinance 19-07, an Ordinance of the City Council of New Carrollton repealing Chapter 75 “Licenses and Permits” of the Code of the City of New Carrollton and Re-Enacting Chapter 75 “Licenses” of the Code of the City of New Carrollton (First Reading). – **Lashley**
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19. **Ordinance 19-08 Chapter 89 Rental Property (First Reading)**
Motion: I move that the Council introduce Ordinance 19-08, an Ordinance of the City Council of New Carrollton amending the Code the City of New Carrollton to repeal in its entirety Chapter 89 “Rental Property” and to Re-Enact City Code Chapter 89 as “Rental Property – Licensing and Inspection” (First Reading). – **Peterson**
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20. **Resolution 19-06 Early Voting for 2019 Election**
Motion: I move that the Council adopt Resolution 19-06, a Resolution of the Mayor and City Council of New Carrollton setting the date and time for Early Voting (Saturday, April 27, 2019 – from 8:00 a.m. until 4:00 p.m.) for the May 6, 2019 City Election – **Robbins**
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21. **Resolution 19-07 Endorsing a Membership Roster for the City of New Carrollton Green Team**
Motion: I move that the Council adopt Resolution 19-07, a Resolution of the Council of the City of New Carrollton endorsing a membership roster for the City of New Carrollton Green Team established under the sustainable Maryland Certified Program. – **Nembhard**
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22. **Resolution 19-08 Renewable Energy Policy**
Motion: I move that the Council adopt Resolution 19-08, a Resolution of the City Council of New Carrollton adopting a policy declaring the City of New Carrollton intent to take a leadership role in renewable energy generation within the City of New Carrollton, partnering with the Maryland Energy Administration, and enrolling as a Maryland Smart Energy Community. – **Lashley**
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23. **Adjournment**
This Agenda is subject to change. If this agenda is modified it will be reposted to the City of New Carrollton’s website: www.newcarrolltonmd.gov. If you have any questions please contact the City Clerk at (301) 459-6100.

CITY OF NEW CARROLLTON
WORKSHOP/ LEGISLATIVE MEETING

MORE THAN \$10,000.00 CHECKS:

1 FANNON PETROLEUM SERVICES, INC (Gasoline usage)	13,312.00
2 LOCAL GOVT. INSURANCE TRUST (Monthly health insurance)	91,415.51
3 OCTAGON SERVICES,INC (Fuel pump & system)	12,517.38
4 PRINCE GEORGE'S COUNTY (Landfill fees - 10/18)	17,405.09
5 GOODE COMPANIES INC. (Refuse collection contract)	11,287.04
6 FANNON PETROLEUM SERVICES, INC (Gasoline usage)	10,147.59
7 PRINCE GEORGE'S COUNTY (Landfill fees - 11/18)	14,453.23
	<u>170,537.84</u>

PAYMENT DESCRIPTION:

1st BATCH TOTAL(11/21/18) - 4 pages (Total amount of all of the Bills for this Batch)	153,840.12
2nd BATCH TOTAL (12/03/18) - 7 pages (Total amount of all of the Bills for this Batch)	34,143.59
3rd BATCH TOTAL (12/06/18 - 3 pages) (Total amount of all of the Bills for this Batch)	27,492.71
4th BATCH TOTAL (12/13/18 - 6 pages) (Total amount of all of the Bills for this Batch)	62,707.48
	<u>278,183.90</u>

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
TD GENERAL AUTOZONE STORES LLC				
11/09/2018	1833980253	12/09/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	79.29 <i>FE</i>
Invoice Total				79.29 <i>CS</i>
11/10/2018	1833981220	12/10/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	19.99 <i>FE</i>
Invoice Total				19.99 <i>CS</i>
Vendor Total				99.28
CENTRAL TRUCK CENTER, INC.				
11/13/2018	920056	12/13/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	74.62 <i>FE</i>
Invoice Total				74.62 <i>CS</i>
11/13/2018	920057	12/13/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	13.79 <i>FE</i>
Invoice Total				13.79 <i>CS</i>
11/14/2018	920143	12/14/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	121.14 <i>FE</i>
Invoice Total				121.14 <i>CS</i>
11/15/2018	920179	12/15/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	242.28 <i>FE</i>
Invoice Total				242.28 <i>CS</i>
Vendor Total				451.83
CINTAS CORPORATION LOC 41				
11/08/2018	041311414	12/08/2018 01-3510-52550	JANITORIAL SUPPLIES JANITORIAL SUPPLIES	118.13 <i>FE</i>
Invoice Total				118.13 <i>CS</i>
Vendor Total				118.13
CITY OF COLLEGE PARK				
11/02/2018	18784	12/02/2018 01-3710-51115	COMPOST FEES COMPOST FEES	390.00 <i>FE</i>
Invoice Total				390.00 <i>CS</i>
Vendor Total				390.00
COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC				
11/29/2018	1811 - 4894254	12/29/2018 01-1510-50430	8015 PRINCESS GARDEN PKWY CABLE TELEVISION OPERATION	57.10 <i>FE</i>
Invoice Total				57.10 <i>CS</i>
Vendor Total				57.10
COUNCIL, BARADEL, KOSMERI & NOLAN, P.A				
10/31/2018	206068	10/30/2018 01-1510-50300	LEGAL SERVICE CHARGES - 10/18 LEGAL SERVICES	1,707.97 <i>FE</i>
Invoice Total				1,707.97 <i>CS</i>
Vendor Total				1,707.97
DOMESTIC UNIFORM RENTAL				
11/13/2018	1113186205	12/13/2018 01-3510-53570	UNIFORMS - RENTAL UNIFORMS	33.02 <i>FE</i>
Invoice Total				33.02 <i>CS</i>
11/13/2018	1113186208	12/13/2018 01-3510-53570	UNIFORMS - RENTAL UNIFORMS	252.63 <i>FE</i>
Invoice Total				252.63 <i>CS</i>
Vendor Total				285.65

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
ELECTRONIC SYSTEMS, INC				
11/18/2018	IN1114577	12/18/2018 01-1510-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	14.04 <i>FF</i>
			Invoice Total	14.04 <i>W</i>
			Vendor Total	14.04
EXPRESS SERVICES, INC				
10/30/2018	21401352	11/29/2018 01-3810-50330	PAYMENT FOR WEEKENDING FOR L.CHAPMAN & K.GILCHRIST TEMPORARY LABOR SUPPORT	1,292.40 <i>FF</i>
			Invoice Total	1,292.40 <i>CO</i>
			Vendor Total	1,292.40
FANNON PETROLEUM SERVICES, INC.				
11/07/2018	000135939	12/07/2018 01-3510-52140	DIESEL USAGE VEHICLE GASOLINE USE	13,312.00 <i>FF</i>
			Invoice Total	13,312.00 <i>CO</i>
			Vendor Total	13,312.00
FLEETPRIDE				
11/09/2018	14380021	12/09/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	489.99 <i>FF</i>
			Invoice Total	489.99 <i>CO</i>
11/09/2018	14380729	12/09/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	10.88 <i>FF</i>
			Invoice Total	10.88 <i>CO</i>
11/09/2018	14381293	12/09/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	9.82 <i>FF</i>
			Invoice Total	9.82
			Vendor Total	510.69
FRED PRYOR SEMINARS				
11/16/2018	5159060	12/16/2018 01-2510-53520	TRAINING RENEWAL - I. THOMAS EMPLOYEE TRAINING	199.00 <i>FF</i>
			Invoice Total	199.00 <i>CO</i>
			Vendor Total	199.00
GRAINGER				
11/16/2018	9007606933	12/16/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	18.89 <i>FF</i>
			Invoice Total	18.89 <i>CO</i>
			Vendor Total	18.89
LANDOVER PRINTING CENTER				
11/01/2018	24876	12/01/2018 01-2510-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	76.20
11/01/2018	24876	12/01/2018 01-1510-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	76.20
11/01/2018	24876	12/01/2018 01-2010-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	76.20
			Invoice Total	228.60 <i>FF</i>
11/09/2018	24913	12/09/2018 01-2510-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	40.00 <i>FF</i>
			Invoice Total	40.00 <i>CO</i>
			Vendor Total	268.60

CITY OF NEW CARROLLTON

Cash Requirement Report

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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
LOCAL GOVT. INSURANCE TRUST				
11/01/2018	1812 - 3332824NCARRB	12/01/2018 01-3000-20101	MONTHLY HEALTH INSURANCE HEALTH INSURANCE PAYABLE	91,415.51 <i>JK</i>
			Invoice Total	91,415.51 <i>CO</i>
			Vendor Total	91,415.51
MARYLAND ENVIRONMENTAL SERVICE				
11/08/2018	407055	12/08/2018 01-3710-51115	COMPOST FEES COMPOST FEES	601.25 <i>JK</i>
			Invoice Total	601.25 <i>CO</i>
			Vendor Total	601.25 <i>✓</i>
MD MUNICIPAL PUBLIC WORKS OFFICIALS ASSOC.				
11/15/2018	2018/2019 ANNUAL	12/15/2018 01-3510-53510	MEMBERSHIP DUES - 2018/2019 - W. COCHRAN DUES & SUBSCRIPTIONS	75.00 <i>JK</i>
			Invoice Total	75.00 <i>✓</i>
			Vendor Total	75.00 <i>CO</i>
MID-ATLANTIC WASTE SYSTEMS				
8/13/2018	C38043	9/12/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	492.80 <i>JK</i>
			Invoice Total	492.80 <i>✓</i>
			Vendor Total	492.80 <i>CO</i>
NOW TECHNOLOGIES, INC				
11/05/2018	NOV18-022	12/05/2018 01-1510-50200	COMPUTER & IT SUPPORT COMPUTER & IT SUPPORT	4,000.00 <i>JK</i>
			Invoice Total	4,000.00 <i>✓</i>
			Vendor Total	4,000.00 <i>CO</i>
OCTAGON SERVICES, INC				
10/11/2018	113199A	11/10/2018 01-3510-57441	DUAL PRODUCT SUCTION PUMP SYSTEM FURNISH & INSTALLATION FUEL PUMP & SYSTEM	12,217.38
10/11/2018	113199A	11/10/2018 01-3510-57441	DUAL PRODUCT SUCTION PUMP SYSTEM FURNISH & INSTALLATION FUEL PUMP & SYSTEM	300.00 <i>JK</i>
			Invoice Total	12,517.38 <i>CO</i>
			Vendor Total	12,517.38
OURISMAN CHEVROLET OF BOWIE				
11/16/2018	240807CVW	12/16/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	357.89 <i>JK</i>
			Invoice Total	357.89 <i>✓</i>
			Vendor Total	357.89 <i>CO</i>
PEPCO				
11/02/2018	1810 - 7652672	12/02/2018 01-3610-51210	8328 VERONA DR A STREET LIGHTING	14.85 <i>JK</i>
			Invoice Total	14.85 <i>✓</i>
			Vendor Total	14.85 <i>CO</i>
PRINCE GEORGE'S COUNTY				
11/02/2018	1810 - 3214	12/02/2018 01-3710-51100	LANDFILL FEES - 10/18 LANDFILL FEES-COUNTY	17,405.09 <i>JK</i>
			Invoice Total	17,405.09 <i>CO</i>
			Vendor Total	17,405.09
RITCHIE LAND RECLAMATION, LLC				
11/11/2008	0000060567	12/11/2008 01-3610-51110	STUMPS/BRUSH LANDFILL FEES	2,291.26 <i>JK</i>
			Invoice Total	2,291.26 <i>CO</i>
			Vendor Total	2,291.26

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
SANIJOHN				
11/03/2018	0000004901	12/03/2018 01-3810-52180	MONTHLY RENTAL CHARGES EQUIPMENT RENTAL & PORT A POTTY	645.00 <i>AF</i>
Invoice Total				645.00 <i>cb</i>
Vendor Total				645.00
STAPLES BUSINESS ADVANTAGE				
11/03/2018	8052020584	12/03/2018 01-3010-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	41.24 <i>AF</i>
Invoice Total				41.24 <i>✓</i>
Vendor Total				41.24 <i>cb</i>
VERIZON A/C # 755-300-184-0001-65				
11/10/2018	1811 - 000165	12/10/2018 01-1510-54010	6016 PRINCESS GARDEN PKWY TELEPHONES	119.99 <i>AF</i>
Invoice Total				119.99 <i>cb</i>
Vendor Total				119.99
WASHINGTON GAS				
11/05/2018	1810 - 003822	12/05/2018 01-1510-54080	6016 PRINCESS GARDEN PKWY UTILITY-NATURAL GAS	65.53 <i>AF</i>
Invoice Total				65.53 <i>cb</i>
11/09/2018	1810 - 613886	12/09/2018 01-1510-54150	8511 LEGATION RD UPKEEP OF HANKO BUILDING	44.02 <i>AF</i>
Invoice Total				44.02 <i>cb</i>
Vendor Total				109.55
WILDES-SPIRIT PRINTING				
11/07/2018	10494	12/07/2018 01-1510-50450	CITY NEWS LETTER CITY NEWSLETTER	3,995.22 <i>AF</i>
Invoice Total				3,995.22 <i>cb</i>
Vendor Total				3,995.22
WINDSTREAM				
11/13/2018	1811 - 272451	12/13/2018 01-1510-54010	TELEPHONE SERVICES - 11/18 TELEPHONES	780.94
11/13/2018	1811 - 272451	12/13/2018 01-3510-54010	TELEPHONE SERVICES - 11/18 TELEPHONES	251.57 <i>AF</i>
Invoice Total				1,032.51 <i>cb</i>
Vendor Total				1,032.51
Grand Total				153,840.12

Bills have been reviewed and are submitted for payment

 11-21-18

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
TD GENERAL ACCUFUND, INC				
11/20/2018	20190095	12/20/2018 01-2010-50200	QUARTERLY HOSTED SERVICES- 01/19 - 03/19 COMPUTER & IT SUPPORT ✓	1,404.00 ✓
Invoice Total				1,404.00 ✓
Vendor Total				1,404.00 ✓
AFLAC				
11/18/2018	235760	12/18/2018 01-0000-21120	3RD PARTY INSURANCE ACCIDENT & LIFE INSURANCE WITHHOLDING ✓	2,712.84 ✓
Invoice Total				2,712.84
Vendor Total				2,712.84
AUTOZONE STORES LLC				
8/22/2018	1833892474	9/21/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	157.99 ✓
Invoice Total				157.99 ✓
8/22/2018	1833892496	9/21/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	-157.99 ✓
Invoice Total				-157.99 ✓
8/28/2018	1833888754	9/27/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	143.99 ✓
Invoice Total				143.99 ✓
9/10/2018	1833912882	10/10/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	25.00 ✓
Invoice Total				25.00 ✓
9/28/2018	1833932447	10/28/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	-49.99 ✓
Invoice Total				-49.99 ✓
10/10/2018	1833947022	11/09/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	8.76 ✓
Invoice Total				8.76 ✓
11/19/2018	1833992106	12/19/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	95.76 ✓
Invoice Total				95.76 ✓
11/19/2018	1833992107	12/19/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	59.76 ✓
Invoice Total				59.76 ✓
11/19/2018	1833992390	12/19/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	23.98 ✓
Invoice Total				23.98 ✓
11/19/2018	1833992407	12/19/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	34.34 ✓
Invoice Total				34.34 ✓
11/20/2018	1833993663	12/20/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	109.44 ✓
Invoice Total				109.44 ✓
11/20/2018	1833993782	12/20/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	8.39 ✓
Invoice Total				8.39 ✓
11/20/2018	1833993794	12/20/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	57.98 ✓
Invoice Total				57.98 ✓

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
11/21/2018	1833994481	12/21/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	15.58 <i>VF</i>
Invoice Total				15.58 <i>VF</i>
11/21/2018	1833994560	12/21/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	11.58 <i>VF</i>
Invoice Total				11.58 <i>VF</i>
Vendor Total				544.57
BGE				
11/20/2018	1811 - 120000	12/20/2018 01-1510-54050	6018 PRINCESS GARDEN PKWY UTILITY-ELECTRICITY	1,254.66 <i>VF</i>
Invoice Total				1,254.66 <i>VF</i>
Vendor Total				1,254.66
CHESAPEAKE FORD OF DC				
11/20/2018	168902	12/20/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	100.05 <i>VF</i>
Invoice Total				100.05 <i>VF</i>
Vendor Total				100.05
CHESAPEAKE TELEPHONE SYSTEM, INC				
9/20/2018	INV181423	10/20/2018 01-1510-52100	TELEPHONE SYSTEM - POLICE BUILDING MAINT. & REPAIR	50.00 <i>VF</i>
Invoice Total				50.00 <i>VF</i>
Vendor Total				50.00
CINTAS CORPORATION LOC 41				
11/22/2018	041318783	12/22/2018 01-1510-52550	JANITORIAL SUPPLIES JANITORIAL SUPPLIES	225.51 <i>VF</i>
Invoice Total				225.51 <i>VF</i>
Vendor Total				225.51 <i>VF</i>
CITY OF COLLEGE PARK				
11/15/2018	18410	12/15/2018 01-3710-51115	COMPOST FEES COMPOST FEES	225.00 <i>VF</i>
Invoice Total				225.00 <i>VF</i>
Vendor Total				225.00
COLLIFLOWER				
11/09/2018	M85918-001	12/09/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	863.30 <i>VF</i>
Invoice Total				863.30 <i>VF</i>
Vendor Total				863.30
COLONIAL LIFE				
11/11/2018	8843757-1121431	12/11/2018 01-0000-21120	3RD PARTY INSURANCE ACCIDENT & LIFE INSURANCE WITHHOLDING	2,731.42 <i>VF</i>
Invoice Total				2,731.42 <i>VF</i>
Vendor Total				2,731.42
DARCARS CHR. JEEP DODGE OF NC				
11/14/2018	96362DJW	12/14/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	133.60 <i>VF</i>
Invoice Total				133.60 <i>VF</i>
11/16/2018	96412DJW	12/16/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	161.00 <i>VF</i>
Invoice Total				161.00 <i>VF</i>
Vendor Total				294.60

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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
DOMESTIC UNIFORM RENTAL				
11/20/2018	1120186205	12/20/2018 01-3510-53570	UNIFORMS - RENTAL UNIFORMS	33.02 <i>EF</i>
Invoice Total				33.02 <i>EF</i>
11/20/2018	1120186208	12/20/2018 01-3510-53570	UNIFORMS - RENTAL UNIFORMS	252.63 <i>EF</i>
Invoice Total				252.63 <i>EF</i>
Vendor Total				285.65
EXPRESS SERVICES, INC				
11/06/2018	21441400	12/06/2018 01-3810-50330	PAYMENT FOR WEEKENDING 11/04/18 FOR L.CHAPMAN & K.GILCHRIST TEMPORARY LABOR SUPPORT	718.00 <i>EF</i>
Invoice Total				718.00 <i>EF</i>
11/13/2018	21471077	12/13/2018 01-3810-50330	PAYMENT FOR WEEKENDING 11/11/18 FOR L.CHAPMAN & M.JOSEPH TEMPORARY LABOR SUPPORT	2,010.40 <i>EF</i>
Invoice Total				2,010.40 <i>EF</i>
Vendor Total				2,728.40
GRAINGER				
11/19/2018	9009500084	12/19/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	49.01 <i>EF</i>
Invoice Total				49.01 <i>EF</i>
11/19/2018	9009500092	12/19/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	230.64 <i>EF</i>
Invoice Total				230.64 <i>EF</i>
Vendor Total				279.65
JACK G. & LINDA J. BANNISTER				
11/26/2018	112018	12/26/2018 01-1000-35910	REFUND DUE TO OVERPAYMENT ON RENTAL LICENSE RENTAL PROPERTY INSPECTIONS	50.00 <i>EF</i>
Invoice Total				50.00 <i>EF</i>
Vendor Total				50.00 <i>EF</i>
LEGAL RESOURCES OF VA				
11/01/2018	464129	12/01/2018 01-0000-21140	LEGAL SERVICE CHARGES - 11/18 LEGAL SERVICES WITHHOLDING	17.54 <i>EF</i>
Invoice Total				17.54 <i>EF</i>
11/15/2018	465375	12/15/2018 01-0000-21140	LEGAL SERVICE CHARGES - 12/18 LEGAL SERVICES WITHHOLDING	315.72 <i>EF</i>
Invoice Total				315.72 <i>EF</i>
Vendor Total				333.26
MAXIM HEALTH SYSTEMS, LLC				
11/14/2018	157268	12/14/2018 01-1530-53800	WELLNESS PROGRAM - 10/24/18 WELLNESS PROGRAMS	900.00 <i>EF</i>
Invoice Total				900.00 <i>EF</i>
Vendor Total				900.00
NEW YORK LIFE				
11/05/2018	1810 - S46347	12/05/2018 01-0000-21125	3RD PARTY INSURANCE NEW YORK LIFE INSURANCE PAYABLE	895.00 <i>EF</i>
Invoice Total				895.00 <i>EF</i>
Vendor Total				895.00
OURISMAN CHEVROLET OF BOWIE				
11/09/2018	240468CVW	12/09/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	344.34 <i>EF</i>
Invoice Total				344.34 <i>EF</i>

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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
11/14/2018	240550CVW	12/14/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	159.21 <i>F</i>
			Invoice Total	159.21 <i>CB</i>
			Vendor Total	503.55
PEPCO				
11/05/2018	1810 - 8153779	12/05/2018 01-3810-51210	100 NEW CARROLLTON RD LOC STREET LIGHTING	7,610.98 <i>F</i>
			Invoice Total	7,610.98 <i>CB</i>
11/19/2018	1811 - 3094697	12/19/2018 01-3810-51210	6217 WESTBROOK DR A STREET LIGHTING	13.19 <i>F</i>
			Invoice Total	13.19 <i>CB</i>
11/21/2018	1811 - 3100328	12/21/2018 01-3810-51210	7400 BLK GOODLUCK RD STREET LIGHTING	23.69 <i>F</i>
			Invoice Total	23.69 <i>CB</i>
11/20/2018	1811 - 3186681	12/20/2018 01-3810-51210	7410 RIVERDALE RD STREET LIGHTING	26.73 <i>F</i>
			Invoice Total	26.73 <i>CB</i>
11/12/2018	1811 - 3493231	12/12/2018 01-3810-51210	7500 GOODLUCK RD E STREET LIGHTING	14.80 <i>F</i>
			Invoice Total	14.80 <i>CB</i>
11/12/2018	1811 - 3553195	12/12/2018 01-3810-51210	7510 GOODLUCK RD STREET LIGHTING	176.73 <i>F</i>
			Invoice Total	176.73 <i>CB</i>
11/20/2018	1811 - 4485415	12/20/2018 01-3810-51210	8100 POWHATAN ST STREET LIGHTING	13.50 <i>F</i>
			Invoice Total	13.50 <i>CB</i>
11/20/2018	1811 - 4506954	12/20/2018 01-3810-51210	100 LAMONT DR CARROLLTN PKWY STREET LIGHTING	16.51 <i>F</i>
			Invoice Total	16.51 <i>CB</i>
11/20/2018	1811 - 4507739	12/20/2018 01-3810-51210	6318 WESTBROOK DR. STREET LIGHTING	15.07 <i>F</i>
			Invoice Total	15.07 <i>CB</i>
11/20/2018	1811 - 4508497	12/20/2018 01-3810-51210	5924 MENTANA ST STREET LIGHTING	13.50 <i>F</i>
			Invoice Total	13.50 <i>CB</i>
11/21/2018	1811 - 4530251	12/21/2018 01-3810-51210	100 QUENTIN FAIRBORN RD STREET LIGHTING	14.85 <i>F</i>
			Invoice Total	14.85 <i>CB</i>
11/21/2018	1811 - 4532794	12/21/2018 01-3810-51210	100 PUBLIC WALK WAY STREET LIGHTING	59.44 <i>F</i>
			Invoice Total	59.44 <i>CB</i>
11/21/2018	1811 - 4533917	12/21/2018 01-3810-51210	100 FAIRBANKS FAIRBORN ST. LOC STREET LIGHTING	14.85 <i>F</i>
			Invoice Total	14.85 <i>CB</i>
11/20/2018	1811 - 5882255	12/20/2018 01-3810-51210	7401 GOODLUCK RD STREET LIGHTING	12.24 <i>F</i>
			Invoice Total	12.24 <i>CB</i>
11/20/2018	1811 - 6583670	12/20/2018 01-3810-51210	5801 87TH AVE STREET LIGHTING	34.41 <i>F</i>
			Invoice Total	34.41 <i>CB</i>

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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
11/20/2018	1811 - 6617858	12/20/2018 01-1510-54160	8511 LEGATION RD UPKEEP OF HANKO BUILDING	236.90 ✓
Invoice Total				236.90 CR
11/20/2018	1811 - 9399934	12/20/2018 01-3510-54050	6320 WESTBROOK DR. UTILITY - ELECTRICITY	857.53 ✓
Invoice Total				857.53 ✓
Vendor Total				9,154.92
PGCMA				
11/28/2018	112818	12/28/2018 01-1110-53540	ANNUAL LEGISLATIVE DINNER -12/05/18 TRAVEL & MEETINGS	300.00 ✓
Invoice Total				300.00 ✓
Vendor Total				300.00
P.G. TIRE, INC				
10/17/2018	250981	11/16/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	936.50 ✓
Invoice Total				936.50 ✓
Vendor Total				936.50
POLICE CHIEF'S ASSOC. OF PRINCE GEORGE'S COUNTY				
11/28/2018	113118	12/28/2018 01-3010-53510	MEMBERSHIP RENEWAL - D. RICE DUES & SUBSCRIPTIONS	75.00 ✓
Invoice Total				75.00 ✓
Vendor Total				75.00
PROTECTION ONE / ADT				
11/08/2018	125764414	12/08/2018 01-3510-52100	6318 WESTBROOK DR. - 24HR ALARM MONITORING BUILDING MAINT. & REPAIR	87.45 ✓
Invoice Total				87.45 ✓
11/08/2018	125764415	12/08/2018 01-3510-52100	6318 WESTBROOK DR. BUILDING MAINT. & REPAIR	148.94 ✓
Invoice Total				148.94 ✓
11/08/2018	125764416	12/08/2018 01-1510-52100	6016 PRINCESS GARDEN PKWY/ ESP; FIRE INSP. & PRIME CELL BUILDING MAINT. & REPAIR	261.24 ✓
Invoice Total				261.24 ✓
Vendor Total				497.63
QUILL CORPORATION				
11/19/2018	2850226	12/19/2018 01-1510-52510	PANTRY SUPPLIES PANTRY SUPPLIES	29.37 ✓
Invoice Total				29.37 ✓
Vendor Total				29.37
READYREFRESH				
11/10/2018	18K7802571500	12/10/2018 01-1510-52510	PANTRY SUPPLIES PANTRY SUPPLIES	146.18 ✓
Invoice Total				146.18 ✓
Vendor Total				146.18
SAM'S CLUB DIRECT				
11/20/2018	1811 - 824407	12/20/2018 01-3510-52520	PURCHASES/CHARGES FOR THE MONTH OF NOV. 2018 OFFICE SUPPLIES & PRINTING	100.16 ✓
11/20/2018	1811 - 824407	12/20/2018 01-3510-52510	PURCHASES/CHARGES FOR THE MONTH OF NOV. 2018 PANTRY SUPPLIES	278.03 ✓
Invoice Total				378.19 ✓
Vendor Total				378.19

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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
SHRED-IT USA				
11/15/2018	8125982555	12/15/2018 01-1510-52520	MONTHLY SERVICE CHARGES OFFICE SUPPLIES & PRINTING	120.64 <i>JK</i>
Invoice Total				120.64 <i>W</i>
Vendor Total				120.64
STAPLES BUSINESS ADVANTAGE				
11/16/2018	8052183387	12/16/2018 01-1530-52520	OFFICE SUPPLIES OFFICE SUPPLIES AND PRINTING	80.99
11/16/2018	8052183387	12/16/2018 01-1510-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	44.95
Invoice Total				125.94 <i>W</i>
11/17/2018	8052198946	12/17/2018 01-3010-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	237.52 <i>JK</i>
Invoice Total				237.52 <i>W</i>
Vendor Total				363.46
THE LINCOLN NATIONAL LIFE INSURANCE COMPANY				
11/09/2018	1812 - BL1579041	12/09/2018 01-0000-20102	LIFE & AD&D PREMIUM LIFE INSURANCE PAYABLE	3,243.61 <i>JK</i>
Invoice Total				3,243.61 <i>W</i>
Vendor Total				3,243.61
T-MOBILE				
11/21/2018	1811 - 020832	12/21/2018 01-3510-54020	CELL PHONE CHARGES - ADMIN, CODE, COUNCIL & P.W CELL PHONES	79.70
11/21/2018	1811 - 020832	12/21/2018 01-1110-54020	CELL PHONE CHARGES - ADMIN, CODE, COUNCIL & P.W CELL PHONES	36.18
11/21/2018	1811 - 020832	12/21/2018 01-2510-54020	CELL PHONE CHARGES - ADMIN, CODE, COUNCIL & P.W CELL PHONES	114.13
11/21/2018	1811 - 020832	12/21/2018 01-1510-54020	CELL PHONE CHARGES - ADMIN, CODE, COUNCIL & P.W CELLPHONES	67.40
Invoice Total				297.41 <i>JK</i>
11/21/2018	1811 - 867168	12/21/2018 01-2510-54020	CELL PHONE CHARGES - CODE CELL PHONES	147.00 <i>JK</i>
Invoice Total				147.00 <i>W</i>
Vendor Total				444.41
VERIZON WIRELESS				
11/20/2018	9818796045	12/20/2018 01-3010-54020	CELL PHONE CHARGES - POLICE, P.W & MAYOR CELL PHONES	40.01
11/20/2018	9818796045	12/20/2018 01-3510-54020	CELL PHONE CHARGES - POLICE, P.W & MAYOR CELL PHONES	110.93
11/20/2018	9818796045	12/20/2018 01-1110-54020	CELL PHONE CHARGES - POLICE, P.W & MAYOR CELL PHONES	40.01
Invoice Total				190.95 <i>JK</i>
Vendor Total				190.95 <i>W</i>
WASHINGTON GAS				
11/09/2018	1810 - 055198	12/09/2018 01-3510-54080	6318 WESTBROOK DR. B UTILITY - NATURAL GAS	272.59 <i>JK</i>
Invoice Total				272.59 <i>W</i>
Vendor Total				272.59
WASHINGTON SUBURBAN SANITARY COMMISSION				
11/14/2018	1810 - 1023324	12/14/2018 01-1510-54070	6018 PRINCESS GARDEN PKWY UTILITY-WATER	549.45 <i>JK</i>
Invoice Total				549.45 <i>W</i>

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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
11/08/2018	3550712	12/08/2018 01-3510-52100	MONTHLY PEST CHARGES - 6318 WESTBROOK DR. - 11/18 BUILDING MAINT. & REPAIR	78.00
Invoice Total				78.00
Vendor Total				156.00
NATIONAL CAPITAL INDUSTRIES				
11/28/2018	524732	12/28/2018 01-3610-52580	SAFETY SUPPLIES - P.W TRAFFIC SAFETY SUPPLIES	72.59
Invoice Total				72.59
12/03/2018	524933	1/02/2019 01-3510-53570	UNIFORMS - P.W UNIFORMS	786.93
Invoice Total				786.93
Vendor Total				859.52
NORTHERN SAFETY CO., INC				
11/29/2018	903226926	12/29/2018 01-3510-53570	UNIFORMS - P.W UNIFORMS	1,345.30
Invoice Total				1,345.30
Vendor Total				1,345.30
ORKIN LLC. AC 740578				
12/01/2018	177800897	12/31/2018 01-1510-52100	6016 PRINCESS GARDEN PKWY BUILDING MAINT. & REPAIR	141.19
Invoice Total				141.19
Vendor Total				141.19
QUILL CORPORATION				
11/26/2018	2967949	12/26/2018 01-1510-52510	PANTRY SUPPLIES PANTRY SUPPLIES	33.99
Invoice Total				33.99
Vendor Total				33.99
READYREFRESH				
11/28/2018	08K0437380884	12/28/2018 01-3010-52510	PANTRY SUPPLIES - POLICE PANTRY SUPPLIES	10.99
Invoice Total				10.99
Vendor Total				10.99
STAPLES BUSINESS ADVANTAGE				
11/23/2018	8052258849	12/23/2018 01-2510-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	23.40
11/23/2018	8052258849	12/23/2018 01-2010-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	132.31
11/23/2018	8052258849	12/23/2018 01-1510-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	83.04
Invoice Total				238.75
Vendor Total				238.75
T-MOBILE				
11/21/2018	1811 - 269421	12/21/2018 01-3010-54020	CELL PHONE CHARGES - POLICE CELL PHONES	801.42
Invoice Total				801.42
11/21/2018	1811 - 721991	12/21/2018 01-3010-54020	CELL PHONE CHARGES - POLICE CELL PHONES	447.23
Invoice Total				447.23
Vendor Total				1,248.65

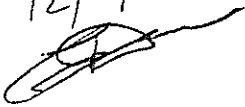
CITY OF NEW CARROLLTON

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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
WASHINGTON SUBURBAN SANITARY COMMISSION				
11/19/2018	1811 - 3876786	12/19/2018 01-3510-54070	6318 WESTBROOK DR - TURN ON FEE & ADJUSTED CHARGE UTILITY - WATER	537.40 <i>[Handwritten mark]</i>
			Invoice Total	537.40 <i>[Handwritten mark]</i>
			Vendor Total	537.40
WB WASTE SOLUTIONS, LLC				
12/01/2018	1300558318	12/31/2018 01-3710-50500	FRENCHMANS CREEK - 12/18 REFUSE COLLECTION CONTRACT	8,360.45 <i>[Handwritten mark]</i>
			Invoice Total	8,360.45 <i>[Handwritten mark]</i>
			Vendor Total	8,360.45
			Grand Total	27,492.71

Bills have been received and are submitted to Council 12/6/18



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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
TD GENERAL ACCUFUND, INC				
12/10/2018	20182279	1/09/2019 01-2510-50200	COMPUTER & IT SUPPORT COMPUTER SUPPORT ✓	1,341.60 <i>FF</i>
Invoice Total				1,341.60 ✓
Vendor Total				1,341.60 <i>AS</i>
AUTOZONE STORES LLC				
11/26/2018	1833000023	12/26/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	199.96 <i>FF</i>
Invoice Total				199.96 <i>CO</i>
11/26/2018	1833000068	12/26/2018 01-2510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	5.79 <i>FF</i>
Invoice Total				5.79 <i>CO</i>
11/27/2018	1833000684	12/27/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	220.56 <i>FF</i>
Invoice Total				220.56 <i>CO</i>
11/29/2018	1833002920	12/29/2018 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	12.99 <i>FF</i>
Invoice Total				12.99 <i>CO</i>
12/07/2018	1833011153	1/06/2019 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	82.42 <i>FF</i>
Invoice Total				82.42 <i>CO</i>
12/10/2018	1833014604	1/09/2019 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	67.92 <i>FF</i>
Invoice Total				67.92 <i>CO</i>
12/10/2018	1833014662	1/09/2019 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	74.98 <i>FF</i>
Invoice Total				74.98 <i>CO</i>
Vendor Total				664.62
AZURA INVESTIGATIONS LLC				
12/01/2018	233394	12/31/2018 01-1530-53580	PRE-EMPLOYMENT SCREENINGS PRE-EMPLOYMENT SCREENINGS ✓	118.00 <i>FF</i>
Invoice Total				118.00 <i>CO</i>
Vendor Total				118.00
BONILLA, EDUARDO E				
12/11/2018	122019	1/10/2019 01-3510-53570	REIMBURSEMENT FOR PURCHASE OF SAFETY BOOTS - FY 2019 UNIFORMS	120.00 <i>FF</i>
Invoice Total				120.00 <i>CO</i>
Vendor Total				120.00
THE CARLSEN GROUP INC.				
12/03/2018	4071	1/02/2019 01-1510-52520	MONTHLY SERVICE CHARGES OFFICE SUPPLIES & PRINTING	104.00
12/03/2018	4071	1/02/2019 01-2010-52520	MONTHLY SERVICE CHARGES OFFICE SUPPLIES & PRINTING	104.00
12/03/2018	4071	1/02/2019 01-2510-52520	MONTHLY SERVICE CHARGES OFFICE SUPPLIES & PRINTING	104.00 <i>FF</i>
Invoice Total				312.00 ✓
Vendor Total				312.00 <i>CO</i>
CENTRAL TRUCK CENTER, INC.				
12/07/2018	921718	1/06/2019 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	215.81 <i>FF</i>
Invoice Total				215.81 <i>CO</i>

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<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
12/10/2018	922048	1/09/2019 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	16.97 <i>TE</i>
			Invoice Total	16.97 <i>ad</i>
			Vendor Total	232.78
CHESAPEAKE FORD OF DC				
12/03/2018	169606	1/02/2019 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	261.55 <i>TE</i>
			Invoice Total	261.55 <i>ad</i>
12/03/2018	169687	1/02/2019 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	13.64 <i>TE</i>
			Invoice Total	13.64 <i>ad</i>
12/04/2018	169800	1/03/2019 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	77.22 <i>TE</i>
			Invoice Total	77.22 <i>ad</i>
			Vendor Total	352.41
COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC				
12/08/2018	1812 - 4894254	1/05/2019 01-1510-50430	CABLE SERVICE CHARGES CABLE TELEVISION OPERATION	13.16 <i>TE</i>
			Invoice Total	13.16 <i>ad</i>
			Vendor Total	13.16
CURTIS ENGINE & EQUIPMENT CO. INC				
12/06/2018	123148	1/05/2019 01-1510-54150	8511 LEGATION RD UPKEEP OF HANKO BUILDING	439.50 <i>TE</i>
			Invoice Total	439.50 <i>ad</i>
12/06/2018	123149	1/05/2019 01-3510-52100	6318 WESTBROOK DR BUILDING MAINT. & REPAIR	570.50 <i>TE</i>
			Invoice Total	570.50 <i>ad</i>
			Vendor Total	1,010.00
DARCARS CHR. JEEP DODGE OF NC				
12/03/2018	96798DJW	1/02/2019 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	118.00 <i>TE</i>
			Invoice Total	118.00 <i>ad</i>
12/03/2018	96812DJW	1/02/2019 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	143.82 <i>TE</i>
			Invoice Total	143.82 <i>ad</i>
12/04/2018	96848DJW	1/03/2019 01-3010-52130	VEHICLE MAINTENANCE VEHICLE OPERATION & MAINTENANCE	18.92 <i>TE</i>
			Invoice Total	18.92 <i>ad</i>
			Vendor Total	280.74
DOMESTIC UNIFORM RENTAL				
11/27/2018	1127186205	12/27/2018 01-3510-53570	UNIFORMS - RENTAL UNIFORMS	33.02 <i>TE</i>
			Invoice Total	33.02 <i>ad</i>
11/27/2018	1127186208	12/27/2018 01-3510-53570	UNIFORMS - RENTAL UNIFORMS	252.63 <i>TE</i>
			Invoice Total	252.63 <i>ad</i>
12/11/2018	1211186205	1/10/2019 01-3510-53570	UNIFORMS - RENTAL UNIFORMS	33.02 <i>TE</i>
			Invoice Total	33.02 <i>ad</i>

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
12/11/2018	1211186208	1/10/2019 01-3510-63570	UNIFORMS - RENTAL UNIFORMS	252.63
Invoice Total				252.63
Vendor Total				571.30
EXPRESS SERVICES, INC				
12/05/2018	21600197	1/04/2019 01-3810-50330	PAYMENT FOR WEEKENDING 12/02/18 FOR L.CHAPMAN, K. GILCHRIST & TEMPORARY LABOR SUPPORT	1,866.80
Invoice Total				1,866.80
Vendor Total				1,866.80
FANNON PETROLEUM SERVICES, INC.				
11/13/2018	001085680	12/13/2018 01-3010-52140	GASOLINE USAGE VEHICLE GASOLINE USE	7,683.85
11/13/2018	001085680	12/13/2018 01-2510-52140	GASOLINE USAGE VEHICLE GASOLINE USE	376.07
11/13/2018	001085680	12/13/2018 01-3510-52140	GASOLINE USAGE VEHICLE GASOLINE USE	2,087.67
Invoice Total				10,147.59
Vendor Total				10,147.59
GOOGLE, INC				
11/30/2018	3526184532	12/30/2018 01-1510-50220	GOOGLE APPS - 11/18 WEBSITE SERVICE	289.99
Invoice Total				289.99
Vendor Total				289.99
GPS INTERNATIONAL TECHNOLOGIES, INC				
11/21/2018	21975	12/21/2018 01-3510-52130	VEHICLE APPS - P.W VEHICLE OPERATIONS & MAINTENANCE	107.70
Invoice Total				107.70
Vendor Total				107.70
GREENBELT- OCCUPATIONAL MEDICAL SVCS				
12/03/2018	5168-262	1/02/2019 01-1530-53590	POST EMPLOYMENT SCREENINGS POST-EMPLOYMENT SCREENINGS	550.00
Invoice Total				550.00
12/03/2018	5181-253	1/02/2019 01-1530-53590	POST EMPLOYMENT SCREENINGS POST-EMPLOYMENT SCREENINGS	106.00
Invoice Total				106.00
Vendor Total				656.00
GUEVARA, JOSE				
12/11/2018	122019	1/10/2019 01-3510-53570	REIMBURSEMENT FOR PURCHASE OF SAFETY BOOTS-FY 2019 UNIFORMS	120.00
Invoice Total				120.00
Vendor Total				120.00
INVENTIVE SOFTWARE SYSTEMS, LLC				
12/05/2018	2018-415	1/04/2019 01-2010-50200	COMPUTER IT SUPPORT COMPUTER & IT SUPPORT	1,500.00
Invoice Total				1,500.00
12/05/2018	2018-416	1/04/2019 01-2510-50200	COMPUTER & IT SUPPORT COMPUTER SUPPORT	6,585.00
Invoice Total				6,585.00
Vendor Total				8,085.00

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
JOSE URQUILLA				
12/12/2018	121218	1/11/2019 01-1510-54445	2018 WINNER HOLIDAY DECORATING CONTEST COMMUNITY PROMOTION	50.00
Invoice Total				50.00
Vendor Total				50.00
KOHLER EQUIPMENT				
11/27/2018	303555	12/27/2018 01-3810-53130	SMALL EQUIPMENT SMALL EQUIPMENT	674.98
Invoice Total				674.98
Vendor Total				674.98
LOWE'S BUSINESS ACCOUNT				
12/02/2018	1811 - 9024756	1/01/2019 01-3510-52130	PURCHASES/CHARGES FOR THE MONTH OF NOV 2018 VEHICLE OPERATIONS & MAINTENANCE	76.00
12/02/2018	1811 - 9024756	1/01/2019 01-3810-54250	PURCHASES/CHARGES FOR THE MONTH OF NOV 2018 PARKS, FIELDS & TREE MAINTENANCE	10.35
12/02/2018	1811 - 9024756	1/01/2019 01-3810-53130	PURCHASES/CHARGES FOR THE MONTH OF NOV 2018 SMALL EQUIPMENT	321.75
12/02/2018	1811 - 9024756	1/01/2019 01-3510-53000	PURCHASES/CHARGES FOR THE MONTH OF NOV 2018 STREET & STORM DRAIN MAINT. MATERIALS	12.27
12/02/2018	1811 - 9024756	1/01/2019 01-3510-52510	PURCHASES/CHARGES FOR THE MONTH OF NOV 2018 PANTRY SUPPLIES	27.31
12/02/2018	1811 - 9024756	1/01/2019 01-3510-53120	PURCHASES/CHARGES FOR THE MONTH OF NOV 2018 SAFETY SUPPLIES	151.48
12/02/2018	1811 - 9024756	1/01/2019 01-1510-54150	PURCHASES/CHARGES FOR THE MONTH OF NOV 2018 UPKEEP OF HANKO BUILDING	12.34
12/02/2018	1811 - 9024756	1/01/2019 01-1510-52100	PURCHASES/CHARGES FOR THE MONTH OF NOV 2018 BUILDING MAINT. & REPAIR	34.61
Invoice Total				646.11
Vendor Total				646.11
THE LUCIAN COMPANY				
9/27/2018	0164301-IN	10/27/2018 01-1110-54445	NAME BADGES - COUNCIL COMMUNITY PROMOTION	40.80
Invoice Total				40.80
11/30/2018	0165176-IN	12/30/2018 01-1110-54445	HANKO BLDG LOGO COMMUNITY PROMOTION	1,052.00
Invoice Total				1,052.00
Vendor Total				1,092.80
MARYLAND ENVIRONMENTAL SERVICE				
12/06/2018	407107	1/05/2019 01-3710-51115	COMPOST FEES COMPOST FEES	747.00
Invoice Total				747.00
Vendor Total				747.00
NETWORKFLEET, INC				
12/01/2018	OSV000001625378	12/31/2018 01-1510-52130	VEHICLE APPS - CODE & ADMIN VEHICLE OPERATIONS & MAINTENANCE	18.95
12/01/2018	OSV000001625378	12/31/2018 01-2510-52130	VEHICLE APPS - CODE & ADMIN VEHICLE OPERATIONS & MAINTENANCE	75.80
Invoice Total				94.75
Vendor Total				94.75

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
NEW YORK LIFE				
12/05/2018	1811 - S46347	1/04/2019 01-0000-21125	3RD PARTY INSURANCE PREMIUM NEW YORK LIFE INSURANCE PAYABLE	895.00 <i>FT</i>
Invoice Total				895.00
Vendor Total				895.00
PEPCO				
12/03/2018	1811 - 7652672	1/02/2019 01-3810-51210	8328 VERONA DR STREET LIGHTING	14.85 <i>FT</i>
Invoice Total				14.85 <i>CO</i>
12/04/2018	1811 - 8153779	1/03/2019 01-3810-51210	100 NEW CARROLLTON RD LOC STREET LIGHTING	7,897.97 <i>FT</i>
Invoice Total				7,897.97 <i>CO</i>
Vendor Total				7,912.82
P & H AUTO - ELECTRIC, INC.				
11/26/2018	230274	12/26/2018 01-2510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	93.99 <i>FT</i>
Invoice Total				93.99 <i>CO</i>
Vendor Total				93.99
PRECISION COMPANY INC				
11/26/2018	11988	12/26/2018 01-3510-52130	VEHICLE MAINTENANCE VEHICLE OPERATIONS & MAINTENANCE	205.89 <i>FT</i>
Invoice Total				205.89 <i>CO</i>
Vendor Total				205.89
PRINCE GEORGE'S COUNTY				
11/30/2018	186	12/30/2018 01-3710-51100	LANDFILL FEES - 11/18 LANDFILL FEES-COUNTY	14,453.23 <i>FT</i>
Invoice Total				14,453.23 <i>CO</i>
Vendor Total				14,453.23
PRINCE GEORGE'S SENTINEL				
12/06/2018	17261	1/05/2019 01-1510-50400	ADVERTISING EXPENSES ADVERTISING EXPENSES	78.00 <i>FT</i>
Invoice Total				78.00 <i>CO</i>
12/06/2018	17262	1/05/2019 01-1510-50400	ADVERTISING EXPENSES ADVERTISING EXPENSES	54.00 <i>FT</i>
Invoice Total				54.00 <i>CO</i>
12/06/2018	17263	1/05/2019 01-1510-50400	ADVERTISING EXPENSES ADVERTISING EXPENSES	72.00 <i>FT</i>
Invoice Total				72.00 <i>CO</i>
Vendor Total				204.00
ROLANDO & YOKO CARPIO				
12/12/2018	121218	1/11/2019 01-1510-54445	2018 WINNER HOLIDAY DECORATING CONTEST COMMUNITY PROMOTION	50.00 <i>FT</i>
Invoice Total				50.00 <i>CO</i>
Vendor Total				50.00 <i>CO</i>
SANIJOHN				
12/01/2018	0000005938	12/31/2018 01-3810-52180	MONTHLY RENTAL SERVICES - 12/18 EQUIPMENT RENTAL & PORT A POTTY	645.00 <i>FT</i>
Invoice Total				645.00 <i>CO</i>
Vendor Total				645.00

CITY OF NEW CARROLLTON

Cash Requirement Report

Vendor

<u>Invoice Date</u>	<u>Invoice</u>	<u>A/P Due Date</u>	<u>Description</u>	<u>Amount</u>
RUTH SOBOLEWSKI				
12/12/2018	121218	1/11/2019 01-1510-54445	2018 WINNER HOLIDAY DECORATING CONTEST COMMUNITY PROMOTION	50.00
Invoice Total				50.00
Vendor Total				50.00
STEVEN & BARBARA WOOD				
12/12/2018	121218	1/11/2019 01-1510-54445	2018 WINNER HOLIDAY DECORATING CONTEST COMMUNITY PROMOTION	50.00
Invoice Total				50.00
Vendor Total				50.00
TRAK ENGINEERING, INC				
11/27/2018	142	12/27/2018 01-3510-51000	FLUID SECURE SOFTWARE FOR PUBLIC WORKS PREVENTIVE VEHICLE & MAINT.	3,594.69
Invoice Total				3,594.69
Vendor Total				3,594.69
U.S. POSTAL SERVICE				
12/06/2018	120618	1/05/2019 01-1510-50450	REFILL POSTAGE METER PERMIT # 2349 CITY NEWSLETTER	3,000.00
Invoice Total				3,000.00
Vendor Total				3,000.00
VERIZON				
12/01/2018	1812 - 596777Y	12/31/2018 01-1510-54150	HANKO BLDG EOC CABLE TV UPKEEP OF HANKO BUILDING	234.20
Invoice Total				234.20
Vendor Total				234.20
WASHINGTON GAS				
12/05/2018	1811 - 003822	1/04/2019 01-1510-54080	6018 PRINCESS GARDEN PKWY UTILITY-NATURAL GAS	1,047.43
Invoice Total				1,047.43
Vendor Total				1,047.43
XEROX CORPORATION				
12/01/2018	095217255	12/31/2018 01-3510-52520	OFFICE SUPPLIES OFFICE SUPPLIES & PRINTING	248.62
Invoice Total				248.62
Vendor Total				248.62
XEROX FINANCIAL SERVICES				
11/26/2018	1398895	12/26/2018 01-1510-50780	LEASE PAYMENT - ADMIN - 11/16 - 12/15 OFFICE EQUIP.MAINT.CONTRACTS	427.28
Invoice Total				427.28
Vendor Total				427.28
Grand Total				62,707.48

*Bills have been reviewed and are submitted for payment
12-13-18*

**CITY OF NEW CARROLLTON
MINUTES
COUNCIL WORKSHOP MEETING
WEDNESDAY, NOVEMBER 7, 2018**

The City Council Workshop Meeting was held at 7:00 p.m., on Wednesday, November 7, 2018, in the Council Workshop Room of the Municipal Center. Attending were Chairman Richard Bechtold, Councilmembers Lincoln Lashley, Sarah Potter Robbins, Roy A. Peterson and Phelecia Nembhard, Mayor Duane Rosenberg, City Administrative Officer Timothy George, Assistant City Administrative Officer Karen Ruff, Assistant Director of Public Works Andre Triplett, Chief of Police Rice, and City Clerk Douglass Barber.

1. CALL TO ORDER

Chairman Bechtold welcomed everyone and called the meeting to order.

2. REPORT OF THE MAYOR AND ADMINISTRATION

Mayor Rosenberg opened by noting upcoming City Events and meetings he plans to attend. Mayor Rosenberg reported that the City will host Community Tax Aid at the City Municipal Center again this tax season beginning February 2019 through April 2019.

Assistant Director of Public Works Triplett provided an update to the Mayor and Council on the recent delays to the 2018 leaf collection schedule due to the weather.

Administrative Officer George updated the Mayor and Council on the RFP process regarding the renovations of the Municipal Center.

Chief of Police Rice noted how happy he was to see that Princess Garden Parkway being paved. Chief Rice noted the upcoming Santa with a Badge Event scheduled for Saturday, December 15, 2018. Chief Rice closed his report by providing the police stats for October 2018.

3. COUNCIL QUESTIONS/COUNCIL ANNOUNCEMENTS

Ms. Nembhard had no questions.

Mr. Peterson had no questions. Mr. Peterson thanked City Clerk Barber for his work on the organization of the Halloween night candy give-a-way.

Ms. Robbins thanked everyone involved in putting together the City's Halloween Night event.

Mr. Lashley thanked the staff for the great job on this year's Halloween Night event. Mr. Lashley closed by thanking all that have served our country in honor of Veterans Day.

Mr. Bechtold thanked those involved in the Halloween event held on Wednesday, October 31, 2018.

4. PROPOSED CHANGES TO THE CITY'S ELECTION CODE: (A) ORDINANCE – CHAPTER 50 AND CHARTER AMENDMENT RESOLUTION - ELECTIONS

Mr. Charles Davis, Chair of the Board of Elections for the City of New Carrollton addressed the Council and stated his support of the proposed recommendations. City Clerk Barber and Assistant City Administrative Officer Ruff presented the proposed charter amendment and ordinance that would change some current processes and procedures of the elections. Mr. Barber and Ms. Ruff responded to questions of clarification on the proposed legislation. Mr. Bechtold noted the Council would have another opportunity to discuss proposed legislation at the next scheduled Council Workshop Meeting on Monday, November 19, 2018.

Ms. Robbins prior to the next item being discussed requested that City Code Chapter 27 – Purchasing and Contracts be placed on the next Council Workshop Meeting for discussion. The Council discussed the issue at length. Chairman Bechtold at the conclusion of the discussion advised he would place Chapter 27 – Purchasing and Contract on the next Council Workshop Meeting for discussion.

5. DISCUSSION OF PROPOSED CHANGES TO CITY CODE CHAPTER 12 – CODE OF ETHICS

Assistant City Administrative Officer Ruff provided the Council with the proposed changes to City Code Chapter 12 – Code of Ethics. Ms. Ruff advised that all of the proposed changes follow with the State Ethics Law. Mr. Bechtold advised the Council they would have another opportunity to discuss the item at the next scheduled Council Workshop Meeting on Monday, November 19, 2018.

6. DISCUSSION OF PROPOSED CHANGES TO CITY CODE CHAPTER 6 – BUDGET AND FINANCE

Mayor Rosenberg presented the proposed changes to City Code Chapter 6 – Budget and Finance to the Council. Mayor Rosenberg provided the history of the Treasurer position and the current practices performed by the current City Treasurer. Mayor Rosenberg advised, that adopting this proposed legislative would enable the current Director of Finance to assume the Treasurer duties, many of which she currently handles. The staff responded to question of clarification on the proposed legislation. Mr. Bechtold advised the Council they would have another opportunity to discuss the item at the next scheduled Council Workshop Meeting on Monday, November 19, 2018.

7. CITY OF NEW CARROLLTON LEGISLATIVE DINNER 2018

City Clerk Barber proposed several dates for the Council to consider for their Legislative Dinner. The Council discussed and requested that City Clerk Barber reach out to the District 22 State Delegation with the proposed dates and confirm that the City of New Carrollton would host the dinner at the City Municipal Center. City Clerk Barber advised he would provide an update to the Council at the next Council Workshop Meeting.

8. PARKING CONCERNS THROUGHOUT THE CITY

Chief of Police Rice addressed the current practice of the police department when addressing parking concerns in the City. Chief Rice also noted the history of parking in the City. Mayor Rosenberg and Chief Rice addressed a current parking concern located at the intersection of Chestnut Avenue and Auburn Avenue. The Council discussed the issue at length with Chief Rice providing recommendations to eliminate the parking issue. Chief Rice also addressed the need to add an additional Parking Enforcement Officer to address the many parking concerns in the City. The Council discussed at length. Mayor Rosenberg would address the staffing request with the Human Resources Administrator.

9. PGCMA RESOLUTION REQUEST

Mayor Rosenberg presented a proposed resolution he would like to sign with other Prince George's County legislators regarding proposed transportation improvements in the County. The Council discussed the proposed resolution with the majority stating their support.

10. MEETING MINUTES

- a) City Council Workshop Meeting Minutes (October 3, 2018)
- b) City Council Workshop Meeting Minutes (October 15, 2018)
- c) City Council Legislative Meeting Minutes (October 17, 2018)

Chairman Bechtold advised the Council that the minutes listed had been provided by Mr. Barber. Mr. Bechtold requested that the Council provide any corrections to Mr. Barber.

11. RESIDENTS' CONCERNS, AUDIENCE PARTICIPATION AND TELEPHONE CALLS

Ms. June Garrett, 6109 87th Avenue, 6009 85th Place, addressed the Council regarding clarification on the proposed changes to the election code.

12. Adjournment

The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Douglass A. Barber, CMC
City Clerk

Adopted by the Council on _____.

CITY OF NEW CARROLLTON
MINUTES
COUNCIL WORKSHOP MEETING/SPECIAL COUNCIL LEGISLATIVE MEETING
MONDAY, NOVEMBER 19, 2018

The City Council Workshop Meeting/Special Council Legislative Meeting was held at 7:02 p.m., on Monday, November 19, 2018, in the Council Workshop Room of the Municipal Center. Attending were Chairman Richard Bechtold, Councilmembers Lincoln Lashley, Sarah Potter Robbins, Roy A. Peterson and Phelecia Nembhard, Mayor Duane Rosenberg, City Administrative Officer Timothy George, Director of Public Works Bernard Cochran, Chief of Police Rice, and City Clerk Douglass Barber.

1. CALL TO ORDER

Chairman Bechtold welcomed everyone and called the meeting to order.

2. REPORT OF THE MAYOR AND ADMINISTRATION

Mayor Rosenberg opened by noting the upcoming City holiday schedule, as well as events and meetings he plans to attend. Mayor Rosenberg reported that he is working with Prince George's County Commission on Animal Control regarding residents being attacked by dogs from a home located right on the outskirts of the City of New Carrollton. Mayor Rosenberg closed by noting an upcoming meeting with the City's business community scheduled for Wednesday, December 5, 2018.

Director of Public Works Cochran provided an update to the Mayor and Council on the 2018 leaf collection schedule.

Chief of Police Rice had no official report. Chief Rice noted the many scams occurring around the holiday season and reminded everyone to be mindful of their surroundings.

Administrative Officer George updated the Mayor and Council on the following:

- Percy Wines, our custodian who has been with the City for 20 years is retiring, his last day will be November 30, 2018;
- The City's Green Team will have its inaugural meeting on Tuesday, December 4, 2018, at 6:00 p.m. at the City Municipal Center.

City Clerk Barber provided stats from the 2018 Annual Shredding Event held on Saturday, November 17, 2018 and reminded residents of the requirements for the 2018 Holiday Decorating Contest.

3. COUNCIL QUESTIONS/COUNCIL ANNOUNCEMENTS

Mr. Lashley commented on the great turn out of residents for the 2018 Annual Shredding Event. Mr. Lashley closed by wishing everyone a Happy Thanksgiving.

Ms. Robbins thanked Mr. Wines for his service to the City of New Carrollton. Ms. Robbins noted the 32nd Annual Winter Festival of Lights at Watkins Regional Park located in Upper Marlboro, Maryland. Ms. Robbins closed by encouraging residents to support the Santa with a Badge Event and wished everyone a Happy Thanksgiving.

Mr. Peterson encouraged residents to support the Santa with a Badge event and wished everyone a wonderful Thanksgiving.

Ms. Nembhard encourage residents to visit the 32nd Annual Winter Festival of Lights at Watkins Park and to bring along a can food item to support the area's local food pantries.

4. DISCUSSION OF CITY CODE CHAPTER 27: PURCHASE AND CONTRACTS

Mr. George reviewed with the Council the newly created contract form for all City contracts. The Council discussed the issue at length. After the discussion, the Council noted that a change to the requirements in the amount is not required at this time.

5. ORDINANCE 19-04 CHAPTER 50 ELECTIONS (FIRST READING)

Mr. Bechtold presented proposed Ordinance 19-04 Chapter 50 Elections (First Reading). There was no discussion. Mr. Bechtold requested Ms. Nembhard read the official motion to introduce Ordinance 19-04 Chapter 50 Elections at the special legislative meeting scheduled for Monday, November 19, 2018.

6. ORDINANCE 19-05 CHAPTER 12 ETHICS (FIRST READING)

Mr. Bechtold presented proposed Ordinance 19-05 Chapter 12 Ethics (First Reading). There was no discussion. Mr. Bechtold requested Ms. Robbins read the official motion to introduce Ordinance 19-05 Chapter 12 Ethics at the special legislative meeting scheduled for Monday, November 19, 2018.

7. EMERGENCY ORDINANCE 19-06 CHAPTER 6 BUDGET AND FINANCE (FIRST READING)

Mr. Bechtold presented proposed Emergency Ordinance 19-06 Chapter 6 Budget and Finance (First Reading). There was no discussion. Mr. Bechtold requested Mr. Peterson read the official motion to introduce Emergency Ordinance 19-06 Chapter 6 Budget and Finance at the special legislative meeting scheduled for Monday, November 19, 2018.

8. MEETING MINUTES

- a) City Council Workshop Meeting Minutes (October 3, 2018)
- b) City Council Workshop Meeting Minutes (October 15, 2018)
- c) City Council Legislative Meeting Minutes (October 17, 2018)

Chairman Bechtold advised the Council that the minutes listed had been provided by Mr. Barber. Mr. Bechtold requested that the Council provide any corrections to Mr. Barber.

9. REVIEW OF BILLS

Batch # 1 (October 18, 2018); Batch # 2 (October 25, 2018); Batch # 3 (November 1, 2018); Batch # 4 (November 8, 2018); and Batch # 5 (November 15, 2018)

The Council reviewed the bills with staff providing clarification to questions given by the Council regarding the bills.

10. RESIDENTS' CONCERNS, AUDIENCE PARTICIPATION AND TELEPHONE CALLS

Mr. Paul Genoba, addressed the Council with questions regarding leaf collection and snow removal at the Frenchman's Creek Apartments. Director of Public Works Cochran provided responses to Mr. Genoba.

Ms. Evelyn Lashley, 6009 85th Place, addressed the Council and wished everyone a Happy Thanksgiving.

Ms. Diane Dawes, addressed the Council and advised she was only notified today at 4:00 p.m. of the request to have her attend the Special Legislative Session.

12. Adjournment to Special Legislative Session

Mr. Lashley moved to adjourn the Council Workshop Meeting of Wednesday, November 17, 2018, and go into a Special Legislative Session, seconded by Ms. Robbins. There was no discussion. Chairman Bechtold called for the vote. The motion was approved (5-0-0)

Note for the Record: The Council went into the Special Legislative Session at 8:15 p.m.

**Special Legislative Session
Wednesday, November 17, 2018**

1. REPORT OF THE TREASURER CONSIDERATION OF BILLS

Mayor Rosenberg presented the Treasurer's Report: Batch #1 (October 18, 2018); Batch #2 (October 25, 2018); Batch #3 (November 1, 2018); Batch #4 (November 8, 2018); and Batch # 5 (November 15, 2018) the bills totaled \$333,261.46. There were 6 bills in excess of \$10,000. There was no discussion. Ms. Robbins moved to accept the report with a copy being attached to the minutes; seconded by Mr. Lashley. Chairman Bechtold called for the vote. The motion was approved (5-0-0).

2. MEETING MINUTES

- a) City Council Workshop Meeting (October 3, 2018)
- b) City Council Workshop Meeting (October 15, 2018)
- c) City Council Legislative Meeting Minutes (October 17, 2018)

Mr. Lashley moved that the following minutes be approved: City Council Workshop Meeting (October 3, 2018); City Council Workshop Meeting (October 15, 2018); and City Council Legislative Meeting Minutes (October 17, 2018). Ms. Nembhard seconded the motion. There was no discussion. Chairman Bechtold called for the vote. The motion was approved (4-0-1). Note for the Record: Ms. Robbins voting against the approval of minutes as she was not in attendance for all the meetings.

3. NEW BUSINESS

ORDINANCE 19-04: CHAPTER 50 ELECTIONS (FIRST READING)

Motion: Ms. Nembhard moved that the Council introduce Ordinance 19-04, an Ordinance of the City Council of New Carrollton amending the Code to the City of New Carrollton, Chapter 50 “Elections” to add section 50-2A “Nominating Petitions” requiring that candidates identify the office for which they are running in their nominating petition; Section 50-35 “Authority Line” clarifying the circumstances under which an authority line is required and what it is to contain; Section 50-36 “Vote Count” clarifying the process for counting votes and who may be present during the count; Section 50-37 “Challengers and Watchers” clarifying what challengers and watchers are permitted to do; and Section 50-38 “Certification of Candidates Elected” requiring, consistent with the City Charter, that all successful candidates be qualified for the office to which they are elected (First Reading). Mr. Peterson seconded the motion. There was no discussion. Chairman Bechtold called for the vote. The motion was approved (5-0-0).

ORDINANCE 19-05: CHAPTER 12 CODE OF ETHICS (FIRST READING)

Motion: Ms. Nembhard moved that the Council introduce Ordinance 19-05, an Ordinance of the City Council of New Carrollton amending the code of the City of New Carrollton, Chapter 12 “Ethics, Code of” to incorporate changes to State Law (First Reading). Mr. Peterson seconded the motion. There was no discussion. Chairman Bechtold called for the vote. The motion was approved (5-0-0).

ORDINANCE 19-06: CHAPTER 6 BUDGET AND FINANCE (FIRST READING)

Motion: Mr. Peterson moved that the Council introduce Ordinance 19-06, an emergency Ordinance of the City Council of New Carrollton amending the Code of the City of New Carrollton, Chapter 6 “Budget and Finance” to add Section 6-0 “City Treasurer” to name the Director of Finance and Accounting as the City Treasurer, to amend Section 6-6 “Issuance of Checks” to clarify the City’s process for issuing checks to make payments to satisfy City financial obligations and to authorize electronic signatures, and to amend Section 6-7 Petty Cash Fund to make the Director of Finance and Accounting Responsible for the Fund (First Reading). Mr. Lashley seconded the motion. There was no discussion. Chairman Bechtold called for the vote. The motion was approved (5-0-0).

Adjournment

There being no further business Mr. Lashley moved to adjourn the Special City Council Legislative Meeting of Monday, November 19, 2018, seconded by Ms. Robbins. The motion was approved (5-0-0).

The meeting adjourned at 8:29 p.m.

Respectfully submitted,

Douglass A. Barber, CMC
City Clerk

Adopted by the Council on _____.



CITY OF NEW CARROLLTON
NOTICE OF PUBLIC HEARING

PROPOSED ORDINANCE 19-04 AMENDING CHAPTER 50 ELECTIONS

The City Council will conduct a public hearing on proposed Ordinance 19-04 on **Wednesday, December 19, 2018 at 7:00 p.m.** at the Municipal Center, 6016 Princess Garden Parkway, New Carrollton, Maryland, 20784 (Council Chambers Room # 220). Ordinance 19-04 is:

AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE CODE OF THE CITY OF NEW CARROLLTON, CHAPTER 50 "ELECTIONS" TO ADD §50-2A "NOMINATING PETITIONS" REQUIRING THAT CANDIDATES IDENTIFY THE OFFICE FOR WHICH THEY ARE RUNNING IN THEIR NOMINATING PETITION; §50-35 "AUTHORITY LINE" CLARIFYING THE CIRCUMSTANCES UNDER WHICH AN AUTHORITY LINE IS REQUIRED AND WHAT IT IS TO CONTAIN; §50-36 "VOTE COUNT" CLARIFYING THE PROCESS FOR COUNTING VOTES AND WHO MAY BE PRESENT DURING THE COUNT; §50-37 "CHALLENGERS AND WATCHERS" CLARIFYING WHAT CHALLENGERS AND WATCHERS ARE PERMITTED TO DO; AND §50-38 "CERTIFICATION OF CANDIDATES ELECTED" REQUIRING, CONSISTENT WITH THE CITY CHARTER, THAT ALL SUCCESSFUL CANDIDATES BE QUALIFIED FOR THE OFFICE TO WHICH THEY ARE ELECTED

Copies of Ordinance 19-04 are available for inspection at the New Carrollton Municipal Center, Monday- Friday, 8:30 a.m. – 5:00 p.m.

The public is encouraged to attend the public hearing and provide comments.

The City Council of New Carrollton



CITY OF NEW CARROLLTON
NOTICE OF PUBLIC HEARING

PROPOSED ORDINANCE 19-05 AMENDING CHAPTER 12 ETHICS, CODE OF

The City Council will conduct a public hearing on proposed Ordinance 19-05 on **Wednesday, December 19, 2018 at 7:00 p.m.** at the Municipal Center, 6016 Princess Garden Parkway, New Carrollton, Maryland, 20784 (Council Chambers Room # 220). Ordinance 19-05 is:

AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE CODE OF THE CITY OF NEW CARROLLTON, CHAPTER 12 “ETHICS, CODE OF” TO INCORPORATE CHANGES TO STATE LAW

Copies of Ordinance 19-05 are available for inspection at the New Carrollton Municipal Center, Monday- Friday, 8:30 a.m. – 5:00 p.m.

The public is encouraged to attend the public hearing and provide comments.

The City Council of New Carrollton



CITY OF NEW CARROLLTON
NOTICE OF PUBLIC HEARING

PROPOSED EMERGENCY ORDINANCE 19-06 AMENDING CHAPTER 6
BUDGET AND FINANCE

The City Council will conduct a public hearing on proposed Ordinance 19-06 on **Wednesday, December 19, 2018 at 7:00 p.m.** at the Municipal Center, 6016 Princess Garden Parkway, New Carrollton, Maryland, 20784 (Council Chambers Room # 220). Ordinance 19-06 is:

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE CODE OF THE CITY OF NEW CARROLLTON, CHAPTER 6 "BUDGET AND FINANCE" TO ADD §6-0 "CITY TREASURER" TO NAME THE DIRECTOR OF FINANCE AND ACCOUNTING AS THE CITY TREASURER, TO AMEND § 6-6 "ISSUANCE OF CHECKS" TO CLARIFY THE CITY'S PROCESS FOR ISSUING CHECKS TO MAKE PAYMENTS TO SATISFY CITY FINANCIAL OBLIGATIONS AND TO AUTHORIZE ELECTRONIC SIGNATURES, AND TO AMEND § 6-7 PETTY CASH FUND TO MAKE THE DIRECTOR OF FINANCE AND ACCOUNTING RESPONSIBLE FOR THE FUND

Copies of Ordinance 19-06 are available for inspection at the New Carrollton Municipal Center, Monday- Friday, 8:30 a.m. – 5:00 p.m.

The public is encouraged to attend the public hearing and provide comments.

The City Council of New Carrollton



Effective: January , 2019

AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE CODE OF THE CITY OF NEW CARROLLTON, CHAPTER 50 "ELECTIONS" TO ADD §50-2A "NOMINATING PETITIONS" REQUIRING THAT CANDIDATES IDENTIFY THE OFFICE FOR WHICH THEY ARE RUNNING IN THEIR NOMINATING PETITION; §50-35 "AUTHORITY LINE" CLARIFYING THE CIRCUMSTANCES UNDER WHICH AN AUTHORITY LINE IS REQUIRED AND WHAT IT IS TO CONTAIN; §50-36 "VOTE COUNT" CLARIFYING THE PROCESS FOR COUNTING VOTES AND WHO MAY BE PRESENT DURING THE COUNT; §50-37 "CHALLENGERS AND WATCHERS" CLARIFYING WHAT CHALLENGERS AND WATCHERS ARE PERMITTED TO DO; AND §50-38 "CERTIFICATION OF CANDIDATES ELECTED" REQUIRING, CONSISTENT WITH THE CITY CHARTER, THAT ALL SUCCESSFUL CANDIDATES BE QUALIFIED FOR THE OFFICE TO WHICH THEY ARE ELECTED

WHEREAS, the City of New Carrollton Board of Elections, in conjunction with the City Clerk, reviews the operation of each City election after the election; and

WHEREAS, the City of New Carrollton Board of Elections recommends changes to the City Election Code to clarify various processes employed in City elections, namely, nominating petitions, authority lines, counting of votes, poll watchers and challengers and certification of successful candidates, to ensure that the policies and processes are clear; and

WHEREAS, upon review of the proposed changes the City Council for New Carrollton concurs that the changes are necessary for the efficient operation of City elections.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of New Carrollton that City Code, Chapter 50 "Elections", be and hereby is amended to add §50-2A "Nominating Petitions" to read as follows:

§50-2A NOMINATING PETITIONS

TO QUALIFY AS A CANDIDATE FOR ELECTIVE OFFICE OF THE CITY, AN INDIVIDUAL MUST FILE A NOMINATING PETITION WITH THE BOARD OF ELECTIONS AS PROVIDED FOR IN CITY CHARTER, §C-7.B. IDENTIFYING THE OFFICE SOUGHT. NO PERSON SHALL FILE A NOMINATING PETITION FOR MORE THAN ONE OFFICE IN ANY ELECTION, NOR SHALL A PERSON BE A

CANDIDATE FOR ELECTION, WRITE-IN OR OTHERWISE, TO MORE THAN ONE OFFICE IN ANY ELECTION.

BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton that City Code, Chapter 50 "Elections", Article IV "Miscellaneous" be and hereby is amended to read as follows:

Article IV Miscellaneous

§50-35 AUTHORITY LINE

A. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, EACH ITEM OF CAMPAIGN MATERIAL SHALL CONTAIN, SET APART FROM ANY OTHER MESSAGE, AN AUTHORITY LINE THAT STATES:

(I) AS TO CAMPAIGN MATERIAL PUBLISHED OR DISTRIBUTED BY A CAMPAIGN FINANCE ENTITY:

- 1. THE NAME AND ADDRESS OF THE TREASURER OF EACH CAMPAIGN FINANCE ENTITY RESPONSIBLE FOR THE CAMPAIGN MATERIAL; AND**
- 2. AS TO EACH TREASURER NAMED UNDER THIS ITEM, THE NAME OF EACH CAMPAIGN FINANCE ENTITY FOR WHICH THE TREASURER IS ACTING; AND**

(II) AS TO CAMPAIGN MATERIAL PUBLISHED OR DISTRIBUTED BY ANY OTHER PERSON, THE NAME AND ADDRESS OF THE PERSON RESPONSIBLE FOR THE CAMPAIGN MATERIAL.

(2) THE AUTHORITY LINE MAY OMIT AN ADDRESS THAT IS ON FILE WITH THE CITY BOARD OF ELECTIONS.

(3) IF THE CAMPAIGN MATERIAL IS TOO SMALL TO INCLUDE ALL OF THE INFORMATION SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION IN A LEGIBLE MANNER, THE AUTHORITY LINE NEED ONLY CONTAIN THE NAME AND TITLE OF THE TREASURER OR OTHER PERSON RESPONSIBLE FOR IT.

(4) THE AUTHORITY LINE FOR CAMPAIGN MATERIAL THAT IS A COMMERCIAL ADVERTISEMENT NEED ONLY CONTAIN THE INFORMATION SPECIFIED IN PARAGRAPHS (1) AND (2) ABOVE FOR ONE CAMPAIGN FINANCE ENTITY OR OTHER PERSON RESPONSIBLE FOR THE ADVERTISEMENT.

B. CAMPAIGN MATERIAL THAT IS PUBLISHED OR DISTRIBUTED IN SUPPORT OF OR IN OPPOSITION TO A CANDIDATE, BUT IS NOT AUTHORIZED BY THE CANDIDATE, SHALL INCLUDE THE FOLLOWING STATEMENT:

THIS MESSAGE HAS BEEN AUTHORIZED AND PAID FOR BY (NAME OF PAYOR OR ANY ORGANIZATION AFFILIATED WITH THE PAYOR), (NAME AND TITLE OF TREASURER OR PRESIDENT). THIS MESSAGE HAS NOT BEEN AUTHORIZED OR APPROVED BY ANY CANDIDATE.

§50-36 VOTE COUNT

A. THE BOARD OF ELECTIONS SHALL TALLY THE MACHINE VOTES ONCE THE POLLS HAVE BEEN CLOSED. ONCE THE VOTING MACHINE TALLIES HAVE BEEN COMPLETED, THOSE RESULTS WILL BE PUBLICLY ANNOUNCED AS THE UNOFFICIAL RESULTS OF THE CITY ELECTION.

B. WITHIN TWENTY-FOUR (24) HOURS AFTER THE CLOSING OF THE POLLS, THE BOARD OF ELECTIONS, IN THE PRESENCE OF THE CITY CLERK, ANY CANDIDATE, AND THE DULY ACCREDITED WATCHERS WITHIN THE POLLING PLACE, SHALL CANVASS THE VOTING MACHINES OR OTHER VOTING SYSTEM AND COUNT ANY PAPER BALLOTS, REGULAR AND ABSENTEE, TO DETERMINE THE VOTE CAST FOR EACH CANDIDATE AND/OR ANY QUESTIONS ON THE BALLOT.

C. THE BOARD OF ELECTIONS SHALL MEET THE DAY FOLLOWING THE ELECTION, AND SHALL DETERMINE AND DECLARE WHAT PERSONS HAVE BEEN ELECTED, ISSUE CERTIFICATES OF ELECTION TO SUCH PERSONS AND CERTIFY THE RESULTS OF THE ELECTION TO THE MAYOR AND MAYOR PRO TEM AS PROVIDED IN CITY CHARTER, §C-7 "ELECTIONS".

§50-37 CHALLENGERS AND WATCHERS

A. A CHALLENGER OR WATCHER OFFICIALLY REPRESENTING A CANDIDATE IN ANY CITY ELECTION HAS THE RIGHT TO:

- (1) ENTER THE POLLING PLACE ONE-HALF HOUR BEFORE THE POLLS OPEN;**
- (2) ENTER OR BE PRESENT AT THE POLLING PLACE AT ANY TIME WHEN THE POLLS ARE OPEN; AND**
- (3) REMAIN IN THE POLLING PLACE UNTIL THE COMPLETION OF ALL TASKS ASSOCIATED WITH THE CLOSE OF THE POLLS AND THE ELECTION JUDGES LEAVE THE POLLING PLACE.**

B. A CHALLENGER OR WATCHER MAY NOT ATTEMPT TO:

- (1) ASCERTAIN HOW A VOTER VOTED OR INTENDS TO VOTE;**
- (2) CONVERSE IN THE POLLING PLACE WITH ANY VOTER;**
- (3) ASSIST ANY VOTER IN VOTING; OR**
- (4) PHYSICALLY HANDLE AN ORIGINAL ELECTION DOCUMENT.**

§50-38 CERTIFICATION OF CANDIDATES ELECTED

ALL CANDIDATES MUST MEET THE QUALIFICATIONS FOR THE OFFICE FOR WHICH THEY ARE NOMINATED. ONLY THOSE SUCCESSFUL CANDIDATES WHO ARE QUALIFIED TO SERVE FOR THE OFFICE FOR WHICH THEY ARE ELECTED SHALL BE ELIGIBLE TO HOLD OFFICE.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, A CANDIDATE WHO FAILS TO MEET THE QUALIFICATIONS FOR THE OFFICE FOR WHICH THEY ARE NOMINATED SHALL BE DEEMED TO HAVE WITHDRAWN THEIR CANDIDACY AND FORFEITED THEIR RIGHT TO OFFICE. IN THE EVENT THAT A WRITE-IN CANDIDATE RECEIVING THE HIGHEST NUMBER OF VOTES IS NOT QUALIFIED TO HOLD OFFICE, THEN THE QUALIFIED CANDIDATE WITH THE NEXT HIGHEST NUMBER OF VOTES FOR THAT OFFICE SHALL BE DECLARED THE WINNER AND WILL BE SWORN TO OFFICE, PROVIDED THAT PERSON HAS COMPLIED WITH THE PROVISIONS OF CITY CODE, CHAPTER 50.

BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton, that this Ordinance shall become effective following adoption and approval by the Mayor, or passage by the Council over the Mayor's veto.

Introduced by the City Council of New Carrollton, Maryland on the 21st day of November, 2018.

Adopted and enacted by the City Council of New Carrollton, Maryland on the 19th day of December, 2018.

Attest:

City of New Carrollton

Douglass A. Barber, CMC
City Clerk

Richard Bechtold, Chair City Council

Date: _____

Approved:

Duane H. Rosenberg, Mayor

Date: _____



Effective: January 1, 2019

**AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON
AMENDING THE CODE OF THE CITY OF NEW CARROLLTON, CHAPTER 6
“BUDGET AND FINANCE” TO ADD §6-0 “CITY TREASURER” TO NAME THE
DIRECTOR OF FINANCE AND ACCOUNTING AS THE CITY TREASURER, TO
AMEND § 6-6 “ISSUANCE OF CHECKS” TO CLARIFY THE CITY’S PROCESS FOR
ISSUING CHECKS TO MAKE PAYMENTS TO SATISFY CITY FINANCIAL
OBLIGATIONS AND TO AUTHORIZE ELECTRONIC SIGNATURES, AND TO
AMEND § 6-7 PETTY CASH FUND TO MAKE THE DIRECTOR OF FINANCE AND
ACCOUNTING RESPONSIBLE FOR THE FUND**

WHEREAS, the City Charter provides for a City Treasurer; and

WHEREAS, the City Treasurer has resigned, effective December 31, 2018; and

WHEREAS, most jurisdictions whose charter provides for a municipal treasurer either call their director of finance the treasurer or assign to their treasurer the duties of a finance director; and

WHEREAS, given the size of the City, the duties of the City Treasurer identified in the Charter, and the fact that the City Director of Finance and Accounting already performs the vast majority of the duties of the City Treasurer, the City Council no longer deems it necessary to have a person separate from the Director of Finance and Accounting be the City Treasurer; and

WHEREAS, City Administration desires to use an automated clearing house to process payments and payroll; and

WHEREAS, City Administration desires to amend the City Code to make changes to the check signing process to facilitate this change and allow for electronic signatures; and

WHEREAS, it is important that the position of Treasurer be filled upon the effective date of the current Treasurer’s resignation. To adopt this Ordinance in the normal course of business would mean that it would not become effective until on or about January 8, 2019, leaving a gap of 7 days when the City would not have a Treasurer; and

WHEREAS, pursuant to City Charter, Sec. C-10, the City Council of New Carrollton is authorized to enact emergency ordinances that become effective on the date specified in the ordinance. Accordingly, the City Council desires to make this Ordinance an Emergency Ordinance for the sole purpose of making it effective on January 1, 2019; and

WHEREAS, the City Council believes that it is the best interest of the efficient administration of the City for the City to use an automated clearing house to process payments and payroll and to make the necessary changes to the City Code to implement this process.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of New Carrollton that City Code, Chapter 6 “Budget and Finance”, be and hereby is amended to add §6-0 “City Treasurer” to read as follows:

§6-0 CITY TREASURER

THE CITY TREASURER SHALL BE THE HEAD OF THE DEPARTMENT OF FINANCE AND ACCOUNTING AND MAY ALSO BE REFERRED TO AS THE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ACCOUNTING.

BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton that City Code, Chapter 6 “Budget and Finance”, §6-6 “Issuance of checks” be and hereby is amended to read as follows:

§ 6-6 PAYMENT OF OBLIGATIONS AND Issuance of checks.

A. THE DIRECTOR OF FINANCE AND ACCOUNTING/ TREASURER (“DIRECTOR”) IS AUTHORIZED TO PAY CITY OBLIGATIONS BY WAY OF AUTOMATED CLEARING HOUSE, WHEN APPROPRIATE, IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE DIRECTOR. THE PROCEDURES SHALL REQUIRE THE DIRECTOR AND THE MAYOR TO APPROVE THE PAYMENT OF INVOICES OR BILLS BY SIGNING AN INTERNAL AUTHORIZATION SHEET. IN THE ABSENCE OF THE DIRECTOR, THE ALTERNATE TREASURER SHALL BE AUTHORIZED TO SIGN THE INTERNAL AUTHORIZATION SHEET, AND IN THE ABSENCE OF THE MAYOR THE MAYOR PRO TEM SHALL BE AUTHORIZED TO SIGN THE SHEET.

B. All checks issued in payment of obligations of the city, other than the salaries of employees WHETHER ISSUED MANUALLY OR ELECTRONICALLY, shall be signed by the City DIRECTOR OF FINANCE AND ACCOUNTING/Treasurer and countersigned by the Mayor.

[B]C. The Alternate Treasurer shall be authorized to sign checks in the absence of the DIRECTOR OF FINANCE AND ACCOUNTING/Treasurer, and the Mayor Pro Tem shall be authorized to countersign checks in the absence of the Mayor.

[C]D. All DIRECT DEPOSITS MADE IN PAYMENT OF EMPLOYEES’ SALARIES AND checks issued in payment of employee salaries, WHETHER ISSUED MANUALLY OR ELECTRONICALLY, shall be drawn upon a separate payroll checking account in which the unexpended balance may not exceed two hundred thousand dollars (\$200,000. 00). The

BOLD CAPITALS: INDICATE LANGUAGE ADDED TO THE CITY CODE.

[Bold parentheses]: Indicate language deleted from the City Code.

Administrative Officer shall be authorized to **APPROVE DIRECT DEPOSITS AND** sign salary checks drawn upon the payroll account, and the [City Treasurer or] Mayor **OR MAYOR PRO TEM** shall be authorized to **APPROVE DIRECT DEPOSITS AND** sign such checks in the absence of the Administrative Officer.

[D]E. The Mayor shall keep an updated list of current city bank accounts. The Mayor and Administrative Officer shall be authorized to transfer funds only between city accounts. No transfer of funds shall be authorized except between the official list of bank accounts prepared by the Mayor. Each year the Mayor shall update this list and provide notice to each financial business holding city accounts that transfers may only be made between specified bank accounts.

F. WHENEVER THIS SECTION REQUIRES A SIGNATURE FOR A CHECK, AN ELECTRONIC SIGNATURE SHALL SUFFICE PROVIDED THAT (1) THE SIGNATURE KEPT ON FILE IS APPROVED BY THE PERSON WHO'S SIGNATURE IS REQUIRED TO BE USED FOR PURPOSES OF ISSUING CHECKS, AND (2) THE CITY ADMINISTRATIVE OFFICER AND THE MAYOR HAVE APPROVED THE PAYMENT OF THE INVOICE OR BILL TO BE PAID BY SIGNING AN INTERNAL AUTHORIZATION SHEET AUTHORIZING THE USE OF THEIR ELECTRONIC SIGNATURES FOR THE PAYMENT OF THE INVOICE OR BILL.

BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton that City Code, Chapter 6 "Budget and Finance", §6-7 "Petty cash fund" be and hereby is amended to read as follows:

§ 6-7 Petty cash fund.

A petty cash fund shall be established in the amount of five hundred dollars (\$500.), which shall be in the custody of the City [Administrative Officer] **DIRECTOR OF FINANCE AND ACCOUNTING/TREASURER**. The [Administrative Officer] **DIRECTOR OF FINANCE AND ACCOUNTING/TREASURER** shall be authorized to make incidental cash purchases from this petty cash fund, not to exceed fifty dollars (\$50.) for any single purchase, and it shall be the responsibility of the [Administrative Officer] **DIRECTOR OF FINANCE AND ACCOUNTING/TREASURER** to keep an accurate accounting of all petty cash transactions and a reconciliation of the balance therein at all times.

BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton that City Code, Chapter 6 "Budget and Finance", §6-13 "Bonding of officers and employees" be and hereby is amended to read as follows:

§ 6-13 Bonding of officers and employees.

The city shall maintain a personal bond on the Mayor, [Treasurer,] **DIRECTOR OF Finance [Officer] AND ACCOUNTING/TREASURER** and the Administrative Officer in the amount of

BOLD CAPITALS: INDICATE LANGUAGE ADDED TO THE CITY CODE.

[Bold parentheses]: Indicate language deleted from the City Code.

one hundred fifty thousand dollars (\$150,000.00) and a blanket position bond on all other officers and employees in an amount of no less than fifty thousand dollars (\$50,000.) to insure against loss sustained through any fraudulent or dishonest act or through the failure of such officer or employee to properly and faithfully perform the duties of his or her position.

BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall become effective January 1, 2019, following adoption and approval by the Mayor, or passage by the Council over the Mayor's veto.

Introduced by the City Council of New Carrollton, Maryland on the 21st day of November, 2018.

Adopted and enacted by at least a four-fifths majority vote of the City Council of New Carrollton on the 19th day of December, 2018.

Effective: January 1, 2019

Attest:

City of New Carrollton

Douglass A. Barber, CMC
City Clerk

Richard Bechtold, Chair
City Council

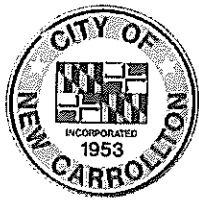
Date: _____

Approved:

Duane Rosenberg, Mayor

Date: _____

BOLD CAPITALS: INDICATE LANGUAGE ADDED TO THE CITY CODE.
[Bold parentheses]: Indicate language deleted from the City Code.



CHARTER AMENDMENT RESOLUTION 19-01

**CHARTER AMENDMENT RESOLUTION
OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING CITY
CHARTER, §C-3 "GOVERNMENT OF THE CITY" TO REMOVE THE
REQUIREMENT FOR STAGGERED TERMS FOR ELECTED OFFICIALS AND
TO PROVIDE FOR HOW THE CHANGE WILL OCCUR; AND AMENDING
CITY CHARTER, §C-7 "ELECTIONS" TO EFFECTUATE THE ELIMINATION
OF STAGGERED TERMS**

WHEREAS, pursuant to the authority contained in Article XI-E, §4 of the Constitution of the State of Maryland and Md. Code Ann., Local Gov't Art., §4-301 et seq., the City Council of New Carrollton has the authority to amend the City's Charter, in accordance with the procedures set forth therein; and

WHEREAS, based upon the outcome of a nonbinding referendum in which City voters said that the City should remove the requirement for staggered terms so that the Mayor and all City Councilmembers are elected at the same time, the City Council of New Carrollton desires to amend the City Charter to eliminate the requirement for staggered terms of elected City officials; and

WHEREAS, the City Council of New Carrollton deems it to be necessary and appropriate for good government and for the good of the City of New Carrollton to amend the City Charter accordingly.

Section 1: NOW, THEREFORE, BE IT RESOLVED by the City Council of New Carrollton, that the Charter of the City of New Carrollton, §C-4 "Qualifications of elected officials" shall be and is hereby amended to read as follows:

§ C-3 Government of the City.

- A. Election and terms of office. The government of the City shall be vested in a Mayor and a Council of five (5) members, elected at large. On the first Monday in May of each even-numbered year, there shall be a general election as herein provided, at which a Mayor and two (2) Councilmembers shall be elected to two-year terms, **EXCEPT THAT IN THE YEAR 2020 A MAYOR AND TWO COUNCILMEMBERS WILL BE ELECTED TO SERVE ONE THREE (3) YEAR TERM.** On the first Monday in May of each odd-numbered year **THROUGH AND INCLUDING MAY 3, 2021**, there shall be a general election as herein provided, at which three (3) Councilmembers shall be elected for two-year terms. **COMMENCING WITH THE 2023 CITY ELECTION, THERE SHALL BE NO MORE STAGGERED TERMS AND A MAYOR AND COUNCIL OF FIVE MEMBERS SHALL BE ELECTED TO TWO (2) YEAR TERMS ON THE FIRST**

MONDAY IN MAY, 2023 AND IN EVERY ODD-NUMBERED YEAR
THEREAFTER.

* * *

Section 2: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of New Carrollton that the Charter of the City of New Carrollton, §C-7 "Elections" shall be and is hereby amended to read as follows:

§ C-7 Elections

* * *

D. Candidates elected. At each election in which a Mayor is to be elected, the candidate for Mayor receiving the highest number of votes cast at the election shall be declared duly elected to the office of Mayor. At the election held during every even-numbered year **THROUGH AND INCLUDING THE MAY 2020 ELECTION**, the two (2) candidates for Councilmember receiving the highest number of votes cast at the election shall be declared duly elected to the office of Councilmember, and at the election held during every odd-numbered year **THROUGH AND INCLUDING THE MAY 2021 ELECTION**, the three (3) candidates for Councilmember receiving the highest number of votes cast at the election shall be declared duly elected to the office of Council-member. **COMMENCING WITH THE MAY 2023 CITY ELECTION, THE FIVE (5) CANDIDATES FOR THE OFFICE OF COUNCILMEMBER WITH THE HIGHEST NUMBER OF VOTES IN AN ELECTION SHALL BE DECLARED ELECTED AS THE CITY COUNCIL.** In the event of a special election to fill a vacancy on the Council, the candidate or candidates for Councilmember receiving the highest number of votes cast at the election shall be declared elected to complete the unexpired term(s) of office of Councilmember. In the event that vacancies on the Council would require that one (1) or more additional Councilmembers be elected at an election to a one-year term to maintain a full five-member Council, the candidate or candidates for Councilmember receiving the next-highest number of votes cast at the election, after those candidates elected to the regular two-year terms on the Council, shall be declared elected to the office of Council Member for the one-year term or terms. In the event of a tie vote for any office, a runoff election between the tied candidates shall be conducted on the fourth Tuesday following the date of the election in which the tie vote occurred.

Section 3: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of New Carrollton that if any provision of this Charter Amendment Resolution or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction,

BOLD CAPITALS: INDICATE LANGUAGE ADDED TO THE CITY CHARTER.

* * *: Indicate language in the city charter that remains unchanged.

the invalidity does not affect other provisions or any other application of this Charter Amendment Resolution that can be given effect without the invalid provision or application, and for the purpose the provision of this Charter Amendment Resolution are declared severable.

Section 4: BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this ____ day of _____, 2018, and that the amendments to the Charter of the City of New Carrollton, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with the Local Government Article of the Annotated Code of Maryland within 40 days following its passage. A fair summary of this Resolution shall be posted in the City Hall for forty (40) days following its adoption and published in a newspaper having general circulation in the City no fewer than four (4) times at weekly intervals within the forty (40) days following its passage by the City.

Section 5: BE IT FURTHER RESOLVED that prior to the adoption of this Charter Amendment Resolution, the City Council of New Carrollton conducted a public hearing on the proposed amendment on the ____ day of December, 2018, after at least 21 days' advance notice of the public hearing.

Section 6: BE IT FURTHER RESOLVED that as soon as the Charter Amendment Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Administrative Officer shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the City Council of New Carrollton or in a referendum; and (iv) the effective date of the Charter Amendment.

BOLD CAPITALS: INDICATE LANGUAGE ADDED TO THE CITY CHARTER.

* * *: Indicate language in the city charter that remains unchanged.

Section 7: BE IT FURTHER RESOLVED that the City Administrative Officer of the City of New Carrollton, Maryland be, and hereby is specifically instructed to carry out the provisions of Sections 4 and 6 as evidence of compliance herewith; and the City Administrative Officer shall cause to be affixed to the minutes of this meeting an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Amendment shall have been published, and shall further cause to be completed and executed the Certificate of Effect.

INTRODUCED by the City Council of New Carrollton at a Regular Meeting of the City Council on the 19th day of December 2018.

ADOPTED AND ENACTED by the City Council of New Carrollton at a Regular Meeting of the City Council on the _____ day of January, 2019.

Effective: _____, 2019

Attest:

City of New Carrollton

Douglass A. Barber, CMC
City Clerk

Richard Bechtold, Chair

Date: _____

Approved:

Duane H. Rosenberg, Mayor

Date: _____

BOLD CAPITALS: INDICATE LANGUAGE ADDED TO THE CITY CHARTER.

* * *: Indicate language in the city charter that remains unchanged.



Ordinance 19-09
Budget Amendment Reconciliation No. Two:
To Amend Ordinance 18-08
Current Expense Budget for FY 2019

Effective: December 20, 2018

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE ADOPTED BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019 AS EMBODIED IN ORDINANCE 18-08 TO REFLECT MONEY BROUGHT INTO THE BUDGET FROM CITY RESTRICTED/DESIGNATED FUNDS AND TO ADJUST VARIOUS EXPENDITURES

WHEREAS, the City Council of New Carrollton (the "City Council"), a body politic and corporate of the State of Maryland is authorized to adopt a fiscal year budget, pursuant to City Charter, §C-14 "Budget and Finance"; and

WHEREAS, the City Council adopted a budget for FY 2019 via Ordinance No. 18-08; and

WHEREAS, certain expenses reflected in the City budget will exceed their appropriated amount and require an adjustment in the FY 2019 Budget to reflect additional money being appropriated to these items; and

WHEREAS, the City Council wishes to amend the FY 2019 Budget to account for new revenues and expenditures since the enactment of the Budget; and

WHEREAS, the City Council may, by a four-fifths vote, declare any proposed ordinance or any proposed amendment to an ordinance to be an "emergency" and shall thereupon be authorized to introduce and enact such ordinance or amendment at a single meeting; and

WHEREAS, an emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed over his veto by the City Council; and

WHEREAS, the City Council hereby declares that it is in the best interests of the City that this Ordinance be deemed an emergency ordinance so that it may become effective immediately upon approval by the Mayor or when passed over his veto by the City Council.

Section 1. NOW THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of New Carrollton, that Ordinance 18-08, Current Expense Budget for the City of New Carrollton, Maryland for Fiscal Year 2019, under the heading of "City of New Carrollton FY 2019 Adopted Budget" be and hereby is amended as follows:

Account # and Description	Original/ Amended Budget Thru #1	Decrease Revenue/ Increase Expense	Increase Revenue/ Decrease Expense	Amended Budget
Revenues				
01-1000-36755- RESTRICT -WEINBACH SCHOLARSHIP GRANT	0		500	500
01-1000-36770- DESIG-VEHICLE REPLACEMENT	0		35,310	35,310
Total Revenues			35,810	
General Government				
Expenses				
01-1510-45400- EMPLOYEE SERVICE	613,395		6,000	607,395
01-1510-48000- RETIREMENT & PENSION	58,024		5,721	52,303
01-1510-50325- CONSULTING SERVICES	1,000	11,657		12,657
01-1510-58050-FURNITURE & FIXTURES	0	64		64
01-2510-47000- WORKMAN COMPENSATION	5,465	2,631		8,096
01-2510-48000- RETIREMENT & PENSION	20,080		2,631	17,449
01-2510-53540- TRAVEL & MEETINGS	1,000		307	693
01-2510-54020-CELL PHONES	1,200	307		1,507
01-4521-62200-WEINBACH SCOLARSHIP GRANT	3,000	500		3,500
Total General Government		15,159	14,659	
Public Safety				
Expenses				
01-3010-47000-WORKMAN COMPENSATION	22,329	12,856		35,185
01-3010-50200-COMPUTER & IT SUPPORT	10,000	803		10,803
01-3010-53570- UNIFORMS	30,000		803	29,197
01-3030-47000- WORKERMAN COMPENSATION	4,626	934		5,560
01-3040-47000- WORKMAN COMPENSATION	96,049		13,790	82,259
Total Public Safety		14,593	14,593	
Public Works				
Expenses				
01-3510-47000- WORKMAN COMPENSATION	15,597	1,910		17,507
01-3510-50710- AUTO INSURANCE	25,694	366		26,060
01-3510-57100- VEHICLE	0	35,310		35,310
01-3610-52150- SMALL OPERATIN EQUIPMENT & PARTS	1,000	26		1,026
01-3610-52560- TRAFFICE SAFETY SUPPLIES	3,000	414		3,414
01-3810-47000- WORKMAN COMPENSATION	16,602		2,716	13,886
Total Public Works		38,026	2,716	
Total Budget Amendment		67,778.00	67,778.00	

Section 2. BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton, Maryland, with at least four-fifths of the total Council concurring, that this Ordinance be deemed an emergency ordinance so that it may be introduced and enacted on the same date and so that it shall become effective immediately upon approval by the Mayor or when passed over his veto by the City Council.

INTRODUCED AND ENACTED BY THE CITY COUNCIL OF NEW CARROLLTON, MARYLAND ON THE 19th DAY OF DECEMBER, 19, 2018.

EFFECTIVE DATE: December 20, 2018

Attest:

City of New Carrollton

Douglass A. Barber, CMC
City Clerk

Richard Bechtold
Chairman, City Council

Approved:

Duane H. Rosenberg
Mayor

Date: _____



Ordinance 19-10
Chapter 100: Streets and Sidewalks
The Code of the City of New Carrollton

Effective: _____, 2019

**AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON,
AMENDING CITY CODE CHAPTER 100, "STREETS AND SIDEWALKS"
TO RENAME THE CHAPTER "STREETS, SIDEWALKS, PUBLIC PROPERTY
AND RIGHTS-OF-WAY", TO DIVIDE THE CHAPTER INTO TWO ARTICLES,
WITH THE EXISTING PROVISIONS OF CHAPTER 100 BECOMING
ARTICLE I, "GENERAL PROVISIONS" AND ADDING ARTICLE II,
"WIRELESS TELECOMMUNICATIONS FACILITIES IN PUBLIC RIGHTS-
OF-WAY" TO PROVIDE FOR CERTAIN STANDARDS AND REGULATIONS
RELATING TO THE LOCATION OF SMALL WIRELESS
TELECOMMUNICATIONS TOWERS, ANTENNAE, AND OTHER
STRUCTURES WITHIN THE CITY'S PUBLIC RIGHTS-OF-WAY OR ON
CITY PROPERTY, CONSISTENT WITH FEDERAL AND STATE LAW**

WHEREAS, §5-202 of the Local Government Article of the Annotated Code of Maryland provides that the City Council of the City of New Carrollton has the authority to pass such ordinances as it deems necessary to preserve peace and good order, and to protect the health, comfort and convenience of the residents of the municipality; and

WHEREAS, City Code, Chapter 100 "Streets and Sidewalks" authorizes the City to regulate the construction of new streets, control its rights of way and make provision for construction in the rights of way; and

WHEREAS, the Mayor and Council determined that it is in the public interest to provide for regulation of the installation of wireless telecommunications facilities in the City's rights of way that is consistent with federal and state law.

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of New Carrollton that Chapter 100, "Streets and Sidewalks" be and hereby is repealed and re-enacted with amendments to rename the Chapter and divide the Chapter into Articles I and II to read as follows:

Chapter 100: Streets, ~~and~~ Sidewalks, **PUBLIC PROPERTY AND RIGHTS-OF-WAY**

ARTICLE I. GENERAL PROVISIONS

- § 100-1 Purpose.
- § 100-2 Permit requirements.
- § 100-3 Inspection of work.
- § 100-4 Permit fees and bonds.
- § 100-5 Authority to close public streets.
- § 100-6 Storage of construction materials; warning devices.
- § 100-7 Deposit of mud and debris; notification of violation; failure to comply.
- § 100-8 Deposit of refuse and litter.
- § 100-9 Damage to streets and sidewalks.
- § 100-10 Interfering with or damaging public property.
- § 100-11 Obstructions.
- § 100-12 Responsibilities of property owners and tenants.
- § 100-13 Violations and penalties.

ARTICLE II. WIRELESS TELECOMMUNICATIONS FACILITIES IN PUBLIC RIGHTS-OF-WAY

- § 100-14 **SCOPE.**
- § 100-15 **DEFINITIONS.**
- § 100-16 **GENERAL STANDARDS FOR WIRELESS TELECOMMUNICATIONS
FACILITIES IN THE RIGHTS-OF-WAY.**
- § 100-17 **APPLICATION SUBMISSION REQUIREMENTS.**
- § 100-18 **TERMINATION OF PERMIT/BREACH.**
- § 100-19 **INFRASTRUCTURE OWNED OR CONTROLLED BY THE CITY.**
- § 100-20 **FEES AND PENALTIES.**

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the City Council of New Carrollton that Chapter 100 “Streets and Sidewalks”, Article II Wireless Telecommunications Facilities in Public Rights-of-way, be and is hereby enacted to read as follows:

**ARTICLE II. WIRELESS TELECOMMUNICATIONS FACILITIES
IN PUBLIC RIGHTS-OF-WAY**

§100-14 SCOPE.

A. IN GENERAL. UNLESS EXEMPTED, EVERY PERSON WHO DESIRES TO PLACE A SMALL WIRELESS TELECOMMUNICATIONS FACILITY IN CITY RIGHTS-OF-WAY, TO INCLUDE DEPLOYMENT OF PERSONAL WIRELESS SERVICE INFRASTRUCTURE, OR MODIFY AN EXISTING WIRELESS TELECOMMUNICATIONS FACILITY, MUST OBTAIN A WIRELESS PLACEMENT PERMIT AUTHORIZING THE PLACEMENT OR MODIFICATION.

B. EXEMPTIONS. THE FOLLOWING ARE EXEMPTED FROM THE REQUIREMENTS OF THIS CHAPTER:

- (1) THE PLACEMENT OR MODIFICATION OF WIRELESS TELECOMMUNICATIONS FACILITIES ON SUPPORTING STRUCTURES OWNED, OR UNDER THE CONTROL OF, THE CITY, THE USE OF WHICH IS SUBJECT TO A CONTRACT FOR USE OF THE FACILITY BETWEEN THE CITY AND THE ENTITY OR ENTITIES THAT OWN OR CONTROL THE WIRELESS TELECOMMUNICATIONS FACILITY;**

- (2) **THE PLACEMENT OR MODIFICATION OF WIRELESS FACILITIES BY THE CITY OR BY ANY OTHER AGENCY OF THE STATE SOLELY FOR PUBLIC SAFETY PURPOSES.**
- (3) **MODIFICATIONS TO AN EXISTING WIRELESS TELECOMMUNICATIONS FACILITY THAT MAKES NO MATERIAL CHANGE TO THE FOOTPRINT OF A FACILITY OR TO THE SURFACE OR SUBSURFACE OF A PUBLIC STREET IF THE ACTIVITY DOES NOT DISRUPT OR IMPEDE TRAFFIC IN THE TRAVELED PORTION OF A STREET, AND IF THE WORK ACTIVITY DOES NOT CHANGE THE VISUAL OR AUDIBLE CHARACTERISTICS OF THE WIRELESS TELECOMMUNICATIONS FACILITY. THE CITY, BY REGULATION, MAY ALSO EXEMPT WIRELESS TELECOMMUNICATIONS FACILITIES THAT OTHERWISE ARE SUBJECT TO THE PROVISIONS OF THIS SECTION FROM THE OBLIGATION TO OBTAIN A PERMIT TO INSTALL OR MODIFY A WIRELESS TELECOMMUNICATIONS FACILITY WHERE IT IS DETERMINED THAT BECAUSE OF THE PHYSICAL CHARACTERISTICS OF THE PROPOSED FACILITIES, AND THE WORK ASSOCIATED WITH THEM, SUCH A PERMIT IS NOT REQUIRED TO PROTECT THE PUBLIC HEALTH, WELFARE OR SAFETY, TO MAINTAIN THE CHARACTER OF A NEIGHBORHOOD OR CORRIDOR, OR TO OTHERWISE SERVE THE PURPOSES OF THIS ORDINANCE.**
- (4) **INSTALLATION OF A MOBILE CELL FACILITY OR A SIMILAR STRUCTURE FOR A TEMPORARY PERIOD IN CONNECTION WITH AN EMERGENCY OR EVENT, BUT NO LONGER THAN REQUIRED FOR THE EMERGENCY OR EVENT, PROVIDED**

THAT INSTALLATION DOES NOT INVOLVE EXCAVATION, MOVEMENT OR REMOVAL OF EXISTING FACILITIES.

(5) A MICRO WIRELESS FACILITY STRUNG BETWEEN TWO UTILITY POLES AS DEFINED IN §100-15 AND PROVIDED FURTHER THAT THE INSTALLATION DOES NOT REQUIRE REPLACEMENT OF THE STRAND, OR EXCAVATION, MODIFICATION OR REPLACEMENT OF THE UTILITY POLES.

C. OTHER APPLICABLE REQUIREMENTS. IN ADDITION TO THE WIRELESS TELECOMMUNICATIONS PERMIT REQUIRED HEREIN, THE PLACEMENT OF A WIRELESS TELECOMMUNICATIONS FACILITY IN THE PUBLIC-RIGHTS OF WAY REQUIRES THE PERSONS WHO WILL OWN OR CONTROL THOSE FACILITIES TO OBTAIN THE FRANCHISES, LICENSE AGREEMENTS AND PERMITS REQUIRED BY APPLICABLE LAW, AND TO COMPLY WITH APPLICABLE LAW, INCLUDING, BUT NOT LIMITED TO, APPLICABLE LAW GOVERNING RADIO FREQUENCY (RF) EMISSIONS.

D. PUBLIC USE. EXCEPT AS OTHERWISE PROVIDED BY MARYLAND LAW, ANY USE OF THE RIGHT OF WAY AUTHORIZED PURSUANT TO THIS CHAPTER WILL BE SUBORDINATE TO THE CITY'S USE AND USE BY THE PUBLIC.

§100-15 DEFINITIONS.

TERMS USED IN THIS ARTICLE SHALL HAVE THE FOLLOWING MEANINGS:

A. APPLICATION: A FORMAL REQUEST, INCLUDING ALL REQUIRED AND REQUESTED DOCUMENTATION AND

INFORMATION SUBMITTED BY AN APPLICANT TO THE CITY FOR A WIRELESS PLACEMENT PERMIT.

B. APPLICANT: A PERSON FILING AN APPLICATION FOR PLACEMENT OR MODIFICATION OF A WIRELESS TELECOMMUNICATIONS FACILITY IN THE RIGHTS-OF-WAY.

C. BASE STATION: THE TERM BASE STATION SHALL HAS THE SAME

MEANING AS IN 47 C.F.R. SECTION 1.40001.

D. CERTIFICATE OF COMPLETION: A DOCUMENT THAT IS REQUIRED FROM AND ISSUED BY THE CITY CONFIRMING THAT ALL WORK DESCRIBED IN THE APPLICATION, AS APPROVED: (I) WAS PROPERLY PERMITTED, INCLUDING, WITHOUT LIMITATION, ALL REQUIRED PERMITS FOR BUILDING, ELECTRICAL WORK, STREET OR CURB CUTTING, AND EXCAVATION; (II) WAS DONE IN COMPLIANCE WITH AND FULFILLMENT OF ALL CONDITIONS OF ALL PERMITS, INCLUDING ALL STATED DEADLINES; (III) WAS FULLY CONSTRUCTED AND/OR PLACED AS APPROVED AND PERMITTED; AND (IV) WAS FINALLY INSPECTED BY THE CITY, AND WAS APPROVED BY THE CITY AFTER SAID FINAL INSPECTION.

E. RIGHTS-OF-WAY: THE TERM RIGHTS-OF-WAY INCLUDE ANY PORTION OF ANY STREET, ROAD OR PUBLIC WAY WHICH THE CITY HAS THE RESPONSIBILITY TO MAINTAIN OR MANAGE.

F. MICRO WIRELESS FACILITY: A SMALL WIRELESS FACILITY HAVING DIMENSIONS NO LARGER THAN 24 INCHES IN

LENGTH, 15 INCHES IN WIDTH AND 12 INCHES IN HEIGHT AND AN EXTERIOR ANTENNA, IF ANY, NO LONGER THAN 11 INCHES.

G. SMALL WIRELESS FACILITY: CONSISTENT WITH SUBPART U, PART 1 OF TITLE 47, "STATE AND LOCAL GOVERNMENT REGULATION OF THE PLACEMENT, CONSTRUCTION, AND MODIFICATION OF PERSONAL WIRELESS SERVICE FACILITIES", A FACILITY THAT MEETS EACH OF THE FOLLOWING CONDITIONS:

(1) THE STRUCTURE ON WHICH ANTENNA FACILITIES ARE MOUNTED—

i. IS 50 FEET OR LESS IN HEIGHT, OR

ii. IS NO MORE THAN 10 PERCENT TALLER THAN OTHER ADJACENT STRUCTURES, OR

iii. IS NOT EXTENDED TO A HEIGHT OF MORE THAN 10 PERCENT ABOVE ITS PREEXISTING HEIGHT AS A RESULT OF THE COLLOCATION OF NEW ANTENNA FACILITIES; AND

(2) EACH ANTENNA (EXCLUDING ASSOCIATED ANTENNA EQUIPMENT) IS NO MORE THAN THREE CUBIC FEET IN VOLUME; AND

(3) ALL ANTENNA EQUIPMENT ASSOCIATED WITH THE FACILITY (EXCLUDING ANTENNAS) ARE CUMULATIVELY NO MORE THAN 28 CUBIC FEET IN VOLUME; AND

(4) THE FACILITY DOES NOT REQUIRE ANTENNA STRUCTURE REGISTRATION;

(5) THE FACILITY DOES NOT RESULT IN HUMAN EXPOSURE TO RADIOFREQUENCY RADIATION IN EXCESS OF THE

**APPLICABLE SAFETY STANDARDS SPECIFIED BY FEDERAL
LAW**

- H. SUPPORT STRUCTURE: ANY STRUCTURE CAPABLE OF SUPPORTING A BASE STATION.**
- I. TOWER: ANY STRUCTURE BUILT FOR THE SOLE OR PRIMARY PURPOSE OF SUPPORTING ANY FCC-LICENSED OR AUTHORIZED ANTENNAS AND THEIR ASSOCIATED FACILITIES, INCLUDING STRUCTURES THAT ARE CONSTRUCTED FOR WIRELESS COMMUNICATIONS SERVICES INCLUDING, BUT NOT LIMITED TO, PRIVATE, BROADCAST, AND PUBLIC SAFETY SERVICES, AS WELL AS UNLICENSED WIRELESS SERVICES AND FIXED WIRELESS SERVICES SUCH AS MICROWAVE BACKHAUL, AND THE ASSOCIATED SITE. THIS DEFINITION DOES NOT INCLUDE UTILITY POLES.**
- J. UTILITY POLE: A STRUCTURE IN THE RIGHTS OF WAY DESIGNED TO SUPPORT ELECTRIC, TELEPHONE AND SIMILAR UTILITY LINES. A TOWER IS NOT A UTILITY POLE.**
- K. WIRELESS PERMIT: A PERMIT ISSUED PURSUANT TO THIS CHAPTER AND AUTHORIZING THE PLACEMENT OR MODIFICATION OF A WIRELESS TELECOMMUNICATIONS FACILITY OF A DESIGN SPECIFIED IN THE PERMIT AT A PARTICULAR LOCATION WITHIN THE RIGHTS OF WAY; AND THE MODIFICATION OF ANY EXISTING SUPPORT STRUCTURE TO WHICH THE WIRELESS TELECOMMUNICATIONS FACILITY IS PROPOSED TO BE ATTACHED.**
- L. WIRELESS SERVICE PROVIDER. AN ENTITY THAT PROVIDES WIRELESS SERVICES TO END USERS.**

M. WIRELESS INFRASTRUCTURE PROVIDER: A PERSON THAT OWNS, CONTROLS, OPERATES OR MANAGES A WIRELESS TELECOMMUNICATION FACILITY OR PORTION THEREOF WITHIN THE RIGHT-OF-WAY.

N. WIRELESS REGULATIONS: THOSE REGULATIONS ADOPTED TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE.

O. WIRELESS TELECOMMUNICATIONS FACILITY, OR FACILITY: A FACILITY AT A FIXED LOCATION CONSISTING OF A BASE STATION, ANY ACCESSORY EQUIPMENT, AND THE TOWER AND UNDERGROUND WIRING, IF ANY, ASSOCIATED WITH THE BASE STATION.

§100-16 GENERAL STANDARDS FOR WIRELESS

TELECOMMUNICATIONS FACILITIES IN THE RIGHTS-OF-WAY.

A. GENERALLY. WIRELESS TELECOMMUNICATIONS FACILITIES SHALL MEET THE MINIMUM REQUIREMENTS SET FORTH IN THIS CHAPTER AND THE WIRELESS REGULATIONS APPROVED BY THE MAYOR AND CITY COUNCIL, IN ADDITION TO THE REQUIREMENTS OF ANY OTHER APPLICABLE LAW.

B. REGULATIONS. THE WIRELESS REGULATIONS AND ADMINISTRATIVE DECISIONS ON APPLICATIONS FOR PLACEMENT OF WIRELESS TELECOMMUNICATIONS FACILITIES IN THE RIGHTS OF WAY SHALL, AT A MINIMUM, ENSURE THAT THE REQUIREMENTS OF THIS SECTION ARE SATISFIED, UNLESS IT IS DETERMINED THAT APPLICANT HAS ESTABLISHED THAT DENIAL OF AN APPLICATION WOULD, WITHIN THE MEANING OF FEDERAL LAW, PROHIBIT OR EFFECTIVELY PROHIBIT THE PROVISION OF PERSONAL WIRELESS SERVICES, OR OTHERWISE VIOLATE APPLICABLE LAWS OR

REGULATIONS. IF THAT DETERMINATION IS MADE, THE REQUIREMENTS OF THIS CHAPTER AND ANY CITY WIRELESS REGULATIONS MAY BE WAIVED, BUT ONLY TO THE MINIMUM EXTENT REQUIRED TO AVOID THE PROHIBITION.

C. STANDARDS. WIRELESS TELECOMMUNICATIONS FACILITIES SHALL BE INSTALLED AND MODIFIED IN A MANNER THAT:

- (1) MINIMIZES RISKS TO PUBLIC SAFETY, AVOIDS PLACEMENT OF ABOVEGROUND FACILITIES IN UNDERGROUND AREAS, AVOIDS INSTALLATION OF NEW SUPPORT STRUCTURES OR EQUIPMENT CABINETS IN THE PUBLIC RIGHTS OF WAY, AVOIDS PLACEMENT IN RESIDENTIAL AREAS WHEN COMMERCIAL AREAS ARE REASONABLY AVAILABLE, AND OTHERWISE MAINTAINS THE INTEGRITY AND CHARACTER OF THE NEIGHBORHOODS AND CORRIDORS IN WHICH THE FACILITIES ARE LOCATED;**
- (2) ENSURES THAT INSTALLATIONS ARE SUBJECT TO PERIODIC REVIEW TO MINIMIZE THE INTRUSION ON THE RIGHTS OF WAY; AND**
- (3) ENSURES THAT THE CITY BEARS NO RISK OR LIABILITY AS A RESULT OF THE INSTALLATIONS, AND THAT SUCH USE DOES NOT INCONVENIENCE THE PUBLIC, INTERFERE WITH THE PRIMARY USES OF THE PUBLIC RIGHTS OF WAY, OR HINDER THE ABILITY OF THE CITY OR OTHER GOVERNMENT AGENCIES TO IMPROVE, MODIFY, RELOCATE, ABANDON OR VACATE THE PUBLIC RIGHTS OF WAY OR ANY PORTION THEREOF, OR TO CAUSE THE IMPROVEMENT, MODIFICATION, RELOCATION, VACATION OR ABANDONMENT OF FACILITIES IN THE RIGHTS OF WAY.**

- (4) ENSURES THAT LOCATION OF FACILITIES ON EXISTING POLES OR STRUCTURES IS WITHIN THE TOLERANCE OF THOSE POLES OR STRUCTURES.

D. CONCEALMENT. PERMITS FOR WIRELESS

TELECOMMUNICATIONS FACILITIES SHALL INCORPORATE SPECIFIC CONCEALMENT ELEMENTS TO MINIMIZE VISUAL IMPACTS, AND DESIGN REQUIREMENTS ENSURING COMPLIANCE WITH ALL STANDARDS FOR NOISE EMISSIONS. UNLESS IT IS DETERMINED THAT ANOTHER DESIGN IS LESS INTRUSIVE, OR PLACEMENT IS REQUIRED UNDER APPLICABLE LAW:

- (1) ANTENNAE LOCATED AT THE TOP OF SUPPORT STRUCTURES SHALL BE INCORPORATED INTO THE STRUCTURE, OR PLACED WITHIN SHROUDS OF A SIZE SUCH THAT THE ANTENNAE APPEAR TO BE PART OF THE SUPPORT STRUCTURE;
- (2) ANTENNAE PLACED ELSEWHERE ON A SUPPORT STRUCTURE SHALL BE INTEGRATED INTO THE STRUCTURE, OR BE DESIGNED AND PLACED TO MINIMIZE VISUAL IMPACTS.
- (3) RADIO UNITS OR EQUIPMENT CABINETS HOLDING RADIO UNITS AND MOUNTED ON A UTILITY POLE SHALL BE PLACED AS HIGH AS POSSIBLE ON A SUPPORT STRUCTURE, LOCATED TO AVOID INTERFERING WITH, OR CREATING ANY HAZARD TO, ANY OTHER USE OF THE PUBLIC RIGHTS OF WAY, AND LOCATED ON ONE SIDE OF THE UTILITY POLE. UNLESS THE RADIO UNITS OR EQUIPMENT CABINETS CAN BE CONCEALED BY APPROPRIATE TRAFFIC SIGNAGE, RADIO UNITS OR EQUIPMENT CABINETS MOUNTED BELOW THE COMMUNICATIONS SPACE ON UTILITY POLES SHALL BE

DESIGNED SO THAT THE LARGEST DIMENSION IS VERTICAL, AND THE WIDTH IS SUCH THAT THE RADIO UNITS OR EQUIPMENT CABINETS ARE MINIMALLY VISIBLE FROM THE OPPOSITE SIDE OF THE SUPPORT STRUCTURE ON WHICH THEY ARE PLACED.

- (4) WIRING AND CABLING SHALL BE NEAT AND CONCEALED WITHIN OR FLUSH TO THE SUPPORT STRUCTURE, ENSURING CONCEALMENT OF THESE COMPONENTS TO THE GREATEST EXTENT POSSIBLE.**
- (5) GROUND-MOUNTED EQUIPMENT ASSOCIATED WITH A WIRELESS TELECOMMUNICATIONS FACILITY SHALL BE PERMITTED ONLY WHERE CONSISTENT WITH THE PORTION OF THE CORRIDOR IN WHICH IT IS TO BE PLACED, AND MAY BE REQUIRED TO BE UNDERGROUND, LOCATED IN ALLEYS OR OTHERWISE SHIELDED. IN NO EVENT MAY GROUND-MOUNTED EQUIPMENT INTERFERE WITH PEDESTRIAN OR VEHICULAR TRAFFIC.**
- (6) NO PERMIT SHALL BE ISSUED OR EFFECTIVE UNLESS IT IS SHOWN THAT THE WIRELESS TELECOMMUNICATIONS FACILITY WILL COMPLY WITH FEDERAL COMMUNICATION COMMISSION ("FCC") REGULATIONS GOVERNING RADIO FREQUENCY ("RF") EMISSIONS. EVERY WIRELESS FACILITY SHALL AT ALL TIMES COMPLY WITH APPLICABLE FCC REGULATIONS GOVERNING RF EMISSIONS, AND FAILURE TO COMPLY THEREWITH SHALL BE A TREATED AS A MATERIAL VIOLATION OF THE TERMS OF ANY PERMIT OR LEASE.**
- (7) NO TOWERS SHALL BE PERMITTED IN THE PUBLIC RIGHTS OF WAY, AND NO WIRELESS TELECOMMUNICATIONS**

FACILITIES SHALL BE PERMITTED ABOVE-GROUND IN UNDERGROUND AREAS; PROVIDED THAT THE CITY MAY PERMIT PLACEMENTS WHERE ALL ELEMENTS OF THE WIRELESS TELECOMMUNICATIONS FACILITY ARE CONCEALED AND THE FACILITY DOES NOT APPEAR TO A CASUAL OBSERVER TO BE A WIRELESS TELECOMMUNICATIONS FACILITY.

- (8) NO PERMIT SHALL ISSUE EXCEPT TO WIRELESS SERVICE PROVIDERS WITH IMMEDIATE PLANS FOR USE OF THE PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY; OR WIRELESS INFRASTRUCTURE PROVIDERS WITH CONTRACTS WITH WIRELESS SERVICE PROVIDERS WHICH REQUIRE THE SERVICE PROVIDER IMMEDIATELY TO USE THE PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY.
- (9) UNLESS APPROPRIATELY PLACED, AND CONCEALED, SO THAT THE SIZE OF THE FACILITY CANNOT BE INCREASED EXCEPT WITH THE DISCRETIONARY APPROVAL OF THE CITY, NO WIRELESS TELECOMMUNICATIONS FACILITY IS PERMITTED IN RIGHTS-OF-WAY IN ALLEYS.
- (10) NOT WIRELESS TELECOMMUNICATIONS FACILITY IS PERMITTED IN ANY LOCAL HISTORIC DISTRICT WITHOUT THE APPROVAL OF THE PRINCE GEORGE'S COUNTY HISTORIC PRESERVATION COMMISSION.

§ 100-10 APPLICATION SUBMISSION REQUIREMENTS.

A. SUBMISSION. APPLICANT SHALL SUBMIT A PAPER COPY AND AN ELECTRONIC COPY OF ANY APPLICATION, AMENDMENTS OR

SUPPLEMENTS TO AN APPLICATION, OR RESPONSES TO REQUESTS FOR INFORMATION REGARDING AN APPLICATION, TO THE DESIGNATED CITY DEPARTMENT.

B. CONTENT. AN APPLICATION MUST CONTAIN:

- (1) THE NAME OF THE APPLICANT, ITS TELEPHONE NUMBER AND CONTACT INFORMATION, AND IF THE APPLICANT IS A WIRELESS INFRASTRUCTURE PROVIDER, THE NAME AND CONTACT INFORMATION FOR THE WIRELESS SERVICE PROVIDER THAT WILL BE USING THE WIRELESS TELECOMMUNICATIONS FACILITY;**
- (2) A COMPLETE DESCRIPTION OF THE PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY AND THE WORK THAT WILL BE REQUIRED TO INSTALL OR MODIFY IT, INCLUDING BUT NOT LIMITED TO DETAIL REGARDING PROPOSED EXCAVATIONS, IF ANY; DETAILED SITE PLANS SHOWING THE LOCATION OF THE WIRELESS TELECOMMUNICATIONS FACILITY, AND SPECIFICATIONS FOR EACH ELEMENT OF THE WIRELESS TELECOMMUNICATIONS FACILITY, CLEARLY DESCRIBING THE SITE AND ALL STRUCTURES AND FACILITIES AT THE SITE BEFORE AND AFTER INSTALLATION OR MODIFICATION; AND A DESCRIPTION OF THE DISTANCE TO THE NEAREST RESIDENTIAL DWELLING UNIT AND ANY CONTRIBUTING HISTORICAL STRUCTURE WITHIN 500 FEET OF THE FACILITY. BEFORE AND AFTER 360 DEGREE PHOTO SIMULATIONS MUST BE PROVIDED. THE ELECTRONIC VERSION OF AN APPLICATION MUST BE IN A STANDARD FORMAT THAT CAN BE EASILY UPLOADED ON A WEB PAGE FOR REVIEW BY THE PUBLIC.**

- (3) AN APPLICATION FOR MODIFICATION OF AN ELIGIBLE SUPPORT STRUCTURE MUST CONTAIN INFORMATION SUFFICIENT TO SHOW THAT THE APPLICATION QUALIFIES UNDER OF 47 C.F.R. SECTION 1.40001. THE APPLICATION MUST RELATE TO AN EXISTING WIRELESS TELECOMMUNICATIONS FACILITY THAT HAS BEEN APPROVED BY THE CITY PURSUANT TO THIS ARTICLE. BEFORE AND AFTER 360 DEGREE PHOTO SIMULATIONS MUST BE PROVIDED WITH DETAILED SPECIFICATIONS DEMONSTRATING THAT THE MODIFICATION DOES NOT SUBSTANTIALLY CHANGE THE PHYSICAL DIMENSIONS OF THE EXISTING APPROVED STRUCTURE.
- (4) AN APPLICATION FOR A PERMIT SHALL BE SUBMITTED IN THE FORMAT AND MANNER SPECIFIED BY THE DESIGNATED DEPARTMENT. APPLICATIONS MUST CONTAIN ALL INFORMATION REQUIRED HEREIN AND BY ANY WIRELESS REGULATIONS TO DEMONSTRATE THAT APPLICANT IS ENTITLED TO THE PERMIT REQUESTED. APPLICANT MUST PROVIDE ANY INFORMATION UPON WHICH IT RELIES IN SUPPORT OF A CLAIM THAT DENIAL OF THE APPLICATION WOULD PROHIBIT OR EFFECTIVELY PROHIBIT THE PROVISION OF SERVICE IN VIOLATION OF FEDERAL LAW, OR OTHERWISE VIOLATE APPLICABLE LAW. APPLICANTS ARE NOT PERMITTED TO SUPPLEMENT THIS SHOWING IF DOING SO WOULD PREVENT CITY FROM COMPLYING WITH ANY DEADLINE FOR ACTION ON AN APPLICATION.
- (5) PROOF THAT NOTICE HAS BEEN MAILED TO OWNERS OF ALL PROPERTY, AND THE RESIDENT MANAGER FOR ANY MULTI-FAMILY DWELLING UNIT THAT INCLUDES TEN (10) OR MORE

UNITS, WITHIN 300 FEET OF THE PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY.

(6) A COPY OF ANY POLE OR STRUCTURE ATTACHMENT AGREEMENT MUST BE PROVIDED, AS WELL AS SUFFICIENT INFORMATION TO DETERMINE THAT THE INSTALLATION CAN BE SUPPORTED BY AND DOES NOT EXCEED THE TOLERANCES OF THE POLE OR STRUCTURE.

(7) PAYMENT OF ANY REQUIRED FEES.

(8) BEFORE A PERMIT IS ISSUED, CONCURRENT AGREEMENT TO ANY REQUIRED FRANCHISE OR LICENSE AGREEMENT MUST BE PROVIDED.

C. FEES. THE APPLICATION FEE FOR WIRELESS TELECOMMUNICATIONS FACILITIES, APPLICANT MUST PROVIDE AN APPLICATION FEE, AND SHALL BE REQUIRED TO PAY ALL COSTS REASONABLY INCURRED BY CITY IN REVIEWING THE APPLICATION, INCLUDING COSTS INCURRED IN RETAINING OUTSIDE CONSULTANTS. APPLICANT SHALL ALSO PAY AN ACCESS FEE. FEES SHALL BE REVIEWED PERIODICALLY, AND RAISED OR LOWERED BASED ON COSTS THE CITY EXPECTS TO INCUR, WITH A REVIEW COMMENCING BY THE FIRST ANNIVERSARY OF THE EFFECTIVE DATE OF THIS ORDINANCE.

D. WAIVERS. REQUESTS FOR WAIVERS FROM ANY REQUIREMENT OF THIS ARTICLE SHALL BE MADE IN WRITING TO THE CITY MANAGER OR DESIGNEE. THE SAME MAY GRANT A REQUEST FOR WAIVER IF IT IS DEMONSTRATED THAT, NOTWITHSTANDING THE ISSUANCE OF A WAIVER, THE CITY WILL BE PROVIDED ALL INFORMATION NECESSARY TO UNDERSTAND THE NATURE OF THE CONSTRUCTION OR OTHER ACTIVITY TO BE CONDUCTED

PURSUANT TO THE PERMIT SOUGHT.

E. PROCESSING OF APPLICATIONS. FOR SMALL WIRELESS FACILITIES, PERSONAL WIRELESS FACILITIES, AS THOSE TERMS ARE DEFINED UNDER FEDERAL LAW, AND ELIGIBLE FACILITIES REQUESTS, AS THAT TERM IS DEFINED UNDER FEDERAL LAW, APPLICATIONS WILL BE PROCESSED IN CONFORMITY WITH STATE, LOCAL AND FEDERAL LAW, AS AMENDED. CURRENTLY, THE FCC HAS REQUIRED THAT SUCH APPLICATIONS BE PROCESSED WITHIN 60 DAYS OF RECEIPT OF A COMPLETED APPLICATION FOR FACILITIES THAT WILL BE COLLOCATED ON PREEXISTING STRUCTURES, AND 90 DAYS FOR NEW CONSTRUCTION.

F. REJECTION FOR INCOMPLETENESS. NOTICES OF INCOMPLETENESS SHALL BE PROVIDED IN CONFORMITY WITH STATE, AND LOCAL AND FEDERAL LAW. IF SUCH AN APPLICATION IS INCOMPLETE, IT MAY BE REJECTED BY A WRITTEN ORDER SPECIFYING THE MATERIAL OMITTED FROM THE APPLICATION, OR THE CITY MAY NOTIFY THE APPLICANT OF THE MATERIAL OMITTED AND PROVIDE AN OPPORTUNITY TO SUBMIT THE MISSING MATERIAL. THE TIME IMPOSED BY FEDERAL, STATE OR LOCAL LAW FOR THE PROCESSING OF AN APPLICATION DOES NOT BEGIN TO RUN UNTIL AN APPLICATION IS COMPLETE.

§100-11 TERMINATION OF PERMIT/BREACH.

A. FOR BREACH. A WIRELESS TELECOMMUNICATIONS PERMIT MAY BE REVOKED FOR FAILURE TO COMPLY WITH THE CONDITIONS OF THE PERMIT, FRANCHISE, LICENSE OR APPLICABLE LAW. UPON REVOCATION, THE WIRELESS

TELECOMMUNICATIONS FACILITY MUST BE REMOVED WITHIN 30 DAYS OF WRITTEN NOTICE; PROVIDED THAT REMOVAL OF SUPPORT STRUCTURE OWNED BY CITY, A UTILITY, OR ANOTHER ENTITY AUTHORIZED TO MAINTAIN A SUPPORT STRUCTURE IN THE RIGHT OF WAY NEED NOT BE REMOVED, BUT MUST BE RESTORED TO ITS PRIOR CONDITION, EXCEPT AS SPECIFICALLY PERMITTED BY THE CITY. ALL COSTS INCURRED BY THE CITY IN CONNECTION WITH THE REVOCATION AND REMOVAL SHALL BE PAID BY ENTITIES WHO OWN OR CONTROL ANY PART OF THE WIRELESS TELECOMMUNICATIONS FACILITY.

B. FOR INSTALLATION WITHOUT A PERMIT. A WIRELESS TELECOMMUNICATIONS FACILITY INSTALLED WITHOUT A WIRELESS PERMIT (EXCEPT FOR THOSE EXEMPTED BY THIS ARTICLE) MUST BE REMOVED WITHIN 30 DAYS OF WRITTEN NOTICE; PROVIDED THAT REMOVAL OF SUPPORT STRUCTURE OWNED BY CITY, A UTILITY, OR ANOTHER ENTITY AUTHORIZED TO MAINTAIN A SUPPORT STRUCTURE IN THE RIGHT OF WAY NEED NOT BE REMOVED, BUT MUST BE RESTORED TO ITS PRIOR CONDITION, EXCEPT AS SPECIFICALLY PERMITTED BY THE CITY. ALL COSTS INCURRED BY THE CITY IN CONNECTION WITH THE REVOCATION AND REMOVAL SHALL BE PAID BY ENTITIES WHO OWN OR CONTROL ANY PART OF THE WIRELESS TELECOMMUNICATIONS FACILITY.

C. TERM. A WIRELESS PERMIT, OTHER THAN A PERMIT ISSUED PURSUANT TO AN ELIGIBLE FACILITIES REQUEST, SHALL BE VALID FOR A PERIOD OF FIVE (5) YEARS. AN ELIGIBLE FACILITIES PERMIT SHALL EXPIRE AT THE SAME TIME THE PERMIT FOR THE UNDERLYING EXISTING WIRELESS TELECOMMUNICATIONS FACILITY EXPIRES. A PERSON HOLDING A WIRELESS

TELECOMMUNICATIONS PERMIT MUST EITHER REMOVE THE WIRELESS TELECOMMUNICATIONS FACILITY UPON EXPIRATION (PROVIDED THAT REMOVAL OF SUPPORT STRUCTURE OWNED BY CITY, A UTILITY, OR ANOTHER ENTITY AUTHORIZED TO MAINTAIN A SUPPORT STRUCTURE IN THE RIGHT OF WAY NEED NOT BE REMOVED, BUT MUST BE RESTORED TO ITS PRIOR CONDITION, EXCEPT AS SPECIFICALLY PERMITTED BY THE CITY); OR, AT LEAST 90 DAYS PRIOR TO EXPIRATION, MUST SUBMIT AN APPLICATION TO RENEW THE PERMIT, WHICH APPLICATION MUST DEMONSTRATE THAT THE IMPACT OF THE WIRELESS TELECOMMUNICATIONS FACILITY CANNOT BE REDUCED. THE WIRELESS TELECOMMUNICATIONS FACILITY MUST REMAIN IN PLACE UNTIL IT IS ACTED UPON BY THE CITY, AND ANY APPEALS FROM THE CITY'S DECISION ARE EXHAUSTED.

§175-13, "INFRASTRUCTURE OWNED OR CONTROLLED BY THE CITY.

THE CITY MAY NEGOTIATE AGREEMENTS FOR USE OF CITY OWNED OR CONTROLLED LIGHT STANDARDS AND TRAFFIC SIGNALS IN THE PUBLIC RIGHTS OF WAY FOR PLACEMENT OF WIRELESS TELECOMMUNICATIONS FACILITIES ON THOSE STRUCTURES. THE AGREEMENT SHALL SPECIFY THE COMPENSATION TO THE CITY FOR USE OF THE STRUCTURES. THE PERSON SEEKING THE AGREEMENT SHALL ADDITIONALLY REIMBURSE THE CITY FOR ALL COSTS THE CITY INCURS IN CONNECTION WITH ITS REVIEW OF, AND ACTION UPON THE PERSON'S REQUEST FOR AN AGREEMENT.

Section 3. BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton, that If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

Section 4. BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton that this Ordinance shall become effective following adoption and approval by the Mayor, or passage by the Council over the Mayor's veto.

INTRODUCED by the City Council of New Carrollton at a regular meeting on the 19th day of December 2018.

ADOPTED by the City Council of New Carrollton at a regular meeting on the _____ day of _____ 2019.

EFFECTIVE the ____ day of _____, 2019.

Attest:

City of New Carrollton

Douglass A. Barber, CMC
City Clerk

Richard Bechtold, Chair City Council

Date: _____

Approved:

Duane H. Rosenberg, Mayor

Date: _____



Effective: _____, 2019

**AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON
REPEALING CHAPTER 75 “LICENSES AND PERMITS” OF THE CODE
OF THE CITY OF NEW CARROLLTON AND RE-ENACTING CHAPTER 75
“LICENSES” OF THE CODE OF THE CITY OF NEW CARROLLTON**

WHEREAS, pursuant to Md. Code, Local Government, §5-204 “Legislative authority – General powers of municipalities” the City of New Carrollton may exercise licensing authority granted by law, as in the Business Occupations and Professions and Business Regulation Articles of the Annotated Code of Maryland; and

WHEREAS, pursuant to this authority, the City Council of New Carrollton enacted City Code, Chapter 75 “Licenses and Permits” in 1975 and amended it in 1997 and 1998; and

WHEREAS, upon review of Chapter 75 and City licensing procedures, City staff recommends changes to City Code, Chapter 75 to clarify licensing requirements, processes and procedures in the City; and

WHEREAS, upon review of the proposed changes the City Council of New Carrollton concurs that the changes are necessary for the efficient operations of City.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of New Carrollton that City Code, Chapter 75 “Licenses”, be and hereby is repealed in its entirety and re-enacted with amendments as City Code, Chapter 75 “Licenses” to read as follows:

CHAPTER 75

LICENSES

§ 75-1. SCOPE AND PURPOSE.

§ 75-2. LICENSE REQUIRED.

§ 75-3. DURATION OF LICENSE.

§ 75-4. APPLICATION.

§ 75-5. APPLICATION REVIEW AND CONSIDERATION.

§ 75-6. LICENSE FEES.

§ 75-7. LICENSES.

§ 75-8. OPERATIONAL REGULATIONS.

§ 75-9. SPECIAL REGULATIONS FOR MOBILE VENDORS.

§ 75-10. SUSPENSION AND REVOCATION OF LICENSE.

§ 75-11. APPEALS.

§ 75-12. PENALTIES AND ENFORCEMENT

§ 75-13. TEMPORARY LICENSE

§ 75-1. SCOPE AND PURPOSE.

(A) THIS CHAPTER APPLIES TO THE OPERATION OF A TRADE, OCCUPATION OR BUSINESS (HEREINAFTER COLLECTIVELY REFERRED TO AS “BUSINESS”) IN THE CITY OF NEW CARROLLTON.

(B) PROVISIONS OF THIS CHAPTER SHALL NOT APPLY TO SUPPLIERS OF MERCHANDISE TO BUSINESSES WITHIN THE CORPORATE LIMITS OF THE CITY OR TO PERSONS SELLING MERCHANDISE WHO ARE AT A RESIDENCE AT THE REQUEST OF THE OCCUPANT OR A PERSON WHO TAKES ORDERS FOR DELIVERY OF NEWSPAPERS.

(C) FOR PURPOSES OF THIS CHAPTER, A BUSINESS INCLUDES COMMERCIAL TRADES OR BUSINESSES, NOT-FOR PROFIT ENTERPRISES, RELIGIOUS INSTITUTIONS AND ENTERPRISES AFFILIATED WITH RELIGIOUS INSTITUTIONS.

(D) FOR PURPOSES OF THIS CHAPTER, THE OPERATION OF ONE OR MORE SINGLE-FAMILY DWELLINGS OR DWELLING UNITS FOR RENT AND FOR WHICH LICENSES HAVE BEEN ISSUED UNDER CHAPTER 89 OF THIS CODE IS NOT THE OPERATION OF A BUSINESS WITH RESPECT TO SUCH RENTALS.

(E) THE PURPOSE OF THIS CHAPTER IS TO REGULATE, IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY AND MORALS OF THE CITY, ALL BUSINESSES SUBJECT TO THIS CHAPTER CONDUCTED IN THE CITY OF NEW CARROLLTON AND TO REQUIRE LICENSES FOR THEM.

§ 75-2. LICENSE REQUIRED.

(A) NO PERSON SHALL ENGAGE IN OR CARRY ON A BUSINESS IN THE CITY OF NEW CARROLLTON WITHOUT FIRST OBTAINING A LICENSE FROM THE CITY UNDER THIS CHAPTER AND PAYING THE REQUIRED LICENSE FEE IN FULL.

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(B) A LICENSE SHALL BE APPLIED FOR BY AND ISSUED TO THE OWNER OR OTHER PERSON RESPONSIBLE FOR OPERATING THE BUSINESS IN THE CITY. IF THE OWNER OF, OR OTHER PERSON RESPONSIBLE FOR OPERATING, THE BUSINESS IS A BUSINESS ENTITY, THE LICENSE SHALL BE ISSUED TO AN OFFICER OF THE BUSINESS ENTITY WHO SHALL HOLD THE LICENSE FOR THE SOLE USE AND BENEFIT OF THE BUSINESS ENTITY.

(C) THE LICENSEE IS PERSONALLY LIABLE FOR COMPLYING WITH THIS CHAPTER AND ALL TERMS AND CONDITIONS OF THE LICENSE.

(D) EACH LICENSE SHALL BE CONSPICUOUSLY DISPLAYED IN THE LICENSED PREMISES.

(E) A LICENSE ISSUED UNDER THIS CHAPTER IS IN ADDITION TO ANY OTHER CERTIFICATE OR LICENSE REQUIRED BY THIS CODE.

(F) A PERSON WHO IS ELIGIBLE FOR AND OBTAINS A TEMPORARY LICENSE UNDER § 75-13 OF THIS CODE IS EXEMPT FROM OBTAINING A LICENSE UNDER THIS CHAPTER.

§ 75-3. DURATION OF LICENSE.

A LICENSE ISSUED UNDER THIS CHAPTER:

(1) IS VALID FOR A PERIOD OF ONE YEAR FROM THE DATE OF ISSUANCE OF THE LICENSE, AND SHALL EXPIRE AT 11:59 P.M. ON THE 365TH DAY.

(2) MAY BE RENEWED FOR SUCCESSIVE TERMS OF ONE YEAR EACH UPON COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER.

§ 75-4. APPLICATION.

A. ANY PERSON SEEKING A LICENSE, OR THE RENEWAL OF A LICENSE, UNDER THIS CHAPTER SHALL FILE WITH THE MAYOR OR HIS OR HER DESIGNEE A WRITTEN APPLICATION, UNDER PENALTY OF PERJURY, IN A FORM PRESCRIBED BY THE CITY. AN APPLICATION FOR THE RENEWAL OF AN EXISTING LICENSE SHALL BE FILED NOT LATER THAN THIRTY- ONE (31) DAYS PRIOR TO THE DATE ON WHICH THE LICENSE IS SCHEDULED TO EXPIRE, UNLESS OTHERWISE AUTHORIZED BY THE MAYOR. AN APPLICATION THAT IS

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FILED LESS THAN THIRTY-ONE DAYS BEFORE THE LICENSE IS SCHEDULED TO EXPIRE, OR SUCH LATER DATE AS AUTHORIZED BY THE MAYOR, SHALL BE TREATED AS A NEW APPLICATION.

THE APPLICATION FOR AN INITIAL LICENSE OR THE RENEWAL OF A LICENSE SHALL INCLUDE OR BE ACCOMPANIED BY THE FOLLOWING, AS WELL AS SUCH OTHER INFORMATION AND DOCUMENTATION AS THE CITY REASONABLY MAY REQUIRE:

- (1) THE ADDRESS OF THE PREMISES AT WHICH THE BUSINESS WILL BE OPERATED.**
- (2) THE ZONING CLASSIFICATION OF THE PREMISES AT OR FROM WHICH THE BUSINESS WILL BE OPERATED.**
- (3) THE NAME, TELEPHONE NUMBER, E-MAIL ADDRESS AND POSTAL MAILING ADDRESSES OF THE OWNER OF THE PREMISES.**
- (4) THE NAME, TELEPHONE NUMBER, E-MAIL ADDRESS AND POSTAL MAILING ADDRESSES OF THE APPLICANT.**
- (5) THE NAME, TELEPHONE NUMBER, E-MAIL ADDRESS AND POSTAL MAILING ADDRESSES OF THE OWNER OF THE BUSINESS ENTITY FOR WHOSE USE AND BENEFIT THE LICENSE IS SOUGHT.**
- (6) THE NAMES, TELEPHONE NUMBERS, E-MAIL ADDRESS AND POSTAL MAILING ADDRESSES OF ALL ON-SITE MANAGERS AND OTHER ON-SITE INDIVIDUALS WHO WILL BE RESPONSIBLE FOR THE OPERATION OF THE BUSINESS WHEN IT IS OPEN FOR BUSINESS, AND WHO WILL BE AUTHORIZED TO ACCEPT NOTICES AND CITATIONS FROM THE CITY WITH RESPECT TO THE OPERATION OF THE BUSINESS.**
- (7) A COPY OF ANY CURRENT FIRE INSPECTION OR OCCUPANCY LIMITATION CERTIFICATES, OR BOTH, FOR THE USE OF THE PREMISES FOR THE BUSINESS IF ANOTHER REGULATORY AUTHORITY REQUIRES A FIRE INSPECTION OR OCCUPANCY LIMITATION CERTIFICATE, OR BOTH.**
- (8) A COPY OF THE CURRENT USE AND OCCUPANCY PERMIT FOR THE PREMISES THAT SHOWS THAT THE BUSINESS IS AUTHORIZED AT THE PREMISES IF ANOTHER REGULATORY AUTHORITY REQUIRES A USE AND OCCUPANCY CERTIFICATE.**

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- (9) **A COPY OF THE CURRENT ALCOHOLIC BEVERAGE LICENSE FOR THE PREMISES IF THE SERVICE OF ALCOHOLIC BEVERAGES IS ALLOWED AT THE PREMISES.**
- (10) **EVIDENCE THAT THE PREMISES SATISFIES ALL APPLICABLE SANITARY, BUILDING CODE, BUSINESS LICENSING AND SAFETY REGULATIONS FOR THE OPERATION OF THE BUSINESS.**
- (11) **A STATEMENT BY THE APPLICANT AND THE OWNER OF THE PREMISES THAT THE FILING OF THE APPLICATION AND THE ACCEPTANCE OF THE LICENSE ISSUED BY THE CITY CONSTITUTES CONSENT TO AND AUTHORITY FOR CITY CODE ENFORCEMENT OFFICERS AND POLICE OFFICERS, AND OTHER REGULATORY OFFICIALS, TO ENTER THE PREMISES OF THE BUSINESS WITH PRIOR NOTICE DURING REGULAR BUSINESS HOURS BEFORE APPROVAL OF THE LICENSE FOR THE LIMITED PURPOSE OF DETERMINING WHETHER REPRESENTATIONS CONTAINED IN THE APPLICATION ARE ACCURATE, AND, AFTER A LICENSE HAS BEEN ISSUED, INVESTIGATING, BASED UPON PROBABLE CAUSE, VIOLATIONS OF THIS CHAPTER AND THE LICENSE. WHERE ENTRY TO A PREMISES IS REFUSED, CITY CODE ENFORCEMENT OFFICERS AND POLICE OFFICERS, AND OTHER REGULATORY OFFICIALS, SHALL OBTAIN A WARRANT TO AUTHORIZE ENTRY UNLESS OTHER LAWFUL GROUNDS EXIST TO ENTER THE PREMISES WITHOUT A WARRANT.**

B. IN THE EVENT THAT ANY OF THE INFORMATION PROVIDED PURSUANT TO THIS SECTION CHANGES IN ANY WAY DURING THE APPLICABLE PERMIT PERIOD, THE APPLICANT SHALL, WITHIN SEVEN (7) DAYS OF ANY SUCH CHANGE, NOTIFY THE CITY IN WRITING OF THE CHANGE.

§ 75-5. APPLICATION REVIEW AND CONSIDERATION.

(A) WHEN THE CITY RECEIVES A COMPLETED APPLICATION FOR A LICENSE UNDER THIS CHAPTER, THE CITY CODE ENFORCEMENT DEPARTMENT SHALL CONDUCT A REVIEW AND INVESTIGATION OF THE APPLICATION. THE CODE ENFORCEMENT DEPARTMENT MAY REQUEST THE ASSISTANCE OF OTHER PERSONS AND CITY DEPARTMENTS IN CONDUCTING THE REVIEW AND INVESTIGATION.

(B) AFTER THE CODE ENFORCEMENT DEPARTMENT COMPLETES THE INVESTIGATION, THE CODE ENFORCEMENT MANAGER SHALL DETERMINE

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WHETHER THE LICENSE SHOULD BE GRANTED AND, IF SO, WHETHER ANY TERMS, CONDITIONS AND RESTRICTIONS SHOULD BE ATTACHED TO THE GRANTING OF THE LICENSE, INCLUDING PROVIDING THE APPLICANT WITH A REASONABLE TIME TO COME INTO COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER. ANY TERMS, CONDITIONS AND RESTRICTIONS SHALL BE BASED UPON ANY IMPACTS THAT THE OPERATION OF THE BUSINESS REASONABLY MAY BE EXPECTED TO HAVE ON THE SURROUNDING COMMUNITY AND THE PUBLIC HEALTH, SAFETY OR WELFARE.

(C) THE CODE ENFORCEMENT MANAGER SHALL GRANT THE LICENSE, WITH OR WITHOUT TERMS, CONDITIONS AND RESTRICTIONS, EXCEPT THAT THE CODE ENFORCEMENT MANAGER SHALL DENY THE APPLICATION IF:

(1) THE CODE ENFORCEMENT MANAGER DETERMINES THAT THE BUSINESS FOR WHICH THE LICENSE HAS BEEN APPLIED REASONABLY CAN BE EXPECTED TO HAVE AN ADVERSE IMPACT ON THE SURROUNDING COMMUNITY AND THE PUBLIC HEALTH, SAFETY OR WELFARE THAT CANNOT BE MITIGATED BY TERMS, CONDITIONS AND RESTRICTIONS ON THE LICENSE; OR

(2) THE BUSINESS FOR WHICH THE LICENSE HAS BEEN APPLIED HAS ANY UNPAID CITY FEES OR TAXES, OR ANY OTHER UNSATISFIED OBLIGATIONS TO THE CITY, UNLESS THE BUSINESS HAD MADE ARRANGEMENTS APPROVED BY THE MAYOR TO PAY THE FEES OR TAXES OR TO SATISFY OTHER OBLIGATIONS.

(D) IF THE CODE ENFORCEMENT MANAGER DENIES AN APPLICATION FOR A LICENSE UNDER THIS CHAPTER, THE MANAGER SHALL PREPARE A WRITTEN REPORT OF THE REASONS FOR THE DENIAL AND SHALL PROVIDE THAT REPORT PROMPTLY TO THE APPLICANT BY HAND DELIVERY OR BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE APPLICANT'S ADDRESS AS SET FORTH ON THE APPLICATION.

§ 75-6. LICENSE FEES.

(A) IF AN APPLICATION FOR A NEW LICENSE OR RENEWAL OF AN EXISTING LICENSE IS APPROVED, THE APPLICANT SHALL PAY THE CITY A NON-REFUNDABLE LICENSE FEE, IN FULL, BEFORE THE CITY ISSUES THE LICENSE.

(B) A LATE FEE SHALL BE IMPOSED ON ANY LICENSE RENEWAL APPLICATION FILED LESS THAN THIRTY-ONE (31) DAYS PRIOR TO THE DATE OF EXPIRATION

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OF THE THEN EXISTING BUSINESS LICENSE. ANY LICENSED BUSINESS FOR WHICH A LICENSE IS NOT RENEWED IN A TIMELY FASHION IN ACCORDANCE WITH THIS CHAPTER SHALL BE DEEMED TO BE UNLICENSED AND SUBJECT TO PENALTIES AND ENFORCEMENT FOR AN UNLICENSED BUSINESS UNTIL A LICENSE IS ISSUED.

(C) THE AMOUNT OF THE ANNUAL LICENSE FEE AND ALL LATE FEES SHALL BE ESTABLISHED ANNUALLY IN A FEE SCHEDULE ADOPTED BY THE CITY COUNCIL.

§ 75-7. LICENSES.

A LICENSE ISSUED UNDER THIS CHAPTER:

- (1) SHALL IDENTIFY EACH BUSINESS FOR WHICH THE LICENSE IS ISSUED.**
- (2) SHALL IDENTIFY THE PERSON TO WHOM THE LICENSE IS ISSUED.**
- (3) SHALL IDENTIFY THE LOCATION AT WHICH THE BUSINESS WILL BE CONDUCTED, EXCEPT THAT A LICENSE ISSUED TO A MOBILE VENDOR SHALL IDENTIFY THE BUSINESS AS A MOBILE VENDOR.**
- (4) SHALL LIST ALL TERMS, CONDITIONS AND RESTRICTIONS IMPOSED UPON THE GRANT OF THE LICENSE.**
- (5) IS NOT ASSIGNABLE OR TRANSFERRABLE TO ANOTHER PERSON, BUSINESS OR LOCATION.**

§ 75-8. OPERATIONAL REGULATIONS.

(A) THE PROVISIONS OF THIS SECTION GOVERN THE OPERATION OF BUSINESSES LICENSED UNDER THIS CHAPTER AND ARE CONDITIONS OF THE LICENSE.

(B) THE HOLDER OF A LICENSE PROMPTLY SHALL NOTIFY THE CITY OF ANY CHANGES TO ANY OF THE INFORMATION SUBMITTED AS PART OF THE APPLICATION FOR THE LICENSE, IN ACCORDANCE WITH §75-4.

(C) A MANAGER OR OTHER INDIVIDUAL RESPONSIBLE FOR THE OPERATION OF THE BUSINESS SHALL BE ON THE PREMISES AT ALL TIMES WHEN THE BUSINESS IS OPEN FOR BUSINESS. THIS MANAGER OR OTHER INDIVIDUAL RESPONSIBLE FOR THE OPERATION OF THE BUSINESS AND THE HOLDER OF

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THE LICENSE SHALL BE JOINTLY RESPONSIBLE FOR THE OPERATION OF THE BUSINESS AND FOR ALL VIOLATIONS OF THIS CHAPTER AND THE TERMS AND CONDITIONS OF THE LICENSE, AND SHALL ACCEPT NOTICES AND CITATIONS ISSUED UNDER THIS CHAPTER.

(D) THE OPERATION OF THE BUSINESS AND PREMISES SHALL COMPLY WITH ALL FEDERAL, STATE AND LOCAL LAWS, REGULATIONS, AND ORDINANCES APPLICABLE TO THE BUSINESS CONDUCTED (INCLUDING, BUT NOT LIMITED TO SANITARY, BUILDING CODE, BUSINESS LICENSING, ZONING, ALCOHOLIC BEVERAGE AND LIQUOR LICENSING AND LIFE SAFETY AND OCCUPANCY REGULATIONS).

(E) THE OPERATOR OF THE BUSINESS SHALL MAINTAIN ON FILE RECORDS AS REQUIRED BY LAW FOR ALL EMPLOYEES WHO WORK AT THE PREMISES. IF NOT OTHERWISE REQUIRED BY LAW, THESE RECORDS SHALL INCLUDE TELEPHONE NUMBERS, AND E-MAIL AND POSTAL MAILING ADDRESSES OF ALL EMPLOYEES.

(F) THE BUSINESS SHALL BE OPERATED WITHIN THE TIMES ALLOWED BY ZONING AND ALCOHOLIC BEVERAGE REGULATIONS, IF APPLICABLE.

(G) NO DISORDERLY CONDUCT OR PUBLIC NUISANCE SHALL BE PERMITTED TO OCCUR OR CONTINUE IN OR WITHIN IN CLOSE PROXIMITY TO THE PREMISES OF THE LICENSED BUSINESS. IT SHALL FURTHER BE UNLAWFUL FOR ANY LICENSEE HEREUNDER TO CONDUCT OR MAINTAIN HIS OR HER BUSINESS IN SUCH A MANNER THAT IT RESULTS IN EXCESSIVE LITTERING INSIDE OR DIRECTLY IN FRONT OF HIS OR HER PLACE OF BUSINESS, THE POSSIBLE SPREAD OF DISEASE, A VIOLATION OF THE FIRE CODE OR BUILDING CODE OR A GENERAL NUISANCE TO THE PUBLIC. FOR PURPOSES OF THIS CHAPTER, "NUISANCE" SHALL INCLUDE BUT NOT BE LIMITED TO EXCESSIVE LITTER AND/OR DEBRIS INSIDE OR DIRECTLY IN FRONT OF THE LICENSEE'S PLACE OF BUSINESS, EXCESSIVE VEHICLES OR TRAFFIC WHICH EXCEED PARKING OR TRAFFIC CAPACITY CURRENTLY PROVIDED FOR THAT PLACE OF BUSINESS OR THE CREATION OF OTHER CIRCUMSTANCES NORMALLY CONSIDERED A NUISANCE.

(H) THE BUSINESS SHALL BE OPERATED IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS, RULES AND REGULATIONS

(I) THE INDIVIDUALS IN CHARGE OF THE OPERATION OF THE BUSINESS SHALL NOT ALLOW PATRONS OR GUESTS TO ENGAGE IN CONDUCT ON THE PREMISES THAT VIOLATES APPLICABLE LAWS INCLUDING, BUT NOT LIMITED TO, LAWS

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RELATING TO CONSUMPTION OF ALCOHOLIC BEVERAGES AND PUBLIC DECENCY.

(J) THE OPERATORS OF THE BUSINESS SHALL NOT ALLOW LOITERING TO OCCUR OUTSIDE THE PREMISES OF THE BUSINESS.

(K) THE BUSINESS SHALL BE OPERATED IN A MANNER THAT DOES NOT RESULT IN THE BUSINESS BEING A PUBLIC NUISANCE OR RESULT IN THE REPEATED RESPONSE BY POLICE OFFICERS FOR CONDUCT IN OR ABOUT THE PREMISES WHERE THE BUSINESS IS BEING OPERATED.

(L) EVERY LICENSEE IS REQUIRED TO COMPLY WITH ALL REASONABLE REQUESTS OF THE CITY IN IMPROVING ANY SITUATION REGARDING WHICH THE CITY RECEIVES A COMPLAINT.

§ 75-9. SPECIAL REGULATIONS FOR MOBILE VENDORS.

(A) FOR PURPOSES OF THIS CHAPTER A “MOBILE VENDOR” MEANS A PERSON WHO SELLS OR OFFERS TO SELL GOODS, WARES OR FOOD FROM A VEHICLE, TRAILER, KIOSK, PUSH CART, STAND OR OTHER DEVICE DESIGNED TO BE PORTABLE, NOT PERMANENTLY ATTACHED TO THE GROUND AND OPERATING IN NO FIXED OR PERMANENT LOCATION.

(B) IT SHALL BE UNLAWFUL FOR ANY MOBILE VENDOR TO CONDUCT BUSINESS IN THE CITY UNLESS HE OR SHE COMPLIES WITH THE RULES AND REGULATIONS SET FORTH IN THIS SECTION.

- (1) IN ADDITION TO THE INFORMATION OTHERWISE REQUIRED FOR A LICENSE, A MOBILE VENDOR SHALL PROVIDE TO THE CITY HIS OR HER WEIGHT, HEIGHT, AGE, COLOR OF HAIR AND EYES, OTHER DISTINGUISHING PHYSICAL CHARACTERISTICS, NAME AND ADDRESS OF EMPLOYER, LETTERS FROM TWO (2) PERSONS WHO HAVE KNOWN THE APPLICANT FOR AT LEAST TWO (2) YEARS ATTESTING TO HIS OR HER MORAL CHARACTER, THE NAMES OF TWO (2) PERSONS WHO CAN BE CONTACTED TO VERIFY THE FACTS STATED IN THE APPLICATION, TWO (2) PHOTOGRAPHS AT LEAST TWO BY TWO (2 X 2) INCHES IN SIZE SHOWING THE HEAD AND SHOULDERS OF THE APPLICANT IN A CLEAR AND DISTINGUISHING MANNER, A DESCRIPTION AND LICENSE NUMBER OF THE VEHICLE TO BE USED AND A STATEMENT AS TO WHETHER OR NOT THE APPLICANT HAS BEEN CONVICTED OF ANY CRIME, THE NATURE OF THE OFFENSE AND THE PUNISHMENT OR PENALTY ASSESSED.**

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- (2) **THE CITY LICENSE AND ANY OTHER REQUIRED PERMITS AND LICENSES SHALL BE DISPLAYED SO IT IS VISIBLE TO ANY CUSTOMER.**
- (3) **GOODS MAY BE VENDED FROM BUT ONE (1) SIDE OF SAID MOBILE VENDOR AT ANY ONE (1) TIME, AND THE SIDE OF THE SAME FROM WHICH GOODS ARE VENDED SHALL BE LOCATED ADJACENT TO THE CURB OR SIDE OF THE ROAD NEAREST SAID VEHICLE.**
- (4) **NO MOBILE VENDOR SHALL OPERATE WITHIN THE CITY UNLESS THE MOBILE VENDORS' VEHICLES ARE CLEARLY MARKED AS TO IDENTIFY THE NAME OF THE BUSINESS AND PHONE NUMBER AND ARE EQUIPPED WITH FLASHING WARNING DEVICES ON BOTH THE FRONT AND REAR THEREOF SO LOCATED AS TO BE COMPLETELY VISIBLE TO OTHER VEHICLES APPROACHING FROM EITHER DIRECTION AT ANY TIME AND IN OPERATION AT ALL TIMES IN WHICH THE MOBILE VENDOR IS SERVING CUSTOMERS.**
- (5) **NO ICE CREAM VENDOR SHALL SELL ITS PRODUCTS WITHIN FIVE HUNDRED (500) FEET OF ANY SCHOOL PROPERTY.**
- (6) **NO MOBILE VENDOR SHALL SELL ITS PRODUCT WHERE THE SPEED LIMIT IS IN EXCESS OF TWENTY-FIVE (25) MILES PER HOUR.**
- (7) **NO MOBILE VENDOR SHALL OPERATE WITHIN THE CITY OF NEW CARROLLTON BETWEEN THE HOURS OF 9:00 P.M. AND 7:00 A.M.**
- (8) **NO MOBILE VENDOR SHALL UTILIZE ANY SOUND-MAKING DEVICE WHICH SHALL CONSTITUTE A NUISANCE TO ATTRACT CUSTOMERS.**
- (9) **ALL MOBILE VENDORS SHALL BE EQUIPPED WITH A SUITABLE RECEPTACLE IN A LOCATION CONVENIENT TO CUSTOMERS FOR DISPOSAL OF WRAPPERS AND OTHER DISPOSABLE PARTS OF PRODUCTS SOLD.**
- (10) **WHEREVER A MOBILE VENDOR IS STOPPED FOR THE PURPOSE OF SELLING HIS OR HER PRODUCTS, IT SHALL BE STOPPED ON THE EXTREME RIGHT-HAND EDGE OF THE STREET IN COMPLIANCE WITH ALL APPLICABLE PARKING REGULATIONS. NO SALES SHALL BE MADE TO A CUSTOMER UNLESS THE CUSTOMER IS STANDING OFF OF THE PAVED PORTION OF THE STREET. AT SUCH STOPS, ANY MOTORIZED VEHICLE SHALL HAVE ITS MOTOR TURNED OFF UNLESS ITS OPERATION IS ESSENTIAL TO PRODUCING THE PRODUCT SOLD.**

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(11) NO MOBILE VENDOR SHALL OPERATE OR SELL ITS PRODUCTS ON THE PAVED PARKING LOT OR ANY ACCESS ROAD THERETO, SURROUNDING THE NEW CARROLLTON CITY HALL, HANKO BUILDING, DEPARTMENT OF PUBLIC WORKS OR OTHER CITY-OWNED PROPRTY WITHOUT THE PERMISSION OF THE CITY.

(C) SOLICITORS FOR PROFIT. IT SHALL BE UNLAWFUL FOR A PERSON TO SOLICIT DOOR TO DOOR FOR PROFIT WITHIN THE CITY. FOR PURPOSES OF THIS CHAPTER, A "SOLICITOR FOR PROFIT" SHALL MEAN ANY PERSON WHO GOES FROM PLACE TO PLACE, HOUSE TO HOUSE OR DOOR TO DOOR VISITING ANY RESIDENTIAL DWELLING OR COMMERCIAL ESTABLISHMENT FOR THE PURPOSE OF SELLING, PROMOTING OR ACCEPTING SUBSCRIPTIONS OR ORDERS FOR ANY GOODS, WARES, MERCHANDISE OR SERVICES FOR PERSONAL USE, BENEFIT OR PLEASURE OF THE OWNER, RESIDENT OR EMPLOYEE. IN ACCORDANCE WITH POWERS GRANTED IN THE CHARTER, THE CITY COUNCIL MAY HAVE SIGNS PLACED WHICH CONVEY THE MESSAGE TO THE PUBLIC ABOUT THE CITY'S SOLICITING RESTRICTIONS. THE SIGNS MAY BE PLACED NEAR THE ENTRANCES TO THE CITY; NEAR MAJOR INTERSECTIONS IN NEW CARROLLTON; AND IN ANY OTHER LOCATION DEEMED ADVANTAGEOUS.

§ 75-10. SPECIAL EVENTS

IT SHALL BE UNLAWFUL TO HOST OR OPERATE A SPECIAL EVENT WITHIN THE CITY UNLESS A LICENSE IS GRANTED BY THE CITY AND THE APPLICANT COMPLIES WITH THE FOLLOWING RULES AND REGULATIONS:

(1) DEFINITIONS. FOR PURPOSES OF THIS SECTION, THE BELOW LISTED WORDS AND PHRASES SHALL BE GIVEN THE FOLLOWING MEANINGS:

SPECIAL EVENT

INCLUDES ANY AND ALL AMUSEMENT RIDES, ATTRACTIONS, EXPOSITIONS, TRADE SHOWS, SALES SHOWS, PARADES, EXHIBITIONS, PERFORMANCES, CARNIVALS, CIRCUSES OR OTHER SIMILAR EVENTS. SUCH EVENTS ARE INCLUDED WITHOUT REGARD TO WHETHER THEY ARE HELD ON PUBLIC OR PRIVATE PROPERTY. "SPECIAL EVENT" DOES NOT INCLUDE DOOR TO DOOR SOLICITATION.

SPECIAL EVENT HOST

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INCLUDES ANY PERSON OR ENTITY WHO PERMITS A SPECIAL EVENT TO BE HELD ON PROPERTY OWNED OR UNDER THE CONTROL OF SUCH PERSON OR ENTITY.

SPECIAL EVENT OPERATOR

INCLUDES ANY PERSON OR ENTITY WHO MANAGES, OWNS OR OTHERWISE CONTROLS A SPECIAL EVENT.

THE PREMISES AND SURROUNDING AREAS

INCLUDES THE ACTUAL PROPERTY ON WHICH THE SPECIAL EVENT IS HELD AND ANY AREAS IN CLOSE PROXIMITY TO SUCH PROPERTY WHICH ARE AFFECTED BY THE HOSTING AND OPERATION OF THE SPECIAL EVENT.

(2) ALONG WITH APPLICATION FOR A LICENSE, THE SPECIAL EVENT OPERATOR AND THE SPECIAL EVENT HOST SHALL FURNISH SUITABLE EVIDENCE OF THEIR INTENTION AND ABILITY TO COMPLY WITH THE FOLLOWING CONDITIONS:

- (A) MAINTAIN ORDER ON THE PREMISES AND SURROUNDING AREAS;**
- (B) KEEP THE PREMISES AND SURROUNDING AREAS CLEAN AND FREE OF TRASH, PAPER AND OTHER DEBRIS;**
- (C) PLACE AN ADEQUATE NUMBER OF TRASH CONTAINERS IN CONVENIENT LOCATIONS FOR THE USE OF THE PUBLIC;**
- (D) PLACE NO AMUSEMENT RIDE IN OPERATION FOR PUBLIC USE UNTIL THE SAME HAS BEEN INSPECTED BY THE OPERATOR AND SPONSOR FOR MECHANICAL, STRUCTURAL, ELECTRICAL AND OTHER HAZARDS;**
- (E) PROVIDE ADEQUATE SAFEGUARDS TO PROTECT BOTH THE OPERATORS AND THE GENERAL PUBLIC FROM INADVERTENTLY COMING INTO CONTACT WITH MOVING PARTS, BELTS, MOTOR GEARS, ELECTRICAL SWITCHES AND OTHER POSSIBLE OR POTENTIAL HAZARDS; AND**
- (F) PROVIDE ADEQUATE PARKING FOR THE ESTIMATED NUMBER OF PEOPLE EXPECTED TO ATTEND THE SPECIAL EVENT AND PROVIDE ALTERNATIVE MEASURES FOR OVERFLOW PARKING IN ORDER TO COMPLY WITH SUBSECTION (8) BELOW.**

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(3) AFTER APPROVAL OF THE APPLICANT BY THE CODE ENFORCEMENT MANAGER, THE CITY SHALL ISSUE A LICENSE. THE FEE SHALL BE AS SET FORTH IN ADOPTED FEE SCHEDULE, PROVIDED THAT NO FEE SHALL BE CHARGED FOR ANY SPECIAL EVENT WHERE THE SAME IS OPERATED, HOSTED OR GIVEN FOR THE BENEFIT OF ANY RELIGIOUS, EDUCATIONAL, CHARITABLE OR NONPROFIT SOCIAL OR FRATERNAL ORGANIZATION.

(4) ANY LICENSE ISSUED FOR A SPECIAL EVENT SHALL BE ISSUED FOR THE DURATION OF THAT EVENT ONLY AND SHALL EXPIRE UPON THE END OF THE SPECIAL EVENT, PROVIDED THAT NO SPECIAL EVENT LICENSE SHALL BE ISSUED FOR A PERIOD GREATER THAN ONE (1) YEAR.

(5) NO LICENSE SHALL BE ISSUED FOR CONDUCTING A SPECIAL EVENT UNTIL THE APPLICANTS HAVE PLACED ON FILE WITH THE CITY A CERTIFICATE OF INSURANCE INDICATING THAT THERE IS IN EFFECT LIABILITY INSURANCE COVERING ANY DAMAGES ARISING OUT OF THE USE AND OPERATION OF ANY AND ALL DEVICES AND FACILITIES OPERATED IN CONNECTION WITH SUCH SPECIAL EVENT. SUCH INSURANCE SHALL BE IN THE MINIMUM AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000.) FOR EACH PERSON AND ONE MILLION DOLLARS (\$1,000,000.) FOR EACH OCCURRENCE, NAMING THE CITY AS AN ADDITIONAL INSURED.

(6) THE SPECIAL EVENT HOST AND SPECIAL EVENT OPERATOR SHALL BE RESPONSIBLE FOR FURNISHING ADEQUATE SECURITY AT ANY SPECIAL EVENT. THE ADEQUACY OF THE SECURITY SHALL BE DETERMINED BASED UPON THE NUMBER OF PEOPLE EXPECTED TO ATTEND AND THE NATURE OF THE SPECIAL EVENT.

(7) THE CITY RESERVES THE RIGHT TO LIMIT THE NUMBER OF PERSONS ATTENDING A SPECIAL EVENT, INCLUDING THE AGGREGATE NUMBER ATTENDING A SPECIAL EVENT OR THE NUMBER ATTENDING A SPECIAL EVENT AT ANY ONE (1) TIME.

(8) THE SPECIAL EVENT HOST AND SPECIAL EVENT OPERATOR SHALL OBTAIN WRITTEN CONSENT FROM A PROPERTY OWNER, WHETHER PUBLIC OR PRIVATE, TO USE SUCH PROPERTY FOR PARKING ASSOCIATED WITH THE SPECIAL EVENT. PERSONS ASSOCIATED WITH OR ATTENDING THE SPECIAL EVENT SHALL PARK ONLY ON SUCH PROPERTY. IF PERSONS ASSOCIATED WITH OR ATTENDING THE SPECIAL EVENT ARE FOUND TO BE PARKING IN AREAS WHERE CONSENT FROM THE PROPERTY OWNER WAS NOT OBTAINED, THE SPECIAL EVENT HOST AND SPECIAL EVENT OPERATOR MAY LOSE THEIR SPECIAL EVENT LICENSE, BE SUBJECT TO A FINE NOT TO EXCEED FIFTY DOLLARS (\$50.) PER VEHICLE OR BE REQUIRED TO CEASE THE SPECIAL EVENT

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IMMEDIATELY ON RECEIVING NOTICE FROM THE CODE ENFORCEMENT OFFICER OR HIS OR HER DESIGNEE WHEN SUCH CODE ENFORCEMENT OFFICER OR HIS OR HER DESIGNEE FINDS VIOLATIONS OF THIS SUBSECTION.

(9) IF ANY OF THE REQUIREMENTS OF THIS § 75-10 ARE NOT SATISFIED, THE APPLICATION FOR SPECIAL EVENT LICENSE MAY BE DENIED.

(10) IF SUCH LICENSE APPLICATION IS DENIED, THE APPLICANT MAY APPEAL SUCH DENIAL TO THE CITY ADMINISTRATIVE OFFICER. SUCH APPEAL SHALL BE IN WRITING AND SHALL STATE SPECIFICALLY, HOW EACH OF THE REQUIREMENTS OF THIS § 75-10 ARE MET AND ANY OTHER REASON WHY SUCH LICENSE SHOULD BE GRANTED. THE CITY ADMINISTRATIVE OFFICER MAY GRANT SUCH LICENSE OR DENY SUCH LICENSE WITH OR WITHOUT AN INFORMAL HEARING. ANY DENIAL SHALL BE IN WRITING AND STATE THE REASON THEREFOR.

§ 75-11. SUSPENSION AND REVOCATION OF LICENSE.

(A) THE PROVISIONS OF THIS SECTION ARE IN ADDITION TO THE PROVISIONS OF § 75-13 (PENALTIES AND ENFORCEMENT).

(B) IF A CITY CODE ENFORCEMENT OFFICER OR POLICE OFFICER OBSERVES THAT A BUSINESS FOR WHICH A LICENSE HAS BEEN ISSUED UNDER THIS CHAPTER IS BEING OPERATED IN VIOLATION OF THIS CHAPTER OR IN VIOLATION OF THE LICENSE, THE OFFICER IMMEDIATELY SHALL ISSUE A WRITTEN NOTICE TO THE MANAGER OR OTHER INDIVIDUAL RESPONSIBLE FOR THE OPERATION OF THE BUSINESS TO CEASE AND DESIST, OR TO CORRECT, THE UNAUTHORIZED ACTIVITY IMMEDIATELY OR WITHIN SUCH LONGER TIME AS IS SPECIFIED IN THE NOTICE. IF THE VIOLATION IS NOT CORRECTED IMMEDIATELY OR WITHIN SUCH LONGER TIME AS SPECIFIED IN THE NOTICE, THE OFFICER SHALL ISSUE TO THE MANAGER OR OTHER INDIVIDUAL RESPONSIBLE FOR THE OPERATION OF THE BUSINESS A WRITTEN NOTICE THAT THE CITY COUNCIL OF NEW CARROLLTON WILL HOLD A HEARING TO DETERMINE WHETHER THE LICENSE SHOULD BE SUSPENDED OR REVOKED. WHERE CITY CODE ENFORCEMENT OFFICERS OR CITY POLICE OFFICERS REASONABLY BELIEVE THAT CONTINUED OPERATION OF THE BUSINESS UNTIL THE CITY COUNCIL CAN HOLD A HEARING ON SUSPENSION OR REVOCATION OF THE LICENSE WILL RESULT IN AN IMMEDIATE AND SUBSTANTIAL THREAT TO THE PUBLIC HEALTH, SAFETY OR WELFARE, THE OFFICER MAY TAKE THE SAME ACTION AS IS AUTHORIZED UNDER § 75-13 (PENALTIES AND ENFORCEMENT) FOR A BUSINESS THAT IS OPERATING WITHOUT A LICENSE. SUCH ACTION SHALL REMAIN IN EFFECT

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UNTIL THE COUNCIL DETERMINES WHETHER TO ALLOW THE RESUMPTION OF THE BUSINESS OR SUSPEND OR REVOKE THE LICENSE.

(C) IF ANY OTHER GOVERNMENT REGULATORY AGENCY SUSPENDS OR REVOKES A LICENSE OR PERMIT ISSUED BY THAT AGENCY THAT IS REQUIRED BY THE CITY FOR THE OPERATION OF THE BUSINESS IN THE CITY, THE CITY LICENSE SHALL AUTOMATICALLY BE SUSPENDED UNTIL SUCH TIME AS THE LICENSE OR PERMIT REQUIRED BY THE OTHER GOVERNMENTAL AGENCY IS REINSTATED OR ISSUED, AT WHICH TIME THE CITY LICENSE SHALL AUTOMATICALLY BE REINSTATED.

(D) IF THE CITY COUNCIL HOLDS A HEARING TO DETERMINE WHETHER A LICENSE SHOULD BE SUSPENDED OR REVOKED, THE CITY ADMINISTRATIVE OFFICER SHALL SEND NOTICE OF THE DATE, TIME, PLACE AND PURPOSE OF THE HEARING, INCLUDING THE VIOLATIONS OR GROUNDS FOR WHICH SUSPENSION OR REVOCATION OF THE LICENSE WILL BE CONSIDERED. THE NOTICE SHALL BE SENT TO THE LICENSE HOLDER, TO THE BUSINESS ENTITY FOR WHOSE USE AND BENEFIT THE LICENSE WAS ISSUED, AND TO THE OWNER OF THE PREMISES AT WHICH THE TRADE OR BUSINESS IS LOCATED. THE NOTICE SHALL BE SENT BY CERTIFIED AND FIRST CLASS MAIL TO THE ADDRESSES OF SUCH PERSONS AS LISTED ON THE LICENSE APPLICATION. WHERE ACTION IS TAKEN UNDER § 75-11(B), THE CITY COUNCIL SHALL CONDUCT THE HEARING WITHIN 15 DAYS AFTER THE DATE OF THE WRITTEN NOTICE OF HEARING.

- (1) AT A HEARING THE COUNCIL SHALL CONSIDER TESTIMONY AND EVIDENCE FROM THE CITY, FROM THE HOLDER OF THE LICENSE, AND FROM OTHER INTERESTED PERSONS.**
- (2) FOLLOWING THE HEARING, IF THE COUNCIL FINDS THAT THE VIOLATIONS AS ALLEGED SHOULD BE SUSTAINED, THE COUNCIL MAY SUSPEND OR REVOKE THE LICENSE, OR TAKE SUCH OTHER ACTION WITH RESPECT TO THE LICENSE AS THE COUNCIL REASONABLY SHALL DETERMINE APPROPRIATE TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE AND TO ENSURE FUTURE COMPLIANCE WITH THIS CHAPTER AND THE LICENSE, INCLUDING IMPOSING NEW OR ADDITIONAL CONDITIONS.**
- (3) THE COUNCIL SHALL ISSUE A WRITTEN DECISION OF ITS FINDINGS AND ACTIONS WITH SUCH SUFFICIENCY AS WOULD BE REQUIRED FOR JUDICIAL REVIEW. THE CITY ADMINISTRATIVE OFFICER SHALL MAIL COPIES OF THE DECISION PROMPTLY TO THE SAME**

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PERSONS AND IN THE SAME MANNER AS THE NOTICE OF THE HEARING WAS SENT. THE CITY ADMINISTRATIVE OFFICER ALSO SHALL MAIL COPIES OF THE DECISION TO ALL OTHER PARTIES OF RECORD.

(E) IF THE COUNCIL REVOKES A LICENSE, THE HOLDER OF THE LICENSE AND THE OPERATOR OF THE BUSINESS MAY NOT APPLY FOR OR RECEIVE ANOTHER LICENSE FOR ONE YEAR FOLLOWING THE DATE OF THE REVOCATION EXCEPT WITH THE CONSENT OF THE COUNCIL UPON A SHOWING OF A MATERIAL CHANGE IN THE CIRCUMSTANCES AND CONDITIONS THAT LED TO THE REVOCATION OF THE LICENSE.

SEC. 75-12. APPEALS.

(A) ANY PERSON AGGRIEVED BY A DECISION OF THE CODE ENFORCEMENT MANAGER TO DENY THE GRANTING OF A LICENSE UNDER THIS CHAPTER, OR TO IMPOSE ANY TERMS, CONDITIONS AND RESTRICTIONS UPON THE GRANTING OF A LICENSE, AND ANY PERSON AGGRIEVED BY A DECISION OF THE CITY ADMINISTRATIVE OFFICER REGARDING A SPECIAL EVENTS LICENSE MAY APPEAL THE DECISION TO THE COUNCIL WITHIN TEN (10) DAYS FOLLOWING THE DATE OF THE WRITTEN DECISION BY DELIVERING A WRITTEN NOTICE OF APPEAL TO THE CITY ADMINISTRATIVE OFFICER ON SUCH FORM AS MAY BE PRESCRIBED BY THE CITY ADMINISTRATIVE OFFICER.

- (1) THE COUNCIL SHALL GIVE THE APPELLANT NOTICE OF THE DATE, TIME AND PLACE OF A HEARING BEFORE THE COUNCIL REGARDING THE APPEAL.**
- (2) AT THE HEARING THE COUNCIL SHALL HEAR FROM THE APPELLANT AND THE CITY CODE ENFORCEMENT MANAGER OR THE CITY ADMINISTRATIVE OFFICER, AS THE CASE MAY DICTATE, AND SUCH OTHER CITY PERSONNEL AND OTHER INDIVIDUALS AS THE COUNCIL DEEMS APPROPRIATE. THE CODE ENFORCEMENT MANAGER OR THE CITY ADMINISTRATIVE OFFICER SHALL PRESENT THE RECORD THAT FORMED THE BASIS OF THE CITY'S DECISION. AT THE HEARING THE APPELLANT SHALL HAVE THE BURDEN OF DEMONSTRATING TO THE COUNCIL THAT THE CITY'S DECISION WAS ARBITRARY, CAPRICIOUS OR CONTRARY TO LAW.**
- (3) AFTER THE CITY COUNCIL HEARS AND CONSIDERS THE APPEAL, IT MUST DETERMINE WHETHER THE DECISION OF THE CITY WAS**

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ARBITRARY, CAPRICIOUS OR CONTRARY TO LAW, AND WHETHER THE COUNCIL SHOULD AFFIRM, MODIFY OR REVERSE THE CITY'S DECISION. IN SUCH CASES THE COUNCIL MAY TAKE ANY ACTION THAT THE CODE ENFORCEMENT MANAGER OR THE CITY ADMINISTRATIVE OFFICER WAS AUTHORIZED TO TAKE WITH RESPECT TO THE LICENSE. THE COUNCIL SHALL MAKE WRITTEN FINDINGS TO SUPPORT AND DOCUMENT ITS DECISION.

(B) ANY PERSON AGGRIEVED BY ANY DECISION OF THE COUNCIL UNDER THIS SECTION OR § 75-11 MAY SEEK JUDICIAL REVIEW IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY BY FILING A PETITION FOR JUDICIAL REVIEW WITHIN THIRTY (30) DAYS AFTER THE DATE OF THE DECISION OF THE COUNCIL. THE DECISION OF THE CIRCUIT COURT MAY BE FURTHER APPEALED TO THE MARYLAND COURT OF SPECIAL APPEALS AS ALLOWED BY LAW.

SEC. 75-13. PENALTIES AND ENFORCEMENT.

(A) A PERSON MAY NOT VIOLATE THIS CHAPTER OR THE TERMS, CONDITIONS OR RESTRICTIONS OF A LICENSE ISSUED UNDER THIS CHAPTER. EACH DAY THAT A PERSON CONTINUES TO VIOLATE THIS CHAPTER OR THE TERMS, CONDITIONS OR RESTRICTIONS OF A LICENSE ISSUED UNDER THIS CHAPTER IS A SEPARATE OFFENSE.

(B) A PERSON WHO VIOLATES THIS CHAPTER OR THE TERMS, CONDITIONS OR RESTRICTIONS OF ANY LICENSE ISSUED UNDER THIS CHAPTER IS GUILTY OF A MUNICIPAL INFRACTION AND SUBJECT TO A FINE IN THE AMOUNT OF \$150 FOR THE VIOLATION, EXCEPT THAT THE AMOUNT OF THE FINE FOR EACH DAY THAT A VIOLATION CONTINUES IS \$300.

(C) THE CODE ENFORCEMENT DEPARTMENT AND, WHEN REQUIRED, THE NEW CARROLLTON POLICE DEPARTMENT SHALL HAVE THE DUTY OF ENFORCING THE REQUIREMENTS OF THE CHAPTER, ASSURING CONTINUED COMPLIANCE WITH THIS CHAPTER AND RESPONDING TO ALL COMPLAINTS, AND CONDUCTING INSPECTIONS OF LICENSED OPERATIONS. CITY CODE ENFORCEMENT OFFICERS AND SWORN OFFICERS OF THE CITY'S POLICE DEPARTMENT MAY ISSUE MUNICIPAL INFRACTION CITATIONS FOR VIOLATIONS.

(D) IN ADDITION TO THE ISSUANCE OF MUNICIPAL INFRACTION CITATIONS, AFTER NOTICE TO THE MANAGER OR OTHER INDIVIDUAL ON THE PREMISES

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IN CHARGE OF THE OPERATION OF THE BUSINESS IS GIVEN, CITY CODE ENFORCEMENT OFFICERS AND CITY POLICE OFFICERS MAY TAKE SUCH MEASURES AS REASONABLY NECESSARY TO EFFECT THE CLOSING OR OTHERWISE PREVENT THE UNLAWFUL CONTINUANCE OR OPERATION OF A BUSINESS THAT A CODE ENFORCEMENT OFFICER OR POLICE OFFICER OBSERVES IS BEING OPERATED WITHOUT THE LICENSE REQUIRED BY THIS CHAPTER. SUCH MEASURES INCLUDE:

- (1) LOCKING OR SECURING THE PREMISES OR OTHERWISE DENYING ENTRY INTO THE PREMISES; OR**
- (2) ORDERING THE PREMISES TO BE VACATED AND POSTING IN AND ON THE EXTERIOR OF THE PREMISES NOTICES THAT THE BUSINESS IS CLOSED BY ORDER OF THE CITY AND THAT NO PERSON IS TO ENTER THE PREMISES WITHOUT PERMISSION OF THE CITY. SUCH MEASURES TAKEN SHALL REMAIN IN FORCE UNTIL SUCH TIME AS THE OWNER OR OPERATOR OF THE PREMISES PROVIDES ASSURANCES REASONABLY SATISFACTORY TO THE CITY ADMINISTRATIVE OFFICER THAT THE OPERATION OF THE BUSINESS WILL NOT BE RESUMED WITHOUT A LICENSE.**

(E) IN ADDITION TO THE OTHER REMEDIES PROVIDED IN THIS SECTION, THE CITY MAY INSTITUTE A JUDICIAL PROCEEDING TO ENFORCE OR RESTRAIN VIOLATIONS OF THE PROVISIONS OF THIS CHAPTER OR OF A LICENSE ISSUED UNDER THIS CHAPTER.

§ 75-13. TEMPORARY LICENSE.

ANY PERSON, FIRM, PARTNERSHIP, ASSOCIATION OR CORPORATION ISSUED A TEMPORARY BUSINESS USE AND OCCUPANCY PERMIT, OR LICENSE FROM PRINCE GEORGE'S COUNTY SHALL APPLY FOR A TEMPORARY LICENSE TO DO BUSINESS IN THE CITY OF NEW CARROLLTON.

(A) APPLICATION.

ALL APPLICATIONS FOR A TEMPORARY LICENSE MUST INCLUDE THE FOLLOWING:

- (1) COPIES OF THE COUNTY ISSUED USE AND OCCUPANCY PERMIT.**
- (2) A DESCRIPTION OF SERVICES TO BE OFFERED.**

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- (3) **THE LOCATION OF THE TEMPORARY BUSINESS.**
- (4) **A WRITTEN AUTHORIZATION BY THE OWNER/MANAGER OF ANY COMMERCIAL PROPERTY TO BE USED FOR OPERATION OF A TEMPORARY BUSINESS.**
- (5) **CHECK, CASH, MONEY ORDER IN THE AMOUNT OF THE LICENSE FEE.**
- (6) **A LIST OF HOURS OF OPERATION.**

(B) RESTRICTIONS.

- (1) **NO TRAILER, TENT, MOTOR VEHICLE OR VEHICLE CANOPY WILL BE ALLOWED TO BE USED FOR SALES.**
- (2) **ALL DISPLAYS OR SALES MUST BE CONDUCTED ON THE COMMERCIAL ZONED PROPERTY NO MORE THAN FIFTEEN (15) FEET FROM THE MAIN ENTRANCE DOOR TO THE COMMERCIAL OPERATED BUSINESS.**
- (3) **ALL DISPLAY/SALES AREA SHALL BE LOCATED AT LEAST TWENTY-FIVE (25) FEET FROM AN EXISTING STREET LINE AND FROM ANY ADJACENT LOT LINES.**
- (4) **THE TEMPORARY PERMIT SHALL BE ISSUED FOR NOT MORE THAN THREE (3) CONSECUTIVE MONTHS.**
- (5) **SERVICES OFFERED MUST COMPLY WITH APPLICABLE PRINCE GEORGE'S COUNTY ZONING REQUIREMENTS.**

(C) ENFORCEMENT.

THE ENFORCEMENT OF THIS CHAPTER AGAINST AN UNLICENSED TEMPORARY BUSINESS SHALL BE PROVIDED BY CITY CODE ENFORCEMENT OFFICERS WITH THE ASSISTANCE OF THE NEW CARROLLTON POLICE DEPARTMENT, AS IS NECESSARY TO EFFECT THE CLOSING OR OTHERWISE PREVENT THE UNLAWFUL OPERATION OF ANY BUSINESS OR OPERATION REQUIRING A TEMPORARY LICENSE THAT WITHIN SEVEN (7) DAYS OF AN INITIAL WRITTEN NOTICE FAILS TO REQUIRE THE NECESSARY LICENSE.

SUCH ASSISTANCE SHALL INCLUDE, BUT NOT BE LIMITED TO REMOVING TO A DESIGNATED FACILITY THE GOODS AND EQUIPMENT OF THE VENDOR, WHO SHALL HAVE UP TO FIFTEEN (15) BUSINESS DAYS TO CLAIM

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SUCH GOODS UPON PAYMENT OF ANY ASSESSED STORAGE FEES AND FINES WHICH HAVE BEEN LEVIED AGAINST THE VENDOR. UPON FAILURE TO COMPLY WITH THIS SCHEDULE, SUCH GOODS SHALL BE DEEMED ABANDONED AND SHALL BECOME THE PROPERTY OF THE CITY TO BE DISPOSED OF IN ACCORDANCE WITH APPLICABLE LAW. THE CITY SHALL HAVE NO RESPONSIBILITY TO PROTECT OR PRESERVE ANY PERISHABLE OR NONPERISHABLE GOODS OR EQUIPMENT ACQUIRED UNDER THIS SECTION.

(D) PENALTIES.

THE FINE FOR A VIOLATION OF THIS SECTION OF THIS CHAPTER SHALL BE EQUIVALENT OF THE COST OF THE TEMPORARY LICENSE AS SET FORTH IN THE ADOPTED CITY FEE SCHEDULE REQUIRED FOR A BUSINESS THAT IS OPERATING WITHOUT A LICENSE. EACH DAY THAT A BUSINESS CONTINUES OPERATION WITHOUT ACQUIRING THE REQUIRED LICENSE SHALL CONSTITUTE A SEPARATE OFFENSE.

BE IT FURTHER ENACTED AND ORDAINED by the City Council of New Carrollton, that this Ordinance shall become effective following adoption and approval by the Mayor, or passage by the Council over the Mayor's veto.

Introduced by the City Council of New Carrollton, Maryland on the 19th day of December, 2018.

Adopted and enacted by the City Council of New Carrollton, Maryland on the ____ day of _____, 2019.

Effective: _____, 2019

Attest:

City of New Carrollton

Douglass A. Barber, CMC
City Clerk

Richard Bechtold, Chair
City Council

Approved:

Duane H. Rosenberg, Mayor

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Date: _____

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Effective: 2019

**AN ORDINANCE OF THE CITY COUNCIL OF NEW CARROLLTON
AMENDING THE CODE OF THE CITY OF NEW CARROLLTON TO REPEAL IN ITS
ENTIRETY CHAPTER 89 "RENTAL PROPERTY" AND TO RE-ENACT CITY CODE
CHAPTER 89 AS "RENTAL PROPERTY – LICENSING AND INSPECTION"**

WHEREAS, the City Council of the City of New Carrollton (the "City Council"), a body politic and corporate in the State of Maryland is authorized by the Annotated Code of Maryland, Local Government Article, Sec. 5-202 to enact ordinances to secure persons and property from danger and destruction and to protect the health, comfort and convenience of the residents of the City; and

WHEREAS, pursuant to this authority the City Council adopted City Code, Chapter 89 "Rental Property": and

WHEREAS, staff has encountered issues with the enforcement of City Code, Chapter 89 "Rental Property" that have caused staff to examine the Chapter; and

WHEREAS, in reviewing City Code, Chapter 89 it came to staff's attention that numerous changes to the Chapter are required and that it would be best for the City to repeal its current rental property provisions and adopt a new chapter that clarifies the City's rental property licensing program; and

WHEREAS, the City Council has reviewed City Code, Chapter 89 "Rental Property" and has decided to repeal it and reenact City Code, Chapter 89 as "Rental Property – Licensing and Inspection", with amendments as recommended by staff.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of New Carrollton that Chapter 89 "Rental Property" of the City Code, is hereby repealed and reenacted as City Code, Chapter 89 "Rental Property – Licensing and Inspection" to read as follows:

CHAPTER 89

RENTAL PROPERTY - LICENSING AND INSPECTION

§ 89-1. PURPOSE.

§ 89-2. MATTERS COVERED.

§ 89-3. DEFINITIONS.

§ 89-4. LICENSE REQUIRED PRIOR TO OCCUPANCY.

§ 89-5. APPLICATION; FORMS; FEES.

§ 89-6. LICENSE ISSUANCE; DENIAL, SUSPENSION, OR REVOCATION OF LICENSE.

§ 89-7. INSPECTIONS.

§ 89-8. EXPIRATION OF LICENSE; RENEWAL; REAPPLICATION.

§ 89-9. APPEALS; PROCEDURE.

§ 89-10. PRESENTATION OF LICENSE REQUIRED.

§ 89-11. LOCAL AGENT; SERVICE.

§ 89-12. PENALTY.

§ 89-1. PURPOSE.

(A) THE MAYOR AND COUNCIL RECOGNIZE THAT SAFE, CLEAN, WELL-BUILT, AND PROPERLY MAINTAINED HOUSING AND NEIGHBORHOODS ARE THE FOUNDATION UPON WHICH HEALTHY COMMUNITIES ARE BUILT. THIS CHAPTER PROMOTES AND ADVANCES THE CITY'S VISION AND COMMITMENT TO HOUSING AND NEIGHBORHOODS. THE PURPOSE OF THIS CHAPTER IS TO PROTECT AND PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE CITY OF NEW CARROLLTON, TO ESTABLISH OBLIGATIONS AND RIGHTS OF OWNERS AND TENANTS IN THE RENTING OF DWELLING UNITS AND TO ENCOURAGE OWNERS AND TENANTS TO MAINTAIN AND IMPROVE THE QUALITY OF RENTAL HOUSING WITHIN THE CITY.

(B) AN ADDITIONAL PURPOSE OF THIS CHAPTER IS TO ENSURE COMPLIANCE WITH ALL LAWS, ORDINANCES AND REGULATIONS APPLICABLE TO RESIDENTIAL RENTAL HOUSING WITHIN THE CITY; AND TO PROMOTE AND ENSURE THE SAFETY, HEALTH AND HABITABILITY OF RENTAL DWELLINGS IN THE CITY, TO PREVENT DETERIORATION OF RENTAL FACILITIES, TO SUPPORT PROPERTY VALUES, AND TO ENCOURAGE RESPONSIBLE MANAGEMENT AND USE OF RENTAL DWELLINGS AND DWELLING UNITS THROUGH LICENSING AND INSPECTION.

§ 89-2. MATTERS COVERED.

(A) THIS CHAPTER SHALL APPLY TO ALL RENTAL DWELLINGS AND RENTAL UNITS, INCLUDING SINGLE-FAMILY AND MULTI-FAMILY DWELLINGS. THE MINIMUM REQUIREMENTS FOR THE MAINTENANCE AND REPAIR OF RENTAL DWELLINGS AND RENTAL UNITS ARE INCLUDED IN THE CODE OF THE CITY OF

NEW CARROLLTON, CHAPTER 71 "HOUSING AND PROPERTY MAINTENANCE", AND OTHER APPLICABLE CODES AND REGULATIONS. THESE STANDARDS INCLUDE BUT ARE NOT LIMITED TO STRUCTURAL INTEGRITY, PROTECTION AGAINST FIRE HAZARD, EQUIPMENT OR MAINTENANCE, ADEQUATE PROVISIONS FOR LIGHT AND AIR, PROPER HEATING, ELECTRIC, PLUMBING, AND SANITARY CONDITIONS, AND WITH RESPECT TO MATTERS OF OVER-CROWDING, ILLEGAL ACTIVITIES, OR FACTORS OTHERWISE DEEMED TO CONSTITUTE A MENACE TO THE SAFETY, HEALTH OR WELFARE OF THE OCCUPANTS OR ADJACENT PROPERTY OWNERS, OR SUCH CONDITIONS, FACTORS, OR CHARACTERISTICS THAT ADVERSELY AFFECT PUBLIC SAFETY, HEALTH AND WELFARE AND MAY LEAD TO THE CONTINUATION, EXTENSION, OR AGGRAVATION OF URBAN BLIGHT. ADEQUATE PROTECTION OF THE PUBLIC, THEREFORE, REQUIRES ESTABLISHMENT AND ENFORCEMENT OF THE LICENSING AND INSPECTION OF SINGLE-FAMILY AND MULTIFAMILY RENTAL DWELLINGS AND DWELLING UNITS.

(B) THE CITY'S HOUSING AND PROPERTY MAINTENANCE STANDARDS AS DELINEATED IN CITY CODE, CHAPTER 71 ("HOUSING CODE"), WHICH ADOPTS THE HOUSING CODE FOR PRINCE GEORGE'S COUNTY, MARYLAND, AS AMENDED FROM TIME TO TIME, ARE HEREBY INCORPORATED BY REFERENCE IN THIS CHAPTER TO THE EXTENT IT IS NOT INCONSISTENT HEREWITH.

§ 89-3. DEFINITIONS.

THE TERMS USED IN THIS CHAPTER ARE DEFINED AS FOLLOWS:

ADMINISTRATIVE OFFICER: THE CITY ADMINISTRATIVE OFFICER.

BOARDINGHOUSE: A "DWELLING UNIT" IN WHICH LODGING AND MEALS ARE FURNISHED BY THE INHABITANTS FOR COMPENSATION TO FOUR (4) OR MORE, BUT NOT EXCEEDING NINE (9), OCCUPANTS. THE "DWELLING UNIT" SHALL CONTAIN NO MORE THAN FIVE (5) ROOMS FOR SLEEPING BY OCCUPANTS.

CITY: THE CITY OF NEW CARROLLTON.

CODE OFFICIAL: THE INDIVIDUAL(S) DESIGNATED BY THE MAYOR TO ADMINISTER THIS CHAPTER.

CONDITIONAL LICENSE: A CERTIFICATE INDICATING THAT A COMPLETE APPLICATION FOR A RENTAL LICENSE HAS BEEN RECEIVED ALONG WITH THE REQUIRED FEE AND THAT THE REQUIRED INSPECTIONS ARE PENDING.

DWELLING: A BUILDING USED FOR RESIDENTIAL PURPOSES FOR ONE (1) OR MORE INDIVIDUALS.

DWELLING UNIT: FOR PURPOSES OF THIS CHAPTER, A BUILDING (OR PART OF A BUILDING) COMPRISED OF ONE (1) OR MORE ROOMS THAT PROVIDE BATHING, COOKING, LIVING, AND SLEEPING FACILITIES THAT ARE USED AS A COMPLETE AND INDEPENDENT DWELLING FOR ONE (1) OR MORE PERSONS.

EXEMPT TENANT: A TENANT OF A SINGLE-FAMILY RENTAL UNIT WHO IS RELATED TO THE OWNER OF THE RENTAL UNIT AS GRANDPARENT, PARENT, SIBLING, CHILD, OR GRANDCHILD, WHETHER NATURALLY, ADOPTED, STEP, OR IN-LAW.

LICENSE FEE: THE ANNUAL FEE REQUIRED FOR APPLICATION FOR A LICENSE UNDER THIS CHAPTER. NO ADDITIONAL FEE IS REQUIRED IN REFERENCE TO MANDATORY INSPECTIONS EXCEPT AS PROVIDED FOR MISSED APPOINTMENTS IN § 89-7(D).

LICENSE YEAR: LICENSES ISSUED UNDER THIS CHAPTER SHALL BE VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE AND SHALL EXPIRE AT 11:59 P.M. ON THE 365TH DAY AFTER ISSUANCE.

LOCAL AGENT: THE OWNER OF RECORD RESIDING IN MARYLAND, OR A MARYLAND RESIDENT EXPRESSLY DESIGNATED BY THE OWNER ON A FORM PROVIDED BY THE CITY, TO MANAGE, SUPERVISE AND CARE FOR THE PROPERTY AND TO RESPOND TO ANY VIOLATIONS CONCERNING THE PROPERTY, AND TO WHOM OFFICIAL SERVICE MAY BE MADE INCLUDING THE SERVICE OF MUNICIPAL INFRACTION CITATIONS.

MINIMUM STANDARDS: THE PROVISIONS OF THE CITY'S HOUSING AND PROPERTY MAINTENANCE STANDARDS AS ADOPTED AND MAY BE AMENDED FROM TIME-TO-TIME IN CHAPTER 71 OF THIS CODE, AND OTHER APPLICABLE CITY CODES, ORDINANCES AND REGULATIONS.

MULTI-FAMILY DWELLING: A "BUILDING" (OTHER THAN A "THREE-FAMILY DWELLING") CONTAINING THREE (3) OR MORE "DWELLING UNITS", INCLUDING AN "APARTMENT HOUSE" OR "APARTMENT BUILDING." "MULTIFAMILY DWELLING" DOES NOT INCLUDE A "FRATERNITY OR SORORITY HOUSE." A "DWELLING" FOR WHICH A SPECIAL EXCEPTION WAS GRANTED IN ACCORDANCE WITH SECTION 27-382 OF THE PRINCE GEORGE'S COUNTY CODE, "MULTIFAMILY DWELLING; BEDROOM PERCENTAGES INCREASE," PRIOR TO AUGUST 26, 1983, SHALL BE CONSIDERED A "MULTIFAMILY DWELLING," IRRESPECTIVE OF WHETHER THE INDIVIDUAL "DWELLING UNITS" ARE ENTIRELY SEPARATED FROM EACH OTHER BY SOLID, COMMON WALLS.

OCCUPANT: ANY PERSON OTHER THAN THE OWNER, WHO IS IN POSSESSION OF A BUILDING OR STRUCTURE OR SPACE WITHIN A BUILDING OR STRUCTURE. AN "OCCUPANT" SHALL INCLUDE A TENANT.

OWNER: ANY PERSON, PARTNERSHIP, COMPANY, CORPORATION OR OTHER ENTITY, ALONE, JOINTLY OR SEVERALLY, HAVING A LEGAL OR EQUITABLE INTEREST IN, OR CONTROL OF A RENTAL DWELLING. OWNER SHALL ALSO MEAN ANY PERSON WHO ALONE, JOINTLY OR SEVERALLY, SHALL HAVE THE CHARGE, CARE OR CONTROL OF ANY PREMISES AS EXECUTOR, ADMINISTRATOR, TRUSTEE OR GUARDIAN OF THE ESTATE OF THE OWNER. OWNER SHALL ALSO MEAN ANY PERSON HAVING ANY INTEREST IN A PARTNERSHIP, COMPANY, CORPORATION OR OTHER ENTITY WHICH OWNS OR HAS ANY OWNERSHIP INTEREST OR CONTROL OF A PREMISE. ANY PERSON, FIRM, PARTNERSHIP, COMPANY, CORPORATION, OR OTHER ENTITY WHOSE NAME APPEARS ON THE DEED OR PROPERTY TAX BILL FOR THE PREMISES SHALL BE DEEMED TO BE THE OWNER OF THE PREMISES.

PREMISES: THE PARCEL OR LOT OF REAL PROPERTY IN THE CITY, INCLUDING THE LAND AND ALL IMPROVEMENTS OR STRUCTURES, UPON WHICH A RENTAL DWELLING IS LOCATED.

RENTAL DWELLING: A DWELLING OR A DWELLING UNIT OCCUPIED OR INTENDED TO BE OCCUPIED BY ONE OR MORE INDIVIDUALS WHO ARE NOT THE LEGAL OWNERS OF RECORD OF THE PROPERTY OR AN EXEMPT TENANT. BOARDINGHOUSES AND A ROOMING HOUSES ARE RENTAL DWELLINGS.

RENTAL UNIT: ANY ROOM OR GROUP OF ROOMS IN A SINGLE-FAMILY OR MULTI-FAMILY STRUCTURE FORMING A SINGLE HABITABLE UNIT THAT IS INTENDED TO BE RENTED FOR OCCUPANCY BY ONE OR MORE INDIVIDUALS WHO ARE NOT THE LEGAL OWNERS OF RECORD OF THE PROPERTY OR AN EXEMPT TENANT.

ROOMING HOUSE: A RENTAL DWELLING IN WHICH LODGING (EXCLUDING MEALS) IS FURNISHED BY THE INHABITANTS FOR COMPENSATION TO FOUR (4) OR MORE, BUT NOT OVER NINE (9), OCCUPANTS. THE "DWELLING" SHALL CONTAIN NO MORE THAN FIVE (5) ROOMS FOR SLEEPING BY OCCUPANTS.

ROOMING UNIT: ANY ROOMS OR GROUPS OF ROOMS LOCATED WITHIN A DWELLING, FORMING A SINGLE HABITABLE UNIT USED OR INTENDED TO BE USED FOR SLEEPING OR LIVING, BUT NOT FOR COOKING PURPOSES.

SINGLE-FAMILY DWELLING: A DWELLING THAT CONTAINS ONE OR TWO DWELLING UNITS, INCLUDING DUPLEXES AND TWO-FAMILY ATTACHED DWELLINGS.

§ 89-4. LICENSE REQUIRED PRIOR TO OCCUPANCY.

(A) THE OWNER OF A RENTAL DWELLING OR RENTAL UNIT MAY NOT PERMIT OCCUPANCY OF THE RENTAL DWELLING OR RENTAL UNIT UNLESS THE RENTAL DWELLING OR RENTAL UNIT IS FIRST LICENSED BY THE CITY, AND THE LICENSE HAS NOT BEEN REVOKED OR SUSPENDED.

(B) SUBJECT TO SUBSECTION (C), A DWELLING UNIT THAT IS OCCUPIED BY AN OWNER OR EXEMPT TENANT AS A PRINCIPAL PLACE OF RESIDENCE SHALL NOT BE SUBJECT TO THE REQUIREMENTS OF THIS CHAPTER. ALL DWELLINGS WITHIN THE CITY REMAIN COVERED BY THE REQUIREMENTS OF THE CITY'S HOUSING AND PROPERTY MAINTENANCE CHAPTER, CHAPTER 71.

(C) A RENTAL LICENSE IS NOT TRANSFERABLE. A RENTAL LICENSE TERMINATES UPON CHANGE OF OWNERSHIP OF THE PROPERTY ON WHICH A RENTAL DWELLING OR RENTAL UNIT IS LOCATED AND THE NEW OWNER OF THE RENTAL DWELLING OR RENTAL UNIT MUST OBTAIN A NEW LICENSE WITHIN FIFTEEN (15) DAYS AFTER THE CHANGE IN OWNERSHIP.

§ 89-5. APPLICATION; FORMS; FEES.

(A) OWNERS OF RENTAL DWELLINGS AND RENTAL UNITS SHALL MAKE WRITTEN APPLICATION TO THE CITY FOR A RENTAL LICENSE UPON SUCH FORM OR FORMS AS THE CITY DESIGNATES. APPLICATIONS SHALL BE SUBMITTED TOGETHER WITH THE APPLICABLE LICENSE FEE, WHICH FEE SHALL BE ESTABLISHED IN THE CITY FEE SCHEDULE, AND A STATEMENT BY THE OWNER OF THE RENTAL DWELLING OR RENTAL UNIT THAT, AS A CONDITION OF ISSUANCE OF ANY LICENSE OR CONDITIONAL LICENSE, THE OWNER, ON BEHALF OF THE OWNER AND BEHALF OF ANY PRESENT OR FUTURE TENANTS, GRANTS PERMISSION TO THE CITY AND THE CITY'S OFFICIALS, EMPLOYEES AND AGENTS TO INSPECT THE RENTAL DWELLING OR RENTAL UNIT FOR COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER AND TO UNDERTAKE ANY OTHER INSPECTIONS REQUIRED BY § 89-7. THE ANNUAL LICENSE FEE SHALL NOT BE PRORATED.

(B) THE OWNER SHALL HAVE A CONTINUING OBLIGATION TO UPDATE THE INFORMATION SUBMITTED AS PART OF THE RENTAL LICENSE APPLICATION AND TO SUPPLY ADDITIONAL INFORMATION AS THE CITY REASONABLY MAY REQUIRE.

(C) LATE FEES SHALL BE ASSESSED TO THE OWNER FOR EVERY DAY THAT THE FILING OF AN APPLICATION IS DELINQUENT. THE LATE FEES SHALL BE SET FORTH IN THE CITY'S FEE SCHEDULE.

(D) LICENSE FEES AND LATE FEES IMPOSED BY THIS CHAPTER ARE A LIEN ON THE PREMISES UNTIL PAID AND IN ALL RESPECTS SHALL BEAR INTEREST, AND BE COLLECTED AND ENFORCED, IN THE SAME MANNER AS CITY REAL PROPERTY TAXES.

(E) ALL RENTAL LICENSE FEES SUBMITTED TO THE CITY SHALL BE NON-REFUNDABLE.

§ 89-6. LICENSE ISSUANCE; DENIAL, SUSPENSION, OR REVOCATION OF LICENSE.

(A) UPON RECEIPT OF A COMPLETED APPLICATION FOR A LICENSE WITH TENDER OF THE REQUIRED LICENSE FEE, ALONG WITH ANY STATE OF MARYLAND REQUIRED DOCUMENTATION OF COMPLIANCE WITH MARYLAND LEAD LAWS, AND ANY OTHER LEGALLY REQUIRED DOCUMENTS FOR A RENTAL DWELLING OR RENTAL UNIT, THE CITY SHALL ISSUE A CONDITIONAL LICENSE UNLESS A CURRENT LICENSE HAS BEEN DENIED, SUSPENDED OR REVOKED. CONDITIONS ON THE LICENSE WILL BE REMOVED, AND A FINAL RENTAL LICENSE ISSUED, FOLLOWING A SATISFACTORY INSPECTION OF THE PREMISES.

(B) DENIAL, SUSPENSION OR REVOCATION: A CONDITIONAL LICENSE OR LICENSE MAY BE DENIED, SUSPENDED OR REVOKED IN WHOLE OR IN PART AT ANY TIME BY THE CITY FOR A RENTAL DWELLING OR RENTAL UNIT THAT IS THE SUBJECT OF A VIOLATION OF CITY CODE, CHAPTER 71 HOUSING AND PROPERTY MAINTENANCE IF, AFTER RECEIPT OF A NOTICE OF VIOLATION, THE OWNER FAILS TO ABATE ALL VIOLATIONS IDENTIFIED DURING AN INSPECTION WITHIN THE TIME ORDERED IN THE NOTICE. VIOLATIONS OF PROVISIONS CONTAINED IN PRINCE GEORGE'S COUNTY CODE, SEC. 13-113 "UNSAFE STRUCTURES AND EQUIPMENT," SEC. 13-114 "UNSAFE CONDITIONS – EMERGENCY MEASURES" AND SEC. 13-115 "CONDEMNATION AND DEMOLITION", ADOPTED AS PART OF THE CITY'S HOUSING AND PROPERTY MAINTENANCE STANDARDS MAY RESULT IN IMMEDIATE DENIAL, SUSPENSION OR REVOCATION OF A CONDITIONAL LICENSE OR LICENSE WITHOUT NOTICE. THE DENIAL, SUSPENSION OR REVOCATION OF A LICENSE IS IN ADDITION TO AND NOT IN SUBSTITUTION OF THE PENALTIES PROVIDED FOR IN § 89-12 OF THIS CHAPTER.

(C) ANY LICENSE OR CONDITIONAL LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED, OR SUSPENDED BY THE CITY, AFTER NOTICE AND RIGHT TO A HEARING, FOR ANY OF THE FOLLOWING REASONS:

- 1. FAILURE TO ABATE VIOLATIONS AS REQUIRED PURSUANT TO SUBSECTION (B) OF THIS SECTION.**

2. A FALSE STATEMENT CONTAINED IN THE APPLICATION FOR A LICENSE.
3. A FALSE STATEMENT PROVIDED BY THE LICENSE HOLDER IN THE COURSE OF ITS ACTIVITIES.
4. THE LICENSE WAS ISSUED IN ERROR.

§ 89- 7 INSPECTIONS.

(A) AUTHORITY AND CONSENT TO INSPECTIONS: IN CONNECTION WITH THE APPLICATION REQUIREMENTS CONTAINED IN § 89-5, THE OWNER SHALL ACKNOWLEDGE AND CONSENT TO THE INSPECTIONS REQUIRED UNDER THIS CHAPTER; AND SHALL AFFIRM THAT THE OWNER WILL NOTIFY PROSPECTIVE TENANTS PRIOR TO ENTERING INTO A LEASE AGREEMENT OF THE INSPECTION REQUIREMENTS OF THIS CHAPTER. THE CITY'S CODE OFFICIAL OR OTHER DESIGNATED PERSON SHALL CONDUCT AN INSPECTION OF A LICENSED PREMISES TO DETERMINE WHETHER IT IS IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF THE CITY CODE PRIOR TO THE ISSUANCE OF A NEW LICENSE, PRIOR TO THE RENEWAL OF A LICENSE, PRIOR TO THE ARRIVAL OF A NEW OCCUPANT/TENANT AND WHEN VIOLATIONS OF THE CITY CODE ARE REASONABLY SUSPECTED TO EXIST. THE CITY'S CODE OFFICIAL OR OTHER DESIGNATED PERSON MAY CONDUCT PERIODIC INSPECTIONS OF ANY LICENSED PREMISES TO DETERMINE WHETHER IT CONTINUES TO BE IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS. A PERSON MAY NOT REFUSE OR FAIL, UPON REASONABLE NOTICE, TO ALLOW ENTRY FOR SUCH INSPECTION, AND THE REFUSAL OR FAILURE TO ALLOW INSPECTION IS SUFFICIENT REASON FOR THE DENIAL, SUSPENSION OR REVOCATION OF A RENTAL LICENSE.

(B) LIMITATIONS: INSPECTIONS ARE LIMITED VISUAL INSPECTIONS FOR VIOLATIONS OF THE CITY'S HOUSING AND PROPERTY MAINTENANCE STANDARDS, AND OTHER APPLICABLE CODES AND STANDARDS. THE INSPECTIONS DO NOT CERTIFY OR PROVIDE A WARRANTY OF THE PREMISES AS TO THE EXISTENCE OR OPERATION ANY BUILDING SYSTEMS OR SUBSYSTEMS. THE INSPECTIONS SHALL NOT BE DEEMED TO INCLUDE ANY LATENT OR HIDDEN DEFECTS OR PROBLEMS. INSPECTIONS SHALL BE CONDUCTED BY THE CITY'S CODE OFFICIAL OR OTHER PERSONS DESIGNATED BY THE MAYOR.

(c) EXTERIOR AND INTERIOR INSPECTION: IN CONNECTION WITH THE APPLICATION REQUIREMENTS CONTAINED IN § 89-5 OF THIS CHAPTER, A RENTAL DWELLING OR RENTAL UNIT SHALL BE SUBJECT TO AN ANNUAL EXTERIOR AND INTERIOR INSPECTION OF THE PREMISES SUBJECT TO THE STANDARDS IN CHAPTER 71 OF THE CITY CODE. THE INSPECTION MAY, BUT SHALL NOT BE REQUIRED TO, INCLUDE A CHECK OF SYSTEMS AND SUBSYSTEMS IN THE RENTAL DWELLING OR RENTAL UNIT. THE CODE

OFFICIAL MAY DETERMINE THE NUMBER OF RENTAL UNITS TO BE INSPECTED FOR SAFETY AND OPERATION.

(D) MISSED INSPECTION FEES: ANY APPOINTMENT FOR INSPECTIONS WHICH IS NOT KEPT BY THE APPLICANT FOR ANY REASON AND FOR WHICH THE CITY CODE ENFORCEMENT OFFICER IS NOT GIVEN 24 HOURS' NOTICE OF CANCELLATION (PRIOR TO THE TIME SET FOR INSPECTION) SHALL BE SUBJECT TO A FEE AS SET FORTH IN THE CITY'S FEE SCHEDULE.

(E) INSPECTION RESULTS, DEFICIENCIES AND REQUIRED CORRECTIONS: INSPECTION RESULTS SHALL BE COMMUNICATED IN WRITING TO THE OWNER. NOTICES OF VIOLATIONS SHALL INCLUDE A COMPLIANCE DATE THAT SPECIFIES A DATE BY WHICH VIOLATIONS MUST BE ABATED. EXTENSIONS TO THE INITIAL COMPLIANCE DATE MAY BE GRANTED AT THE CITY'S SOLE DISCRETION.

§ 89-8. EXPIRATION OF LICENSE; RENEWAL; REAPPLICATION.

(a) EACH LICENSE ISSUED PURSUANT TO THIS CHAPTER SHALL EXPIRE AT 11:59 P.M. ON THE 365TH DAY AFTER ITS ISSUANCE.

(B) APPLICATION FOR THE RENEWAL OF AN EXISTING LICENSE SHALL BE MADE AT LEAST THIRTY-ONE (31) DAYS PRIOR TO THE EXPIRATION DATE AND SHALL BE SUBMITTED TOGETHER WITH THE APPROPRIATE LICENSE FEE. THE LATE FEE FOR APPLICATIONS SHALL ALSO BE APPLICABLE TO RENEWALS.

(C) EVERY APPLICANT WHOSE APPLICATION FOR A LICENSE HAS BEEN DENIED OR WHOSE LICENSE HAS BEEN SUSPENDED OR REVOKED MAY NOT REAPPLY FOR THE LICENSE UNLESS AND UNTIL THE UNDERLYING CONDITIONS CAUSING THE DENIAL, SUSPENSION OR REVOCATION HAVE BEEN SATISFACTORILY ADDRESSED AS DETERMINED BY THE CITY.

(D) WHEN REAPPLYING AFTER A DENIAL, A NEW APPLICATION AND REQUIRED DOCUMENTS SHALL BE SUBMITTED TOGETHER WITH ALL APPLICABLE FEES.

§ 89-9. APPEALS; PROCEDURE.

A PERSON AGGRIEVED BY A FINAL DECISION OR ORDER OF THE CITY IN THE ADMINISTRATION OR ENFORCEMENT OF THIS CHAPTER MAY APPEAL THE DECISION TO THE CITY BOARD OF APPEALS WITHIN FIFTEEN (15) DAYS OF THE DATE OF THE DECISION OR ORDER APPEALED, BY FILING WITH THE BOARD A SIGNED, WRITTEN NOTICE OF APPEAL REQUESTING A HEARING AND SETTING FORTH A BRIEF STATEMENT OF THE REASONS THEREFORE. UPON RECEIPT OF

SUCH NOTICE OF APPEAL, THE BOARD SHALL SET A TIME AND PLACE FOR SUCH A HEARING AND SHALL DETERMINE APPEALS AS PROMPTLY AS PRACTICABLE. THE BOARD SHALL HEAR THE APPEALS. AFTER SUCH HEARING, THE BOARD MAY, WITH A MAJORITY OF MEMBERS PRESENT AFFIRM, AMEND, MODIFY OR WITHDRAW THE DECISION OR ORDER THAT HAS BEEN APPEALED. THE DECISION OF THE BOARD SHALL, IN ALL CASES, BE FINAL, EXCEPT THAT ANY PARTY DIRECTLY AGGRIEVED BY A DECISION MAY WITHIN FIVE DAYS AFTER THE RENDERING OF SUCH DECISION FILE AN APPEAL TO THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY. SAID APPEALS SHALL BE IN ACCORDANCE WITH THE MARYLAND RULES.

§ 89-10. PRESENTATION OF LICENSE REQUIRED.

A COPY OF ANY LICENSE ISSUED UNDER THIS CHAPTER SHALL BE PRESENTED TO EVERY PROSPECTIVE TENANT PRIOR TO EXECUTING A LEASE AGREEMENT OR PRIOR TO OCCUPANCY, AND THEREAFTER ON DEMAND OF THE TENANT OR DESIGNATED CODE OFFICIAL.

§ 89-11. LOCAL AGENT; SERVICE.

(A) REQUIREMENT OF LOCAL AGENT. THE OWNER OF RECORD OF ANY RENTAL DWELLING OR RENTAL UNIT REQUIRED BY THIS CHAPTER TO OBTAIN A LICENSE SHALL BE OR APPOINT A LOCAL AGENT FOR EACH LICENSED PREMISE. THE LOCAL AGENT SHALL BE OVER THE AGE OF EIGHTEEN (18) AND RESIDE IN THE STATE OF MARYLAND.

(B) FILING OF THE LOCAL AGENT'S NAME AND ADDRESS. THE NAME AND ADDRESS OF THE LOCAL AGENT SHALL BE INCLUDED IN THE RENTAL LICENSE APPLICATION. THE OWNER OF RECORD SHALL NOTIFY THE CITY IN WRITING OF ANY CHANGES WITH RESPECT TO THE LOCAL AGENT WITHIN TEN (10) DAYS OF SUCH CHANGES. THE DESIGNATION OF A LOCAL AGENT DOES NOT RELIEVE THE OWNER OF ANY RESPONSIBILITIES OR OBLIGATIONS UNDER THIS CHAPTER.

(C) SERVICE OF UNIFORM CIVIL CITATION FOR MUNICIPAL INFRACTION. NOTICE OF A COMPLAINT OR MUNICIPAL INFRACTION WITH RESPECT TO PREMISES REQUIRED TO BE LICENSED MAY BE BROUGHT BY SERVICE UPON THE OWNER OF RECORD OF THE PROPERTY OR UPON THE LOCAL AGENT. SERVICE SHALL BE DEEMED SUFFICIENT WHEN SERVED IN COMPLIANCE WITH THE CITY'S THEN CURRENT POLICY ON THE ISSUANCE OF MUNICIPAL INFRACTION CITATIONS.

§ 89-12. PENALTY.

(A) IT SHALL BE UNLAWFUL FOR ANY PERSON OR PERSONS, FIRM, CORPORATION OR OTHER ENTITY TO VIOLATE ANY OF THE PROVISIONS OF THIS CHAPTER, WHICH ARE HEREBY DECLARED TO BE MUNICIPAL INFRACTIONS, PUNISHABLE BY A FINE AS SET FORTH IN THE CITY'S FINES AND PENALTIES SCHEDULE FOR EACH OFFENSE. EACH DAY THAT A VIOLATION CONTINUES AFTER ASSESSMENT OF THE INITIAL FINE SHALL CONSTITUTE A SEPARATE OR REPEAT OFFENSE. PAYMENT OF A FINE WITHOUT CORRECTION OF THE VIOLATION DOES NOT CONSTITUTE ABATEMENT OF THE VIOLATION.

(B) FOR PURPOSES OF ENFORCING THIS CHAPTER, THE CITY IS AUTHORIZED TO EXERCISE ALL POWERS AVAILABLE TO IT UNDER STATE AND COUNTY LAW AND CITY CODE, CHAPTER 71 AND OTHER APPLICABLE CODES TO PROHIBIT OR PREVENT OCCUPANCY OF AN UNLICENSED PREMISES SUBJECT TO LICENSING UNDER THIS CHAPTER FOR WHICH A CONDITIONAL LICENSE OR LICENSE HAS NOT BEEN ISSUED, HAS EXPIRED, OR FOR WHICH A CONDITIONAL LICENSE OR LICENSE HAS BEEN SUSPENDED OR REVOKED.

Introduced by the City Council of the City of New Carrollton, Maryland on the ____ day of _____, 2019.

Adopted and Enacted by the City Council of the City of New Carrollton on the ___day of _____, 2019.

Attest:

CITY OF NEW CARROLLTON

Douglass A. Barber, CMC
City Clerk

Richard Bechtold, Chair City Council

Date: _____

Approved:

Duane Rosenberg
Mayor

Date: _____



Effective: December 19, 2018

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF NEW CARROLLTON
SETTING THE DATE AND TIME FOR EARLY VOTING FOR THE
MAY 6, 2019 CITY ELECTION**

WHEREAS, pursuant to City Code, Chapter 50 “Elections”, §50-30 “Early Voting”, the Mayor and City Council are authorized to conduct early voting at municipal elections for the office of Mayor and Council Members; and

WHEREAS, the Mayor and Council of New Carrollton desire to offer an early voting opportunity to its residents in the May 6, 2019 City election; and

WHEREAS, City Code, §50-30 requires that the Mayor and City Council, by resolution, set the date(s) and times at which early voting will be held; and

WHEREAS, the Mayor and City Council wish to designate the date of Saturday, April 27, 2019, during the time of 8:00 a.m. until 4:00 p.m., as the date and time of early voting for the 2019 municipal elections.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Mayor and Council of the City of New Carrollton hereby establish Saturday, April 27, 2019, during the time of 8:00 a.m. until 4:00 p.m., as the date and time of the official early voting period for the 2019 municipal election of the City of New Carrollton.

ADOPTED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF NEW CARROLLTON THIS 19th DAY OF DECEMBER 2018.

[SEAL]

Richard Bechtold, Chairman
City Council

ATTEST:

APPROVED:

Douglass A. Barber, CMC
City Clerk

Duane H. Rosenberg
Mayor

Date: _____



Resolution 19-07

Endorsing a Membership Roster for the City of New Carrollton Green Team

Effective Date: December 19, 2018

**RESOLUTION OF THE COUNCIL OF THE CITY OF NEW CARROLLTON
ENDORING A MEMBERSHIP ROSTER FOR THE CITY OF NEW CARROLLTON
GREEN TEAM ESTABLISHED UNDER THE SUSTAINABLE MARYLAND
CERTIFIED PROGRAM**

WHEREAS, the Council of the City of New Carrollton, through the approval of Resolution 15-04 on August 20, 2014, approved the City's participation in the Sustainable Maryland Certified Program; and

WHEREAS, by endorsing a sustainable path, New Carrollton is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, the City Council desires to provide leadership which will seek community-based sustainable solutions to strengthen the New Carrollton community; and

WHEREAS, one of the mandatory requirements of the Sustainable Maryland Certified Program is to establish a Green Team comprised of residents and volunteers from the community who will strive to develop policies and plans, implement programs and assist with educational opportunities that support the creation of a sustainable community; and

WHEREAS, the City publicly advertised the formation of the Green Team and sought volunteers to participate on the Green Team; and

WHEREAS, a roster of Green Team members had been prepared and submitted to the Council of the City of New Carrollton for its endorsement.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of New Carrollton officially endorses the New Carrollton Green Team Membership Roster dated December 17, 2018, attached hereto as Exhibit A, as required by the Sustainable Maryland Certified Program.

INTRODUCED AND PASSED by the Council of the City of New Carrollton on the 19th day of December, 2018.

ATTEST:

Douglass A. Barber, CMC
City Clerk

Richard Bechtold, Chair
City Council

APPROVED:

Duane H. Rosenberg
Mayor

DATE: _____

Green Team Membership Roster

Natalie Bend, Resident

Manjot Choudhary, 8th grade Science and Biology, Charles Carroll Middle School

Peggy Kwik, Resident

Gillian Outlaw, Manager, Starbucks

Tammy Rinker, Pastor, Trinity Moravian Church

Bobbie Jo Shaner, Carrollton Elementary (First Grade)

Suzette Whyte, ARM Regional Property Manager, Kay Apartment Communities (on behalf of Carrollan Manor)

Stephanie Zimmer, Carrollton Elementary Green Team Member (First Grade)

City Staff:

Brad Pudner, City of New Carrollton Horticulturalist/Parks Supervisor

Karen Ruff, Assistant City Administrative Officer, City of New Carrollton

City Council Liaison:

Roy Peterson, Council Member



Effective: December 19, 2018

A RESOLUTION OF THE CITY COUNCIL OF NEW CARROLLTON ADOPTING A POLICY DECLARING THE CITY OF NEW CARROLLTON'S INTENT TO TAKE A LEADERSHIP ROLE IN RENEWABLE ENERGY GENERATION WITHIN THE CITY OF NEW CARROLLTON, PARTNERING WITH THE MARYLAND ENERGY ADMINISTRATION, AND ENROLLING AS A MARYLAND SMART ENERGY COMMUNITY

WHEREAS, the University of Maryland Environmental Finance Center and the Maryland Energy Administration have partnered to coordinate the Maryland Smart Energy Communities Program. The Maryland Smart Energy Communities Program is an opportunity for a municipality such as the City of New Carrollton to take control of its energy consumption and future energy needs by adopting policies related to energy efficiency and renewable energy for the municipality. By adopting such policies, a municipality can be designated a Smart Energy Community and be eligible for grant funding on energy projects; and

WHEREAS, by adhering to the Maryland Energy Administration's Smart Energy Communities Program the City of New Carrollton has committed to being a socially responsible leader by increasing control of its own renewable energy production; and

WHEREAS, the City of New Carrollton recognizes that by smartly investing in renewable energy, it can have significant monetary savings in the long term.

NOW, THEREFORE, BE IT RESOLVED by the City Council of New Carrollton that the Renewable Energy Policy attached hereto as Exhibit A is hereby adopted.

ADOPTED AND ENACTED BY THE CITY COUNCIL OF NEW CARROLLTON THIS 19th DAY OF DECEMBER, 2018.

Richard Bechtold, Chairman
City Council

[SEAL]

ATTEST:

APPROVED:

Douglass A. Barber, CMC
City Clerk

Duane H. Rosenberg
Mayor

Date: _____

Exhibit A

**CITY OF NEW CARROLLTON
RENEWABLE ENERGY POLICY**

Section 1: PURPOSE.

The purpose of this Renewable Energy Policy is:

- To become a Maryland Smart Energy Community by enrolling in the Maryland Smart Energy Community Program.
- To reduce conventional centralized electricity generation serving City government buildings by meeting 20 percent of those buildings' electricity demand with distributed, renewable energy generation by 2023.
- To develop and initiate a Renewable Energy Action Plan to map out how the community will reach its Renewable Energy Goal.
- To report electricity consumption and renewable generation capacity annually to the Maryland Energy Administration in order to assure that the City of New Carrollton accomplishes the stated goals in a timely fashion.

Section 2: DEFINITION.

For the purpose of this Policy, the following terms shall have the meaning given:

- a) *Renewable Energy* – Energy generated from any one of the following sources: solar, wind, biomass (excluding saw dust), methane from anaerobic digestion of organic materials, geothermal, ocean, fuel cells powered by methane or biomass, poultry litter, and waste-to-energy facilities.
- b) *Electricity Consumption* – The amount of kilowatt-hours (kWhs) consumed by the City of New Carrollton on an annual basis including electricity generated and used on-site and electricity purchased from a utility.
- c) *Renewable Energy Action Plan* – Provides details on current and future electricity consumption, provides estimates regarding the renewable energy production required to meet 20 percent of the energy consumption, and designs plans with detailed installation measures and time tables that enable the City to reach its 2023 goal.
- d) *Baseline* – Total electricity consumption (kWhs) in a pre-determined baseline year. May include streetlights, but is not mandatory. Must include all buildings as well as sewer and water facilities.

Section 3: BASELINE DOCUMENTATION

The baseline, including data related to the specific time period, electricity consumption, building size, and results will be completed by April 1, 2019 and will be found as an appendix later attached to this document titled “MSEC Baseline City of New Carrollton.”

Section 4: GUIDELINES.

The City of New Carrollton will maintain an annual electricity consumption inventory for all City of New Carrollton owned buildings and energy consuming entities. This annual inventory will be conducted using Energy Star Portfolio Manager (or equivalent energy management program previously approved by the Maryland Energy Administration).

Section 5. PLANS AND IMPLEMENTATION

The City of New Carrollton will additionally conduct a Renewable Energy Action Plan to assess the amount of renewable energy that currently exists within City of New Carrollton. Any currently existing renewable energy will be included within the 20 percent reduction goal. For example, if the City determines from the Renewable Energy Action Plan that it already meets 3 percent of its energy consumption needs with renewable energy, only an additional 17 percent of renewable energy production would be required in order to meet the City’s final goal.

Finally, the City will implement the necessary projects in order to ensure that a minimum of 20 percent of City owned government building’s energy consumption is supplemented by locally generated renewable energy sources by the year 2023.

Section 6. QUESTIONS/ENFORCEMENT

All inquiries should be directed to the City of New Carrollton Community Energy Manager and/or their designee, who is the person responsible for implementing this Policy.

Section 7. APPLICABILITY

This Policy applies to all departments of the City of New Carrollton with the exception of the exclusions outlined in the definitions above.