



AGENDA FOR THE TOWN MEETING

March 25, 2019

7:00 p.m.

PLEDGE TO THE FLAG

Red Indicates – Action Item
Green Indicates – Ordinance Introduction
Blue Indicates – Discussion Item with Links

CALL TO ORDER

CONSENT AGENDA

- [YMCA Frederick Kid's Triathlon – June 1, 2019](#)
- Town Meeting Minutes
 - [March 7, 2019 – Town Workshop](#)
 - [March 11, 2019 – Town Meeting](#)

PERSONAL REQUESTS FOR AGENDA:

UNFINISHED BUSINESS:

- [Introduction of Ordinance 19-03-01 – Unsafe Properties \(First Reading\)](#)
- [Banner Policy \(Second Reading\)](#)
- [POS Annual Program Requests](#)
- Street Light Request – South Jefferson Street

NEW BUSINESS:

-

PUBLIC COMMENTS:

ANNOUNCEMENTS:

ADJOURNMENT



NOT REQUIRED
Maryland State Highway Administration
Special Event Permit - Data Sheet

Event: YMCA FREDERICK KID'S TRIATHLON

Start Date: JUNE 1, 2019 End Date: JUNE 1, 2019

Start Time: 4:00pm End Time: 7:00pm

Purpose/Type: _____

Organizer: YMCA of Frederick Maryland

Contact Person Judy Cowillard Daytime Phone: 301-663-5131 x1258

and Address: 1000 North Market St. Evening Phone: 240-457-1105

Frederick, MD 21701 Email Address: JCowillard@frederickymca.org

No. of Participants: 200 No. of Vehicles/Units: 0 Rain/Snow Date: none

Proposed Route: Starting at Middletown High School. Bike ride goes

(Written Description)
through Middletown Park Rd to Bike Route path to Cone Branch Rd
to Green St. to Schoolhouse Rd. Run takes place on high school property

Will you be occupying all or part of a highway travel lane? No Yes _____

Will you be closing all or part of a roadway? No Yes _____

If Yes to either of the above, where? _____

Have you requested Local Police assistance?* No Yes _____ Number 3 Flagger Force

Have you requested Maryland State Police assistance?* No Yes _____ Number _____

*** THE EVENT ORGANIZER IS RESPONSIBLE FOR OBTAINING LOCAL AND/OR STATE POLICE ASSISTANCE ***

CIRCLE THE DISTRICT(S) AND COUNTY(S) YOUR EVENT WILL TAKE PLACE IN

- DISTRICT 1 Dorchester / Somerset / Wicomico / Worcester
- DISTRICT 2 Caroline / Cecil / Kent / Queen Anne's / Talbot
- DISTRICT 3 Montgomery / Prince George's
- DISTRICT 4 Baltimore / Harford
- DISTRICT 5 Anne Arundel / Calvert / Charles / St. Mary's
- DISTRICT 6 Allegany / Garrett / Washington
- DISTRICT 7 Carroll / Howard / Frederick

RECEIVED
 MAR 11 2019
 TOWN OF MIDDLETOWN, MD

ATTACH THE FOLLOWING

- Map of affected routes
- Traffic Control Plan (including details on how intersections will be controlled, a detour plan, locations of police officers/volunteers and locations of all traffic control devices, as appropriate)
- Other event details The Race does not use State Roads.

(Contact the District Office to determine what, if any, additional information will be required for your event.)

*** Submit completed Data Sheet and Signature Sheet to SHA no later than 60 DAYS prior to your event ***
<http://www.marylandroads.com/Index.aspx?PagelD=59>



Maryland State Highway Administration Special Event Permit - Signature Sheet

EVENT: Ymca of Frederick Kid's Triathlon

ORGANIZER'S ACKNOWLEDGEMENT

I/We hereby affirm that the ORGANIZER of this EVENT and all PARTICIPANTS will comply with the Laws of the State of Maryland and any applicable county and municipal statutes and ordinances and will adhere to the terms and conditions set forth in this PERMIT. My/Our signature(s) below confirm that the ORGANIZER and all PARTICIPANTS agree to hold harmless from any liability, incurred by them or to others associated with this EVENT, the various governmental agencies providing assistance for this EVENT. The ORGANIZER may be required to obtain Liability and Property Damage Insurance with limits of at least \$300,000 per incident/\$1,000,000 aggregate.

ORGANIZER: Judy Couillard
PLEASE PRINT NAME

REPRESENTATIVE: Judy Couillard
PLEASE PRINT NAME

SIGNATURE: Judy Cou
PLEASE SIGN

TERMS AND CONDITIONS

- 1) This EVENT shall adhere to the route, number of participants and vehicles (not more than 10% higher than the numbers on this Permit), date(s) and times shown on the attached _____ sheet(s).
- 2) The ORGANIZER shall ensure that the approved TRAFFIC CONTROL PLAN is followed.
- 3) In the event of winter weather during the event, SHA will require access to all State Highways for weather related operations. This may require cancellation of the event.
- 4) Immediately following the event, the ORGANIZER shall clean up all litter, temporary signs and other event materials and return the roadway to a condition equal to or better than its condition before the event.
- 5) Additional stipulations: _____

AGENCY APPROVALS

Before signing and giving approval for your agency, consider the following:

- 1) Ensure you have the approval authority to sign for your agency to commit manpower and resources.
- 2) Ensure you have looked over the entire application package, including the Route Map and Traffic Control Plan. If you identify any problems, have the event organizer address them prior to signing.
- 3) If reimbursement is required, ensure you have mutually agreed upon the amount (in writing) and terms under which payment will be made.

Local Government (_____): _____
AGENCY SIGNATURE PRINTED NAME DATE

Local Government (_____): _____
AGENCY SIGNATURE PRINTED NAME DATE

Local Government (_____): _____
AGENCY SIGNATURE PRINTED NAME DATE

Maryland State Police: _____
SIGNATURE PRINTED NAME DATE

State Highway Administration: _____
SIGNATURE PRINTED NAME DATE

YMCA Kid's Triathlon Bike Route

Volunteers - Course Marshall- V

Traffic Control (Flagger Force) = TC

Cones- Indicate cones placed across Schoolhouse Rd for maximum one hour for bikers.



Frederick Kid's Triathlon – Run Route .5 miles= 1 LAP



- Categories
- Ages 6 to 8 – ONE LAP (.5 MILE)
 - Ages 9 to 10 – TWO LAPS (1.0 MILE)
 - Ages 11 to 12 – THREE LAPS (1.5 MILES)
 - Ages 13 TO 15 – THREE LAPS (1.5 MILES)

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MEETING MINUTES

WORKSHOP MEETING

March 7, 2019

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on March 7, 2019, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Christopher Goodman, Rick Dietrick and Tom Catania.

PERSONAL REQUESTS FOR AGENDA:

STAFF REPORTS:

Community Deputy Report – Dfc. Hewitt gave the report for February.
Staff Planner Report – Cindy gave her report as attached to agenda.
Engineer’s Report – Bruce gave his report.
Main Street Manager’s Report – Becky gave her report.
Zoning Administrator’s Report – Mark gave his report.

UNFINISHED BUSINESS:

Employee Handbook Updates (Vote-March 11, 2019) – Burgess Miller stated that we have seen this a few times and we are ready for a vote on Monday, March 11, 2019. Commission Catania stated that he will not be in attendance on Monday but, is ok with the updates to the Employee Handbook.

Social Media Policy & Archiving (Vote-March 11, 2019) – Burgess Miller stated that we have seen the social media policy a few times and if the Board has no changes or comments, we will vote on this on Monday, March 11, 2019. Commissioner Catania stated that he is good with the social media as presented.

Discussion of Self-Storage in General Commercial (GC) Zoning District Code Conflict – Dowd Property – Burgess Miller reviewed Drew’s findings with the Board in relation to the conflict in the Town Code Section 17.20.020 C and Section 17.48.340 E. Under GC (17.20.020 C) Special Exceptions, it listed all the special exception uses as principal, if approved by the Board of Appeals; but when you look under specific standards for Special Exceptions (17.48.340 E), it states that self-storage may be permitted only as an accessory use. The Town Board requested the opinion of the Town Attorney on how to address this conflict. The Town Attorney pointed out, under statutory construction, the status last enacted is deemed to have replaced the inconsistent term of the former.

Burgess Miller stated that section 17.20.020 C was passed in 2007 and Section 17.48.340 E was passed in 1997. Therefore, under statutory construction, a self-storage facility can be allowed as a primary use as a special exception in the GC district.

Burgess Miller stated that staff has no recommendation, but offers the following opinions for the Town Board to consider:

1. Do nothing. Use the concept of statutory construction to deem the self-storage as a principal use to be permitted only as an accessory use to be inconsistent.
2. Remove line E from 17.48.340, that would remove any inconsistency.
3. Redebate the entire issue of self-storage in GC and decide what you want today and enact and repeal a new ordinance with what the Town Board wants today.

David Lake, 24 East Green Street – Mr. Lake stated that he is a member of the Planning Commission and this was not on the agenda last month and feels like the Planning Commission should have an opportunity to discuss this and make a recommendation to the Town Board. Burgess Miller stated that he doesn't think we are under a time constraint and we will discuss this at the Joint Town Board and Planning Commission meeting in May.

Broad Street Improvement Plans – Review of Recommendations from Broad Street Community Group – Bruce stated that the Town does not delineate parking on streets, and we do not stripe Town streets. Bruce gave examples of streets in Town that are not striped and have parking on the street. Bruce stated that he reviewed the power point presentation presented from the Broad Street Community Group with their suggestions. Bruce stated that he would not recommend a 3-way stop sign. Bruce also stated that he received another recommendation tonight for possibly putting in a median on the lower end of Broad Street. Bruce stated that if we did that, we would have to take the parking off the street as the street would not facilitate this. Bruce also stated that it is a Town standard to have sidewalks installed therefore, if the Town decided not to install sidewalk on the lower section that currently does not have sidewalk the Board would have to grant an exception for that.

Ron Moss, 213 Broad Street – stated that he feels with the response of the survey sent out to the residents of Broad Street to let the street as is with the rebuild with new infrastructure. Mr. Moss stated that if we narrow the street, we would be going against what the residents of the neighborhood wants.

Burgess Miller stated that we have put in 3-way stops throughout Town and have found that people blow right through the sign.

Commissioner Catania suggested a raised crosswalk at the mid-point of the wider section of the street. Burgess Miller stated that he would like to discuss some temporary options to try so that we can collect data before construction begins.

Blighted Ordinance – waiting on Town Attorney.

POS Annual Program Requests – Commissioner Goodman stated that on the list this year are the following projects that he would like to apply for:

- Memorial Park handicap swing and flooring for that area
- Path from Holter Road to Remsberg Park
- Natelli Field drainage issues
- Bleachers for baseball field

NEW BUSINESS:

Boiler Replacement Municipal Center – Bid Award (Vote-March 11, 2019) - this item will be tabled to vote on at the March 25, 2019 meeting.

Banner Policy (First Reading) – Commissioner Falcinelli stated that this is a draft and the first reading of the policy. After some discussion a few changes are to be made and brought back to the Town Board.

PUBLIC COMMENTS:

ANNOUNCEMENTS:

Workshop adjourned at 9:02pm.

Respectfully submitted,

Ann Griffin
Office Manager

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING

March 11, 2019

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on March 11, 2019, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Christopher Goodman, and Rick Dietrick.

CONSENT AGENDA:

Financial Statements

Town Meeting Minutes – February 25, 2019 – town meeting.

Motion by Commissioner Bussard to approve the consent agenda as presented, seconded by Commissioner Falcinelli. Motion carried 5-0.

PERSONAL REQUESTS FOR AGENDA:

UNFINISHED BUSINESS:

Employee Handbook Updates – Burgess Miller stated that this has been on the agenda for several months now and has been discussed at great lengths.

Motion by Commissioner Falcinelli to approve the Employee Handbook Updates as presented, seconded by Commissioner Bussard. Motion carried 5-0.

Social Media Policy & Archiving – Burgess Miller stated that this has been on the agenda for several months and has been discussed at great lengths. Commissioner Falcinelli stated that we must archive our social media sites if we would get a public information request, we would be able to obtain that information from our sites.

Motion by Commissioner Falcinelli to approve the Social Media Policy as presented and to approve the quote from Archive Social to back up our social media sites beginning April 1, 2019, seconded by Commissioner Dietrick. Motion carried 5-0.

Discussion of Self-Storage in General Commercial (GC) Zoning District Code Conflict – Dowd Property - Burgess Miller stated that we've reviewed Drew's findings with the Board in relation to the conflict in the Town Code Section 17.20.020 C and Section 17.48.340 E. Under GC (17.20.020 C) Special Exceptions, it listed all the special exception uses as principal, if approved by the Board of Appeals; but when you look under specific standards for Special Exceptions (17.48.340 E), it states that self-storage may be permitted only as an accessory use. The Town Board requested the opinion of the Town Attorney on how to address this conflict. The Town Attorney pointed out, under statutory construction, the status last enacted is deemed to have replaced the inconsistent term of the former. Drew stated that section 17.20.020 C was passed in 2007 and Section 17.48.340 E was passed in 1997. Therefore, under statutory construction, a self-storage facility can be allowed as a primary use as a special exception in the GC district.

Drew stated that staff has no recommendation, but offers the following opinions for the Town Board to consider:

1. Do nothing. Use the concept of statutory construction to deem the self-storage as a principal use to be permitted only as an accessory use to be inconsistent.
2. Remove line E from 17.48.340, that would remove any inconsistency.
3. Redebate the entire issue of self-storage in GC and decide what you want today and enact and repeal a new ordinance with what the Town Board wants today.

Burgess Miller stated that he is wondering which direction the Board wants to proceed. Commissioner Bussard stated that at the workshop we decided that we were going to discuss this at the joint meeting with the Planning Commission to get their input as he doesn't think the developer is under any time issues. The Board agreed to hold off on their decision until they meet with the Planning Commission in May.

Broad Street Improvement Plans – Review of Recommendations from Broad Street Community Group – Ron Moss, 213 Broad Street – stated that the residents of Broad Street do not wish to see the lower portion of the street narrower and would like to see some traffic calming measures put into place. Mr. Moss stated that the group suggested a few things such as a 3-way stop sign at Locust Alley, a raised crosswalk or speed bumps.

Stephen Ramsey, 114 Locust Street – stated that he was away this past weekend and the little town he was in had rumble strips on their streets therefore he thought he would make that suggestion to the Town as well.

At the workshop the Board agreed to discuss some temporary measures to try before the road construction project begins. There was a lot of discussion and the Board agreed to do the following measures on a temporary basis: paint a crosswalk at 205 Broad Street to 210 Broad Street and install our stop for pedestrian sign, install 3-way stop sign at Locust Street & Broad Street and depending on the cost we will install rumble strips. Drew stated that we will paint the crosswalk first and leave that there for a few months to collect data and to see if that makes any difference before we install the 3-way stop sign and rumble strips.

The Board instructed Drew to pass along to our Engineers to start designing this project with sidewalk and without narrowing the street. Drew stated once we determine what traffic calming method, we will use we will add that at a later date.

Blighted Ordinance Review – tabled awaiting on Town Attorney response.

POS Annual Program Requests – Commissioner Goodman stated that his Committee will be meeting on March 20th at 7pm. to discuss what projects they would like to apply for POS funding.

REPORT OF COMMITTEES:

WATER & SEWER – Commissioner Falcinelli reported:

Water use for February – 306,568 gal., spring flow for February – 125,499, East WWTP treated 258,000 gals. and the West WWTP treated 591,000 gals.

Our guys replaced the EWWTP Aqua disk filter which was an unbudgeted expense of \$8,000, Hydrant flushing will occur the week of April 15-18, 2019, and the contractor for the Streetscape project started laying the temporary water line today to restart that project.

PUBLIC WORKS – Commissioner Bussard reported:

We've had several snow events, Bruce and maintenance staff visited a brine making demonstration in Hagerstown. Bruce received the bids for the boiler upgrade that we will vote on at the March 25th meeting. Guys are working on installing the banner poles at the new location.

Bulk Trash pick-up is Saturday, March 16th you can put out 2 items.

SUSTAINABILITY – Commissioner Dietrick reported:

Cindy is working on the grant for the solar panels on the foodbank at 301 West Main Street.

Next Green Talks is Saturday, March 16, 2019 at Fox Haven Farm from 12:30-3pm. on Composting.

Mark Carney asked about the street light buyback program – Drew stated that he will have an update at the April meeting.

PLANNING COMMISSION – Burgess Miller reported:

Next workshop is March 13, 2019 and the meeting is Monday, March 18, 2019 at 7pm. Items of discussion for this month are the Water Storage Shed and Franklin Commons site plan

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

Middletown adopted Frederick County Animal Control Ordinance which stated that the dog must be in your control, it does not state that the dog(s) must be on a leash. Next meeting is March 20, 2019 at 7pm.

PUBLIC INFORMATION – Commissioner Falcinelli reported:

Encouraged our residents to sign up for our list serve and robo calls.

NEW BUSINESS:

Banner Policy (*First Reading*) – Commissioner Falcinelli stated that with our new banner poles being constructed we thought that it was a good time to update our Banner Policy. This is the first reading of the policy. There were a few minor changes made from the Workshop. An updated policy will be on the next meeting agenda.

Revised Budget Workshop Schedule – Burgess Miller stated that we have had some difficulty getting some numbers and we've had a few staff members out sick therefore, we've had to push our budget meetings back. The updated meetings are as follows: April 4, 2019, April 8, 2019, April 22, 2019, May 2, 2019 and May 13, 2019 (Community Groups attend). All budget meetings will begin at 6:30pm.

PUBLIC COMMENTS:

ANNOUNCEMENTS:

Workshop adjourned at 8:25pm.

Respectfully submitted,

Ann Griffin
Office Manager

ORDINANCE NO. 19-03-01

AN ORDINANCE TO REPEAL TITLE 15, CHAPTER 15.08 OF THE MIDDLETOWN MUNICIPAL CODE; TO ENACT TITLE 8, CHAPTER 8.24 PERTAINING TO UNSAFE BUILDINGS; TO STATE THE PURPOSE AND SCOPE OF CHAPTER 8.24; TO DEFINE CERTAIN TERMS; TO PROHIBIT THE MAINTENANCE OF UNSAFE BUILDINGS IN THE TOWN OF MIDDLETOWN; TO ESTABLISH PROCEDURES FOR ISSUING VIOLATION NOTICES, ABATEMENT ORDERS AND CONDUCTING APPEAL HEARINGS; TO ESTABLISH PENALTIES FOR THE VIOLATION OF THE ORDINANCE; TO AUTHORIZE WAIVERS OR OTHER RELIEF IN CASES OF NEW OWNERS, CONTRACT PURCHASERS AND CASES WHERE GOOD CAUSE IS SHOWN.

SECTION I. BE IT ORDAINED AND ENACTED by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 15, Chapter 15.08 of the Middletown Municipal Code be, and it hereby is, **REPEALED**:

SECTION II. BE IT FURTHER ORDAINED AND ENACTED by the Burgess and Commissioners of the Town of Middletown, Maryland that the following be enacted as Title 8 – Health and Safety, Chapter 8.24 of the Middletown Municipal Code:

TITLE 8 – Health and Safety

CHAPTER 8.24 – Unsafe Properties

§8.24.010 – Purpose

The Burgess and Commissioners find that buildings and other structures within the Town which have been neglected or abandoned, have deteriorated or have been damaged can constitute a hazard to the health and safety of owners of the property or others in the vicinity of the property, can decrease property values, can cause property damage and negatively impact the general welfare of the community at large. The purpose of this Chapter is to prevent and alleviate such hazardous structures and to provide for the remediation of such structures.

§8.24.020 – Scope

A. Except as provided in sub-section B., the provisions of this Chapter shall be applicable to any building located on public or private property within the Town of Middletown.

B. The provisions of this Chapter are not applicable to any building for a period of ninety (90) days after an application for a site plan or zoning certificate has been submitted to the Town for the purpose of making improvements to the building.

§8.24.030 – Definitions

In this Chapter, the following terms shall have the meanings indicated:

“Building” – Any assembly of materials forming a construction or structure for occupancy or use including, among other things, houses, dwellings, garages, sheds, out-buildings, barns, shops, stores, warehouses, fences, walls, driveways, swimming pools, poles, signs, parking lots and any structure of any kind, or any part thereof.

“Unsafe Building or Structure” – Any building which:

- A. Poses an unreasonable risk to the health, safety and welfare of the owner, occupant or invitee of the building or to others who may be in the vicinity of the building or which poses an unreasonable risk of property damage; or
- B. Is no longer habitable or useful for the purpose for which it was originally intended because of fire, wind, flood, or other natural cause, neglect, vandalism or physical deterioration; or
- C. Is partially completed and which is not under construction pursuant to an existing, valid building permit issued by or under the authority of the Town of Middletown; or

- D. Is not structurally sound, weathertight, waterproof or vermin proof; or
- E. Is not covered by water-resistant paint or other permanent waterproof covering so as to protect said structure from the adverse effects of the elements or from physical deterioration; or
- F. Contains one of more exterior openings for a period of 60 days or more not covered by a functional door or unbroken glazed window or which is not, in the case of a vacant building, neatly boarded up and protected against the elements and from vandals and rodents and other animals; or
- G. In the case of parking lots and driveways, has been allowed to deteriorate to the point where deep and numerous potholes, cracks and voids in paving have developed which pose a risk of injury or of property damage or which deterioration has progressed to the point that a commercial business operating in such structures or on surrounding properties has been or is likely to be adversely affected.

§8.24.040 – Duty of Owner or Occupant

Every owner, occupant, tenant, agent or other person in control of any building (collectively, in this Chapter, “owner”) has a duty to maintain that building so as to prevent it from becoming an unsafe building. No owner, occupant, tenant, agent or other person in control of any building shall allow, maintain or cause to be maintained an unsafe building.

§8.24.050 - Enforcement

A. This Chapter may be enforced by the Burgess and Commissioners or such of its officer(s) that it designates, including, but not limited to the Zoning Administrator or the Town Administrator.

B. Any designated enforcement officer may enter onto property to determine if an unsafe building exists on the property if the enforcement officer has an articulable basis for believing an unsafe building exists on the property; provided, however, that no such enforcement officer shall be entitled to enter into the interior of any enclosed building on the property.

C. Upon determining that an unsafe building exists on any property, the Town shall provide written notice of the violation to the owner of the property or unsafe building. The notice shall identify the location and nature of the unsafe building and shall order the owner to repair the unsafe building or take other measures to abate the condition within a reasonable time, which time shall not be less than thirty (30) days from the date of the notice and order. The notice and order shall include the advice that the owner may request a hearing to contest the violation before the Board of Commissioners as provided in this section.

D. The notice and order shall be delivered personally to the owner of the property or by certified or registered mail addressed to the last known address of the owner of the property. If the owner of the property is unknown or the owner's whereabouts cannot be determined after reasonable efforts, then the notice and order may be given by posting the notice and order on the property in a conspicuous location. Notice to any one owner of the property shall be adequate notice to all owners of the property.

E. An owner of property for which a notice of an unsafe building and an order to abate the violation has been issued may contest the notice and order by requesting a hearing

before the Burgess and Commissioners. Such request must be submitted to the Town Administrator no later than ten (10) days from either the date on which the notice and order were served on the owner or on which the property was posted with the notice and order. The hearing shall be held no later than thirty (30) days from the date the request for hearing is received by the Town. At the hearing, the owner shall be entitled to question any witnesses against the owner, present any relevant and material evidence the owner deems appropriate, and may be represented by counsel. At the conclusion of the hearing, the Burgess and Commissioners may affirm or modify the order to abate the condition, may overrule the notice and order, or may make any other determination which it deems appropriate to the circumstances.

F. If the owner fails to timely request a hearing before the Burgess and Commissioners and fails to abate the unsafe condition within the time period stated in the notice and order, or if the property owner fails to abate the unsafe condition within the time period established by the Burgess and Commissioners after a hearing, then the Town may make the required repairs as necessary, and the owner(s) of the property shall be jointly and severally liable for the cost of doing so. The cost of the repair shall constitute a lien on the property and may be collected in the same manner as taxes on the property.

§8.24.060 - Penalties

Any person who allows, maintains or causes to maintain an unsafe building is guilty of a municipal infraction which is punishable by a fine of One Hundred Dollars (\$100.00) per day. Each day an infraction continues shall be a separate infraction. Nothing contained herein

shall preclude the Town from seeking any other remedy it may have at law or in equity, including, but not limited to, injunctive relief.

§8.24.070 - Contract Purchasers and New Owners

A contract purchaser or new owner of a property on which an unsafe building is located may seek relief from the requirements of this Chapter by applying to the Town for a waiver of these requirements or a waiver of any fines or liens already imposed. The application for a waiver shall include the address of the property, the date of any contract to buy, the expected date on which settlement on the transfer of title will occur, or, if settlement has already occurred, the date of such settlement, and the proposed plan to repair, remediate or abate the conditions of the unsafe building. If the Burgess and Commissioners accept the application for a waiver, the owner shall enter into a written agreement with the Town which shall provide for the repair, remediation or abatement of the unsafe building conditions within six (6) months from either the date of the settlement on the transfer of title or the date of the agreement, whichever is earlier. The agreement shall also provide that the waiver of fines, release of liens or other relief from the requirements of this Chapter shall only become effective upon timely completion of the remediation efforts and approval of such efforts by the Town Administrator or the Zoning Administrator. The Town may grant an extension of the six-month time period if it appears that the owner has been pursuing remediation efforts diligently and in good faith and there is a likelihood of completion in the then-near future. Such extensions may be granted or denied in the sole discretion of the Burgess and Commissioners.

§8.24.080 - Hardship waivers

The Burgess and Commissioners may grant relief from the requirements of this Chapter upon a showing of good cause. An owner seeking relief under this section may make written application to the Town stating the nature of the violation from which relief is sought, the nature of the good cause, the specific relief sought, and the owner’s plan to address the violation. As used in this section, and by way of example only, “good cause” includes, but is not limited to, disability or other medical condition which precludes an owner from addressing the violation or financial hardship. The grant of relief under this section is wholly discretionary on the part of the Burgess and Commissioners.

SECTION III. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE 25th DAY OF March, 2019

PASSED ON THE _____ DAY OF _____, 2019

EFFECTIVE DATE: _____, 2019

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen, Town Administrator

By: _____
John D. Miller, Burgess

Draft Banner Display Policy

Only the Town of Middletown has the authority to hang and remove banners at the banner pole site. No person or organization may hang a banner on the banner poles. The Banner Display Policy must be followed in order to have a banner hung at the Town of Middletown's banner pole site. Applications for Banner Display can be found at www.middletown.md.us.

Banners are limited to advertising or commemorating events sponsored by the Town of Middletown or non-profit groups within the 21769 zip code. All Town of Middletown and its committee's banners and town sponsored events will take priority.

To display your organization's banner, an application must be submitted 14 working days prior to the day the banner is to be displayed.

Applications must be accompanied with a sample sketch of the proposed banner.

Banners must be delivered to the Middletown Municipal Building, 31 W. Main Street 7 business days prior to approved hang date. Banners must be picked up within 7 working days after they are taken down; banners that are not picked up within the specified time period will be discarded.

Banners must meet the following criteria:

- Double sided
- Size - Maximum banner size is 36 inches high by 360 inches wide
- Material – 18 oz vinyl recommended with 1-inch wide webbing sewn all around with reinforced corners
- Grommets – ½ inch grommets every 2 feet on top and bottom
- Wind Slits – 9-inch X 9-inch. 9 wind slits per banner

Banner Prohibitions:

- No commercial advertisements, religious, political or ideological banners. Sponsors of events logos are allowed.
- No inappropriate material including but not limited to: offensive language, hate speech, and/or content considered derisive.

Decisions on appropriateness of banners will be solely decided by the Town of Middletown. Any banner that does not comply with the above criteria shall not be displayed.



Town of Middletown

Return Completed Form To:
Town of Middletown
31 West Main Street
Middletown, MD 21769

Phone (301) 371-6171
Fax (301) 371-6474

BANNER PERMIT APPLICATION

APPLICANT INFORMATION

Group: _____

Contact Person: _____

Address: _____

Phone Number: _____ **Fax:** _____

E-Mail Address: _____

Purpose of Banner: _____

Banner Size: _____

Dates Requested From: _____ **To:** _____

Banners are hung on Monday, and are hung for a 2 week period. The Town reserves the right to hang more than one banner at the banner location. Banner dates are reserved on a first come, first served basis.

I understand that permission is granted only for the purpose of allowing banners to be placed on the Town Right-Of-Way and that all responsibility for public liability, injury to persons, and/or to property is borne by the applicant, not the Town of Middletown. This permit is revokable by the Town with no notice to the applicant.

Signature of Applicant : _____ **Date:** _____

FOR TOWN USE ONLY

Date Application Received

Date Application Approved

Approved By



FREDERICK COUNTY GOVERNMENT

DIVISION OF PARKS & RECREATION

Jan H. Gardner
County Executive

Jeremy Kortright, Director

MEMORANDUM

TO: POS Project Coordinators

FROM: Bob Hicks, CPRP - Deputy Director

DATE: February 1, 2019

SUBJECT: Submission of FY2020 POS Annual Program

The Frederick County Division of Parks and Recreation staff is requesting that those municipalities who are interested in obtaining POS funding for FY2020 (which begins July 1, 2019) to develop their Annual Programs by completing the enclosed Project Information Forms for each project for which funding is requested. Electronic files for the memo, forms and instructions are also being sent by email, as well as hard copies of these documents are being mailed. Please contact me to confirm that you have received this information.

Please remember that if a project was submitted in the past and it was not allocated funding, then it must be resubmitted for FY2020, if you so choose. The appropriate municipal officials should be informed since this information is being sent only to local Project Coordinators or the Mayor/Burgess if a coordinator has not been designated. If your municipality is not interested in obtaining POS funding for FY2020 then disregard this information.

The forms must be returned to the Frederick County Parks and Recreation offices by Friday, May 3, 2019. A summary of all municipal requests and the completed forms will be forwarded to the chairman of the Ad Hoc Committee for POS Annual Program Allocations - Frederick County Chapter- Maryland Municipal League (MML). The committee will make a decision on project funding. The proposed FY2020 POS Budget has indicated that Frederick County will receive an allocation of \$1,617,788 of which 50% or \$808,894 will be dedicated to the municipalities. Based on the Park Proximity Analysis in the 2017 Land Preservation, Parks and Recreation Plan, Frederick County has not met its local land acquisition goal. Due to this, Frederick County must dedicate at least 50% of the County's FY2020 allocation towards acquisition projects, with the remainder available for development projects. Because of this the municipalities will need to dedicate at least \$404,447 towards an acquisition project(s) and \$404,447 for development projects.

If any of your POS projects have been allocated funding, I cannot overemphasize the importance of submitting your applications as soon as possible, to encumber POS funds. Please know that it takes several months for applications to be processed and approved by the state once they are submitted. Project expenditures cannot be incurred unless you receive a Letter of Acknowledgment from the Director of POS (issued upon receipt of a completed application) or final application approval from the State Board of Public Works. **Once POS projects are approved and expenses to them are incurred, our office is strongly encouraging municipalities to expedite any reimbursement requests through DNR as soon as possible.**

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Please contact me if you have any questions. Phone: 301-600-6816; Email: rhicks@frederickcountymd.gov. Thank you for your cooperation.

cc: Jeremy Kortright, Parks & Rec
Gloria Long Rollins, Walkersville
Bill Rittelmeyer, Woodsboro
Bob Smith, Frederick City
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