



**Town of Riverdale Park
Legislative Meeting
March 4, 2019
8:00 p.m.**

AGENDA

Call to Order

Pledge of Allegiance

Approval of Agenda

Presentations

- Ethics Awareness Month Proclamation
- Ethics Commission Presentation
- Swearing-in of Chief Election Judge and Deputy Chief Election Judge
- FY2020 Budget Fund Balances

Correspondence Summary

Mayor's Report

- Notice of Closed Meeting held on February 25, 2019

Town Manager's Report and Finance Report

Fire Department Report

Council Committee & Ward Reports

Public Comments on Non-Agenda Items and Consent Agenda Items

Consent Agenda

Motion to approve consent agenda items:

1. Fence permit application: 6-foot wooden fence at 4711 Nicholson Street
2. Minutes: January 28, 2019 Work Session, January 28, 2019 Special Legislative Meeting and December 17, 2018 Work Session

Legislative Action Items:

1. Introduction of Ordinance 2019-OR-02 regarding Chapter 42 Business Licenses
2. Introduction of Ordinance 2019-OR-03 authorizing wireless and wireline broadband deployment in the public rights of way
3. Motion to authorize the Town Manager to enter into an agreement with Prince George's County regarding fuel and vehicle maintenance
4. Motion to authorize the Town Manager to enter into an agreement with Alacrity to provide collection services
5. Motion to authorize the Town Manager to enter into an agreement with Motir not to exceed \$65,000 for Lawn Mowing and Maintenance Services
6. Motion to add Election Judges and Members of the Board of Election Appeals to previously adopted resolutions
7. Motion regarding a letter to National Capital Region Transportation Planning Board regarding MARC VRE Connection

Unfinished Business

New Business

- DPW 19-002 Residential Trash Collection Services

Adjournment

All members of the public in attendance are honorary members of the Council, and as such may comment on all items under discussion (subject to the same Rules of Order that apply to elected Council Members). If you have questions or comments, please stand at the microphone to be recognized.



Town of Riverdale Park, Maryland

Office of Development Services

TO: John Lestitian, Town Manager

FROM: Jessica Barnes, Town Clerk

CC: Staff Leadership Team

DATE: February 21, 2019

RE: Fence Permit Request for 4711 Nicholson Street (Ward 3)

Action Requested:

Staff seeks input from the Mayor and Council regarding the permit request for fence installation at the above referenced property, pursuant to Chapter 66 of the Town Code.

Background:

The Town received a building permit application from Wesley Dohe to construct a 6-foot wood fence and two gates to enclose the backyard of his property. The applicant obtained a Prince George's County permit for the proposed work.

Please note the attached materials concerning the work.

Attachments:

Pictures of 4711 Nicholson Street

Riverdale Park Building Permit Application

Approved Prince George's County Building Permit Application

Site Plan





Town of Riverdale Park
Office of Development Services
5008 Queensbury Road
Riverdale Park, MD 20737
(301) 927-6381

County Permit Number: _____
Town Permit Number: _____

Permit Application

Type of Permit: ☐ Building ☒ Fence ☐ Dumpster / Storage Container ☐ Dumpster ☐ Other

Contact/Applicant: Wesley Dohe _____
(Name) (Phone Number)

Property Information: 4711 Nicholson ST _____
(Building Number) (Street Name) (Apartment/Suite)

Property Owner Information:

Wesley Dohe _____ 4711 Nicholson _____
(Name) (Phone Number)
4711 Nicholson ST _____
(Building Number) (Street Name) (Apartment/Suite)
Riverdale MD 20737
(City) (State) (Zip Code)

Contractor Information:

Mid atlantic Deck and Fence 800 Rt 3 South Gambrills MD
(Company Name and Mailing Address) 21059
Dave Kost 301 399 6777
(Contact Person Name and Phone Number)

Description of Work to be Completed:

26' of 6' wood Fence on sides to finish enclosing yard
in fence

Estimated Cost of the Project: \$2800.00

Pod/Storage Container and Dumpster:

Location of requested container: ☐ On Street ☐ Rear Yard ☐ Side Yard ☐ Front Yard

Other: _____ Director of Public Works: ☐ Approved ☐ Not Approved

I affirm under the penalty of perjury that the information contained in this application is true and correct to the best of my knowledge, information and belief.

[Signature]
Signature

Feb 06 2019
Date

(Please see reverse side for additional information)

PRINCE GEORGE'S COUNTY

PERMIT

ISSUANCE DATE : Feb-05-2019

EXPIRATION DATE :

DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT PERMITTING CENTER
9400 PEPPERCORN PLACE, 1st FLOOR, LARGO, MD 20774 (301) 883-5900

PROPERTY OWNER

Wesley Dolic
4711 Nicholson ST
Riverdale, MD 20737 (410) 773-4873



CONTRACTOR

Mid-Atlantic Deck and Fence
800 Rt. 3 South
Gambrills, MD 21054 (410) 544-1987
LICENSE NUMBER: 25165

OCCUPANT

ARCHITECT

TYPE OF PERMIT : DPIE RW
WORK DESCRIPTION : Install approx. 26' of 6' wood fence with 2 gates
EXISTING USE : SFD
USE (MNCPPC ZONING) : FENCE
SUBDIVISION : RIVERDALE PARK
OWNERSHIP :
LIBER : 40825
FOLIO : 200
ED/ACCT NO. : 19 / 2130060
LOT : 14
BLOCK : 61
TAX MAP : 042
SCD :
SPEC EXCEPT :
Conditions

HEIGHT FT : 6
WIDTH FT :
DEPTH FT : 26
NO STORIES :
DWELL UNITS :
PARKING SP : 0
LIVE LOAD :
USE GROUP :
TYPE CONST :

OCCUPANCY LOAD :
SITE CERTIFICATE :
STRUCTURE CERT :
SEWER :
WATER :
HEATING :
PARCEL :

WSSC
WSSC

ELECTRICITY :
CENTRAL A/C :
ELEVATOR :
ESCALATOR :
BASEMENT :
BOILER NUMBER :
CBCA : N
HISTORICAL : N
SIGN NUMBER :

Must comply with Sec. 27-420. Fences and walls. Please note: Except for fences less than four (4) feet in height, fences not requiring a permit, and fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal rails) shall face the interior of the subject lot.
As outlined in County Code Subtitle 4-111 no work shall be performed during the hours of 9:00 p.m. to 7:00 a.m., unless work is performed pursuant to Section 4-120 of this Subtitle.
Only the Licensed Contractor or Homeowner, named on the Permit as contractor, is permitted to perform the scope of work on the permit at the address specified.

YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT REQUIRED APPROVALS.

THIS PERMIT IS VOID SIX (6) MONTHS FROM DATE ISSUED IF CONSTRUCTION HAS NOT STARTED, HAS BEEN SUSPENDED OR DISCONTINUED UNLESS OTHERWISE INDICATED
INSPECTION AREA :

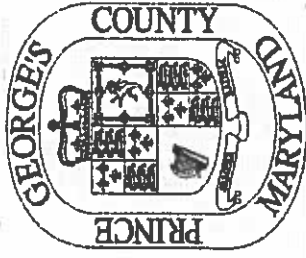
INSPECTION APPROVALS

Melinda Bolling

BUILDING INSPECTOR	HEALTH	ELECTRICAL	PLUMBING	FIRE MARSHAL
APPROVED:				

PRINCE GEORGE'S COUNTY
DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT
PERMITTING CENTER

9400 PEPPERCORN PLACE, 1st FLOOR, LARGO, MD 20774 (301) 883-5900



YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT REQUIRED APPROVALS.

**PERMIT APPLICATION FILING
 FEES ARE NON-REFUNDABLE**

Date: 02/05/2019

PERMIT APPLICATION

Case Number: 4596-2019-00

ACTIVITY: DPE RW

WORK DESCRIPTION: Install approx. 26' of 6' wood fence with 2 gates

USE TYPE: Single Family

EXISTING USE: SFD

PROPOSED USE: SFD

LOT: 14

BLOCK: 61

PARCEL:

SITE INFORMATION

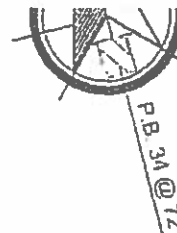
SITE ADDRESS:	PROJECT NAME:	EST. CONSTRUCTION COST:
4711 NICHOLSON ST	DOLE	\$ 2,800.00
RIVERDALE 20737	SUBDIVISION: RIVERDALE PARK	ELECTION DISTRICT: 19
		PROPERTY TAX ACCOUNT #: 2130060

OWNER	OCCUPANT	CONTRACTOR	ARCHITECT
Wesley Dohe 4711 Nicholson ST Riverdale MD 20737		Mid-Atlantic Deck and Fence 800 Rt. 3 South Gambrills	The Maryland-National Capital Park and Planning Commission

FOR OFFICE USE ONLY			
Reviewer	Date	Fire Eng.	Permit Reviewer
<i>[Signature]</i>	2-5-19	Mechanical Eng.	4596-2019-00
		Health	OK for 6' ft high fence with 2 gates
		Issuance	

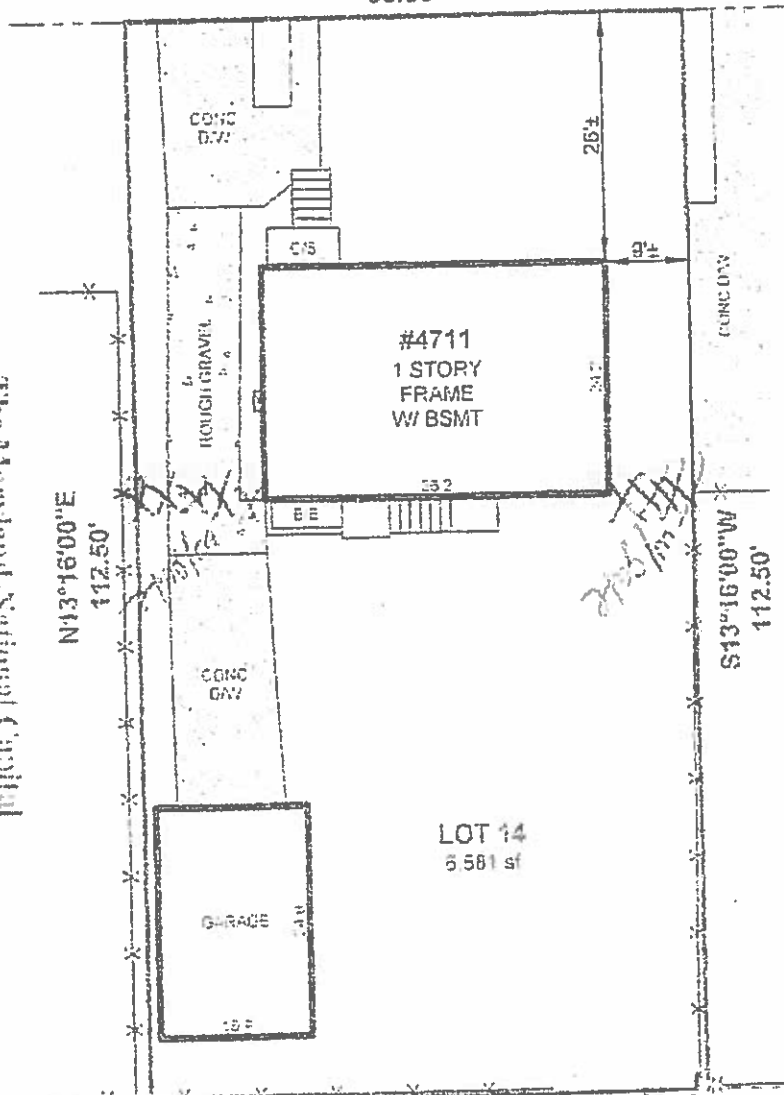
I hereby certify that I have permission of the property owner to submit this application on his/her behalf and that the information is complete and correct.

APPLICANT	NAME	COMPANY	PHONE	SIGNATURE
Julie Barth	Chesapeake Permits	(443) 623 - 1994		<i>[Signature]</i>



NICHOLSON STREET

S76°36'50"E
58.50'



- 3:1 Maximum Slope Allowed On Residential Property.
- 7% Maximum Parking Pad Slope and 12% Maximum Driveway Slope.
- 2.5% Minimum Slope Required On Yard or Lawn Areas. 10' in 10' Minimum Slope of Pad Away From Building Is Required.

NOTE:
ENCROACHMENTS
MAY EXIST

LOCATION DRAWING OF:

#4711 NICHOLSON STREET
LOT 14 BLOCK 61
SECTION 3
RIVERDALE PARK
PLAT BOOK 34, PLAT 72
PRINCE GEORGE'S COUNTY, MARYLAND

SCALE: 1"=20' DATE: 01-30-2019
DRAWN BY: AP FILE #: 190627-200

LEGEND:

- FENCE
- BS - BASEMENT ENTRANCE
- BW - BAY WINDOW
- BR - BRICK
- BRL - BLDG RESTRICTION LINE
- BSMT - BASEMENT
- C/S - CONCRETE STOOP
- CONC - CONCRETE
- DW - DRIVEWAY
- EX - EXISTING
- FR - FRAME
- MAC - MACADAM
- G - GATE
- OH - OVERHANG
- PUE - PUBLIC UTILITY ESMT
- PUE - PUBLIC IMPROVEMENT ESMT

COLOR KEY:

- ROAD - RECORD INFORMATION
- BLUE - IMPROVE EXIST
- GREEN - IMPROVE EXIST

A Land Surveying Company



DULEY
and
Associates, Inc.



Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111 Fax: 301-888-1114
Email: orders@duley.biz On the web: www.duley.biz

SURVEYOR'S CERTIFICATE

DULEY & ASSOC.

PRINCE GEORGE'S COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES

Payment Date: February 05, 2019

Payment ID: 1122422

Page 1 of 1

Case Number	Fee Type	Fee	Total Fee	Fee Status
1635-2019-00	PERMIT	PARK AND PLANNING	\$5.00	PAID
1635-2019-00	PERMIT	DECK	\$120.75	PAID
4602-2019-00	PERMIT	PARK AND PLANNING	\$5.00	PAID
4596-2019-00	PERMIT	PARK AND PLANNING	\$5.00	PAID
4596-2019-00	PERMIT	FENCE/MISC RES	\$115.50	PAID
4602-2019-00	PERMIT	GRADING	\$42.00	PAID
4596-2019-00	PERMIT	GRADING	\$42.00	PAID
1635-2019-00	PERMIT	GRADING	\$42.00	PAID
4602-2019-00	PERMIT	DECK	\$120.75	PAID
Total Fees:			\$498.00	

Cash	Check
<u>Amount Tendered</u>	<u>Amount</u> <u>Number</u>
\$ 0.00	\$498.00 6046

Amount Due	Amount Paid	Balance	Balance Type
\$ 498.00	\$ 498.00	\$ 0.00	Exact

* Only Highlighted is :
Wesley Dohe

Search Result for PRINCE GEORGE'S COUNTY

1/2

TOWN OF RIVERDALE PARK
5008 QUEENSBURY RD
RIVERDALE, MD 207371926
3019276381
psmith@riverdaleparkmd.gov
www.townofriverdaleparkmd.gov

Invoice

**BILL TO**

Wesley Dohe, E6
4711 Nicholson St.
Riverdale, MD 20737

SHIP TO

Wesley Dohe, E6
4711 Nicholson St.
Riverdale, MD 20737

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
FY 2019-B-71	02/08/2019	\$0.00	02/23/2019	Net 15	

ACTIVITY	QTY	RATE	AMOUNT
PERMITS:BPA Building Permit Application Fee: 6 Ft Fence	1	50.00	50.00
PAYMENT			50.00
BALANCE DUE			\$0.00

PAID

Town of Riverdale Park
Work Session Minutes
January 28, 2019
8:00 p.m.

In Attendance

Alan K. Thompson, Mayor
CM Marsha Dixon, Ward 1
CM Aaron Faulx, Ward 2
CM David Lingua, Ward 3
CM Colleen Richardson, Ward 5 (left at 9:41 p.m.)

John N. Lestitian, Town Manager
Jessica Barnes, Town Clerk
Paul Smith, Finance and Employee Services Director
Gentry Jones, Finance Programs Specialist
David Morris, Chief of Police

Call to Order

Mayor Thompson called the work session to order at 8:11 p.m.

Mayor's Report

Mayor Alan Thompson deferred his report to the February 4th Legislative Meeting.

Public Comments

There were no public comments.

Presentations

Update on Defined Benefit Plan: Bolton Partners and PNC

Michelle Brandenburg and Josh Kakel of PNC Bank presented the 2018 Investment Review for the Defined Benefit Plan.

Ann Sturner and Michael Spadaro of Bolton Partners presented the 2018 Actuarial Valuation Results for the Defined Benefit Plan.

Discussion:

CM Lingua asked about the impact of the of \$5 trillion tax cut and the Federal Reserve no longer buying back bonds.

Town Manager Lestitian discussed the budget impact associated with changes to the required contribution rate for the Defined Benefit Plan. Town Manager Lestitian stated that going from 14.7% to 18.1% would cost approximately an additional \$80,000 per year. He stated that changes to the Plan may be needed in order for it to be sustainable and affordable.

Budget: Projected Debt Service and Capital Improvement Budget Update

Finance Programs Specialist Gentry Jones discussed the projected debt service and provided an update on the Capital Improvement budget. Mr. Jones stated that after further review of existing debt, staff found that there would be no balloon payment due.

Discussion:

CM Lingua requested an update on the Town Center project and Town Manager Lestitian provided a status report.

Town Manager's Report

Town Manager John N. Lestitian reported:

- Thank you to the Department of Public Works staff team for a job well done after the recent weather event
- Financial Disclosure Statements have been distributed; the Ethics Commission accepted a recommendation to expand the list of staff required to complete Financial Disclosure Statements
- Pre-bid meeting was held on January 28th for lawn mowing and landscaping services

Council Committee & Ward Reports

CM Marsha Dixon, Ward 1

CM Marsha Dixon deferred her report to the February 4th Legislative Meeting.

CM Aaron Faulx, Ward 2

CM Aaron Faulx deferred his report to the February 4th Legislative Meeting.

CM David Lingua, Ward 3

CM David Lingua deferred his report to the February 4th Legislative Meeting.

Discussion Items

1. Request for Special Exception for a 6-foot cedar backyard fence at 4502 Tuckerman Street (Ward 1)

The applicants discussed their request for a 6-foot fence and stated that the fence would replace an existing fence that was falling down and improve the overall appearance of the property. The applicants also stated that they were planning to get a puppy.

CM Dixon asked if their neighbors were aware of the proposed fence and the applicants stated that the neighbors on both sides of their property were supportive.

CM Dixon requested that Legislative Action Item 1 be placed on the Consent Agenda for the February 4th Legislative Meeting. There were no objections.

2. Road closures for Mardi Gras Run to be held on March 2, 2019

Lydia Chandlee of Riverdale Park Station discussed their upcoming event, the Mardi Gras 5K. Ms. Chandlee stated that they had been working with Prince George's County and all preliminary permitting had been completed. Ms. Chandlee requested permission to close Sheridan Street on March 2nd as the run would begin and end in Riverdale Park Station. Ms. Chandlee outlined the proposed route.

CM Lingua stated that a closure of 51st Avenue would also be needed and Ms. Chandlee agreed.

CM Faulx asked how long the roads would be closed and Ms. Chandlee replied that she expected that they would be closed for approximately three hours. Ms. Chandlee explained that the roadways would be opened as runners completed each portion of the run.

It was requested that Legislative Action Item 2 be added to the February 4th Consent Agenda. There were no objections.

Bob Smith, of 5001 Riverdale Road, stated that he loved the idea of the event and that it would be important to get the word out to the community about the road closures.

3. Council Member Excused Absences from Regular Council Meetings

Mayor Thompson stated that CM Mayers had been unable to attend the last two Legislative Meetings for medical reasons. Mayor Thompson stated that it was expected that CM Mayers would be unable to attend the February 4th Legislative Meeting. Mayor Thompson suggested that a motion would be needed to formally excuse CM Mayers.

4. Town Manager Contract

Mayor Thompson gave an overview of the changes made to the Town Manager's contract since the Closed Meeting on January 15th. Mayor Thompson requested that the Council inform him of any requested changes as the contract would be placed on the February 4th Legislative Meeting agenda for Council action.

5. Amendment to the 2019 Mayor and Council calendar to include a date for the new administration's orientation

Staff reported that Town Attorney Fred Sussman would be available on May 13th at 6:15 p.m. for an orientation for the newly elected Mayor and Council.

CM Lingua requested that Legislative Action Item 5 be added to the February 4th Consent Agenda. There were no objections.

6. Chapter 42 Licenses – proposed amendments

Town Manager Lestitian gave an overview of the proposed revisions to Chapter 42 Licenses. Town Manager Lestitian stated that the existing ordinance and the proposed ordinance were both included in the meeting materials for Council's review. Town Manager Lestitian stated that there would be an opportunity for further discussion at the February 4th Legislative Meeting.

7. Election 2019

Mayor Thompson requested that the Council determine who they would like to appoint as Election Judges and members of the Board of Election Appeals for the upcoming election on May 6th.

8. Minutes

Mayor Thompson requested that the Council make staff aware of any changes or corrections needed to the minutes.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Adjournment

The meeting was adjourned at 10:25 p.m.

**Town of Riverdale Park
Special Legislative Meeting Minutes
January 28, 2019**

In Attendance

Alan K. Thompson, Mayor
CM Marsha Dixon, Ward 1
CM Aaron Faulx, Ward 2
CM David Lingua, Ward 3
CM Colleen Richardson, Ward 5

John N. Lestitian, Town Manager
Jessica Barnes, Town Clerk
Paul Smith, Finance and Employee Services Director
David Morris, Chief of Police

Call to Order

Mayor Thompson called the Special Legislative meeting to order at 8:08 p.m.

Approval of the Agenda

CM Dixon made a motion to approve the Special Legislative meeting agenda for January 28, 2019. The motion was seconded by CM Faulx. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

Public Comments

There were no public comments.

Legislative Action Items

1. Introduction of Ordinance 2019-OR-01 regarding the 2019 Town Election

CM Faulx introduced Ordinance 2019-OR-01 regarding the 2019 Town Election.

New Business

There was no new business.

Unfinished Business

There was no unfinished business.

Adjournment

CM Faulx made a motion to adjourn the Special Legislative Meeting at 8:11 p.m. The motion was seconded by CM Dixon. Vote: 4-0-1 (favorable, Mayor Thompson abstained)

**Town of Riverdale Park
Work Session Minutes
December 17, 2018
8:00 p.m.**

In Attendance

Alan K. Thompson, Mayor
CM Aaron Faulx, Ward 2
CM David Lingua, Ward 3
CM Hala Mayers, Ward 6

John N. Lestitian, Town Manager
Jessica Barnes, Town Clerk
Paul Smith, Finance and Employee Services Director
Ivy Lewis, Public Projects and Services Director
David Morris, Police Chief

Call to Order

Mayor Thompson called the work session to order at 8:02 p.m.

Mayor's Report

Mayor Alan Thompson reported:

- Happy holidays to everyone!
- Recently attended the Holiday Market and it was an excellent event
- Report of Closed Meeting: met tonight at 7:00 p.m. to discuss a personnel issue (evaluation for the Town Manager and a likely future contract) and an effort to retain a business in Town.

Public Comments

There were no public comments.

Town Manager's Report

Town Manager John N. Lestitian reported:

- Town Hall and Department of Public Works will be closed on December 25th and January 1st
- Happy holidays to the Mayor and Council, staff, and community
- Riverdale Park Gives staff initiative: Police Department is leading the annual Toy Drive and Food Basket delivery; five truckloads of toys will be delivered to children in Town

Council Committee & Ward Reports

CM Aaron Faulx, Ward 2

CM Aaron Faulx reported:

- Happy holidays!
- Loved seeing Riverdale Park Police Department at Riverdale Elementary School today- glad to be part of this town!
- Shout out to Jim Coleman for the Holiday Market- looking forward to attending the event in the coming years.

CM David Lingua, Ward 3

CM David Lingua reported

- Thank you to staff for organizing the holiday events and decorations
- Acknowledged the hard work of James Coleman to make the Holiday Market a success- tent was a brilliant idea!
- Recognition of the retirement of Department of Public Works employee Janice Euell
- Overview of projects for 2019
- Happy holidays!

CM Hala Mayers, Ward 6

CM Hala Mayers wished everyone happy holidays and stated that she looked forward to working with everyone in the new year.

Discussion Items

1. Updates to Town Manager's Contract

Mayor Thompson stated that the Town Manager's contract would be placed on the January 7th Legislative Meeting agenda.

2. Quesada Road: Impact of Purple Line Construction

Public Projects and Services Director Ivy Lewis gave an overview of the impact that the Purple Line alignment would have on roads in Town. Director Lewis noted that there would be an impact on convenient travel in the Quesada Road, Quintana Road, 54th Avenue and Kenilworth Avenue area. Director Lewis stated that additional updates would be provided through the Status and Information report.

3. Town's Vision and Commitment to Transportation

Mayor Thompson stated that some improvements had been made to the Vision and Commitment to Transportation and he planned to ask his neighbor Melissa Anderson, for additional input. Mayor Thompson requested that the Council forward any input that they have to staff.

4. Pedestrian and Traffic Safety

Town Manager Lestitian stated that a Community Meeting had been tentatively scheduled for Saturday, January 19th at 10:30 a.m. at Town Hall as a first step in the Pedestrian and Traffic Safety initiative. He stated that staff were developing an action plan to address the issues more comprehensively and planned to bring some recommendations to the Mayor and Council.

5. Proposed concept for 4603 East West Highway – Competitive Negotiated Sale Process

Town Manager Lestitian gave an overview of the recently adopted Competitive Negotiated Sale process. Town Manager Lestitian stated that staff had received an application in November and the staff review committee had met twice and requested more information from the applicant.

Town Manager Lestitian gave an overview of the application and stated that he was seeking direction from the Mayor and Council regarding moving forward. Town Manager Lestitian stated that the proposed project would come back to the Council for a public discussion.

CM Lingua stated that he had concerns regarding ingress and egress from the property. He stated that a lot more details would be needed to move forward.

CM Faulx stated that he was interested in seeing a proposed design.

Town Manager Lestitian stated that if the Mayor and Council was open to moving forward, staff would work through some of the issues that had been identified.

Resident Lora Katz stated that she wanted to speak before the Council made a decision to move forward. Ms. Katz stated that she had hoped for a more innovative idea for the property that would support the community. Ms. Katz asked how a single-family home would support the community. She also stated that she was concerned about encouraging development along East West Highway, a heavily traveled roadway.

Mayor Thompson suggested that staff move forward slowly and consult with the Ward representative.

CM Faulx stated that he would like to see a summary of all Town-owned properties.

6. Transfer from General Fund Reserve to Defined Contribution Plan

Town Manager Lestitian gave an overview of the process of restating the Defined Contribution Plan with ICMA-RC. Town Manager Lestitian stated that a transfer was needed (not to exceed \$140,000) from the General Fund Reserve. He stated that the transfer would not drop the Reserve below \$2M.

Town Manager Lestitian stated that this item would be on the January 7th Legislative Meeting agenda.

7. FY2020 Budget Process and Budget Calendar

Town Manager Lestitian gave an overview of the FY2020 Budget Process and Calendar. He stated that the first presentation was scheduled for January 7th (budget assumptions).

8. Minutes

Mayor Thompson requested that the Council make staff aware of any changes or corrections needed to the minutes.

Unfinished Business

There was no unfinished business.

New Business

- CM Lingua discussed the possibility of the Town applying to become part of the Arts District. CM Lingua also asked if the Town could renovate the Riverdale Park Boys and Girls Club and use it for an art-related purpose.

Town Manager Lestitian stated that he would add those items to the 2019 staff goals.

- Mayor Thompson discussed the sale of the WMATA property located north of Riverdale Park Station. CM Faulx reported that a community group in College Park had reached out to him regarding a contribution of funds for the purchase of the property.
- Mayor Thompson stated that a draft process for evaluating the Town Manager was distributed to the Council for review and input. Mayor Thompson stated that the process established roles for the Mayor and Council Members and was still open for discussion and input. Mayor Thompson stated that he planned to distribute evaluation forms to the Council at the January 7th Legislative Meeting and no formal adoption was needed.

Adjournment

The meeting was adjourned at 9:55 p.m.



Town of Riverdale Park, Maryland

Town Administration

TO: John N. Lestitian, Town Manager

FROM: Jessica Barnes, Town Clerk

Cc: Leadership Team

DATE: March 4, 2019

RE: Correspondence Summary- March 4, 2019

	Date	Sender	Subject
1	February 7, 2019	M-NCPPC Development Review Division	Notice of Public Hearing: SP-15003-01 7-Eleven Riverdale Park; departure from the Development Plan Design Standards to add a ground-mounted freestanding sign
2	February 21, 2019	Law Offices of Meyers, Rodbell & Rosenbaum, P.A.	Application to Board of License Commissioners for a Class B, Beer, Wine and Liquor alcoholic beverage license for La Chiquita, located at 5705 Riverdale Road
3	March 4, 2019	The Prince George's County Planning Department (via e-mail)	Managed Lanes Study: February 2019 Newsletter

RECEIVED
FEB - 7 2019

M-NCPPC - Development Review Division, Prince George's County Planning Department
14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772 • 301-952-3530 www.pgplanning.org

NOTICE OF PUBLIC HEARING

Application Number: SP-150003-01

Application Name: 7-Eleven Riverdale Park

Date and time of Planning Board hearing: Thursday, March 7, 2019 10:00 AM

Description of Request: Departure from the Development Plan Design Standards to add a ground-mounted freestanding sign

Address or Location: 6315 Baltimore Avenue, Riverdale

This Notice of Public Hearing is sent to you, a registered person of record (or a registered civic association or municipality) for the subject application.

This Notice also provides information about Planning Board procedures. A technical staff report (TSR), with a recommendation to the Planning Board (Board), will be prepared by the assigned reviewer and published to the Planning Department's website within one to two weeks prior to the scheduled hearing date (noted above). Technical staff reports may be viewed online and printed. Within three weeks of the Board's hearing and decision, a formal resolution will be adopted by the Board and published on the website for viewing and printing. If you have any questions about the process, please contact the Development Review Division at 301-952-3530.

All Planning Board hearings are scheduled to begin at 10:00 a.m. The hearings are held on the first floor in the Council Hearing Room at the County Administration Building located at 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20774.

The order of the agenda items is for the convenience of the Planning Board and is subject to change without notice. Items for which speakers are signed up will generally be heard first. The Planning Board encourages the participation of all individuals to include those with special needs; advanced notice is encouraged. For special needs assistance, please call 301-952-3560, TTY 301-952-3796. If you wish to receive the Planning Board Agenda and other published reports by e-mail, please sign up at <http://www.pgplanning.org/PlanningBoard/AgendaSubscribe.htm> and be sure to visit www.pgplanning.org for the latest information on all Department projects.

Attention: In case of inclement weather, please call 301-952-5330 to verify the status of the Planning Board meeting.

LAW OFFICES

MEYERS, RODBELL
& ROSENBAUM, P.A.

Linda C. Carter
6801 KENILWORTH AVENUE, SUITE 400
RIVERDALE PARK, MARYLAND 20737-1385
DIRECT DIAL (301) 209-2557
MAIN (301) 699-5800
FAX (301) 779-5746
EMAIL: lcarter@mrrlaw.net

February 21, 2019

Town of Riverdale Park
5008 Queensbury Road
Riverdale Park, MD 20737


Re: ARE Corporation
t/a La Chiquita
5705 Riverdale Road
Riverdale Park, MD 20737

Dear Sir / Madam:

Enclosed please find a copy of the application which was filed with the Board of License Commissioners for Prince George's County on February 21, 2019.

Should you have any questions regarding the information contained herein, please contact us at the Riverdale office. Thank you.

Sincerely,


Sue Cook
Paralegal

RECEIVED
FEB X 2 2019

Enc.



**STATE OF MARYLAND
RETAIL ALCOHOLIC BEVERAGE
LICENSE APPLICATION
BOARD OF LICENSE COMMISSIONERS
9200 BASIL COURT, SUITE 420
LARGO, MARYLAND 20774
301-583-9980
<http://bolc.mvpgc.us>**



THIS APPLICATION IS FOR:

New License	Fee: \$700.00	xx
Transfer of License	Fee: \$500.00	
Transfer of Location	Fee: \$500.00	

PAYMENT: Payment must accompany application in the form of a Cashier's Check, Certified Check or Money Order payable to Prince George's County. **CASH WILL NOT BE ACCEPTED.**

TYPE AND CLASS OF LICENSE

CLASS OF LICENSE	A	B <input checked="" type="checkbox"/>	C	D
TYPE OF LICENSE	BEER	BEER AND WINE	BEER, WINE & LIQUOR <input checked="" type="checkbox"/>	
	BH	BLX	OTHER:	

Application is hereby made by the undersigned under the provisions of Section 26-1401 of the Alcoholic Beverage Article of the Annotated Code of Maryland, for an alcoholic beverage license. The applicant(s) submit and certifies to the following as required.

INFORMATION REGARDING THE APPLICANT(S)

Name of Licensee	Title of Licensee	Address of Licensee (City, State, Zip)	Telephone Number	Status Verification
German E. Escobar	President, Secretary, Treasurer	4819 Avery Road, Shady Side, MD 20764		

BUSINESS NAME AND ADDRESS

Trade Name	La Chiquita		
Corporation/LLC	ARE Corporation		
Address, City, Zip	5705 Riverdale Road, Riverdale Park, MD 20737		
Telephone Number	301-250-6136	State Department ID #	D18726059

OFFICIAL INFORMATION

Attorney	Linda C. Carter, Meyers, Rodbell & Rosenbaum	Date Filed	
Address	6801 Kenilworth Ave., Ste 400, Riverdale, MD 20737	Hearing Date	
Phone Number	301-699-5800	Board Action	

DESCRIPTION OF THE PREMISES

Describe the premises to be covered under the license. If only part of the building is desired as the premises, a definitive description must be given:	2916 Square foot located at Riverdale Plaza Shopping Center		
Size, Type and Construction of Building	Masonry, brick & glass	Size and Description of Lot	Riverdale Plaza Shopping Center
Is the building located within one thousand feet (1,000) of a school?	No	If yes, Explain	
Is the building located within five hundred feet (500) of a Place of Worship?	No	If yes, Explain	
Is the premises zoned for sale of alcoholic beverages?	Yes	If no, Explain	
Is the building complete?	Yes	If "no" when will be the building be complete?	

MODE OF OPERATION

Describe the Mode of Operation	casual restaurant		
Is the business to be conducted under this license tied in any manner to a franchise agreement, chain store operation or supermarket?		No	
Seating Capacity	100	Is there a bar?	No
Will entertainment be presented to the public?	No	If yes, you must file the Request for Special Entertainment Permit or an Exemption to the Special Entertainment Permit.	
Does the licensed premises have a drive in window?	No		
Square footage on sale	2916	Square footage off sale	0

HOURS OF OPERATION

	Opening Time	Closing Time
Monday	7:00 am	11:00 pm
Tuesday	7:00 am	11:00 pm
Wednesday	7:00 am	11:00 pm
Thursday	7:00 am	11:00 pm
Friday	7:00 am	11:00 pm
Saturday	7:00 am	11:00 pm
Sunday	7:00 am	11:00 pm

PROVIDE COPY(ies) OF ANY AND ALL AGREEMENTS/CONTRACTS relative to the operation of the business to be conducted under the alcoholic beverage license (inclusive of managerial agreements, sale contract and any agreement, which place the alcoholic beverage license as security, collateral, etc.

APPLICANT(S) OFFICIAL DECLARATION

I/We the applicant(s) and/or stockholder do hereby make oath that the statements made on this application are true and accurate. And further that I/we understand that fraudulent statements made on this application shall be considered perjury.

German E. Escobar
Signature
Signature

Signature

Signature

STATE OF MARYLAND Prince Georges County SS:

I hereby certify that on this 8th day of February, 2019, personally appeared German E. Escobar and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires June 29, 2021

Notary Public

JOSE PORTILLO
NOTARY PUBLIC
PRINCE GEORGE'S COUNTY
MARYLAND
MY COMMISSION EXPIRES JUNE 29, 2021

STATE OF MARYLAND Prince Georges County SS:

I hereby certify that on this 8th day of February, 2019, personally appeared _____ and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires _____

Notary Public

STOCK OWNERSHIP AFFIDAVIT For Corporations and Limited Liability Companies

We the officers of the Corporation or Members of a LLC, do hereby make oath that German E. Escobar (Name of Corporation/LLC) is an officer/member of the Corporation/LLC qualified to act as Resident Agent for the purpose of obtaining this license, that they are the owner of 25% of the interest in the business, that the stock/interest has been issued, is recorded in the books and records of the Corporation/LLC and represents a proportionate share of the total equity and assets and net worth of the corporation and that there exists no collateral agreements, promises, restrictions, or commitments, regarding the change of ownership of the stock or future endorsements, assignment, transfer, pledge or change of ownership of aforesaid stock.

LIST ALL OTHER CORPORATE OFFICERS/MEMBERS WHO ARE NOT APPLICANTS

1. German E. Escobar
Signature of Applicant

2. _____
Signature of Applicant

3. _____
Signature of Applicant

4. _____
Signature of Applicant

STATE OF MARYLAND Prince Georges County SS:

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NOTARY PUBLIC
PRINCE GEORGE'S COUNTY
MARYLAND
MY COMMISSION EXPIRES JUNE 29, 2021

STATE OF MARYLAND _____ SS:

I hereby certify that on this _____ day of _____, personally appeared _____ and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires _____

Notary Public

TRANSFER OF LOCATION AND/OR ASSIGNMENT OF LICENSE

Transfer of location and/or transfer of assignment from:	
Has the Bulk Sales Permit been applied for from the Comptroller?	

I, We _____ do hereby make oath in due form of law that I/(We) have fully complied with all provisions of law and all regulations of the _____ of the _____ license has been in effect, and that no indictments or complaints are pending against (me)(us) or any of (my)(our) employees in any court in the United States Federal or any State, or before the Board of License Commissioners, and that I/(We) do hereby consent to the transfer of said license to _____

Names of Transferee(s)

Transferor(s)	Transferor(s)
Transferor(s)	Transferor(s)

STATE OF MARYLAND

I hereby certify that on this _____ day of _____, SS: _____

_____ personally appeared and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires _____

Notary Public

STATE OF MARYLAND

I hereby certify that on this _____ day of _____, SS: _____

_____ personally appeared and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires _____

STATEMENT OF OWNER OF THE REAL PROPERTY: As required by Section 10-302 of Article 2B of the Annotated Code of Maryland

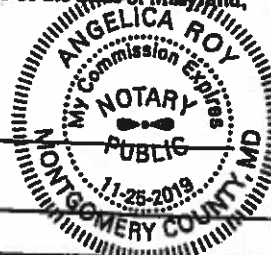
I (WE), HERBY CERTIFY, That I am (we are) the owner(s) of the real property known as t/a La Chiquita located at 5705 Riverdale Road, Riverdale Park, MD 20737. I hereby authorize the State Comptroller, its duly authorized deputies, inspectors and clerks, the Board of License Commissioners, it's duly authorized agents and employees and any peace officer of Prince George's County to inspect and search, without warrant, the premises upon which the business is conducted, and any and all parts of the building in which said business it to be conducted at any and all hours.

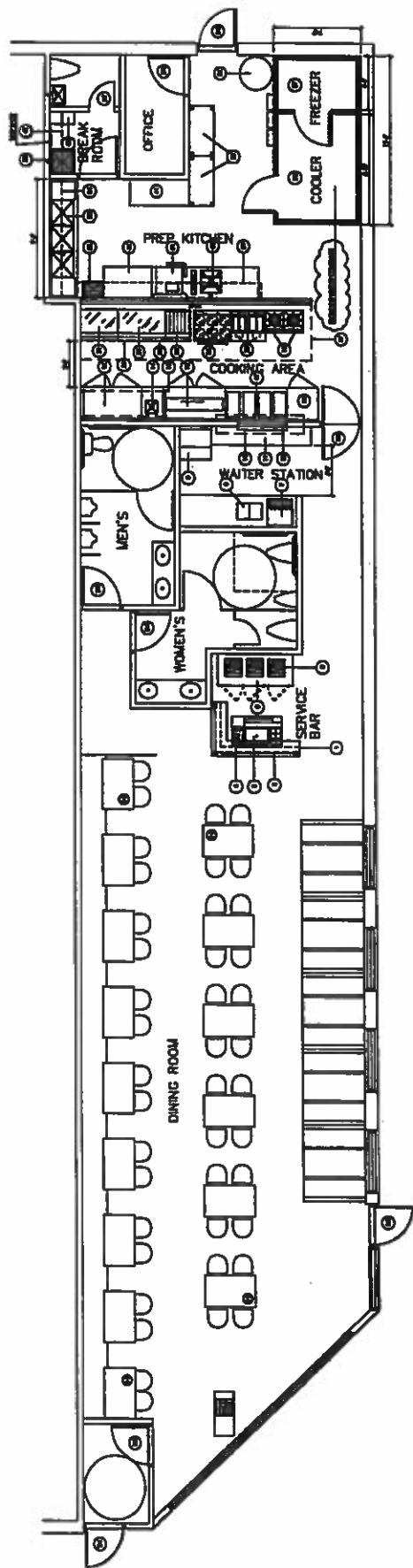
Owner BY: RIVERDALE PLAZA SHOPPING CENTER, L.P. Phone 301-838-0001
BY: SANDERSON, R.U.P.
 Address 350 FORTUNE TERRACE - 2ND FLOOR
ROCKVILLE, MD 20854
 Owner _____ Phone _____
 Address _____

THIS CERTIFIES, That on the February 14, 2019, before the subscriber a Notary Public of the State of Maryland, personally appeared STUART KRISS and made oath in due form of law that the information herein is true.

My Commission Expires: _____

AK
Notary Public



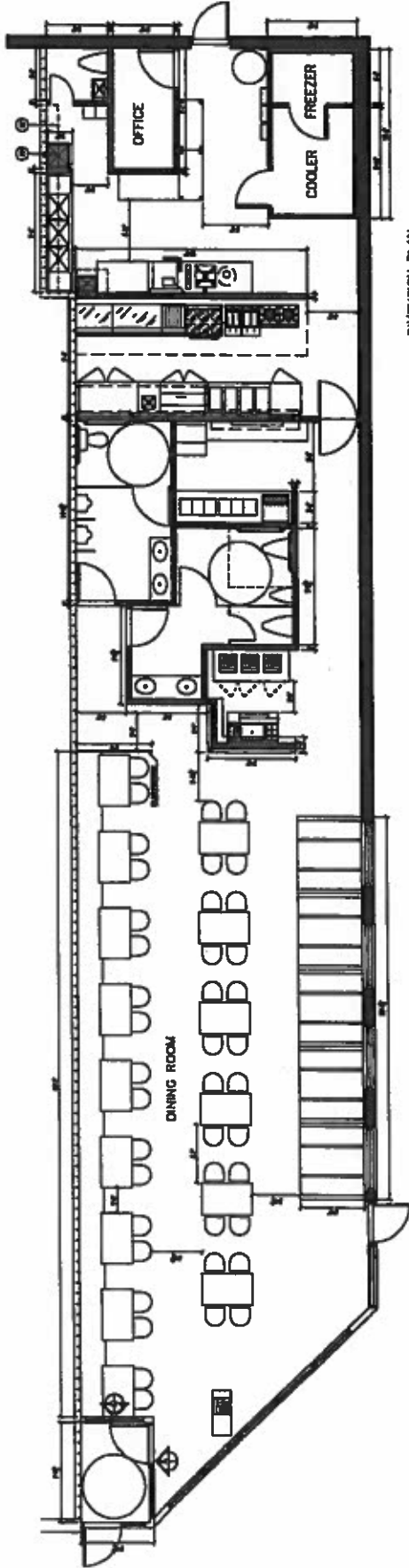


PROPOSED FLOOR LAYOUT

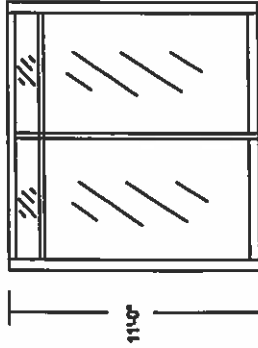
EQUIPMENT INVENTORY				CLASSIFICATION, FORM, AND STATUS										PLANNED MAINTENANCE									
#	DESCRIPTION	MANUFACTURER	MODEL NO.	SERIAL NO.	CLASSIFICATION			FORM			STATUS			MAINT			NEXT			DATE			
					TYPE	SIZE	WGT	QTY	UNIT	QTY	UNIT	QTY	UNIT	QTY	UNIT	QTY	UNIT	QTY	UNIT	QTY	UNIT	QTY	UNIT
1	Handheld power saw	WAL LUTER	WAL 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
2	Chain saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
3	Chain saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
4	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
5	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
6	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
7	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
8	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
9	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
10	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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12	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
13	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
14	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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19	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
20	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
21	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
22	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
23	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
24	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
25	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
26	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
27	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
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79	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
80	Hand saw	STANLEY	STAN 100	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
81	Hand saw	STANLEY																					

[illegible]

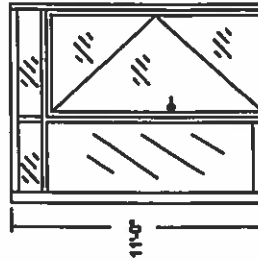
NOTE: ALL WORKING TABLES AND COUNTERS TO BE 34" MAX HEIGHT.



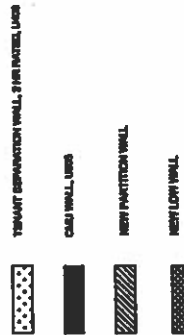
2 HR Fire, UL DESIGN NO. U408



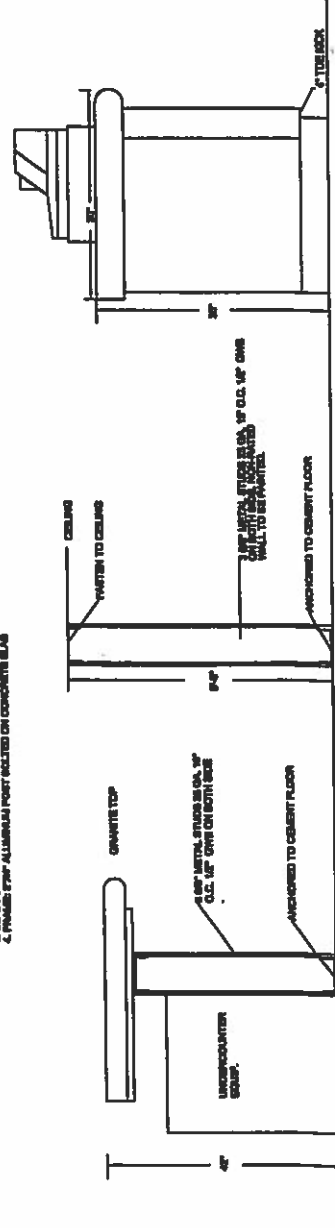
VESTIBULE DETAIL



VESTIBULE DETAIL



NOTE:
1. STRENGTHEN GLASS PANEL, SAFETY GLASS
2. STRENGTHEN GLASS PANEL, SAFETY GLASS
3. GLASS DOOR, TEMPERED GLASS
4. FRAME 2"x4" ALUMINUM POST BOLTED ON CONCRETE SLAB



CASHIER'S COUNTER DETAIL

NEW PARTITION WALL DETAIL

NEW SERVICE COUNTER DETAIL

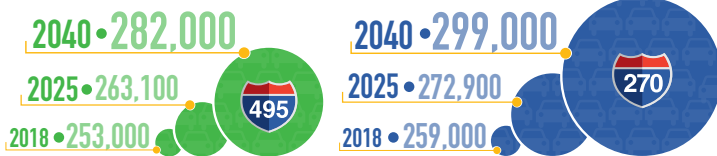
- System Description:
Steel Stud Partition (Non-loadbearing)
- 60" SHEETROCK Brand FIRECODE Core Gypsum Panel
 - 3-1/2" 28 gauge steel stud 24" o.c.
 - 3 layers 60" SHEETROCK Brand FIRECODE Core Gypsum Panels
 - Panels applied vertically or horizontally
 - Horizontal joints need not be staggered or backed by framing
 - Joints finished

SECTION THROUGH 2 HR FIRE RATED WALL
2 HR FIRE RATED WALL

MDOT SHA is Addressing Our Region's Congestion

Traffic congestion in the National Capital Region is among the worst in the nation. On I-495 and I-270, heavy traffic lasts between seven and ten hours every day. This gridlock extends onto local roads, as drivers look for ways to avoid the congestion.

Expected Growth in Average Annual Daily Traffic



With regional population expected to grow by nearly 1.2 million people by 2040, the travel time for everyone's trip on I-495 and I-270 is expected to increase, further stressing the system.

Transportation studies show that both transit and highway improvements are required to meet future travel needs. For a highway system as extensive and vital as I-495 and I-270, the necessary investment for improvements must be large-scale and sustainable, or we will be stuck in never-ending traffic. The consequence of inaction will severely impact the quality of life for Maryland's citizens, and dampen the State's economy.

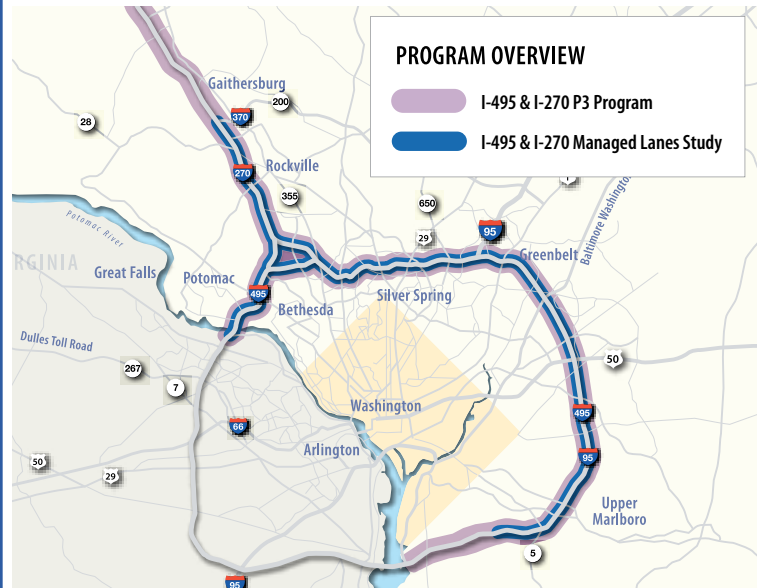
The Federal Highway Administration (FHWA) and the Maryland Department of Transportation State Highway Administration (MDOT SHA) have undertaken the I-495 & I-270 Managed Lanes Study to evaluate solutions that could accommodate traffic growth and provide more reliable travel times. Concurrent with the Study, MDOT SHA has begun a separate Public-Private Partnership (P3) process to enable the use of resources and innovation

I-495 & I-270 Managed Lanes Study Underway Evaluating Congestion Relief

The purpose of the I-495 & I-270 Managed Lanes Study is to develop a travel demand management solution that addresses congestion, improves trip reliability on I-495 and I-270 within the Study limits, and enhances existing and planned multimodal mobility and connectivity. The FHWA and MDOT SHA are leading this Study, which is evaluating multiple alternatives to:

- Accommodate existing and future traffic growth
- Enhance trip reliability

Study Area Limits



The FHWA and MDOT SHA initiated the I-495 & I-270 Managed Lanes Study in March 2018. Since initiating the study, MDOT SHA has gathered additional traffic data to better refine the study limits to locations where heavy volumes of traffic enter and exit the highway. The refined limits are:

- Western Limit on I-495: south of George Washington Memorial Parkway
- Southern Limit on I-495: west of MD 5
- Northern Limit on I-270: north of I-370

from the private sector to design, build, finance, operate, and maintain these potential transportation improvements to address the Study goals.

- Provide additional roadway travel choices
- Accommodate homeland security, and
- Improve the movement of goods and services along these vital corridors.

Alternatives will also be evaluated to ensure they are financially viable and can be delivered in an environmentally responsible manner.



How Did MDOT SHA Screen the Alternatives?

In Summer 2018, MDOT SHA presented the Preliminary Range of Alternatives to the public. Alternatives included the following elements:

- No Build
- General Purpose (GP) Lanes
- High Occupancy Vehicle (HOV) Lanes
- Priced Managed Lanes [either Express Toll Lanes (ETL) or High Occupancy Toll (HOT) Lanes]
- Reversible/Contraflow Lanes
- Stand-Alone Transit alternatives

To narrow the fifteen Preliminary Range of Alternatives, MDOT SHA performed an Initial Screening to determine each alternative's ability to meet the Study Purpose and Need. If

an alternative did not meet the Purpose and Need screening criteria, MDOT SHA recommended dropping it from further consideration. The screening criteria included engineering, homeland security, environmental considerations, movement of goods and services, financial viability, and multimodal connectivity.

Based on this Initial Screening, MDOT SHA recommends dropping a number of alternatives from further consideration and retaining seven Screened Alternatives for additional analysis. The MDOT SHA will perform this additional analysis to determine the traffic operations, financial viability, and potential effects to environmental resources. The MDOT SHA will present the results of this additional analysis in the upcoming public workshops and make recommendations on Alternatives Retained for Detailed Study (ARDS). The ARDS will be carried forward into the Draft Environmental Impact Statement (DEIS).

The alternatives screening process is illustrated below.



Alternatives Recommended to be Dropped from Further Consideration

The following alternatives were recommended to be dropped from further consideration. For a more detailed explanation regarding each of these alternatives, please visit the program website at 495-270-P3.com/environmental/alternatives

- **Transportation System Management and Transportation Demand Management**
- **High Occupancy Vehicle (HOV) Only Lanes**
- **General Purpose (GP) Lanes**
- **Collector-Distributor Lane Systems**
- **Contraflow Lanes**
- **Reversible Lanes on I-495**
- **Stand-Alone Transit alternatives** (heavy rail, light rail, bus rapid transit, and dedicated bus-only managed lanes)



The Public Continues to Provide Important Insight

In July 2018, MDOT SHA held four public workshops to discuss Study alternatives and gather input. The Alternatives Public Workshop Summary Report is now available on the program website. The Report includes and summarizes the public comments received during the Alternatives Public Workshop Comment Period, July 17 to August 27, 2018 and the results of the public survey conducted from June 18 to September 27, 2018.

The public will have another opportunity to comment on the Study this Spring 2019. Stay tuned to the program website 495-270-P3.com for more information as it becomes available.



Recommended Screened Alternatives

The MDOT SHA's Initial Screening recommends Alternatives 1, 5, 8, 9, 10, 13B, and 13C for further analysis and environmental evaluation. Although Alternative 1 does not meet the Study's Purpose and Need, it is being carried forward for baseline comparison purposes in accordance with the National Environmental Policy Act (NEPA). The seven recommended Screened Alternatives are detailed below:

Alternative 1	No Build
Alternative 5	1-Lane, HOT* Managed Lane Network on both I-495 & I-270
Alternative 8	2-Lane, ETL* Managed Lane Network on I-495; 1-ETL* and 1-Lane HOV Managed Lane on I-270
Alternative 9	2-Lane, HOT* Managed Lane Network on both I-495 & I-270
Alternative 10	2-Lane, ETL* Managed Lane Network on I-495 & I-270 plus 1-Lane HOV Managed Lane on I-270
Alternative 13B	2-Lane, HOT* Managed Lane Network on I-495; HOT* Managed, Reversible Lane Network on I-270
Alternative 13C	2-Lane, ETL* Managed Lane Network on I-495; ETL* Managed, Reversible Lane Network and 1-Lane HOV Managed Lane on I-270

*HOT Lanes or ETLs combine congestion pricing and lane management to control the number of vehicles entering the lane to keep traffic flowing. ETLs require all users to pay a toll whereas HOT lanes provide reduced tolls for HOVs with multiple people in them. When drivers choose to use the HOT lanes or ETLs, the general-purpose lanes can also move faster.

**Bus usage including consideration of additional express bus service will be examined in all ETL and HOT managed lanes alternatives to accommodate transit within the I-495 and I-270 roadways. MDOT has committed to working with the Washington Area Bus Transformation Project to incorporate the results of this separate project to identify bus transit improvements for I-495 and I-270.

The seven alternatives shown in the table above are being carried forward for detailed traffic, environmental, and financial analyses to determine each alternative's effectiveness at meeting the Study's Purpose and Need and the results will be presented at the upcoming public workshops. The alternatives that meet the screening criteria as established from the Purpose and Need will be carried forward in the Draft Environmental Impact Statement (DEIS) as the ARDS. Input from the environmental resource agencies and public regarding these results will be considered by FHWA and MDOT SHA prior to the identification of the Recommended Preferred Alternative in the DEIS.

More information on the recommended Screened Alternatives and those alternatives no longer being considered is available on the program website at 495-270-P3.com/environmental/alternatives.

Next Steps: Screened Alternatives Public Workshops



The MDOT SHA will hold a series of [public workshops in Spring 2019](#) to present detailed traffic, environmental, and financial analyses for the seven Screened Alternatives with recommendations on the ARDS.

The MDOT SHA team will guide attendees through the public workshops, presenting interactive map displays and hard copy maps to highlight the limits of disturbance of the recommended Screened Alternatives, and answer questions. A presentation will be given to highlight the Screened Alternatives process.



Following the Spring public workshops, MDOT SHA will evaluate the results from the ARDS, including public feedback, and identify the Recommended Preferred Alternative that will be in the DEIS. The MDOT SHA will hold formal Public Hearings where people can provide testimony and comments on the Preferred Alternative and the DEIS in winter 2020.

MANAGED LANES STUDY

Maryland Department of Transportation
State Highway Administration

I-495 & I-270 P3 Office

707 North Calvert Street

Mail Stop P-601

Baltimore, MD 21202

495

270

Request a Presentation
at your Community
Association Meeting.
Contact Us! 833-858-5960
495-270-p3@sha.state.md.us

PRSRT FIRST CLASS MAIL

U.S. POSTAGE

**PAID
APDM**

Study Timeline

Spring 2018

Summer - Fall 2018

Winter - Spring 2019

Summer 2019 - Winter 2020

Winter - Fall 2020

Notice of Intent to Initiate NEPA Study

Scoping Open Houses

45-Day
Comment Period

Range of Alternatives

Define Purpose & Need
Develop Preliminary
Range of Alternatives
Screening Criteria
Public Workshops

Alternatives Analysis & Environmental Technical Analysis

Select Alternatives
Retained for Detailed
Study (ARDS)
Complete Technical
Analysis of ARDS
Public Workshops

WE ARE
HERE

Development of Environmental Impact Statement

Draft Environmental
Impact Statement (DEIS)
Identify MDOT SHA's
Preferred Alternative
DEIS Public Hearing

Combined Final EIS/ROD

Final EIS/Record
of Decision

Stay Connected



Visit 495-270-p3.com



Call **833-858-5960**



EMAIL Study team
495-270-P3@sha.state.md.us



Sign up for email
notifications on the
website 495-270-p3.com



Submit a comment online
495-270-P3.com or by mail to:
Maryland Department of Transportation
State Highway Administration
I-495 & I-270 P3 Office
707 North Calvert Street, Mail Stop P-601
Baltimore, MD 21202



495-270-P3.com

MDOT MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION



TOWN OF RIVERDALE PARK

DRAFT BUDGET VS. ACTUALS

July 2018 - February 2019

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
4000 Local Taxes				
4001 Real Estate Taxes	4,158,460	4,100,000	58,460	101.00 %
4008 Personal Property Tax	346,635	303,000	43,635	114.00 %
4010 Personal Property Tax Prior	-278	-7,500	7,222	4.00 %
4012 Local Income Taxes	395,728	515,000	-119,272	77.00 %
4014 Operating Tax	207,128	166,000	41,128	125.00 %
4015 Admissions and Amusement Tax	23	500	-477	5.00 %
Total 4000 Local Taxes	5,107,696	5,077,000	30,696	101.00 %
4100 Licenses & Permits				
4101 Multi-Family Rental License	118,945	108,025	10,920	110.00 %
4104 Single Family Rental License	21,075	31,000	-9,925	68.00 %
4106 Rental License Late Fees	60	1,600	-1,540	4.00 %
4111 Building Permits	85,654	60,000	25,654	143.00 %
4113 Business License	28,645	38,800	-10,155	74.00 %
4115 Parking Permits	725	500	225	145.00 %
4119 Alarm Registrations & Reductions	280	3,460	-3,180	8.00 %
Total 4100 Licenses & Permits	255,384	243,385	11,999	105.00 %
4200 Administrative Fees				
4204 Abatement Charges	2,965	1,000	1,965	297.00 %
4207 Municipal Infractions		2,000	-2,000	
4210 Flagging Receipts (MVA Flag)		750	-750	
Total 4200 Administrative Fees	2,965	3,750	-785	79.00 %
4300 Fines & Forfeitures				
4301 Police Reports	4,860	6,500	-1,640	75.00 %
4304 Vehicle Impounds	19,380	30,000	-10,620	65.00 %
4310 Parking Citations	9,528	18,000	-8,473	53.00 %
Total 4300 Fines & Forfeitures	33,768	54,500	-20,733	62.00 %
4400 Community Safety Programs				
4401 Safe Speed for Students	369,086	510,203	-141,117	72.00 %
4402 Safe Speed for Students Prior Years	395	10,000	-9,605	4.00 %
4403 Automated Red Light Enforcement		7,500	-7,500	
Total 4400 Community Safety Programs	369,481	527,703	-158,222	70.00 %
4500 Intergovernmental Revenues				
4501 Highway User	28,326	40,000	-11,674	71.00 %
4504 State Aid Police	83,578	167,155	-83,578	50.00 %
4507 Financial Corp		11,000	-11,000	
4510 Disposal Fee Rebate	142	13,500	-13,358	1.00 %
Total 4500 Intergovernmental Revenues	112,046	231,655	-119,609	48.00 %
4800 Misc. Service/Fee Revenue				

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
1304 Health and Wellness Transfer-In		25,200	-25,200	
4801 Cable TV - Public Ed & Gov		68,500	-68,500	
4804 Cable TV - Franchise Fees	71,954		71,954	
4807 Interest Income	7,082	24,000	-16,918	30.00 %
4810 Contribution from ACP	20,000	20,000	0	100.00 %
4813 Miscellaneous	1,469	12,500	-11,031	12.00 %
4823 Transfer from Health and Welness Fund	25,200		25,200	
4901 Recycled Scrap Metal Revenue	672		672	
Total 4800 Misc. Service/Fee Revenue	126,377	150,200	-23,823	84.00 %
Total Income	\$6,007,718	\$6,288,193	\$ -280,475	96.00 %
GROSS PROFIT	\$6,007,718	\$6,288,193	\$ -280,475	96.00 %
Expenses				
5000 Salaries & Wages				
5001 Wages-Full Time	1,693,416	3,105,288	-1,411,872	55.00 %
5013 Vacation Regular	166,506		166,506	
5016 Sick	89,559		89,559	
5019 Comp Time	16,992	17,500	-508	97.00 %
5022 Holiday Regular	48,252		48,252	
5034 Retroactive	12,558		12,558	
Total 5001 Wages-Full Time	2,027,281	3,122,788	-1,095,507	65.00 %
5004 Wages-Part-Time	29,135	48,000	-18,865	61.00 %
5010 Wages-Interns	7,952	4,000	3,952	199.00 %
5023 Holiday 1.5	31,380		31,380	
5025 Night Differential	11,966	19,500	-7,534	61.00 %
5028 Special Rates	28,493	31,000	-2,507	92.00 %
5031 Bilingual Pay Premium	8,960	18,720	-9,760	48.00 %
5037 Uniform Allowance	6,280	14,080	-7,800	45.00 %
5046 Stipend Individual	-500	9,342	-9,842	-5.00 %
Bilingual	-560		-560	
Wages				
Holiday Pay	-5,674		-5,674	
Total Wages	-5,674		-5,674	
Total 5000 Salaries & Wages	2,144,713	3,267,430	-1,122,717	66.00 %
5100 Employee Benefits				
5101 Insurance-Workers Compensation	77,867	133,179	-55,312	58.00 %
5104 Insurance-Medical (75%)	196,725	339,949	-143,224	58.00 %
5107 Insurance-Medical (100%)	29,451	27,124	2,327	109.00 %
5113 Insurance-Life	15,586	15,110	476	103.00 %
5119 Insurance-Long Term Disability	8,756	13,547	-4,791	65.00 %
5120 AD&D	969	2,000	-1,031	48.00 %
5121 Golds Gym	713		713	
5122 Payroll Taxes	171,136	245,659	-74,523	70.00 %
5125 Retirement-Defined Contribution	107,397	72,123	35,274	149.00 %
5128 Retirement-Defined Benefits	248,951	351,407	-102,456	71.00 %
66000 Payroll Expenses	2,010		2,010	
Total 5100 Employee Benefits	859,561	1,200,098	-340,537	72.00 %
5118 MD Unemployment Insurance	4,810		4,810	
5200 Overtime Premiums				

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
5201 Overtime Premium	73,693	138,300	-64,607	53.00 %
Total 5200 Overtime Premiums	73,693	138,300	-64,607	53.00 %
5300 Contractual Services	13,200		13,200	
5301 Financial Services	14,994	25,000	-10,006	60.00 %
5307 Landscape Services	215	8,000	-7,785	3.00 %
5310 Engineering Services		12,000	-12,000	
5313 Legal Services	25,459	50,000	-24,541	51.00 %
5316 Opto Park (Parking Citations)	3,055	9,400	-6,345	33.00 %
5318 Other Miscellaneous Expense	4,000		4,000	
5319 Opto Traffic (SS4S) Program	167,506	222,000	-54,494	75.00 %
5320 Opto Traffic Redlight Program		2,500	-2,500	
5322 Trash & Recycling Services	99,365	270,000	-170,635	37.00 %
5325 Tree Maintenance Services	20,110	35,000	-14,890	57.00 %
5328 Lexipol Services	8,906	8,700	206	102.00 %
5331 Karen Kruger - Atty LEOBR	3,333	5,000	-1,667	67.00 %
5334 Voice Recorder Service Plan		2,200	-2,200	
6078 Employee Services	11,116	13,000	-1,884	86.00 %
Total 5300 Contractual Services	371,259	662,800	-291,541	56.00 %
6000 Operating Expenses				
Dues/Memberships/Subscriptions/Publications				
6013 Dues/Memberships	14,978	17,269	-2,291	87.00 %
6014 Publications/Subscriptions	19		19	
Total	14,997	17,269	-2,272	87.00 %
Dues/Memberships/Subscriptions/Publications				
Employee Services				
5040 Employee Recognition	2,170	3,000	-830	72.00 %
5041 Awards & Gifts	624		624	
Total 5040 Employee Recognition	2,794	3,000	-206	93.00 %
6034 Employee Wellness Programs	2,068	15,000	-12,932	14.00 %
6077 New Hire Expenses	999	4,550	-3,551	22.00 %
6080 Benevolence & Goodwill	536	1,240	-704	43.00 %
Total Employee Services	6,397	23,790	-17,393	27.00 %
Equipment - General (Purchases)				
6038 Equipment-Purchases	3,040	10,500	-7,460	29.00 %
Total Equipment - General (Purchases)	3,040	10,500	-7,460	29.00 %
Equipment - Operators (Special Projects)				
6037 Equipment-Operator for Projects	65	5,000	-4,935	1.00 %
Total Equipment - Operators (Special Projects)	65	5,000	-4,935	1.00 %
Equipment Rental				
6040 Equipment-Rental	13,485	12,130	1,355	111.00 %
Total Equipment Rental	13,485	12,130	1,355	111.00 %
Finance Charges				
6001 Bank Service Fees	677	500	177	135.00 %
6085 Other Services & Charges	287	600	-313	48.00 %
Total Finance Charges	963	1,100	-137	88.00 %
Fuel				
6154 Transportation-Gas & Oil	47,170	87,620	-40,450	54.00 %

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Total Fuel	47,170	87,620	-40,450	54.00 %
Information Technology				
6004 Computer & Software	248	2,750	-2,503	9.00 %
6049 Information Technology Services	38,955	25,000	13,955	156.00 %
6052 Information Technology-Internet	833		833	
6053 I-NET Internet Services	7,760	9,446	-1,686	82.00 %
6055 Information Technology - Small Equipment	3,015	8,864	-5,849	34.00 %
6100 Software-Licenses	4,742	2,500	2,242	190.00 %
6103 Software-Maintenance Agreements	577	3,877	-3,300	15.00 %
Total Information Technology	56,130	52,437	3,693	107.00 %
Insurance Liability				
6058 Insurance- Liability	49,770	85,000	-35,230	59.00 %
Total Insurance Liability	49,770	85,000	-35,230	59.00 %
Meeting Expenses				
6015 Catering & Meals	307		307	
Total Meeting Expenses	307		307	
Postage				
6091 Postage-Messenger Services	4,855	4,547	308	107.00 %
Total Postage	4,855	4,547	308	107.00 %
Printing/News Letters/Advertising				
6079 Newsletter (Town Crier)	9,725	20,850	-11,125	47.00 %
6097 Public & Legal Notices/Ads	1,065	2,000	-935	53.00 %
Total Printing/News Letters/Advertising	10,790	22,850	-12,060	47.00 %
Repairs & Maintenance (Equipment)				
6064 Maintenance-Equipment	11,549	20,500	-8,951	56.00 %
6067 Maintenance-Machinery/Equipment	2,938	8,500	-5,562	35.00 %
Total Repairs & Maintenance (Equipment)	14,487	29,000	-14,513	50.00 %
Repairs & Maintenance (Vehicles)				
6070 Maintenance-Vehicles	8,597	300	8,297	2,866.00 %
6157 Transportation-Vehicles Body	785	1,150	-365	68.00 %
6160 Transportation-Vehicles Maint.	31,724	77,460	-45,736	41.00 %
Total Repairs & Maintenance (Vehicles)	41,106	78,910	-37,804	52.00 %
Site & Building Improvements				
6061 Maintenance-Buildings	408	1,000	-592	41.00 %
Total Site & Building Improvements	408	1,000	-592	41.00 %
Special Events				
6151 Special Projects & Events	5,359	23,700	-18,341	23.00 %
Total Special Events	5,359	23,700	-18,341	23.00 %
Special Services				
6010 Disposal Services Fees	6,778	11,000	-4,222	62.00 %
6019 Education-Town Cable TV Channel	2,750	7,250	-4,500	38.00 %
6031 Elections		10,271	-10,271	
6076 Mosquito Control Program		1,400	-1,400	
6088 Park Maintenance & Service		1,550	-1,550	
6109 Speed Camera - Admin Exp. Current Year	4,500	5,000	-500	90.00 %

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
6175 Tree Installation Service		7,000	-7,000	
Total Special Services	14,028	43,471	-29,443	32.00 %
Street Improvements				
6112 Street-Light Fixtures & Repair	446	19,684	-19,238	2.00 %
6118 Street-Signs & Traffic Co	5,910	14,735	-8,825	40.00 %
Total Street Improvements	6,356	34,419	-28,063	18.00 %
Supplies (General)				
6121 Supplies-Building/Janitorial		1,700	-1,700	
6127 Supplies-Operating & Materials	18,455	14,900	3,555	124.00 %
6130 Supplies-Safety Related	578	1,680	-1,102	34.00 %
6133 Supplies-Hand Tools	250	2,000	-1,750	13.00 %
Total Supplies (General)	19,283	20,280	-997	95.00 %
Supplies (Office)				
6124 Supplies-Office	14,479	24,740	-10,261	59.00 %
Total Supplies (Office)	14,479	24,740	-10,261	59.00 %
Telephones & Communications				
6142 Telephone-Air Cards	7,939	12,580	-4,641	63.00 %
6145 Telephone-Land Line	2,699		2,699	
6148 Telephone-Mobile	12,073	20,900	-8,827	58.00 %
Total Telephones & Communications	22,711	33,480	-10,769	68.00 %
Training & Education				
6016 Education-Conference & Seminar	1,975	15,345	-13,370	13.00 %
6022 Education-Training	3,174	27,360	-24,186	12.00 %
6025 Education-Training Aids		5,000	-5,000	
6028 Education-Tuition Reimbursement		2,000	-2,000	
Total Training & Education	5,149	49,705	-44,556	10.00 %
Travel Expenses				
6163 Travel- Mileage Reimbursement	154	970	-816	16.00 %
6166 Travel-Hotel	1,492	19,300	-17,808	8.00 %
6169 Travel - Meals and Incidentals	685	1,765	-1,080	39.00 %
6172 Travel-Transportation		645	-645	
Total Travel Expenses	2,331	22,680	-20,349	10.00 %
Uniforms				
6056 Body Camera Program		18,000	-18,000	
6136 Supplies-Special Police	527	1,600	-1,073	33.00 %
6178 Uniforms-Laundry Services	4,013	12,110	-8,097	33.00 %
6181 Uniforms-Police Gear	515	5,000	-4,485	10.00 %
6184 Uniforms-Purchases	3,975	15,015	-11,040	26.00 %
Total Uniforms	9,031	51,725	-42,694	17.00 %
Total 6000 Operating Expenses	362,695	735,353	-372,658	49.00 %
7000 Other General Expenses				
7004 Building Maintenance	2,858	3,500	-642	82.00 %
7010 Child Care Reimbursement		500	-500	
7016 Maintenance Buildings	392	1,100	-708	36.00 %
7022 Maintenance-Fuel Manage System	2,215	4,800	-2,586	46.00 %
7025 Maintenance-Machinery & Equip	429		429	
7043 Transportation-Vehicles Maint.	100		100	

TOTAL				
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
7061 Weather Emergency Events	741	12,500	-11,759	6.00 %
7201 Contingency		23,000	-23,000	
Computer Services				
7055 Website-Domain Names	400	500	-100	80.00 %
7058 Website-Hosting Services	406	3,500	-3,094	12.00 %
Total Computer Services	806	4,000	-3,194	20.00 %
Utilities				
7046 Utilities-Electric Buildings	10,015	19,000	-8,985	53.00 %
7047 Utilities- Electric Street Lights	42,374	80,000	-37,626	53.00 %
7049 Utilities-Gas	4,696	11,100	-6,404	42.00 %
7052 Utilities-Water	2,526	6,642	-4,116	38.00 %
Total Utilities	59,610	116,742	-57,132	51.00 %
Total 7000 Other General Expenses	67,152	166,142	-98,990	40.00 %
8000 Town Sponsored Events				
8004 Centennial Celebration		1,250	-1,250	
8007 Children's Party	1,900	2,700	-800	70.00 %
8010 Easter Egg Hunt	267	1,425	-1,158	19.00 %
8013 Fun Run		2,000	-2,000	
8016 Holiday Market	4,350	4,195	155	104.00 %
8017 National Night Out	2,163	3,450	-1,287	63.00 %
8019 Riverdale Park Day	3,948	5,000	-1,052	79.00 %
8022 Honoring Veterans	1,583	1,500	83	106.00 %
Total 8000 Town Sponsored Events	14,211	21,520	-7,309	66.00 %
8300 Public Arts Programs				
8301 Jazz on the Lawn	1,200	1,200	0	100.00 %
8304 Summer Movie Nights	113	2,000	-1,887	6.00 %
8825 Farmers Market	8,600	15,800	-7,200	54.00 %
Total 8300 Public Arts Programs	9,913	19,000	-9,087	52.00 %
8500 Public Grants				
8501 Hyattsville CDC		4,000	-4,000	
8503 Hyattsville CDC Agreement		10,000	-10,000	
8507 Public Arts Programming		1,000	-1,000	
8509 Community Projects		1,000	-1,000	
Total 8500 Public Grants		16,000	-16,000	
8700 Municipal Grants				
8701 Fire Department	21,000	21,000	0	100.00 %
Total 8700 Municipal Grants	21,000	21,000	0	100.00 %
8800 Social Concerns				
8801 The Birthday Book Project	915	850	65	108.00 %
8804 RES-Funds for Parent Outreach		650	-650	
8807 RES-Uniforms for School Students		1,400	-1,400	
8810 Community Thanksgiving Meal	300	300	0	100.00 %
8813 Doll Program		600	-600	
8816 Community Coat Drive Donations	600	600	0	100.00 %
8819 Community Crisis Services	608	600	8	101.00 %
8822 Seasonal Gift for Children and Families		550	-550	
8828 Unallocated Social Concerns		5,000	-5,000	

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Total 8800 Social Concerns	2,423	10,550	-8,127	23.00 %
9000 Marketing, Promotions & Programming				
9004 Marketing & Promotions	6,195	15,000	-8,805	41.00 %
9006 Programming	1,000	15,000	-14,000	7.00 %
Total 9000 Marketing, Promotions & Programming	7,195	30,000	-22,805	24.00 %
Total Expenses	\$3,938,623	\$6,288,193	\$ -2,349,570	63.00 %
NET OPERATING INCOME	\$2,069,094	\$0	\$2,069,094	0%
Other Income				
1132 Transfer From General Fund Reserve	-165,200		-165,200	
1133 Transfer To General Fund Reserve	165,200		165,200	
CIP - Revenue				
1156 CIP General	66,000		66,000	
Total CIP - Revenue	66,000		66,000	
CIP - Revenue Unrestricted				
2010 CIP - Unrestricted Revenue	87,496		87,496	
Total CIP - Revenue Unrestricted	87,496		87,496	
Debt Service Revenue				
1100 Real Estate Taxes for Debt Serv	216,126		216,126	
Total Debt Service Revenue	216,126		216,126	
Economic Development Fund				
1169 Economic Development Fund	20,000		20,000	
Total Economic Development Fund	20,000		20,000	
Health & Wellness Fund				
1415 Health & Wellness Fund Revenue	45,824		45,824	
Total Health & Wellness Fund	45,824		45,824	
OPEB				
1168 OPEB	300,000		300,000	
Total OPEB	300,000		300,000	
TIF Adminisitrative Expense Fund	80,843		80,843	
TIF Revenue				
1170 Real Estate Taxes - TIF Revenue	432,380		432,380	
Total TIF Revenue	432,380		432,380	
Transfers to CIP				
1127 Sale of Vehicles	2,879		2,879	
1130 Transfer to CIP PEG \$	8,363		8,363	
1131 Transfer to CIP HUR \$	138,655		138,655	
Total Transfers to CIP	149,897		149,897	
Total Other Income	\$1,398,566	\$0	\$1,398,566	0%
Other Expenses				
1200 Capital Improvement Projects				
1202 Site Improvements	52,933		52,933	
1204 Engineering Cost	9,954		9,954	
1208 Vehicles & Equipment	178,174		178,174	
1209 Furniture	935		935	
1212 Street Furniture	2,760		2,760	
1220 Equipment	4,179		4,179	

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
1223 Bike Path / Lanes Improvements	-20,720		-20,720	
1417 Field of Dreams Expense	3,000		3,000	
Total 1200 Capital Improvement Projects	231,214		231,214	
1305 Transfer From TIF Admin	55,349		55,349	
1418 Economic Development Fund - Expenses	6,000		6,000	
Debt Service				
1105 Principal Loan Payments	118,000		118,000	
1110 Interest Expense	76,760		76,760	
Total Debt Service	194,760		194,760	
TIF Expenses				
1175 Principal Loan Payments	230,797		230,797	
1180 Interest Expense	116,325		116,325	
1186 MuniCap Fees	6,770		6,770	
Total TIF Expenses	353,892		353,892	
Total Other Expenses	\$841,215	\$0	\$841,215	0%
NET OTHER INCOME	\$557,352	\$0	\$557,352	0%
NET INCOME	\$2,626,446	\$0	\$2,626,446	0%



TOWN OF RIVERDALE PARK

DRAFT PROFIT AND LOSS

February 2019

	TOTAL	
	FEB 2019	JUL 2018 - FEB 2019 (YTD)
Income		
4000 Local Taxes		
4001 Real Estate Taxes	-64,898	4,158,460
4008 Personal Property Tax	-58,756	346,635
4010 Personal Property Tax Prior		-278
4012 Local Income Taxes	118,389	395,728
4014 Operating Tax		207,128
4015 Admissions and Amusement Tax		23
Total 4000 Local Taxes	-5,265	5,107,696
4100 Licenses & Permits		
4101 Multi-Family Rental License		118,945
4104 Single Family Rental License	200	21,075
4106 Rental License Late Fees		60
4111 Building Permits	3,671	85,654
4113 Business License	250	28,645
4115 Parking Permits	725	725
4119 Alarm Registrations & Reductions	160	280
Total 4100 Licenses & Permits	5,006	255,384
4200 Administrative Fees		
4204 Abatement Charges		2,965
Total 4200 Administrative Fees		2,965
4300 Fines & Forfeitures		
4301 Police Reports		4,860
4304 Vehicle Impounds		19,380
4310 Parking Citations	850	9,528
Total 4300 Fines & Forfeitures	850	33,768
4400 Community Safety Programs		
4401 Safe Speed for Students	52,000	369,086
4402 Safe Speed for Students Prior Years	275	395
Total 4400 Community Safety Programs	52,275	369,481
4500 Intergovernmental Revenues		
4501 Highway User	6,429	28,326
4504 State Aid Police		83,578
4510 Disposal Fee Rebate		142
Total 4500 Intergovernmental Revenues	6,429	112,046
4800 Misc. Service/Fee Revenue		
4804 Cable TV - Franchise Fees	52,710	71,954
4807 Interest Income		7,082
4810 Contribution from ACP		20,000
4813 Miscellaneous		1,469

	TOTAL	
	FEB 2019	JUL 2018 - FEB 2019 (YTD)
4823 Transfer from Health and Wellness Fund		25,200
4901 Recycled Scrap Metal Revenue	7	672
Total 4800 Misc. Service/Fee Revenue	52,717	126,377
Total Income	\$112,012	\$6,007,718
GROSS PROFIT	\$112,012	\$6,007,718
Expenses		
5000 Salaries & Wages		
5001 Wages-Full Time	189,895	1,693,416
5013 Vacation Regular	10,977	166,506
5016 Sick	14,799	89,559
5019 Comp Time	1,412	16,992
5022 Holiday Regular	7,076	48,252
5034 Retroactive	240	12,558
Total 5001 Wages-Full Time	224,399	2,027,281
5004 Wages-Part-Time	4,000	29,135
5010 Wages-Interns	105	7,952
5023 Holiday 1.5		31,380
5025 Night Differential	1,256	11,966
5028 Special Rates	3,808	28,493
5031 Bilingual Pay Premium	960	8,960
5037 Uniform Allowance		6,280
5046 Stipend Individual	-500	-500
Bilingual		-560
Wages		
Holiday Pay		-5,674
Total Wages		-5,674
Total 5000 Salaries & Wages	234,028	2,144,713
5100 Employee Benefits		
5101 Insurance-Workers Compensation	10,849	77,867
5104 Insurance-Medical (75%)	32,834	196,725
5107 Insurance-Medical (100%)	4,733	29,451
5113 Insurance-Life	724	15,586
5119 Insurance-Long Term Disability		8,756
5120 AD&D		969
5121 Golds Gym	111	713
5122 Payroll Taxes	18,254	171,136
5125 Retirement-Defined Contribution	99,784	107,397
5128 Retirement-Defined Benefits	26,417	248,951
66000 Payroll Expenses	10	2,010
Total 5100 Employee Benefits	193,716	859,561
5118 MD Unemployment Insurance		4,810
5200 Overtime Premiums		
5201 Overtime Premium	6,720	73,693
Total 5200 Overtime Premiums	6,720	73,693
5300 Contractual Services	13,200	13,200
5301 Financial Services	7,124	14,994
5307 Landscape Services		215

	TOTAL	
	FEB 2019	JUL 2018 - FEB 2019 (YTD)
5313 Legal Services	-24,165	25,459
5316 Opto Park (Parking Citations)	213	3,055
5318 Other Miscellaneous Expense		4,000
5319 Opto Traffic (SS4S) Program	23,764	167,506
5322 Trash & Recycling Services		99,365
5325 Tree Maintenance Services		20,110
5328 Lexipol Services		8,906
5331 Karen Kruger - Atty LEOBR		3,333
6078 Employee Services	602	11,116
Total 5300 Contractual Services	20,737	371,259
6000 Operating Expenses		
Dues/Memberships/Subscriptions/Publications		
6013 Dues/Memberships	3,645	14,978
6014 Publications/Subscriptions		19
Total Dues/Memberships/Subscriptions/Publications	3,645	14,997
Employee Services		
5040 Employee Recognition		2,170
5041 Awards & Gifts		624
Total 5040 Employee Recognition		2,794
6034 Employee Wellness Programs	279	2,068
6077 New Hire Expenses	240	999
6080 Benevolence & Goodwill	83	536
Total Employee Services	602	6,397
Equipment - General (Purchases)		
6038 Equipment-Purchases	79	3,040
Total Equipment - General (Purchases)	79	3,040
Equipment - Operators (Special Projects)		
6037 Equipment-Operator for Projects		65
Total Equipment - Operators (Special Projects)		65
Equipment Rental		
6040 Equipment-Rental	508	13,485
Total Equipment Rental	508	13,485
Finance Charges		
6001 Bank Service Fees	390	677
6085 Other Services & Charges	1	287
Total Finance Charges	391	963
Fuel		
6154 Transportation-Gas & Oil		47,170
Total Fuel		47,170
Information Technology		
6004 Computer & Software		248
6049 Information Technology Services	1,957	38,955
6052 Information Technology-Internet		833
6053 I-NET Internet Services	2,056	7,760
6055 Information Technology - Small Equipment		3,015
6100 Software-Licenses		4,742
6103 Software-Maintenance Agreements		577

	TOTAL	
	FEB 2019	JUL 2018 - FEB 2019 (YTD)
Total Information Technology	4,013	56,130
Insurance Liability		
6058 Insurance- Liability	20,279	49,770
Total Insurance Liability	20,279	49,770
Meeting Expenses		
6015 Catering & Meals		307
Total Meeting Expenses		307
Postage		
6091 Postage-Messenger Services	559	4,855
Total Postage	559	4,855
Printing/News Letters/Advertising		
6079 Newsletter (Town Crier)	1,548	9,725
6097 Public & Legal Notices/Ads	261	1,065
Total Printing/News Letters/Advertising	1,809	10,790
Repairs & Maintenance (Equipment)		
6064 Maintenance-Equipment		11,549
6067 Maintenance-Machinery/Equipment		2,938
Total Repairs & Maintenance (Equipment)		14,487
Repairs & Maintenance (Vehicles)		
6070 Maintenance-Vehicles		8,597
6157 Transportation-Vehicles Body		785
6160 Transportation-Vehicles Maint.	828	31,724
Total Repairs & Maintenance (Vehicles)	828	41,106
Site & Building Improvements		
6061 Maintenance-Buildings		408
Total Site & Building Improvements		408
Special Events		
6151 Special Projects & Events		5,359
Total Special Events		5,359
Special Services		
6010 Disposal Services Fees	25	6,778
6019 Education-Town Cable TV Channel	250	2,750
6109 Speed Camera - Admin Exp. Current Year		4,500
Total Special Services	275	14,028
Street Improvements		
6112 Street-Light Fixtures & Repair		446
6118 Street-Signs & Traffic Co		5,910
Total Street Improvements		6,356
Supplies (General)		
6127 Supplies-Operating & Materials	3,685	18,455
6130 Supplies-Safety Related		578
6133 Supplies-Hand Tools		250
Total Supplies (General)	3,685	19,283
Supplies (Office)		
6124 Supplies-Office	171	14,479
Total Supplies (Office)	171	14,479

	TOTAL	
	FEB 2019	JUL 2018 - FEB 2019 (YTD)
Telephones & Communications		
6142 Telephone-Air Cards		7,939
6145 Telephone-Land Line		2,699
6148 Telephone-Mobile		12,073
Total Telephones & Communications		22,711
Training & Education		
6016 Education-Conference & Seminar		1,975
6022 Education-Training		3,174
Total Training & Education		5,149
Travel Expenses		
6163 Travel- Mileage Reimbursement		154
6166 Travel-Hotel		1,492
6169 Travel - Meals and Incidentals		685
Total Travel Expenses		2,331
Uniforms		
6136 Supplies-Special Police		527
6178 Uniforms-Laundry Services		4,013
6181 Uniforms-Police Gear		515
6184 Uniforms-Purchases	350	3,975
Total Uniforms	350	9,031
Total 6000 Operating Expenses	37,194	362,695
7000 Other General Expenses		
7004 Building Maintenance		2,858
7016 Maintenance Buildings		392
7022 Maintenance-Fuel Manage System		2,215
7025 Maintenance-Machinery & Equip	256	429
7043 Transportation-Vehicles Maint.		100
7061 Weather Emergency Events		741
Computer Services		
7055 Website-Domain Names		400
7058 Website-Hosting Services		406
Total Computer Services		806
Utilities		
7046 Utilities-Electric Buildings	963	10,015
7047 Utilities- Electric Street Lights	1,150	42,374
7049 Utilities-Gas	1,919	4,696
7052 Utilities-Water	207	2,526
Total Utilities	4,238	59,610
Total 7000 Other General Expenses	4,495	67,152
8000 Town Sponsored Events		
8007 Children's Party		1,900
8010 Easter Egg Hunt	267	267
8016 Holiday Market		4,350
8017 National Night Out		2,163
8019 Riverdale Park Day		3,948
8022 Honoring Veterans		1,583
Total 8000 Town Sponsored Events	267	14,211

	TOTAL	
	FEB 2019	JUL 2018 - FEB 2019 (YTD)
8300 Public Arts Programs		
8301 Jazz on the Lawn		1,200
8304 Summer Movie Nights		113
8825 Farmers Market	1,075	8,600
Total 8300 Public Arts Programs	1,075	9,913
8700 Municipal Grants		
8701 Fire Department		21,000
Total 8700 Municipal Grants		21,000
8800 Social Concerns		
8801 The Birthday Book Project		915
8810 Community Thanksgiving Meal		300
8816 Community Coat Drive Donations		600
8819 Community Crisis Services		608
Total 8800 Social Concerns		2,423
9000 Marketing, Promotions & Programming		
9004 Marketing & Promotions		6,195
9006 Programming		1,000
Total 9000 Marketing, Promotions & Programming		7,195
Total Expenses	\$498,231	\$3,938,623
NET OPERATING INCOME	\$ -386,219	\$2,069,094
Other Income		
1132 Transfer From General Fund Reserve		-165,200
1133 Transfer To General Fund Reserve		165,200
CIP - Revenue		
1156 CIP General		66,000
Total CIP - Revenue		66,000
CIP - Revenue Unrestricted		
2010 CIP - Unrestricted Revenue		87,496
Total CIP - Revenue Unrestricted		87,496
Debt Service Revenue		
1100 Real Estate Taxes for Debt Serv		216,126
Total Debt Service Revenue		216,126
Economic Development Fund		
1169 Economic Development Fund		20,000
Total Economic Development Fund		20,000
Health & Wellness Fund		
1415 Health & Wellness Fund Revenue	62,211	45,824
Total Health & Wellness Fund	62,211	45,824
OPEB		
1168 OPEB		300,000
Total OPEB		300,000
TIF Administrative Expense Fund		80,843
TIF Revenue		
1170 Real Estate Taxes - TIF Revenue	195,736	432,380
Total TIF Revenue	195,736	432,380
Transfers to CIP		

	TOTAL	
	FEB 2019	JUL 2018 - FEB 2019 (YTD)
1127 Sale of Vehicles		2,879
1130 Transfer to CIP PEG \$		8,363
1131 Transfer to CIP HUR \$		138,655
Total Transfers to CIP		149,897
Total Other Income	\$257,947	\$1,398,566
Other Expenses		
1200 Capital Improvement Projects		
1202 Site Improvements		52,933
1204 Engineering Cost		9,954
1208 Vehicles & Equipment		178,174
1209 Furniture		935
1212 Street Furniture		2,760
1220 Equipment		4,179
1223 Bike Path / Lanes Improvements		-20,720
1417 Field of Dreams Expense		3,000
Total 1200 Capital Improvement Projects		231,214
1305 Transfer From TIF Admin		55,349
1418 Economic Development Fund - Expenses		6,000
Debt Service		
1105 Principal Loan Payments		118,000
1110 Interest Expense		76,760
Total Debt Service		194,760
TIF Expenses		
1175 Principal Loan Payments		230,797
1180 Interest Expense		116,325
1186 MuniCap Fees	65	6,770
Total TIF Expenses	65	353,892
Total Other Expenses	\$65	\$841,215
NET OTHER INCOME	\$257,882	\$557,352
NET INCOME	\$ -128,336	\$2,626,446



TOWN OF RIVERDALE PARK

FINAL BUDGET VS. ACTUAL

July 2018 - January 2019

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
4000 Local Taxes				
4001 Real Estate Taxes	4,223,358	4,100,000	123,358	103.00 %
4008 Personal Property Tax	405,391	303,000	102,391	134.00 %
4010 Personal Property Tax Prior	-278	-7,500	7,222	4.00 %
4012 Local Income Taxes	277,339	515,000	-237,661	54.00 %
4014 Operating Tax	207,128	166,000	41,128	125.00 %
4015 Admissions and Amusement Tax	23	500	-477	5.00 %
Total 4000 Local Taxes	5,112,961	5,077,000	35,961	101.00 %
4100 Licenses & Permits				
4101 Multi-Family Rental License	118,945	108,025	10,920	110.00 %
4104 Single Family Rental License	20,875	31,000	-10,125	67.00 %
4106 Rental License Late Fees	60	1,600	-1,540	4.00 %
4111 Building Permits	81,983	60,000	21,983	137.00 %
4113 Business License	28,395	38,800	-10,405	73.00 %
4115 Parking Permits		500	-500	
4119 Alarm Registrations & Reductions	120	3,460	-3,340	3.00 %
Total 4100 Licenses & Permits	250,378	243,385	6,993	103.00 %
4200 Administrative Fees				
4204 Abatement Charges	2,965	1,000	1,965	297.00 %
4207 Municipal Infractions		2,000	-2,000	
4210 Flagging Receipts (MVA Flag)		750	-750	
Total 4200 Administrative Fees	2,965	3,750	-785	79.00 %
4300 Fines & Forfeitures				
4301 Police Reports	4,860	6,500	-1,640	75.00 %
4304 Vehicle Impounds	19,380	30,000	-10,620	65.00 %
4310 Parking Citations	8,678	18,000	-9,323	48.00 %
Total 4300 Fines & Forfeitures	32,918	54,500	-21,583	60.00 %
4400 Community Safety Programs				
4401 Safe Speed for Students	317,086	510,203	-193,117	62.00 %
4402 Safe Speed for Students Prior Years	120	10,000	-9,880	1.00 %
4403 Automated Red Light Enforcement		7,500	-7,500	
Total 4400 Community Safety Programs	317,206	527,703	-210,497	60.00 %
4500 Intergovernmental Revenues				
4501 Highway User	21,898	40,000	-18,102	55.00 %
4504 State Aid Police	83,578	167,155	-83,578	50.00 %
4507 Financial Corp		11,000	-11,000	
4510 Disposal Fee Rebate	142	13,500	-13,358	1.00 %
Total 4500 Intergovernmental Revenues	105,617	231,655	-126,038	46.00 %
4800 Misc. Service/Fee Revenue				

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
1304 Health and Wellness Transfer-In		25,200	-25,200	
4801 Cable TV - Public Ed & Gov		68,500	-68,500	
4807 Interest Income	7,082	24,000	-16,918	30.00 %
4810 Contribution from ACP	20,000	20,000	0	100.00 %
4813 Miscellaneous	1,469	12,500	-11,031	12.00 %
Total 4800 Misc. Service/Fee Revenue	28,551	150,200	-121,649	19.00 %
Total Income	\$5,850,596	\$6,288,193	\$ -437,597	93.00 %
GROSS PROFIT	\$5,850,596	\$6,288,193	\$ -437,597	93.00 %
Expenses				
5000 Salaries & Wages				
5001 Wages-Full Time	1,503,521	3,105,288	-1,601,767	48.00 %
5019 Comp Time	13,894	17,500	-3,606	79.00 %
Total 5001 Wages-Full Time	1,517,415	3,122,788	-1,605,373	49.00 %
5004 Wages-Part-Time	22,500	48,000	-25,500	47.00 %
5010 Wages-Interns	7,847	4,000	3,847	196.00 %
5025 Night Differential	8,238	19,500	-11,262	42.00 %
5028 Special Rates	23,739	31,000	-7,261	77.00 %
5031 Bilingual Pay Premium	8,000	18,720	-10,720	43.00 %
5037 Uniform Allowance	6,280	14,080	-7,800	45.00 %
5046 Stipend Individual	0	9,342	-9,342	0.00 %
Total 5000 Salaries & Wages	1,594,019	3,267,430	-1,673,411	49.00 %
5100 Employee Benefits				
5101 Insurance-Workers Compensation	75,943	133,179	-57,236	57.00 %
5104 Insurance-Medical (75%)	163,173	339,949	-176,776	48.00 %
5107 Insurance-Medical (100%)	5,914	27,124	-21,210	22.00 %
5113 Insurance-Life	14,911	15,110	-199	99.00 %
5119 Insurance-Long Term Disability	8,753	13,547	-4,794	65.00 %
5120 AD&D	969	2,000	-1,031	48.00 %
5122 Payroll Taxes	152,882	245,659	-92,777	62.00 %
5125 Retirement-Defined Contribution	8,593	72,123	-63,530	12.00 %
5128 Retirement-Defined Benefits	212,852	351,407	-138,555	61.00 %
Total 5100 Employee Benefits	643,989	1,200,098	-556,109	54.00 %
5200 Overtime Premiums				
5201 Overtime Premium	60,308	138,300	-77,992	44.00 %
Total 5200 Overtime Premiums	60,308	138,300	-77,992	44.00 %
5300 Contractual Services				
5301 Financial Services	7,870	25,000	-17,130	31.00 %
5307 Landscape Services	215	8,000	-7,785	3.00 %
5310 Engineering Services		12,000	-12,000	
5313 Legal Services	33,046	50,000	-16,954	66.00 %
5316 Opto Park (Parking Citations)		9,400	-9,400	
5319 Opto Traffic (SS4S) Program	143,742	222,000	-78,258	65.00 %
5320 Opto Traffic Redlight Program		2,500	-2,500	
5322 Trash & Recycling Services	99,365	270,000	-170,635	37.00 %
5325 Tree Maintenance Services	20,110	35,000	-14,890	57.00 %
5328 Lexipol Services	8,906	8,700	206	102.00 %
5331 Karen Kruger - Atty LEOBR	3,333	5,000	-1,667	67.00 %
5334 Voice Recorder Service Plan		2,200	-2,200	

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
6078 Employee Services	10,514	13,000	-2,486	81.00 %
Total 5300 Contractual Services	327,102	662,800	-335,698	49.00 %
6000 Operating Expenses				
Dues/Memberships/Subscriptions/Publications				
6013 Dues/Memberships	11,332	17,269	-5,937	66.00 %
Total Dues/Memberships/Subscriptions/Publications	11,332	17,269	-5,937	66.00 %
Employee Services				
5040 Employee Recognition	2,170	3,000	-830	72.00 %
6034 Employee Wellness Programs	1,789	15,000	-13,211	12.00 %
6077 New Hire Expenses	759	4,550	-3,791	17.00 %
6080 Benevolence & Goodwill	370	1,240	-870	30.00 %
Total Employee Services	5,088	23,790	-18,702	21.00 %
Equipment - General (Purchases)				
6038 Equipment-Purchases	1,913	10,500	-8,587	18.00 %
Total Equipment - General (Purchases)	1,913	10,500	-8,587	18.00 %
Equipment - Operators (Special Projects)				
6037 Equipment-Operator for Projects	65	5,000	-4,935	1.00 %
Total Equipment - Operators (Special Projects)	65	5,000	-4,935	1.00 %
Equipment Rental				
6040 Equipment-Rental	3,812	12,130	-8,318	31.00 %
Total Equipment Rental	3,812	12,130	-8,318	31.00 %
Finance Charges				
6001 Bank Service Fees	281	500	-219	56.00 %
6085 Other Services & Charges	285	600	-315	48.00 %
Total Finance Charges	566	1,100	-534	51.00 %
Fuel				
6154 Transportation-Gas & Oil	47,170	87,620	-40,450	54.00 %
Total Fuel	47,170	87,620	-40,450	54.00 %
Information Technology				
6004 Computer & Software	248	2,750	-2,503	9.00 %
6049 Information Technology Services	35,109	25,000	10,109	140.00 %
6053 I-NET Internet Services	5,704	9,446	-3,742	60.00 %
6055 Information Technology - Small Equipment		8,864	-8,864	
6100 Software-Licenses	4,742	2,500	2,242	190.00 %
6103 Software-Maintenance Agreements	577	3,877	-3,300	15.00 %
Total Information Technology	46,380	52,437	-6,057	88.00 %
Insurance Liability				
6058 Insurance- Liability	40,559	85,000	-44,442	48.00 %
Total Insurance Liability	40,559	85,000	-44,442	48.00 %
Postage				
6091 Postage-Messenger Services	3,654	4,547	-893	80.00 %
Total Postage	3,654	4,547	-893	80.00 %
Printing/News Letters/Advertising				
6079 Newsletter (Town Crier)	8,177	20,850	-12,673	39.00 %
6097 Public & Legal Notices/Ads	805	2,000	-1,195	40.00 %

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Total Printing/News Letters/Advertising	8,981	22,850	-13,869	39.00 %
Repairs & Maintenance (Equipment)				
6064 Maintenance-Equipment	9,305	20,500	-11,195	45.00 %
6067 Maintenance-Machinery/Equipment	2,938	8,500	-5,562	35.00 %
Total Repairs & Maintenance (Equipment)	12,243	29,000	-16,757	42.00 %
Repairs & Maintenance (Vehicles)				
6070 Maintenance-Vehicles		300	-300	
6157 Transportation-Vehicles Body	785	1,150	-365	68.00 %
6160 Transportation-Vehicles Maint.	30,382	77,460	-47,078	39.00 %
Total Repairs & Maintenance (Vehicles)	31,168	78,910	-47,742	39.00 %
Site & Building Improvements				
6061 Maintenance-Buildings	153	1,000	-847	15.00 %
Total Site & Building Improvements	153	1,000	-847	15.00 %
Special Events				
6151 Special Projects & Events	5,359	23,700	-18,341	23.00 %
Total Special Events	5,359	23,700	-18,341	23.00 %
Special Services				
6010 Disposal Services Fees	6,753	11,000	-4,247	61.00 %
6019 Education-Town Cable TV Channel	2,500	7,250	-4,750	34.00 %
6031 Elections		10,271	-10,271	
6076 Mosquito Control Program		1,400	-1,400	
6088 Park Maintenance & Service		1,550	-1,550	
6109 Speed Camera - Admin Exp. Current Year	4,500	5,000	-500	90.00 %
6175 Tree Installation Service		7,000	-7,000	
Total Special Services	13,753	43,471	-29,718	32.00 %
Street Improvements				
6112 Street-Light Fixtures & Repair	390	19,684	-19,294	2.00 %
6118 Street-Signs & Traffic Co	5,711	14,735	-9,024	39.00 %
Total Street Improvements	6,101	34,419	-28,318	18.00 %
Supplies (General)				
6121 Supplies-Building/Janitorial		1,700	-1,700	
6127 Supplies-Operating & Materials	13,669	14,900	-1,231	92.00 %
6130 Supplies-Safety Related	578	1,680	-1,102	34.00 %
6133 Supplies-Hand Tools	250	2,000	-1,750	13.00 %
Total Supplies (General)	14,497	20,280	-5,783	71.00 %
Supplies (Office)				
6124 Supplies-Office	12,634	24,740	-12,106	51.00 %
Total Supplies (Office)	12,634	24,740	-12,106	51.00 %
Telephones & Communications				
6142 Telephone-Air Cards	7,523	12,580	-5,057	60.00 %
6148 Telephone-Mobile	12,073	20,900	-8,827	58.00 %
Total Telephones & Communications	19,596	33,480	-13,884	59.00 %
Training & Education				
6016 Education-Conference & Seminar	1,975	15,345	-13,370	13.00 %
6022 Education-Training	3,174	27,360	-24,186	12.00 %
6025 Education-Training Aids		5,000	-5,000	

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
6028 Education-Tuition Reimbursement		2,000	-2,000	
Total Training & Education	5,149	49,705	-44,556	10.00 %
Travel Expenses				
6163 Travel- Mileage Reimbursement	154	970	-816	16.00 %
6166 Travel-Hotel	1,341	19,300	-17,959	7.00 %
6169 Travel - Meals and Incidentals	685	1,765	-1,080	39.00 %
6172 Travel-Transportation		645	-645	
Total Travel Expenses	2,180	22,680	-20,500	10.00 %
Uniforms				
6056 Body Camera Program		18,000	-18,000	
6136 Supplies-Special Police	527	1,600	-1,073	33.00 %
6178 Uniforms-Laundry Services	4,003	12,110	-8,107	33.00 %
6181 Uniforms-Police Gear	515	5,000	-4,485	10.00 %
6184 Uniforms-Purchases	3,625	15,015	-11,390	24.00 %
Total Uniforms	8,671	51,725	-43,054	17.00 %
Total 6000 Operating Expenses	301,024	735,353	-434,329	41.00 %
7000 Other General Expenses				
7004 Building Maintenance	2,243	3,500	-1,257	64.00 %
7010 Child Care Reimbursement		500	-500	
7016 Maintenance Buildings	392	1,100	-708	36.00 %
7022 Maintenance-Fuel Manage System	2,215	4,800	-2,586	46.00 %
7061 Weather Emergency Events	741	12,500	-11,759	6.00 %
7201 Contingency		23,000	-23,000	
Computer Services				
7055 Website-Domain Names	400	500	-100	80.00 %
7058 Website-Hosting Services	406	3,500	-3,094	12.00 %
Total Computer Services	806	4,000	-3,194	20.00 %
Utilities				
7046 Utilities-Electric Buildings	9,052	19,000	-9,948	48.00 %
7047 Utilities- Electric Street Lights	41,224	80,000	-38,776	52.00 %
7049 Utilities-Gas	2,777	11,100	-8,323	25.00 %
7052 Utilities-Water	2,319	6,642	-4,323	35.00 %
Total Utilities	55,372	116,742	-61,370	47.00 %
Total 7000 Other General Expenses	61,769	166,142	-104,373	37.00 %
8000 Town Sponsored Events				
8004 Centennial Celebration		1,250	-1,250	
8007 Children's Party	1,900	2,700	-800	70.00 %
8010 Easter Egg Hunt		1,425	-1,425	
8013 Fun Run		2,000	-2,000	
8016 Holiday Market	4,350	4,195	155	104.00 %
8017 National Night Out	2,163	3,450	-1,287	63.00 %
8019 Riverdale Park Day	3,948	5,000	-1,052	79.00 %
8022 Honoring Veterans	1,583	1,500	83	106.00 %
Total 8000 Town Sponsored Events	13,944	21,520	-7,576	65.00 %
8300 Public Arts Programs				
8301 Jazz on the Lawn	1,200	1,200	0	100.00 %
8304 Summer Movie Nights	113	2,000	-1,887	6.00 %

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
8825 Farmers Market	7,525	15,800	-8,275	48.00 %
Total 8300 Public Arts Programs	8,838	19,000	-10,162	47.00 %
8500 Public Grants				
8501 Hyattsville CDC		4,000	-4,000	
8503 Hyattsville CDC Agreement		10,000	-10,000	
8507 Public Arts Programming		1,000	-1,000	
8509 Community Projects		1,000	-1,000	
Total 8500 Public Grants		16,000	-16,000	
8700 Municipal Grants				
8701 Fire Department	21,000	21,000	0	100.00 %
Total 8700 Municipal Grants	21,000	21,000	0	100.00 %
8800 Social Concerns				
8801 The Birthday Book Project	915	850	65	108.00 %
8804 RES-Funds for Parent Outreach		650	-650	
8807 RES-Uniforms for School Students		1,400	-1,400	
8810 Community Thanksgiving Meal	300	300	0	100.00 %
8813 Doll Program		600	-600	
8816 Community Coat Drive Donations	600	600	0	100.00 %
8819 Community Crisis Services	608	600	8	101.00 %
8822 Seasonal Gift for Children and Families		550	-550	
8828 Unallocated Social Concerns		5,000	-5,000	
Total 8800 Social Concerns	2,423	10,550	-8,127	23.00 %
9000 Marketing, Promotions & Programming				
9004 Marketing & Promotions	6,195	15,000	-8,805	41.00 %
9006 Programming	1,000	15,000	-14,000	7.00 %
Total 9000 Marketing, Promotions & Programming	7,195	30,000	-22,805	24.00 %
Total Expenses	\$3,041,609	\$6,288,193	\$ -3,246,584	48.00 %
NET OPERATING INCOME	\$2,808,987	\$0	\$2,808,987	0%
NET INCOME	\$2,808,987	\$0	\$2,808,987	0%



TOWN OF RIVERDALE PARK

FINAL PROFIT AND LOSS

January 2019

	TOTAL	
	JAN 2019	JUL 2018 - JAN 2019 (YTD)
Income		
4000 Local Taxes		
4001 Real Estate Taxes	612,599	4,223,358
4008 Personal Property Tax	9,961	405,391
4010 Personal Property Tax Prior		-278
4012 Local Income Taxes	8,928	277,339
4014 Operating Tax		207,128
4015 Admissions and Amusement Tax	23	23
Total 4000 Local Taxes	631,511	5,112,961
4100 Licenses & Permits		
4101 Multi-Family Rental License	50	118,945
4104 Single Family Rental License	400	20,875
4106 Rental License Late Fees		60
4111 Building Permits	230	81,983
4113 Business License		28,395
4119 Alarm Registrations & Reductions		120
Total 4100 Licenses & Permits	680	250,378
4200 Administrative Fees		
4204 Abatement Charges		2,965
Total 4200 Administrative Fees		2,965
4300 Fines & Forfeitures		
4301 Police Reports	550	4,860
4304 Vehicle Impounds	2,640	19,380
4310 Parking Citations		8,678
Total 4300 Fines & Forfeitures	3,190	32,918
4400 Community Safety Programs		
4401 Safe Speed for Students	42,750	317,086
4402 Safe Speed for Students Prior Years	120	120
Total 4400 Community Safety Programs	42,870	317,206
4500 Intergovernmental Revenues		
4501 Highway User	6,928	21,898
4504 State Aid Police		83,578
4510 Disposal Fee Rebate		142
Total 4500 Intergovernmental Revenues	6,928	105,617
4800 Misc. Service/Fee Revenue		
4804 Cable TV - Franchise Fees		19,244
4807 Interest Income	1,238	7,082
4810 Contribution from ACP		20,000
4813 Miscellaneous		1,469
4823 Transfer from Health and Wellness Fund		25,200

	TOTAL	
	JAN 2019	JUL 2018 - JAN 2019 (YTD)
4901 Recycled Scrap Metal Revenue	20	664
Total 4800 Misc. Service/Fee Revenue	1,258	73,660
Total Income	\$686,437	\$5,895,705
GROSS PROFIT	\$686,437	\$5,895,705
Expenses		
5000 Salaries & Wages		
5001 Wages-Full Time	266,500	1,503,521
5013 Vacation Regular	38,438	155,528
5016 Sick	17,520	74,760
5019 Comp Time	4,401	15,580
5022 Holiday Regular	34,562	41,176
5034 Retroactive	3,890	12,318
Total 5001 Wages-Full Time	365,310	1,802,882
5004 Wages-Part-Time		25,135
5010 Wages-Interns	3,480	7,847
5023 Holiday 1.5	31,380	31,380
5025 Night Differential	1,899	10,710
5028 Special Rates	8,993	24,685
5031 Bilingual Pay Premium	1,520	8,000
5037 Uniform Allowance		6,280
Bilingual		-560
Wages		
Holiday Pay	-42,430	-5,674
Total Wages	-42,430	-5,674
Total 5000 Salaries & Wages	370,152	1,910,685
5100 Employee Benefits		
5101 Insurance-Workers Compensation	10,849	67,018
5104 Insurance-Medical (75%)	666	163,891
5107 Insurance-Medical (100%)		24,718
5113 Insurance-Life	2,317	14,862
5119 Insurance-Long Term Disability	1,074	8,756
5120 AD&D	172	969
5121 Golds Gym	190	602
5122 Payroll Taxes	31,158	152,882
5125 Retirement-Defined Contribution	5,219	7,614
5128 Retirement-Defined Benefits	38,295	222,534
66000 Payroll Expenses	331	2,000
Total 5100 Employee Benefits	90,272	665,845
5118 MD Unemployment Insurance		4,810
5200 Overtime Premiums		
5201 Overtime Premium	14,948	66,973
Total 5200 Overtime Premiums	14,948	66,973
5300 Contractual Services		
5301 Financial Services	1,121	7,870
5307 Landscape Services		215
5313 Legal Services	7,087	49,623
5316 Opto Park (Parking Citations)	588	2,843

	TOTAL	
	JAN 2019	JUL 2018 - JAN 2019 (YTD)
5318 Other Miscellaneous Expense		4,000
5319 Opto Traffic (SS4S) Program	24,413	143,742
5322 Trash & Recycling Services	19,873	99,365
5325 Tree Maintenance Services	5,180	20,110
5328 Lexipol Services		8,906
5331 Karen Kruger - Atty LEOBR		3,333
6078 Employee Services	602	10,514
Total 5300 Contractual Services	58,863	350,522
6000 Operating Expenses		
Dues/Memberships/Subscriptions/Publications		
6013 Dues/Memberships	624	11,332
6014 Publications/Subscriptions		19
Total Dues/Memberships/Subscriptions/Publications	624	11,351
Employee Services		
5040 Employee Recognition		2,170
5041 Awards & Gifts		624
Total 5040 Employee Recognition		2,794
6034 Employee Wellness Programs	280	1,789
6077 New Hire Expenses	203	759
6080 Benevolence & Goodwill	65	453
Total Employee Services	548	5,795
Equipment - General (Purchases)		
6038 Equipment-Purchases	220	2,960
Total Equipment - General (Purchases)	220	2,960
Equipment - Operators (Special Projects)		
6037 Equipment-Operator for Projects		65
Total Equipment - Operators (Special Projects)		65
Equipment Rental		
6040 Equipment-Rental	2,299	12,977
Total Equipment Rental	2,299	12,977
Finance Charges		
6001 Bank Service Fees	7	287
6085 Other Services & Charges	15	285
Total Finance Charges	22	572
Fuel		
6154 Transportation-Gas & Oil	5,128	47,170
Total Fuel	5,128	47,170
Information Technology		
6004 Computer & Software		248
6049 Information Technology Services	2,224	36,998
6052 Information Technology-Internet	140	833
6053 I-NET Internet Services		5,704
6055 Information Technology - Small Equipment		3,015
6100 Software-Licenses		4,742
6103 Software-Maintenance Agreements		577
Total Information Technology	2,364	52,117
Insurance Liability		

	TOTAL	
	JAN 2019	JUL 2018 - JAN 2019 (YTD)
6058 Insurance- Liability		29,491
Total Insurance Liability		29,491
Meeting Expenses		
6015 Catering & Meals		307
Total Meeting Expenses		307
Postage		
6091 Postage-Messenger Services	60	4,296
Total Postage	60	4,296
Printing/News Letters/Advertising		
6079 Newsletter (Town Crier)	670	8,177
6097 Public & Legal Notices/Ads	240	805
Total Printing/News Letters/Advertising	910	8,981
Repairs & Maintenance (Equipment)		
6064 Maintenance-Equipment		11,549
6067 Maintenance-Machinery/Equipment		2,938
Total Repairs & Maintenance (Equipment)		14,487
Repairs & Maintenance (Vehicles)		
6070 Maintenance-Vehicles	2,099	8,597
6157 Transportation-Vehicles Body		785
6160 Transportation-Vehicles Maint.	5,378	30,896
Total Repairs & Maintenance (Vehicles)	7,476	40,278
Site & Building Improvements		
6061 Maintenance-Buildings		408
Total Site & Building Improvements		408
Special Events		
6151 Special Projects & Events		5,359
Total Special Events		5,359
Special Services		
6010 Disposal Services Fees	1,059	6,753
6019 Education-Town Cable TV Channel	500	2,500
6109 Speed Camera - Admin Exp. Current Year		4,500
Total Special Services	1,559	13,753
Street Improvements		
6112 Street-Light Fixtures & Repair		446
6118 Street-Signs & Traffic Co	1,232	5,910
Total Street Improvements	1,232	6,356
Supplies (General)		
6127 Supplies-Operating & Materials	2,595	14,770
6130 Supplies-Safety Related		578
6133 Supplies-Hand Tools		250
Total Supplies (General)	2,595	15,597
Supplies (Office)		
6124 Supplies-Office	1,565	14,308
Total Supplies (Office)	1,565	14,308
Telephones & Communications		
6142 Telephone-Air Cards	1,200	7,939
6145 Telephone-Land Line	386	2,699

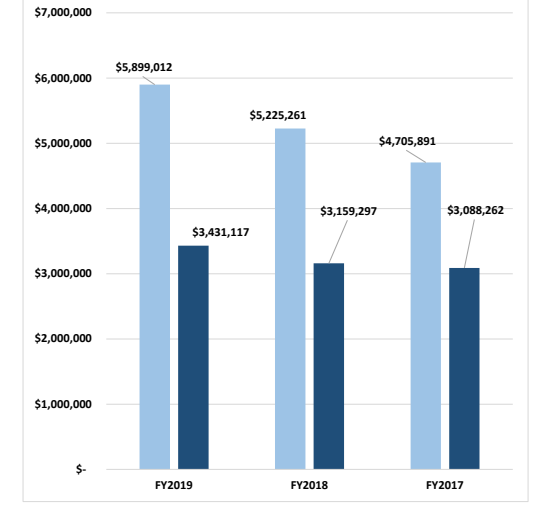
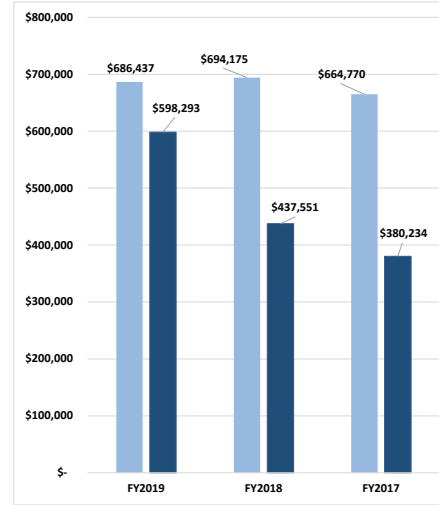
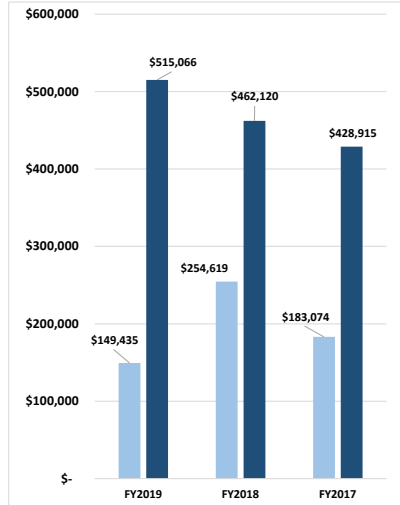
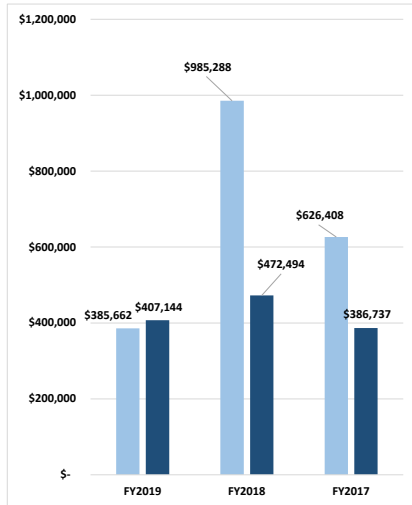
	TOTAL	
	JAN 2019	JUL 2018 - JAN 2019 (YTD)
6148 Telephone-Mobile	1,437	12,073
Total Telephones & Communications	3,023	22,711
Training & Education		
6016 Education-Conference & Seminar		1,975
6022 Education-Training	663	3,174
Total Training & Education	663	5,149
Travel Expenses		
6163 Travel- Mileage Reimbursement		154
6166 Travel-Hotel	151	1,492
6169 Travel - Meals and Incidentals	98	685
Total Travel Expenses	249	2,331
Uniforms		
6136 Supplies-Special Police		527
6178 Uniforms-Laundry Services		4,013
6181 Uniforms-Police Gear		515
6184 Uniforms-Purchases	150	3,625
Total Uniforms	150	8,681
Total 6000 Operating Expenses	30,687	325,501
7000 Other General Expenses		
7004 Building Maintenance		2,858
7016 Maintenance Buildings		392
7022 Maintenance-Fuel Manage System	400	2,215
7025 Maintenance-Machinery & Equip		173
7043 Transportation-Vehicles Maint.		100
7061 Weather Emergency Events		741
Computer Services		
7055 Website-Domain Names		400
7058 Website-Hosting Services		406
Total Computer Services		806
Utilities		
7046 Utilities-Electric Buildings	888	9,052
7047 Utilities- Electric Street Lights	9,838	41,224
7049 Utilities-Gas	37	2,777
7052 Utilities-Water		2,319
Total Utilities	10,764	55,372
Total 7000 Other General Expenses	11,164	62,657
8000 Town Sponsored Events		
8007 Children's Party		1,900
8016 Holiday Market		4,350
8017 National Night Out		2,163
8019 Riverdale Park Day		3,948
8022 Honoring Veterans	133	1,583
Total 8000 Town Sponsored Events	133	13,944
8300 Public Arts Programs		
8301 Jazz on the Lawn		1,200
8304 Summer Movie Nights		113
8825 Farmers Market	1,075	7,525

	TOTAL	
	JAN 2019	JUL 2018 - JAN 2019 (YTD)
Total 8300 Public Arts Programs	1,075	8,838
8700 Municipal Grants		
8701 Fire Department	21,000	21,000
Total 8700 Municipal Grants	21,000	21,000
8800 Social Concerns		
8801 The Birthday Book Project		915
8810 Community Thanksgiving Meal		300
8816 Community Coat Drive Donations		600
8819 Community Crisis Services		608
Total 8800 Social Concerns		2,423
9000 Marketing, Promotions & Programming		
9004 Marketing & Promotions		6,195
9006 Programming		1,000
Total 9000 Marketing, Promotions & Programming		7,195
Total Expenses	\$598,293	\$3,440,392
NET OPERATING INCOME	\$88,144	\$2,455,313
Other Income		
1132 Transfer From General Fund Reserve		-165,200
1133 Transfer To General Fund Reserve		165,200
CIP - Revenue		
1156 CIP General		66,000
Total CIP - Revenue		66,000
CIP - Revenue Unrestricted		
2010 CIP - Unrestricted Revenue		87,496
Total CIP - Revenue Unrestricted		87,496
Debt Service Revenue		
1100 Real Estate Taxes for Debt Serv		216,126
Total Debt Service Revenue		216,126
Economic Development Fund		
1169 Economic Development Fund		20,000
Total Economic Development Fund		20,000
Health & Wellness Fund		
1415 Health & Wellness Fund Revenue		-16,387
Total Health & Wellness Fund		-16,387
OPEB		
1168 OPEB		300,000
Total OPEB		300,000
TIF Administrative Expense Fund		80,843
TIF Revenue		
1170 Real Estate Taxes - TIF Revenue	236,644	236,644
Total TIF Revenue	236,644	236,644
Transfers to CIP		
1127 Sale of Vehicles		2,879
1130 Transfer to CIP PEG \$		8,363
1131 Transfer to CIP HUR \$		138,655
Total Transfers to CIP		149,897

	TOTAL	
	JAN 2019	JUL 2018 - JAN 2019 (YTD)
Total Other Income	\$236,644	\$1,140,619
Other Expenses		
1200 Capital Improvement Projects		
1202 Site Improvements		52,933
1204 Engineering Cost		9,954
1208 Vehicles & Equipment		178,174
1209 Furniture		935
1212 Street Furniture		2,760
1220 Equipment		4,179
1223 Bike Path / Lanes Improvements		-20,720
1225 Playgrounds	-195,000	0
1417 Field of Dreams Expense		3,000
Total 1200 Capital Improvement Projects	-195,000	231,214
1305 Transfer From TIF Admin		55,349
1418 Economic Development Fund - Expenses		6,000
Debt Service		
1105 Principal Loan Payments		118,000
1110 Interest Expense		76,760
Total Debt Service		194,760
TIF Expenses		
1175 Principal Loan Payments		230,797
1180 Interest Expense		116,325
1186 MuniCap Fees	1,900	6,705
Total TIF Expenses	1,900	353,827
Total Other Expenses	\$ -193,100	\$841,150
NET OTHER INCOME	\$429,744	\$299,469
NET INCOME	\$517,888	\$2,754,782

Town of Riverdale Park, Maryland - Revenue & Expense Comparison

Nov			Dec			Jan			YTD Total		
FY2019	FY2018	FY2017	FY2019	FY2018	FY2017	FY2019	FY2018	FY2017	FY2019	FY2018	FY2017
\$ 385,662	\$ 985,288	\$ 626,408	\$ 149,435	\$ 254,619	\$ 183,074	\$ 686,437	\$ 694,175	\$ 664,770	\$ 5,899,012	\$ 5,225,261	\$ 4,705,891
\$ 407,144	\$472,494	\$ 386,737	\$ 515,066	\$462,120	\$ 428,915	\$ 598,293	\$437,551	\$ 380,234	\$ 3,431,117	\$ 3,159,297	\$ 3,088,262
\$ (21,482)	\$ 512,795	\$ 239,672	\$ (365,631)	\$ (207,501)	\$ (245,841)	\$ 88,144	\$ 256,624	\$ 284,535	\$ 2,467,895	\$ 2,065,964	\$ 1,617,629



Revenue =
Expense =



Town of Riverdale Park, Maryland

Town Administration

TO: Mayor and Council

FROM: John N. Lestitian, Town Manager

DATE: March 1, 2019

RE: Introduction of Ordinance 2019-OR-02 Chapter 42 Business Licenses

Action Requested: Staff seek formal action by the Mayor and Council at the March 4th Legislative Session with the introduction of a revised Chapter 42 Business Licenses. The revised ordinance will be scheduled for additional discussion at the March 25, 2019 Work Session and then scheduled for adoption at the April 1, 2019 Legislative Session.

Background: The columns below highlight the changes between the existing Chapter 42 Licenses and the revised Chapter 42 Business Licenses. One important change to note is the addition of a Peddler's License. This addition addresses the issue raised at the meetings with the Mayor and Council concerning individuals vending door-to-door.

Existing	Proposed
Chapter 42 Licenses	Chapter 42 Business Licenses
<ul style="list-style-type: none">• Licenses trades and businesses• No stated purpose• No Definitions• Includes religious institutions, rooming houses and references to multifamily dwellings• Existing Fees• Mobile Vending Provisions• Temporary License Provisions• Involved suspension and review process• Broad enforcement actions• Police enforcement actions• Existing Municipal Infraction fine• Appeal enforcement to the Mayor and Council	<ul style="list-style-type: none">• Licenses businesses• Stated purpose – tied to vision and commitment• Definitions added• Narrows scope• Fee increase for alcohol sales• Specialty Licenses<ul style="list-style-type: none">○ Mobile Vending○ Seasonal / Temporary License○ Peddler's License• Streamlined suspension and review process• Refined enforcement actions• Police assistance with enforcement• Increased Municipal Infraction fine• Appeal enforcement to Board of Code Appeals

c. Leadership Team

COUNCIL OF THE TOWN OF RIVERDALE PARK

ORDINANCE 2019-OR-02

Introduced By:

Date Introduced:

Amendments Adopted:

Date Adopted:

Date Effective:

An Ordinance concerning

GENERAL BUSINESS LICENSING

FOR the purpose of repealing existing provisions of the Town Code relating to Town business licenses and enacting new provisions for licensing businesses in the Town of Riverdale Park; comprehensively revising regulations and procedures regarding applications for, and the approvals, suspension and revocation of licenses for, the operation of trades and businesses within the Town of Riverdale Park; providing for the scope of this Ordinance; defining certain terms; establishing and revising certain application and license fees, penalties and enforcement procedures; providing for the duration of certain licenses; specifying certain operational regulations, including special regulations for mobile vendors; providing for appeals from certain decisions; providing for the applicability of the terms of this Ordinance to existing Town business licenses; providing for the severability of the provisions of this Ordinance; and matters generally relating to preserving the public health, safety and welfare by licensing the operation of trades and businesses in the Town.

* * * * *

BY repealing in its entirety
Chapter 42 – LICENSES
Sections 42-1 through 42-13, inclusive
Code of the Town of Riverdale Park
(January 2008 Revision, as amended)

SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK, That Chapter 42 – LICENSES, of the Code of the Town of Riverdale Park (January 2008 Revision, as amended), consisting of Sections 42-1 through 42-13, inclusive, be and it is hereby repealed in its entirety, and new Sections 42-1 through 42-12, inclusive, to be under the new Chapter 42 – BUSINESS LICENSES, are hereby added to the Code of the Town of Riverdale Park (January 2008 Revision, as amended), to stand in the place of the Chapter and Sections repealed and to read as follows:

CHAPTER 42 – BUSINESS LICENSES

§ 42-1. Purpose.

- (a) The Town Council has adopted a vision and commitment for business and economic development, and for housing and neighborhoods. As part of the Town's efforts to ensure these vision and commitment statements are realized, the Town administers various programs and initiatives through the adopted Town Code. This Chapter supports business, economic development, housing and neighborhoods through the licensing and inspection of businesses throughout the Town. This Chapter is intended to ensure that defined businesses are properly located, improved, maintained, licensed, and operated so that the businesses add value to the Town.
- (b) A further purpose of this Chapter is to protect and promote the public health, safety and welfare of the residents of the Town, to establish obligations and rights of business owners; to maintain and improve the quality of businesses; and improve the business climate within the Town. This Chapter also ensures compliance with laws, ordinances, and regulations applicable to businesses within the Town; and prevents deterioration of business real property, supports property values, and encourages responsible business management.

§ 42-2. Matters Covered.

This Chapter shall apply to businesses operating in the Town of Riverdale Park as defined herein. Compliance with Town and other applicable codes and regulations for locating, improving, maintaining, and operating businesses is required.

§ 42-3. Definitions.

- (a) Business. A business includes any person, corporation, or other legal entity that engages in the selling of goods or services. A business includes for-profit and non-profit entities. A business also includes certain home-based businesses not otherwise excluded in this Chapter, coin-operated vending businesses, mobile vendor businesses, peddlers, and seasonal or temporary businesses. The following businesses are not businesses within the meaning of this Chapter:

(1) Leasing of residential rental units as defined and licensed under Chapter 55 of this Code is not the operation of business.

(2) Home-occupations permitted under the Prince George's County Zoning ordinance, at which no more than two (2) of the home-owners or residential tenants are the only employees and which provide onsite services to no more than two (2) customers at any time.

(b) License year. A license year is the period for which a license, other than a temporary license, is issued under this Chapter. A license issued under this Chapter for a license year:

(1) Is valid for the period July 1 through the following June 30. A license issued after July 1 in any year is valid until the ensuing June 30; and

(2) May be renewed for successive terms of one year each upon compliance with the requirements of this Chapter.

(c) Mobile Vendor. A person who sells or offers to sell goods, wares, or food from a vehicle, trailer, kiosk, pushcart, stand, or other device designed to be portable, not permanently attached to the ground and operating in no fixed or permanent location.

(d) Peddler. A person who sells or offers to sell goods, wares, food, or solicits orders for future sales or services, from house-to-house or place-to-place, and who is not a mobile vendor.

§ 42-4. License Required.

(a) A person may not operate a business in the Town without first obtaining a license as required by this Chapter.

(b) A license shall be applied for and issued to the owner or other person responsible for operating the business in the Town. If the owner of, or other person responsible for operating, the business is a legal 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.

§ 42-5. Application; forms; and required documentation.

Any person seeking a license, or the renewal of a license, under this Chapter shall file with the Town Manager or the Town Manager's designee a written application, under penalty of perjury, on a form prescribed by the Town. The application for an initial license or the

renewal of a license shall include or be accompanied by the following to the extent reasonably available:

- (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 address of the owner of the premises.
- (4) The name, telephone number, e-mail address, and postal mailing address of the applicant.
- (5) The name, telephone number, e-mail address, and postal mailing address of an emergency contact.
- (6) The name, telephone number, e-mail address, and postal mailing address of an individual who is designated to accept notices and citations from the Town with respect to the operation of the business.
- (7) 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.
- (8) A copy of the current alcoholic beverage license for the premises if the service of alcoholic beverages is allowed at the premises.
- (9) Evidence that the premises satisfies all applicable property maintenance code, business licensing, and safety regulations for the operation of business.
- (10) 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 Town constitutes consent to and authority for Town-designated 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, possible violations of this Chapter and the license. Where entry to a premise is refused, Town regulatory officials, may obtain a warrant to authorize entry.

42-6. License fees.

(a) The amount of the annual license fee for a license year is \$150, except that for the following types of businesses the amount of the annual license fee for a license year is the amount specified:

(1) Coin-Operated Vending: The amount of the annual license fee is \$20 per machine in addition to the license fee for the business in which the machine is located.

(2) Mobile Vendor: The amount of the annual license fee is \$50 per mobile vending unit.

(3) Peddler: The amount of the annual license fee is \$50 per person.

(4) Alcoholic Beverage: For the operation of a business engaged in the sale of alcoholic beverages, the amount of the annual license fee is \$200 plus:

I. \$50 for a business holding a County alcoholic beverage license for offsite sale of beer and wine.

II. \$100 for a business holding a County alcoholic beverage license for offsite sale of beer, wine and liquor.

III. \$50 for a business holding a County alcoholic beverage license for onsite sale of beer and wine.

IV. \$100 for a business holding a County alcoholic beverage license for onsite sale of beer, wine and liquor.

V. \$80 for a business holding a County alcoholic beverage license for onsite and offsite of sale beer and wine.

VI. \$100 for a business holding a County alcoholic beverage license for onsite and offsite sale of beer, wine and liquor.

(5) There is no license fee for non-profit businesses.

(b) The fee for a license issued after July 1 shall not be prorated for the remainder of the license year for which the license is issued.

(c) A late fee in the amount of \$20 may be imposed on any license renewal application filed after the due date on the application or any authorized extensions.

§ 42-7. License issuance; denial.

- (a) When the Town receives a completed application for a license under this Chapter, the Town shall conduct a review of the application.
- (b) After the Town completes the review, the Town Manager or the Town Manager's designee shall determine whether the license should be granted and 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 on the then current applicable codes, laws and regulations.
- (c) The Town Manager or the Town Manager's designee shall grant the license, with or without terms, conditions and restrictions, except that the Town Manager or the Town Manager's designee shall deny the application if:
- (1) The Town Manager or the Town Manager's designee determines that the business for which the license is sought does not and reasonably cannot be expected to comply with applicable codes, laws, and regulations; or
 - (2) The business for which the license has been applied has any unpaid town fees or taxes, or any other unsatisfied obligations to the Town, unless the business has submitted a payment plan that is satisfactory to the Town Manager or the Town Manager's designee to pay the fees or taxes or to satisfy other obligations.
- (d) A license issued under this Chapter:
- (1) Shall state the license year for which the license is issued.
 - (2) Shall identify each business for which the license is issued.
 - (3) Shall identify the person to whom the license is issued.
 - (4) 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.
 - (5) Shall list all terms, conditions and restrictions imposed upon the granting of the license.
 - (6) Is not assignable or transferrable to another person, business or location.

- (e) If the Town Manager or the Town Manager's designee denies an application for a license under this Chapter, a written notification detailing the reasons for the denial shall promptly be provided to the applicant by hand delivery, by first class U.S. Mail, or by e-mail to the e-mail address provided in the application.

§ 42-8. Specialty License Provisions.

- (a) Mobile Vending License: A mobile vendor may not remain standing in a fixed or permanent location to service customers. All mobile vendors' vehicles must be clearly marked as to identify the name of the business and its phone number, and shall display all required permits and licenses.

- (b) Temporary License:

- (1) Any person, corporation, or other legal entity issued a temporary business use and occupancy permit, or temporary business license, from Prince George's County must apply for a temporary license to conduct business in the Town.

- (2) Application. All applications for a temporary license must include the following:

- I. County issued permit copies.
- II. Description of services to be offered.
- III. Location of temporary business.
- IV. Written authorization by Owner/Manager of any commercial property to be used for operation of the temporary business.
- V. Listing those Saturdays, Sundays and legal holidays as defined by the Federal Government, including hours of operations on each day, that the temporary business will operate.

- (3) Restrictions on temporary businesses.

- I. No trailer, tent, motor vehicle or vehicle canopy may be used for sales.
- II. All displays or sales must be conducted on commercially zoned property no more than fifteen (15) feet from the main entrance door to the commercially operated business.
- III. All display and sales areas shall be located at least twenty-five (25) feet from an existing street line and from any adjacent lot lines.

IV. The temporary license shall be issued for not more than three (3) consecutive months.

V. The temporary license shall be used only on Saturday, Sunday and legal holidays.

VI. Services offered must comply with location's zoning for sale of goods.

§ 42-8. Operational regulations.

(a) The regulations in this section govern the operation of a business licensed under this Chapter and are conditions of the license.

(b) The holder of the license promptly shall notify the Town Manager or the Town Manager's designee of any changes to any of the information submitted as part of the application for the license.

(c) The operation of the business and premises shall comply with all applicable property maintenance code, building code, business licensing, zoning, alcoholic beverage and liquor licensing, and life safety and occupancy regulations.

(d) The business shall be operated within the times allowed by zoning and alcoholic beverage regulations, except to the extent that more limiting hours of operation are established by the Town as a condition of the issuance of the license.

(e) Where the sale or consumption of alcoholic beverages otherwise is permitted, alcoholic beverages may not be sold or served to any individual under 21 years of age or to any individual who reasonable observation demonstrates is intoxicated or under the influence of alcohol.

(f) 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.

(g) The business shall be operated in accordance with all applicable laws including, but not limited to, those described in subsection (c) of this section.

(h) 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 relating to consumption of alcoholic beverages and public decency.

(i) The operators of the business shall not allow loitering to occur outside the premises of

the business.

- (j) 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 the law enforcement authorities for conduct in or about the premises where the business is being operated.

§ 42-10. Suspension and revocation.

- (a) The provisions of this section are in addition to the provisions of § 42-12 (penalties and enforcement).
- (b) If a Town regulatory official 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 may issue a written notice to the business to cease and desist, or to correct, the unauthorized activity immediately or such longer time specified in the notice. If the violation is not corrected as required, the Town Manager or Town Manager's designee may suspend or revoke the license after giving written notice to the holder of the license and affording the holder of the license an opportunity to be heard.
- (c) If any other government regulatory agency suspends or revokes a license or permit issued by that agency for operation of the business in the Town, licenses under this Chapter shall automatically be suspended or revoked until such time as the other government regulatory agency removes such suspension or revocation.

§ 42-11. Appeals.

Any person aggrieved by a decision to deny the granting of a license under this Chapter, or to impose any terms, conditions and restrictions upon the granting of a license, or to suspend or revoke a license, may appeal the decision to the Board of Code Appeals as established in Chapter 56 of this Code. An appeal shall be filed by delivering a written notice of appeal to the Town Manager on such form as may be prescribed by the Town Manager within ten (10) days after the decision or action from which the appeal is taken.

§ 42-12. 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 \$200 for the violation, except that the amount of the fine for each day that a violation continues is \$400.

(c) Except as otherwise specifically provided in this chapter, this Chapter may be enforced by any Town staff designated by the Town Manager.

(d) In the case of a business operating without a required license, in addition to the issuance of municipal infraction citations, after notice to the manager or other individual on the premises in charge of the operation of the business, the Town may order the premises to be vacated and post on the exterior of the premises notice that the business is unlicensed and operating in violation of the Town Code.

(e) In addition to the other remedies provided in this section, the Town may institute a judicial proceeding to enforce or restrain violations of the provisions of this Chapter or of a license issued under this Chapter.

(f) The enforcement of the Mobile Vendor License and Peddler License requirements shall be a joint operation between the Town's Police Department and regulatory officials designated by the Town Manager. The Police Department shall identify mobile vendors operating without or in violation of a Town issued license. The Town's regulatory staff shall then act upon that information to gain compliance and where appropriate take enforcement action.

SECTION 2: AND BE IT FURTHER ENACTED that the provisions of Sections 42-1 through 42-12 of the Code of the Town of Riverdale Park (January 2008 Revision, as amended), Article 42 – BUSINESS LICENSES, as enacted by this Ordinance, except those provisions governing the initial issuance of a business license, shall apply to all existing business licenses issued by the Town on or before the effective date of this Ordinance. Such existing business licenses shall continue in effect until June 30, 2019, or until sooner revoked under the provisions of Sections 42-1 through 42-12 as enacted by this Ordinance.

SECTION 3: AND BE IT FURTHER ENACTED that if any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Ordinance which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

SECTION 4: AND BE IT FURTHER ENACTED that this Ordinance shall become effective twenty (20) days after its passage by the Council.

ATTEST:

**COUNCIL OF THE TOWN OF
RIVERDALE PARK**

Jessica Barnes, Town Clerk

Alan K. Thompson, Mayor

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.

* * * indicates omissions from existing law where no changes are made by this Ordinance

Chapter 42 LICENSES

§ 42-1. Scope.

§ 42-2. License required.

§ 42-3. Duration of license.

§ 42-4. Application.

§ 42-5. Application review and consideration.

§ 42-6. License fees.

§ 42-7. Licenses.

§ 42-8. Operational regulations.

§ 42-9. Special regulations for mobile vendors.

§ 42-10. Suspension and revocation of license.

§ 42-11. Appeals.

§ 42-12. Penalties and enforcement

§ 42-13. Temporary License [Added 3-05-04]

[HISTORY: Adopted 2-12-62. Amended in its entirety 5-20-74, effective 7-1-74. Subsequent Amendment history noted where applicable. Sections 42-2, et seq., renumbered and §§ 42-1 and 42-2 amended 2-6-95, effective 2-26-95. Section 42-2 and 42-13 Amended 3-1-99. Section 42-6 Amended 6-18-01. Sections 42-1 through 42-13 repealed, replaced and renumbered 8-26-13, effective 9-15-13]

REFERENCES

Amusement machine fees -- See Chapter 9.

Camping fees -- See Chapter 17.

Carnival and show permits -- See Chapter 19.

Club permits -- See Chapter 22.

Dance hall permits -- See Chapter 25.

Municipal Infractions -- See Chapter 46.

Rental licensing -- See Chapter 55.

§ 42-1. Scope. [Amended 9-2-14, effective 9-22-14]

- (a) This chapter applies to the operation of a trade or business in the Town of Riverdale Park.
- (b) For purposes of this chapter a trade or business includes commercial trades or businesses, not-for profit enterprises, religious institutions and enterprises affiliated with religious institutions.
- (c) 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 55 of this Code is not the operation of a trade or business with respect to such rentals.

§ 42-2. License required.

- (a) A person may not operate a trade or business in the Town of Riverdale Park without obtaining a license from the Town under this chapter and paying the required license fee.
- (b) A license shall be applied for and issued to the owner or other person responsible for operating the trade or business in the Town. If the owner of, or other person responsible for operating, the trade or 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. The licensee is personally liable for complying with this chapter and all terms and conditions of the license.
- (c) A license issued under this chapter is in addition to a license required under this code.
- (d) A person who is eligible for and obtains a temporary license under § 42-13 of this code is exempt from obtaining a license under this chapter.

§ 42-3. Duration of license.

A license issued under this chapter:

- (1) Is valid for the period July 1 through the following June 30. A license issued after July 1 in any year is valid until the ensuing June 30.
- (2) May be renewed for successive terms of one year each upon compliance with the requirements of this chapter.

§ 42-4. Application. [Amended 9-2-14, effective 9-22-14] [Amended 6-5-17, effective 6-25-17]

Any person seeking a license, or the renewal of a license, under this chapter shall file with the Town Administrator a written application, under penalty of perjury, in a form prescribed by the Town Administrator. An application for the renewal of an existing license shall be filed not later than the May 1 before the license is scheduled to expire, unless otherwise authorized by the Town Administrator. An application that is filed later than the May 15 before the license is scheduled to expire, or such later date as authorized by the Town Administrator, 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 to the extent reasonably available, and such other information and documentation as the Town Administrator reasonably may require:

- (1) The address of the premises at which the trade or 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 and e-mail and postal mailing addresses of the owner of the premises.
- (4) The name, telephone number and e-mail and postal mailing addresses of the applicant.
- (5) The name, telephone number and e-mail 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 and e-mail and postal mailing addresses of all on-site managers and other on-site individuals who will be responsible for the operation of the trade or business when it is open for business, and who will be authorized to accept notices and citations from the Town with respect to the operation of the trade or business.
- (7) A copy of any current fire inspection or occupancy limitation certificates, or both, for the use of the premises for the trade or 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 trade or business is authorized at the premises if another regulatory authority requires a use and occupancy certificate.

- (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 trade or 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 Town constitutes consent to and authority for Town 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, Town 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.

§ 42-5. Application review and consideration. [Amended 9-2-14, effective 9-22-14]

- (a) When the Town Administrator receives a completed application for a license under this chapter, the Town Administrator shall conduct a review and investigation of the application. The Town Administrator may request the assistance of other persons and Town departments in conducting the review and investigation.
- (b) After the Town Administrator completes the investigation, the Town Administrator shall determine whether the license should be granted and 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 trade or business reasonably may be expected to have on the surrounding community and the public health, safety or welfare.
- (c) The Town Administrator shall grant the license, with or without terms, conditions and restrictions, except that the Town Administrator shall deny the application if:
 - (1) The Town Administrator determines that the trade or 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 trade or business for which the license has been applied has any unpaid town fees or taxes, or any other unsatisfied obligations to the Town, unless the trade or business had made arrangements approved by the Town Administrator to pay the fees or taxes or to satisfy other obligations.
- (d) If the Town Administrator denies an application for a license under this chapter, the Town Administrator 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.

§ 42-6. License fees. [Amended 9-2-14, effective 9-22-14] [Amended 6-5-17, effective 6-25-17]

- (a) If an application for a new license or renewal of an existing license is approved, the applicant shall pay the Town a non-refundable license fee before the Town issues the license.
- (b) The amount of the annual license fee is \$150, except that for the following types of trades or business the amount of the annual license fee is the amount specified:
 - (1) For the operation of an apartment house the amount of the annual license fee is \$115 multiplied by the number of apartment units, except that there is no license fee if a license is issued and licensing fee is paid under Chapter 56 of this code.
 - (2) For the operation of a rooming house or boarding house the amount of the annual license fee is \$20 multiplied by the number of rooming units, except that there is no license fee if a license is issued and licensing fees are paid under Chapter 55 of this code.
 - (3) For the operation of one or more coin operated vending machine the amount of the annual license fee is \$20 per machine in addition to the license fee for the trade or business in which the machine is located.
 - (4) For the operation of a mobile vending business the amount of the annual license fee is \$50 per mobile vending unit.
 - (5) For the operation of a business engaged in the sale of alcoholic beverages, the amount of the annual license fee is \$150 plus:
 - I. \$50 for a business holding a County alcoholic beverage license for offsale beer and wine.

- II. \$100 for a business holding a County alcoholic beverage license for off-sale beer, wine and liquor.
 - III. \$50 for a business holding a County alcoholic beverage license for onsale beer and wine.
 - IV. \$100 for a business holding a County alcoholic beverage license for on-sale beer, wine and liquor.
 - V. \$80 for a business holding a County alcoholic beverage license for on and off-sale beer and wine.
 - VI. \$100 for a business holding a County alcoholic beverage license for on and off-sale beer, wine and liquor.
- (6) There is no license fee for any trade or business operated by not-for profit enterprises, religious institutions and enterprises affiliated with religious institutions.
- (c) The fee for a license issued after July 1 shall not be prorated for the remainder of the year for which the license is issued.
- (d) A late fee in the amount of \$20 shall be imposed on any license renewal application filed between May 16 and June 30. Any licensed trade or business for which a license is not renewed by June 30 shall be deemed to be unlicensed and subject to penalties and enforcement for an unlicensed business until a license is issued.

§ 42-7. Licenses.

A license issued under this chapter:

- (1) Shall identify each trade or 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 trade or 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, trade or business or location.

§ 42-8. Operational regulations.

- (a) The provisions of this section govern the operation of trade or business licensed under this chapter and are conditions of the license.
- (b) The holder of the license promptly shall notify the Town Administrator of any changes to any of the information submitted as part of the application for the license.
- (c) A manager or other individual responsible for the operation of the trade or business shall be on the premises at all times when the trade or business is open for business. This manager or other individual responsible for the operation of the trade or business and the holder of the license shall be jointly responsible for the operation of the trade or 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 trade or business and premises shall comply with all applicable sanitary, building code, business licensing, zoning, alcoholic beverage and liquor licensing and life safety and occupancy regulations.
- (e) The operator of the trade or 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 trade or business shall be operated within the times allowed by zoning and alcoholic beverage regulations, except to the extent that more limiting hours of operation are established by the Mayor and Council as a condition of the issuance of the license.
- (g) Where the sale or consumption of alcoholic beverages otherwise is permitted, alcoholic beverages may not be sold or served to any individual under 21 years of age or to any individual who reasonable observation demonstrates is intoxicated or under the influence of alcohol.
- (h) 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 trade or business.
- (i) The trade or business shall be operated in accordance with all applicable laws including, but not limited to, those described in subsection 4 of this section.

- (j) The individuals in charge of the operation of the trade or business shall not allow patrons or guests to engage in conduct on the premises that violates applicable laws including, but not limited to, laws relating to consumption of alcoholic beverages and public decency.
- (k) The operators of the trade or business shall not allow loitering to occur outside the premises of the trade or business.
- (l) The trade or business shall be operated in a manner that does not result in the trade or business being a public nuisance or result in the repeated response by police officers for conduct in or about the premises where the trade or business is being operated.

§ 42-9. 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, pushcart, stand or other device designed to be portable, not permanently attached to the ground and operating in no fixed or permanent location.
- (b) A mobile vendor may not remain standing in a fixed or permanent location to service customers.
- (c) All mobile vendors’ vehicles must be clearly marked as to identify the name of business and phone number, and display all required permits and licenses.

§ 42-10. Suspension and revocation of license.

- (a) The provisions of this section are in addition to the provisions of § 42-12 (penalties and enforcement).
- (b) If a Town code enforcement officer or police officer observes that a trade or 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 trade or business to cease and desist, or to correct, the unauthorized activity immediately or such longer time specified in the notice. If the violation is not corrected immediately or within such longer time specified in the notice, the officer shall issue to the manager or other individual responsible for the operation of the trade or business a written notice that the mayor and council will hold a hearing to determine whether the license should be suspended or revoked. Where Town code enforcement officers or officers of the Town police department reasonably believe that continued operation of the trade or business until the Mayor and 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 § 42-12 (penalties and enforcement) for a trade or business that is operating without a license. Such action shall remain in effect until the Mayor and Council determines whether to allow the resumption of the trade or 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 for operation of the trade or business in the Town, the Mayor and Council shall hold a hearing to determine whether the Town license also should be suspended or revoked.
- (d) If the Mayor and Council hold a hearing to determine whether a license should be suspended or revoked, the Town Administrator 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 § 42-10.2 (should be 42-10(b)), the Mayor and Council shall conduct the hearing within 15 days after the date of the written notice of hearing.
 - (1) At a hearing the Mayor and Council shall consider testimony and evidence from the Town, from the holder of the license, and from other interested persons.
 - (2) Following the hearing, if the Mayor and Council finds that the violations as alleged have been sustained, or that the license or permit issued by another government regulatory agency has been revoked or suspended, the Mayor and Council may suspend or revoke the license, or take such other action with respect to the license, including imposing new or additional conditions, as the Mayor and Council reasonably shall determine appropriate to protect the public health, safety and welfare and to ensure future compliance with this chapter and the license.
 - (3) The Mayor and Council shall issue a written decision of their findings and actions with such sufficiency as would be required for judicial review. The Town Administrator shall mail copies of the decision promptly to the same persons and in the same manner as the notice of the hearing was sent. The Town Administrator also shall mail copies of the decision to all other parties of record.
- (e) If the Mayor and Council revoke a license, the holder of the license and the operator of the trade or business may not apply for or receive another license for one year following the date of the revocation except with the consent of the Mayor and Council

upon a showing of a material change in the the circumstances and conditions that led to the revocation of the license.

Sec. 42-11. Appeals.

- (a) Any person aggrieved by a decision of the Town Administrator to deny the granting of a license under this chapter, or to impose any terms, conditions and restrictions upon the granting of a license, may appeal the Town Administrator's decision to the Mayor and Council within ten (10) days following the Town Administrator's decision by delivering a written notice of appeal to the Town Administrator on such form as may be prescribed by the Town Administrator.
 - (1) The Mayor and Council shall give the appellant notice of the date, time and place of a hearing before the Mayor and Council to hear and consideration of the appeal.
 - (2) At the hearing the Mayor and Council shall hear from the appellant and the Town Administrator and such other Town personnel and other individuals as the Mayor and Council deems appropriate. The Town Administrator shall present the record that formed the basis of the Administrator's decision. At the hearing the appellant shall have the burden of demonstrating to the Mayor and Council that the decision of the Town Administrator was arbitrary, capricious or contrary to law.
 - (3) After the Mayor and Council hears and considers the appeal, upon a finding that the decision of the Town Administrator was arbitrary, capricious or contrary to law the Mayor and Council shall affirm, modify or reverse the Town Administrator's decision and may take any action that the Town Administrator may have taken. The Mayor and Council shall make written findings to support and document its decision.
- (b) Any person aggrieved by any decision of the Mayor and Council under this section or § 42-10 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 Mayor and Council. The decision of the Circuit Court may be further appealed to the Maryland Court of Special Appeals as allowed by law.

Sec. 42-12. 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) This chapter may be enforced by any Town code enforcement officer and sworn officers of the Town's police department. Any of these individuals 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 in charge of the operation of the trade or business, Town code enforcement officers and officers of the Town police department may take such measures as reasonably necessary to effect the closing or otherwise prevent the unlawful continuance or operation of a trade or 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 trade or business is closed by order of the Town and that no person is to enter the premises without permission of the Town.

Such measures taken shall remain in force until such time as the owner or operator of the premises provides assurances reasonably satisfactory to the Town Administrator that the operation of the trade or business will not be resumed without a license.

- (e) In addition to the other remedies provided in this section, the Town may institute a judicial proceeding to enforce or restrain violations of the provisions of this chapter or of a license issued under this chapter.

§ 42-13. Temporary License [Adopted 3-5-04, effective 3-5-04.]

Any person, firm, partnership, association or cooperation issued a temporary business use of occupancy permit, or license from Prince George's County shall apply for a temporary license to do business in the Town of Riverdale Park.

- (a) Application.

All applications for a temporary license must include the following:

- (1) County issued permit copies.

- (2) Description of services to be offered.
 - (3) Location of temporary business.
 - (4) Written authorization by Owner/Manager of any commercial property to be used for operation of temporary business.
 - (5) Check, cash, money order in the amount of seventy-five dollars (\$75).
 - (6) Listing Saturday, Sunday and legal holidays as defined by the Federal Government only, including hours of operations.
- (b) Restrictions.
- (1) No trailer or tent or motor vehicle or vehicle canopy will be allowed to be used for sales.
 - (2) All displays or sales must be conducted on the commercially zoned property no more than fifteen (15) feet from the main entrance door to the commercially 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) The temporary permit shall be used only on Saturday, Sunday and legal holidays.

(6) Services offered must comply with site/location zoning for sale of goods.

(c) Enforcement.

The Code Enforcement Department and when required the Riverdale Park Police Department shall have the duty of enforcing the requirement of the subtitle to assure continuing compliance with this ordinance and to respond to all complaints, and to provide inspections of such licensed operations.

(d) The Enforcement against an unlicensed temporary business shall be provided by the Enforcement Officer with the assistance of the Police Department which is necessary to effect the closing of 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 measurers include:

(e) To remove to a designated facilities the goods and equipment of the vendor, who shall have up to fifteen (15) business days to claim such goods upon payment of any assessed storage fees and fines which have been levied against the vendor. Failure to comply with this schedule such goods shall be deemed abandoned and shall become the property of the Town to be disposed of in accordance with applicable law. The Town shall have no responsibility to protect or preserve any perishable or nonperishable goods or equipment acquired under this section.

(f) Penalties.

The fine for this section of this chapter shall be equivalent of the cost of the temporary license as set forth in section 42-14 (a) (5) Required for a business that is operating without a license. Each day that a business continues operation without acquiring the license shall constitute a separate offense.



Town of Riverdale Park, Maryland

Town Administration

TO: Mayor and Council

FROM: John N. Lestitian, Town Manager

DATE: March 1, 2019

RE: Ordinance authorizing wireless and wireline broadband deployment in public rights-of-way

Action Requested: Staff request that Ordinance 2019-OR-03 regarding small cell infrastructure in public rights-of-way be introduced at the March 4th Legislative Session.

Background: The Federal Communications Commission (FCC) is requiring that jurisdictions that seek to regulate small cell infrastructure in public rights-of-way, publish the rules by April 15, 2019. The Town will need to adopt an ordinance should it desire to have this ability. The purpose of the attached draft ordinance follows:

- **FOR** the purpose of providing certain standards and regulations relating to the location of small wireless telecommunications towers, antennas, and other structures within the Town's public rights-of-way, consistent with federal and state law; providing for fees and annual charges; and generally related to the wireless telecommunication facilities and wireless infrastructure providers in The Town of Riverdale Park.

Please note the proposed timeline:

- March 4th Introduction of an Ordinance
- March 25th Review and discussion
- April 1st Adoption of an Ordinance

The staff team continues to gather information on this topic and will provide additional information to the Mayor and Council. Staff will be present to respond to questions or concerns.

c. file

COUNCIL OF THE TOWN OF RIVERDALE PARK

Ordinance No. 2019-OR-03

Introduced By:

Date Introduced:

Amendments Adopted:

Date Adopted:

Date Effective:

AN ORDINANCE concerning

WIRELESS TELECOMMUNICATIONS FACILITIES IN PUBLIC RIGHTS-OF-WAY

FOR the purpose of providing certain standards and regulations relating to the location of small wireless telecommunications towers, antennas, and other structures within the Town's public rights-of-way, consistent with federal and state law; providing for fees and annual charges; and generally related to the wireless telecommunication facilities and wireless infrastructure providers in The Town of Riverdale Park.

BY adding
Chapter 71, Wireless Telecommunications Facilities in Public Rights-Of-Way
Sections 71-1 through 71-13, inclusive

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

Key:
CAPS

: Indicate matter added to existing law.

WHEREAS, §5-202 of the Local Government Article of the Annotated Code of Maryland provides that the Council of the Town of Riverdale Park have 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, the Town Charter, Article VIII, “Public Ways and Sidewalks”, §802, “Control of Public Ways”, authorizes the Town to control its rights-of-way and maintain the rights-of-way in good condition; and

WHEREAS, the Council determined that it is in the public interest to provide for regulation of the installation of wireless telecommunications facilities in the Town’s rights-of-way that is consistent with federal and State law; Now therefore,

SECTION 1. BE IT ENACTED, BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK that Chapter 71, “Wireless Telecommunications Facilities in Public Rights-Of-Way”, consisting of Sections 71-1 through 71-13, inclusive, be and it is hereby added to the Code of the Town of Riverdale Park to follow immediately after Chapter 70 of the Code and to read as follows:

**CHAPTER 71, WIRELESS TELECOMMUNICATIONS FACILITIES
IN PUBLIC RIGHTS-OF-WAY**

SECTION 71-1. SCOPE.

A. IN GENERAL. THIS CHAPTER AUTHORIZES ONLY THE INSTALLATION OF SMALL WIRELESS FACILITIES IN THE TOWN RIGHTS-OF-WAY. UNLESS EXEMPTED, EVERY PERSON WHO DESIRES TO PLACE A SMALL WIRELESS FACILITY IN A TOWN RIGHT-OF-WAY, INCLUDING DEPLOYMENT OF PERSONAL WIRELESS SERVICE INFRASTRUCTURE, OR TO MODIFY AN EXISTING SMALL WIRELESS FACILITY, INCLUDING WITHOUT LIMITATION FOR THE:

- (1) COLLOCATION OF A SMALL WIRELESS FACILITY;
- (2) ATTACHMENT OF A SMALL WIRELESS FACILITY TO A POLE OWNED BY AN AUTHORITY;
- (3) INSTALLATION OF A POLE; OR
- (4) MODIFICATION OF A SMALL WIRELESS FACILITY OR A POLE,

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 TOWN, THE USE OF WHICH IS SUBJECT TO A CONTRACT FOR USE OF THE FACILITY BETWEEN THE TOWN AND THE ENTITY OR ENTITIES THAT OWN OR CONTROL THE WIRELESS TELECOMMUNICATIONS FACILITY;
- (2) THE PLACEMENT OR MODIFICATION OF WIRELESS TELECOMMUNICATIONS FACILITIES BY THE TOWN 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 THE 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 TOWN, 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, AND THAT AT LEAST 30 DAYS PRIOR WRITTEN NOTIFICATION IS PROVIDED TO THE TOWN, AND CONSENT FOR PLACEMENT IS GRANTED.

- (5) A MICRO WIRELESS FACILITY STRUNG BETWEEN TWO UTILITY POLES 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 BY THIS CHAPTER, 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. NOTHING IN THIS CHAPTER PRECLUDES THE TOWN FROM APPLYING ITS GENERALLY APPLICABLE HEALTH, SAFETY, AND WELFARE REGULATIONS WHEN GRANTING CONSENT FOR A SMALL WIRELESS FACILITY OR WIRELESS SUPPORT STRUCTURE IN THE TOWN'S RIGHT-OF-WAY.

D. PUBLIC USE. EXCEPT AS OTHERWISE PROVIDED BY MARYLAND LAW, ANY USE OF A RIGHT-OF-WAY AUTHORIZED PURSUANT TO THIS CHAPTER IS SUBORDINATE TO THE TOWN'S USE AND USE BY THE PUBLIC.

SECTION 71-2. 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 TOWN 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. ANTENNA: AN APPARATUS DESIGNED TO EMIT RADIO FREQUENCY (RF) AND OPERATE FROM A FIXED LOCATION TO PROVIDE WIRELESS SERVICES.

D. ANTENNA EQUIPMENT: EQUIPMENT, SWITCHES, WIRING, CABLING, POWER SOURCES, SHELTERS OR CABINETS ASSOCIATED WITH AN ANTENNA, LOCATED AT THE SAME FIXED LOCATION AS THE ANTENNA, AND, WHEN COLLOCATED ON A STRUCTURE, IS MOUNTED OR INSTALLED AT THE SAME TIME AS SUCH ANTENNA.

E. APPLICABLE LAWS/CODES: UNIFORM BUILDING, FIRE, SAFETY, ELECTRICAL, PLUMBING, OR MECHANICAL CODES ADOPTED BY A RECOGNIZED NATIONAL CODE ORGANIZATION TO THE EXTENT SUCH CODES HAVE BEEN ADOPTED BY THE TOWN, INCLUDING ANY AMENDMENTS ADOPTED BY THE TOWN, OR OTHERWISE ARE APPLICABLE IN THE TOWN. THE TERM INCLUDES THE REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION AND THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION AS WELL AS ANY TOWN OF PRINCE GEORGE'S COUNTY STANDARDS OR REGULATIONS GOVERNING THE USE OF RIGHTS-OF-WAY.

F. BASE STATION: BASE STATION SHALL HAS THE SAME MEANING AS IN 47 C.F.R. SECTION 1.40001.

G. CERTIFICATE OF COMPLETION: A DOCUMENT THAT IS REQUIRED FROM AND ISSUED BY THE TOWN CONFIRMING THAT ALL WORK DESCRIBED IN THE APPLICATION, AS APPROVED:

- (1) WAS PROPERLY PERMITTED, INCLUDING, WITHOUT LIMITATION, ALL REQUIRED PERMITS FOR BUILDING, ELECTRICAL WORK, STREET OR CURB CUTTING, AND EXCAVATION;
- (2) WAS DONE IN COMPLIANCE WITH AND FULFILLMENT OF ALL CONDITIONS OF ALL PERMITS, INCLUDING ALL STATED DEADLINES;
- (3) WAS FULLY CONSTRUCTED AND/OR PLACED AS APPROVED AND PERMITTED; AND
- (4) WAS FINALLY INSPECTED BY THE TOWN, AND WAS APPROVED BY THE TOWN AFTER THE FINAL INSPECTION.

H. COLLOCATE: TO INSTALL OR MOUNT A SMALL WIRELESS FACILITY IN THE PUBLIC RIGHT-OF-WAY ON AN EXISTING SUPPORT STRUCTURE, AN EXISTING TOWER, OR ON AN EXISTING POLE TO WHICH A SMALL WIRELESS FACILITY IS ATTACHED AT THE TIME OF THE APPLICATION. "COLLOCATION" HAS A CORRESPONDING MEANING.

I. MAKE-READY WORK: WORK THAT AN AUTHORITY REASONABLY DETERMINES TO BE REQUIRED TO ACCOMMODATE A WIRELESS INFRASTRUCTURE PROVIDER'S INSTALLATION UNDER THIS CHAPTER AND TO COMPLY WITH ALL APPLICABLE STANDARDS. THE WORK MAY INCLUDE, BUT IS NOT LIMITED TO, REPAIR, REARRANGEMENT, REPLACEMENT AND CONSTRUCTION OF POLE; INSPECTIONS; ENGINEERING WORK AND CERTIFICATION; PERMITTING WORK; TREE TRIMMING (OTHER THAN TREE TRIMMING PERFORMED FOR NORMAL MAINTENANCE PURPOSES); SITE

PREPARATION; AND ELECTRICAL POWER CONFIGURATION. THE TERM DOES NOT INCLUDE A WIRELESS INFRASTRUCTURE PROVIDER'S ROUTINE MAINTENANCE.

J. RIGHT-OF-WAY: THE TERM RIGHT-OF-WAY INCLUDES ANY PORTION OF ANY STREET, ROAD OR PUBLIC WAY WHICH THE TOWN HAS THE RESPONSIBILITY TO MAINTAIN OR MANAGE.

K. 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.

L. SMALL WIRELESS FACILITY: A SMALL WIRELESS FACILITY IS A WIRELESS TELECOMMUNICATIONS FACILITY. CONSISTENT WITH CODE OF FEDERAL REGULATIONS, 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

M. SUPPORT STRUCTURE: ANY STRUCTURE CAPABLE OF SUPPORTING A BASE STATION.

N. 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.

O. UTILITY POLE: A STRUCTURE IN THE RIGHT-OF-WAY DESIGNED TO SUPPORT ELECTRIC, TELEPHONE AND SIMILAR UTILITY LINES. A TOWER IS NOT A UTILITY POLE.

P. 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.

Q. WIRELESS SERVICE PROVIDER. AN ENTITY THAT PROVIDES WIRELESS SERVICES TO END USERS.

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

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

T. WIRELESS TELECOMMUNICATIONS FACILITY, OR FACILITY: EQUIPMENT AT A FIXED LOCATION THAT ENABLES WIRELESS COMMUNICATIONS BETWEEN USER EQUIPMENT AND A COMMUNICATIONS NETWORK INCLUDING WITHOUT LIMITATION RADIO TRANSCEIVERS, ANTENNAS, BASE STATION, UNDERGROUND WIRING, COAXIAL OR FIBER-OPTIC CABLE, REGULAR AND BACKUP POWER SUPPLIES, AND COMPARABLE EQUIPMENT, REGARDLESS OF TECHNOLOGICAL CONFIGURATION.

SECTION 71-3. GENERAL STANDARDS FOR WIRELESS TELECOMMUNICATIONS FACILITIES IN RIGHTS-OF-WAY.

- A. GENERALLY. WIRELESS TELECOMMUNICATIONS FACILITIES SHALL MEET THE MINIMUM REQUIREMENTS SET FORTH IN THIS CHAPTER AND ANY WIRELESS REGULATIONS APPROVED BY THE MAYOR AND 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 OR ON TOWN PROPERTY 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 TOWN 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 ABOVE GROUND FACILITIES IN UNDERGROUND AREAS, AVOIDS INSTALLATION OF NEW SUPPORT STRUCTURES OR EQUIPMENT CABINETS IN THE PUBLIC RIGHTS-OF-WAY, MAXIMIZES USE OF EXISTING STRUCTURES AND POLES, 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;
 - (3) UNLESS APPROVED BY THE TOWN, ANY WIRELESS TELECOMMUNICATIONS FACILITY MUST BE LOCATED NO CLOSER THAN:
 - I. TWO (2) FEET FROM ANY CURB, SIDEWALK, OR OTHER

IMPROVEMENT WITHIN THE RIGHT-OF-WAY; AND

II. FIVE (5) FEET FROM ANY DRIVEWAY APRON; AND

BE OTHERWISE LOCATED TO AVOID INTERFERENCE WITH PEDESTRIAN AND MOTORIST SIGHTLINES AND USE.

- (4) ENSURES THAT THE TOWN BEARS NO RISK OR LIABILITY AS A RESULT OF THE INSTALLATIONS, AND THAT SUCH USE DOES NOT INCONVENIENCE THE PUBLIC, INTERFERE WITH THE LEGAL USES OF THE PUBLIC RIGHTS OF WAY OR PUBLIC ASSETS BY OTHERS, OR HINDER THE ABILITY OF THE TOWN 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.
- (5) 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) ANTENNAS LOCATED AT THE TOP OF SUPPORT STRUCTURES SHALL BE INCORPORATED INTO THE STRUCTURE, OR PLACED WITHIN SHROUDS OF A SIZE SUCH THAT THE ANTENNA APPEARS TO BE PART OF THE SUPPORT STRUCTURE.
- (2) ANTENNAS PLACED ELSEWHERE ON A SUPPORT STRUCTURE SHALL BE INTEGRATED INTO THE STRUCTURE, OR BE DESIGNED AND PLACED TO MINIMIZE VISUAL IMPACT.
- (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 TOWN 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 TO 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 TOWN, NO WIRELESS TELECOMMUNICATIONS FACILITY IS PERMITTED IN RIGHTS-OF-WAY IN ALLEYS.

(10) NO WIRELESS TELECOMMUNICATIONS FACILITY IS PERMITTED IN ANY LOCAL HISTORIC DISTRICT WITHOUT THE APPROVAL OF THE PRINCE GEORGE'S COUNTY HISTORIC PRESERVATION COMMISSION.

SECTION 71-4. APPLICATION SUBMISSION REQUIREMENTS AND FINAL INSPECTION.

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 TOWN MANAGER OR DESIGNEE.

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; A PRE-CONSTRUCTION SURVEY; A PROPOSED SCHEDULE FOR COMPLETION, CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER; A CERTIFICATION BY A RADIO FREQUENCY ENGINEER THAT THE TELECOMMUNICATIONS FACILITY WILL COMPLY WITH THE RADIO FREQUENCY RADIATION EMISSION STANDARDS ADOPTED BY THE FEDERAL COMMUNICATIONS COMMISSION; 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 TOWN 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 TOWN ADMINISTRATOR. APPLICATIONS MUST CONTAIN ALL INFORMATION REQUIRED BY THIS SECTION AND BY ANY WIRELESS REGULATIONS TO DEMONSTRATE THAT APPLICANT IS ENTITLED TO THE PERMIT REQUESTED.
- (5) 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 MAY NOT SUPPLEMENT THIS SHOWING IF DOING SO WOULD PREVENT TOWN FROM COMPLYING WITH ANY DEADLINE FOR ACTION ON AN APPLICATION.
- (6) 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.
- (7) 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

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; A STRUCTURAL REPORT PERFORMED BY A DULY LICENSED ENGINEER EVIDENCING THAT THE POLE, TOWER OR SUPPORT STRUCTURE CAN ADEQUATELY SUPPORT THE COLLOCATION (OR THAT THE POLE, TOWER, OR SUPPORT STRUCTURE WILL BE MODIFIED TO MEET STRUCTURAL REQUIREMENTS) IN ACCORDANCE WITH APPLICABLE CODES.

(8) PAYMENT OF ANY REQUIRED FEES.

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

C. FEES. APPLICANT MUST PROVIDE AN APPLICATION FEE, AND SHALL BE REQUIRED TO PAY ALL COSTS REASONABLY INCURRED BY THE TOWN 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 TOWN EXPECTS TO INCUR.

D. THE TOWN MAY ELECT TO PROVIDE PUBLIC NOTICE OF AN APPLICATION AND HOLD A PUBLIC HEARING PRIOR TO THE APPROVAL OF AN APPLICATION. IF THE TOWN ELECTS TO HOLD A PUBLIC HEARING ON AN APPLICATION, THE APPLICANT SHALL BE REPRESENTED AT THE PUBLIC HEARING AND BE AVAILABLE TO ANSWER INQUIRIES ABOUT THE APPLICATION.

E. AS PART OF THE PERMIT PROCESS, THE TOWN MAY REQUIRE A WIRELESS TELECOMMUNICATIONS FACILITY TO BE FULLY OPERATIONAL WITHIN A SPECIFIED PERIOD AFTER THE DATE THE LAST OR FINAL PERMIT IS ISSUED, UNLESS THE TOWN AND THE APPLICANT AGREE TO EXTEND THE PERIOD.

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

G. 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.

H. 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 TOWN 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.

I. FINAL INSPECTION. UPON COMPLETION OF THE APPROVED WORK, THE APPLICANT MUST FILE A STATEMENT OF THE PROFESSIONAL OPINION BY AN INDEPENDENT, QUALIFIED ENGINEER LICENSED IN THE STATE OF MARYLAND THAT INDICATES THAT THE INSTALLATION, BASED UPON THE ENGINEER'S ACTUAL INSPECTIONS, IN THE ENGINEER'S OPINION AND TO THE BEST OF THE ENGINEER'S KNOWLEDGE, MEETS THE REQUIREMENTS OF THE APPROVED PLAN DOCUMENTS, THIS ARTICLE AND OTHER APPLICABLE LAW. CERTIFICATIONS MUST BE SIGNED AND SEALED BY THE QUALIFIED ENGINEER MAKING THE STATEMENT. UPON RECEIPT OF THE STATEMENT, AND ANY REQUIRED TOWN INSPECTION, THE WORK MAY BE ACCEPTED AND A CERTIFICATE OF COMPLETION MAY BE ISSUED BY THE TOWN.

SECTION 71-5. 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 TOWN, 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 TOWN. ALL COSTS INCURRED BY THE TOWN 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 A SUPPORT STRUCTURE OWNED BY THE TOWN, 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 TOWN. ALL COSTS INCURRED BY THE TOWN 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 A SUPPORT STRUCTURE OWNED BY THE TOWN, 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 TOWN); 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 TOWN, AND ANY APPEALS FROM THE TOWN'S DECISION ARE EXHAUSTED.

SECTION 71-6. INFRASTRUCTURE OWNED OR CONTROLLED BY THE TOWN.

THE TOWN MAY NEGOTIATE AGREEMENTS FOR USE OF TOWN 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 TOWN FOR USE OF THE STRUCTURES. THE PERSON SEEKING THE AGREEMENT SHALL ADDITIONALLY REIMBURSE THE TOWN FOR ALL COSTS THE TOWN INCURS IN CONNECTION WITH ITS REVIEW OF, AND ACTION UPON, THE PERSON'S REQUEST FOR AN AGREEMENT.

SECTION 71-7. INSURANCE.

A. THE TOWN SHALL REQUIRE A WIRELESS INFRASTRUCTURE PROVIDER TO INDEMNIFY AND HOLD HARMLESS THE TOWN AND ITS OFFICIALS, OFFICERS AND EMPLOYEES AGAINST ANY LOSS, DAMAGE, OR LIABILITY TO THE EXTENT THAT IT IS CAUSED BY THE NEGLIGENT OR WILLFUL ACT OR OMISSION OF THE WIRELESS INFRASTRUCTURE PROVIDER WHO OWNS OR OPERATES SMALL WIRELESS FACILITIES OR POLES IN THE RIGHT-OF-WAY, ITS AGENTS, OFFICERS, DIRECTORS, REPRESENTATIVES, EMPLOYEES, AFFILIATES, OR SUBCONTRACTORS, OR THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, DIRECTORS, OR REPRESENTATIVES.

B. DURING THE PERIOD IN WHICH THE FACILITIES OF A WIRELESS INFRASTRUCTURE PROVIDER ARE LOCATED ON OR ATTACHED TO THE TOWN'S ASSETS OR RIGHTS-OF-WAY, THE TOWN MAY REQUIRE A WIRELESS INFRASTRUCTURE PROVIDER TO:

(1) CARRY, AT THE WIRELESS INFRASTRUCTURE PROVIDER'S SOLE COST AND EXPENSE, THE FOLLOWING TYPES OF THIRD-PARTY INSURANCE:

- I. PROPERTY INSURANCE FOR ITS PROPERTY'S REPLACEMENT COST AGAINST ALL RISKS;
- II. WORKERS' COMPENSATION INSURANCE, AS REQUIRED BY LAW; AND
- III. COMMERCIAL GENERAL LIABILITY INSURANCE WITH RESPECT TO ITS ACTIVITIES ON TOWN IMPROVEMENTS OR RIGHTS-OF-WAY TO AFFORD PROTECTION WITH LIMITS NOT INCONSISTENT WITH ITS REQUIREMENTS OF OTHER USERS OF TOWN IMPROVEMENTS OR RIGHTS-OF-WAY, INCLUDING COVERAGE FOR BODILY INJURY AND PROPERTY DAMAGE; AND

(2) INCLUDE THE TOWN AS AN ADDITIONAL INSURED ON THE COMMERCIAL GENERAL LIABILITY POLICY AND PROVIDE CERTIFICATION AND DOCUMENTATION OF INCLUSION OF THE TOWN IN A COMMERCIAL GENERAL LIABILITY POLICY AS REASONABLY

REQUIRED BY THE TOWN.

SECTION 71-8. MAKE-READY WORK.

A. THE TOWN MAY PROVIDE A WIRELESS INFRASTRUCTURE PROVIDER THE OPTION OF EITHER HAVING THE WIRELESS INFRASTRUCTURE PROVIDER PERFORM ANY NECESSARY MAKE-READY WORK THROUGH THE USE OF QUALIFIED CONTRACTORS AUTHORIZED BY THE TOWN, OR HAVING THE TOWN PERFORM ANY NECESSARY MAKE-READY WORK AT THE SOLE COST OF THE WIRELESS INFRASTRUCTURE PROVIDER.

B. UPON COMPLETION OF THE MAKE-READY WORK PERFORMED BY THE TOWN AT THE REQUEST OF A WIRELESS INFRASTRUCTURE PROVIDER, THE WIRELESS INFRASTRUCTURE PROVIDER SHALL REIMBURSE THE TOWN FOR THE TOWN'S ACTUAL AND DOCUMENTED COST OF THE MAKE-READY WORK.

SECTION 71-9. RIGHT-OF -WAY REPAIR.

A WIRELESS INFRASTRUCTURE PROVIDER SHALL BE REQUIRED TO PROMPTLY:

- (1) REPAIR ANY DAMAGE TO THE PUBLIC RIGHT-OF-WAY OR ANY DAMAGES TO FACILITIES IN THE RIGHT-OF-WAY DIRECTLY CAUSED BY THE ACTIVITIES OF THE WIRELESS INFRASTRUCTURE PROVIDER AND RETURN THE RIGHT-OF-WAY TO THE RIGHT-OF-WAY'S CONDITION PRIOR TO THE DAMAGES CAUSED BY THE WIRELESS INFRASTRUCTURE PROVIDER.
- (2) REMOVE AND RELOCATE THE PERMITTED SMALL WIRELESS FACILITY AND/OR WIRELESS SUPPORT STRUCTURE AT THE WIRELESS INFRASTRUCTURE PROVIDER'S SOLE EXPENSE TO ACCOMMODATE CONSTRUCTION OF A PUBLIC IMPROVEMENT PROJECT BY THE TOWN. IF THE WIRELESS INFRASTRUCTURE PROVIDER FAILS TO REMOVE OR RELOCATE THE SMALL WIRELESS FACILITY AND/OR WIRELESS SUPPORT STRUCTURE OR PORTION THEREOF AS REQUESTED BY THE TOWN WITHIN 120 DAYS OF THE TOWN'S NOTICE, THEN THE TOWN SHALL BE ENTITLED TO REMOVE THE SMALL WIRELESS FACILITY AND/OR WIRELESS SUPPORT STRUCTURE, OR PORTION THEREOF, AT THE WIRELESS INFRASTRUCTURE PROVIDER'S SOLE COST AND EXPENSE, WITHOUT FURTHER NOTICE TO THE WIRELESS INFRASTRUCTURE PROVIDER. THE WIRELESS INFRASTRUCTURE PROVIDER SHALL, WITHIN 30 DAYS FOLLOWING ISSUANCE OF INVOICE FOR THE SAME, REIMBURSE THE TOWN FOR ITS REASONABLE EXPENSES INCURRED IN THE REMOVAL

(INCLUDING, WITHOUT LIMITATION, OVERHEAD AND STORAGE EXPENSES) OF THE SMALL WIRELESS FACILITIES AND/OR WIRELESS SUPPORT STRUCTURE, OR PORTION THEREOF.

(3) AT ITS SOLE COST AND EXPENSE, PROMPTLY DISCONNECT, REMOVE, OR RELOCATE THE APPLICABLE SMALL WIRELESS FACILITY AND/OR WIRELESS SUPPORT STRUCTURE WITHIN THE TIME FRAME AND IN THE MANNER REQUIRED BY THE TOWN IF THE TOWN REASONABLY DETERMINES THAT THE DISCONNECTION, REMOVAL, OR RELOCATION OF ANY PART OF A SMALL WIRELESS FACILITY AND/OR WIRELESS SUPPORT STRUCTURE:

I. IS NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, WELFARE, OR TOWN PROPERTY, OR

II. THE WIRELESS INFRASTRUCTURE PROVIDER FAILS TO OBTAIN ALL APPLICABLE LICENSES, PERMITS, AND CERTIFICATIONS REQUIRED BY LAW FOR ITS SMALL WIRELESS FACILITY AND/OR WIRELESS SUPPORT STRUCTURE. IF THE TOWN REASONABLY DETERMINES THAT THERE IS IMMINENT DANGER TO THE PUBLIC, THEN THE TOWN MAY IMMEDIATELY DISCONNECT, REMOVE, OR RELOCATE THE APPLICABLE SMALL WIRELESS FACILITY AND/OR WIRELESS SUPPORT STRUCTURE AT THE WIRELESS INFRASTRUCTURE PROVIDER'S SOLE COST AND EXPENSE.

SECTION 71-10. FACILITIES NO LONGER NEEDED.

A. A WIRELESS INFRASTRUCTURE PROVIDER SHALL PROMPTLY NOTIFY THE TOWN OF A DECISION TO REMOVE FROM SERVICE A WIRELESS TELECOMMUNICATIONS FACILITY LOCATED ON A PUBLIC RIGHT-OF-WAY.

B. A WIRELESS INFRASTRUCTURE PROVIDER SHALL REMOVE A WIRELESS TELECOMMUNICATIONS FACILITY THAT IS NO LONGER NEEDED FOR SERVICE AND LOCATED ON A PUBLIC RIGHT-OF-WAY AT THE SOLE COST AND EXPENSE OF THE WIRELESS INFRASTRUCTURE PROVIDER.

C. IF THE TOWN CONCLUDES THAT A WIRELESS TELECOMMUNICATIONS FACILITY HAS BEEN ABANDONED IN PLACE, THE TOWN MAY REMOVE THE FACILITY AND INVOICE THE WIRELESS INFRASTRUCTURE PROVIDER FOR THE ACTUAL AND DOCUMENTED COST INCURRED BY THE TOWN FOR REMOVAL.

D. UNTIL A WIRELESS TELECOMMUNICATIONS FACILITY THAT IS

LOCATED ON PUBLIC RIGHT-OF-WAY IS REMOVED FROM THE PUBLIC RIGHT-OF-WAY, A WIRELESS INFRASTRUCTURE PROVIDER SHALL PAY ALL FEES AND CHARGES DUE THE TOWN, REGARDLESS OF WHETHER THE FACILITY IS OPERATIONAL.

SECTION 71-11. SURETY BONDS.

A. THE TOWN MAY REQUIRE A SURETY BOND FOR WIRELESS INFRASTRUCTURE PROVIDERS.

B. THE PURPOSE OF A SURETY BOND REQUIRED UNDER SUBSECTION A. OF THIS SECTION SHALL BE TO:

- (1) PROVIDE FOR THE REMOVAL OF ABANDONED OR IMPROPERLY MAINTAINED SMALL WIRELESS FACILITIES, INCLUDING THOSE THAT THE TOWN REQUIRES TO BE REMOVED TO PROTECT PUBLIC HEALTH, SAFETY, OR WELFARE, AND RESTORE THE RIGHTS-OF-WAY; AND
- (2) RECOUP RATES OR FEES THAT HAVE NOT BEEN PAID BY A WIRELESS INFRASTRUCTURE PROVIDER, SUBJECT TO THIRTY (30) DAYS PRIOR WRITTEN NOTICE TO THE WIRELESS INFRASTRUCTURE PROVIDER AND THE OPPORTUNITY TO PAY THE RATES OR FEES OUTSTANDING.

SECTION 71-12. FEES.

THE FOLLOWING ENUMERATIONS ARE THE CURRENT FEES AND CHARGES PAYABLE UNDER THIS CHAPTER.

- (1) APPLICATION FEE: WIRELESS TELECOMMUNICATIONS FACILITIES AND RELATED OVERHEAD AND UNDERGROUND WIRING, CABLE, HOSES, PIPES AND SIMILAR FACILITIES:

I.	UP TO FIVE FACILITIES	\$500.00
II.	EACH ADDITIONAL FACILITY	\$100.00
III.	EACH NEW POLE	\$1,000.00
IV.	ACTUAL COST TO REVIEW APPLICATIONS, IF IN EXCESS OF SET FEES	

- (2) ACCESS FEE: \$270 PER SMALL WIRELESS FACILITY PER YEAR

SECTION 71-13. VIOLATIONS.

A VIOLATION OF ANY PROVISION OF THIS CHAPTER SHALL CONSTITUTE A MUNICIPAL INFRACTION AND IS SUBJECT TO A FINE OF \$100.00. EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

SECTION 2. AND BE IT FURTHER ENACTED 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 Town that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

SECTION 3. AND BE IT FURTHER ENACTED that this Ordinance shall take effect twenty calendar days after passage by the Council.

ATTEST:

COUNCIL OF THE TOWN OF
RIVERDALE PARK

Jessica E. Barnes, Town Clerk

Alan K. Thompson, Mayor

EXPLANATION:

CAPITALS indicate matter added to existing law.



Town of Riverdale Park, Maryland

Department of Public Works

TO: John N. Lestitian, Town Manager

FROM: Ivy A. Lewis, Director of Public Projects and Services, DPW

Cc: Leadership Team

DATE: March 1, 2019

RE: Partnership with Prince George's County – Fuel Agreement

Action Requested:

Staff requests that the Mayor and Council authorize the Town Manager to sign the Cooperative Vehicle and Fuel Agreement with Prince George's County to have access to and use of automated fuel sites owned and operated by the County, for refueling all Town vehicles. A copy of the County's standard agreement is attached.

Overview:

The Town of Riverdale Park has owned and operated its own fuel system for at least 20 years, providing fuel for equipment and Town fleet vehicles. A 4,000-gallon fuel tank containing unleaded and diesel fuels sits on the site of the Department of Public Work (DPW), within thirty (30) feet of Wells Run. DPW staff manages the fuel system – monitoring fuel levels and usage by departments, ordering fuel, overseeing routine maintenance and repairs, and testing water quality in Wells Run monthly for leakage, as required by the Maryland Department of Environment.

The proximity of the fuel tank to Wells Run and the possibility of leakages and spills continue to be of concern to staff and is a major liability for the Town. Eliminating the Town's onsite fuel system and securing an agreement for the County to provide fuel will allow the Town to avoid the possibility of water contamination from a fuel tank leak. Additionally, there exists an opportunity to enjoy cost-savings. Lastly, the reporting feature for the system is antiquated and needs to be replaced. This will require an investment in the existing system if the Town chooses to keep it.

The County's Office of Central Services, Fleet Management Division (FMD), operates 20 fuel sites throughout the County that are co-located with County facilities and stand-alone and accessible seven days a week, 24 hours a day. Two sites are located within one to three miles of Town Hall. FMD manages all aspects of the fuel system, including agency and employee usage, and site security. FMD will assign Town staff a usage code and an override code to supervisors for emergency situations.

Staff will be available at the Legislative meeting to answer questions.

Attachment

c. file

**COOPERATIVE VEHICLE AND FUEL AGREEMENT
(For Municipalities and others, excluding non-profit)**

This Agreement is made this _____ day of _____, 2019, by and between PRINCE GEORGE'S COUNTY, MARYLAND, a body corporate and politic ("the County"), and the Town of Riverdale Park, MD.

WHEREAS, Section 602 of the County Charter and Section 10A-146 of the County Code, 1999 Edition (2000 Supplement) authorizes the County to participate in cooperative purchasing and service arrangements with other jurisdictions; and

WHEREAS, the County operates a Vehicle Maintenance Facility with branches throughout the County ("the Facility") for maintenance and repair of County-owned vehicles; and

WHEREAS, the Town of Riverdale Park, MD desires to have its vehicles maintained and repaired on an as-needed basis at the County's Facility; and

WHEREAS, the Town of Riverdale Park, MD also desires to have access to and use of the County's fuel facilities, and

WHEREAS, the County has expressed a willingness to provide the Town of Riverdale Park, MD with services routinely provided the County at the Facility, and to grant the Town of Riverdale Park, MD access to and use of the County's fuel facilities.

NOW THEREFORE, the County and the Town of Riverdale Park, MD mutually agree as follows:

1. Fuel: The Town of Riverdale Park, MD shall have access to and use of the automated fuel sites run by the County under the terms provided.

2. Services: On an as-needed basis, the County shall provide vehicle maintenance services which will include as-needed repairs (together with necessary parts), preventative maintenance and retention of historical maintenance records of all vehicles.

3. Location: The vehicle maintenance services to be provided under this Agreement are to be performed at any County Vehicle Maintenance Facility, unless the County designates a specific facility.

4. Delivery: The Town of Riverdale Park, MD. shall be responsible for delivering and picking up vehicles requiring service to the Facility. In the event that the County is required to deliver any vehicle, the Town of Riverdale Park, MD. shall be liable for all costs associated with the delivery.

5. Costs: The Town of Riverdale Park, MD will be invoiced monthly for fuel consumption at the then current Council of Governments contract price for unleaded and diesel fuel peak load periods. The County shall charge the Town of Riverdale Park, MD the performance of services (labor and parts) under this Agreement at rates charged to other users and calculated by the County's FA Fleet Maintenance System. Services shall be performed and the County shall bill the Town of Riverdale Park, MD by invoice or in such other manner found to be acceptable by the County. Payments are to be made to the Office of Finance for Prince George's County no later than twenty days after billing.

6. Priorities: Repair and maintenance of County-owned vehicles shall be given priority during high peak load periods.

7. Warranties: Where the County is able to obtain manufacturer's warranties for replacement parts necessary for the maintenance and/or repair of any Town of Riverdale Park, MD vehicles, the warranty shall be passed on to the Town of Riverdale Park, MD. Otherwise, the County makes no warranties or representations as to replacement parts nor does the County warrant any rework on the vehicles belonging to the Town of Riverdale Park, MD.

8. Liability: The Town of Riverdale Park, MD assumes the risk of entering County property from time to time and waives and releases the County from liability that may arise as a

result of injury or damage to person or property while operating on County property. By entering into this Agreement, the Town of Riverdale Park, MD does not waive any of the immunities, defenses or statutory caps to which it is entitled under state law.

9. Hold Harmless: The Town of Riverdale Park, MD shall save, defend and hold harmless the County from any and all damages, causes of action, and judgments accruing in any way against the County, its officers, or any of its employees arising directly or indirectly from this Agreement.

10. Insurance: The Town of Riverdale Park, MD shall have in force and shall maintain, at its own expense, insurance in not less than the following amounts during the term of this Agreement:

1. Workmen's Compensation Insurance- covering employees as required by Maryland Law.
2. Comprehensive Bodily Injury and Property Damage Liability Insurance – Excluding automobiles owned or hired by the Town of Riverdale Park, MD or loaned to the Town of Riverdale Park, MD by the County, with limits as follows:
 - a. General Aggregate
(other than Products-Completed Operations) \$1,000,000
 - b. Products-Completed Operations Aggregate Limit \$1,000,000
 - c. Personal & Advertising Injury Limit \$1,000,000
 - d. Each Occurrence Limit \$1,000,000
3. Comprehensive Automotive Liability Insurance – Combined single limit of \$1,000,000 covering bodily injury and property.
4. Prince George's County shall be named as an additional insured party as shown below:.

Prince George's County Government
Contract Administration and Procurement
1400 McCormick Drive, Suite 200
Largo, Maryland 20774

The Town of Riverdale Park, MD shall, prior to Agreement execution, and during

each year of the Agreement term, furnish to the Purchasing Agent certificates of insurance as evidence of such insurance coverage stated above. Such insurance certificates shall provide that the Purchasing Agent be notified by the insurer at least (3) days prior to cancellation or material change of any such coverage. The certificate of insurance should be sent to:

Prince George's County Government
Office of Central Services
Fleet Management Division
Capitol Heights, Maryland 20743

11. Agreement Term: This Agreement shall continue in force and effect for five (5) years from the date here of unless terminated by the parties upon 30 days prior written notice.

12. Notices: Notice shall be deemed sufficient when given in writing to the following:

County
Director, Office of Central Services
1400 McCormick Drive
Suite 336
Largo, Maryland 20774

With copy to:

County Attorney
14741 Governor Oden Bowie Drive
Room 5121
Upper Marlboro, Maryland 20772

Representative
The Town of Upper Marlboro, MD

IN WITNESS THEREOF, the parties have entered this Agreement on the date first written above.

The Town of Riverdale Park, MD

Witness _____ BY: _____
Name
Title

Witness

PRINCE GEORGE'S COUNTY, MARYLAND

_____ BY: _____

Reviewed and Approval Recommended

Jonathan Butler, Acting Director
Office of Central Services

Legal Sufficiency

Office of Law



Town of Riverdale Park, Maryland

Town Administration

TO: John N. Lestitian, Town Manager

FROM: Keith Robinson, Program Specialist

Cc: Leadership Team

DATE: March 1, 2019

RE: Authorization for the Town Manager to enter into an agreement with Alacrity Collections Corporation

Action Requested:

At the March 4th Legislative Meeting, staff seek authorization for the Town Manager to enter into an agreement with Alacrity Collections Corporation to provide collection services for the Town.

Background:

At the February 25th Work Session, staff presented an overview of the Town's aging accounts receivable. Staff has analyzed the aging accounts receivable and determined that there is an opportunity to collect some of the unrealized revenue by utilizing a third party collection agency. Staff recommend entering into an agreement with Alacrity Collections Corporation to provide collection services.

Staff will be available to respond to any questions.

AGREEMENT TO PROVIDE COLLECTION SERVICES

This is an Agreement to Provide Collection Services (the "Agreement") between **Alacrity Collections Corporation** ("Alacrity") and **RIVERDALE PARK** _____ (the "Client").
Alacrity and the Client agree as follows:

1. Client hereby authorizes Alacrity to act as its exclusive agent in regard to all accounts referred to Alacrity by Client for collection.
 - a. Submitted accounts will not have previously been worked on by another agency or attorney.
2. Client agrees to discontinue direct collections efforts on any accounts placed with Alacrity prior to account placement with Alacrity.
3. Alacrity will use its best efforts to collect accounts referred by client.
4. Client will pay Alacrity the following contingency fees on all amounts collected on all accounts referred by Client to Alacrity, whether paid to Alacrity or paid directly to Client:
Accounts greater than \$1,000 each 30%
Accounts less than \$1,000 each 35%
5. Alacrity will forward any accounts not resolved within a reasonable amount of time to an attorney at a contingency fee of 40% in lieu of fees in #4. Attorney will act as counsel for Client in regard to these collection matters.

The attorney may recommend taking an account to court depending on specifics of said account. If so, Client will be asked to approve next step. Upon approval from Client to file a legal claim, Client will pay for all court costs, service costs and related out of pocket expenses incurred in litigation.
6. Client agrees to report immediately all amounts paid directly to Client by any debtor of any account referred to Alacrity. Timely reporting of payments to Alacrity is necessary for both Client and Alacrity to be in compliance with the Fair Debt Collection Practices Act.
7. Alacrity complies with all applicable laws on a federal, state and local level, including industry-specific laws, such as FDCPA, TCPA and FCRA.

Unrivaled Search & Recovery

Our debt recovery
is nearly twice the
national average.

8. Client agrees to secure and save documentation of the consumer's prior express consent to call cell phone numbers in their service agreements, to comply with the Telephone Consumer Protection Act.
 - a. Client agrees to submit such documentation to Alacrity when placing accounts, as well as all other documentation necessary for Alacrity to begin collections.
9. Alacrity is entitled to payment of contingency fee
 - a. Regardless of whether accounts send payments to Alacrity or Client
 - b. For any payments received within 30 days of cancellation of agreement.
10. Alacrity can obtain credit card information from Debtor and submit said information to Client for processing. Alternatively, Alacrity can accept payments by check or ACH. As a third party to the transaction between Client and Debtor, Alacrity is by law not authorized to process payments by credit card.
11. Either party may cancel this Agreement with sixty (60) days written notice, excluding accounts on which payment has been received or accounts that are on a payment schedule.
12. Twelve months after the referral of accounts by Client, any such accounts deemed by Alacrity not cost effective for further collections efforts, will be returned to Client.
13. This Agreement shall be in effect for one (1) year from date of execution and shall be renewed for an additional one (1) year term automatically unless terminated as stated above.

The parties, by the signatures of their respective authorized representatives, accept the foregoing terms.

ALACRITY COLLECTIONS CORPORATION

Name: Heike Heemann

Title: Director of Business Development

Signature: Heike Heemann

Date: 3/4/19

Client: RIVERDALE PARK _____
(Organization) (Please specify if LLC, Corp, etc.)

Name: _____
(please print)

Title: _____

Signature: _____

Date: _____

Witness: _____
(please print name)

Signature: _____



Town of Riverdale Park, Maryland

Town Administration

TO: John N. Lestitian, Town Manager

FROM: Jessica Barnes, Town Clerk

Cc: Leadership Team

DATE: March 1, 2019

RE: Appointment of Election Judges and Members of the Board of Election Appeals

Action Requested: Council action is needed to appoint the remaining election judges and members of the Board of Election Appeals for the May 6, 2019 Town election at the March 4th Legislative Meeting.

Background: On February 4th the Mayor and Council adopted Resolution 2019-R-02 regarding appointment and compensation of Election Judges and Resolution 2019-R-03 regarding appointments to Board of Election Appeals with the understanding that the names of the remaining election judges and members of the Board of Election Appeals would be added. Council action is needed to add the names of the remaining election judges and members of the Board of Election Appeals.

The following code sections are provided as reference material:

§ 29-3. Election officials.

(b) The chief judge and the deputy chief judge shall be appointed from the town at large by the Mayor, and the other judges shall be appointed by the Council members from their respective wards. Four (4) alternates for the judges other than the chief judge and the deputy chief judge, or as many as is deemed necessary, shall also be appointed by the Council members. Appointments shall be confirmed by the Council at a February legislative meeting next preceding the town election in May. In the event no judge or alternate is available from a ward, a judge or alternate may be appointed from the town at large. A judge or alternate must be a qualified voter and be able to read and write the English language.

§ 29-6. Compensation of election officials.

The compensation of judges of election shall be established by the Mayor and Council at the February meeting at which the judges are appointed.

§ 29-22. Board of Election Appeals.

A Board of Election Appeals shall be appointed at the same time as appointment of the judges of election. The Board shall consist of seven (7) members, one (1) each appointed by the Mayor and each Council member. The duties of the Board shall be to receive petitions and render decisions as described in the preceding section.

Attachments:

Adopted Resolutions

COUNCIL OF THE TOWN OF RIVERDALE PARK, MARYLAND
Resolution 2019-R-02

Introduced by: CM Marsha Dixon

Date Introduced: February 4, 2019

Date Adopted: February 4, 2019

Date Effective: February 4, 2019

FOR THE PURPOSE of confirming appointments, and establishing compensation, for Judges for Town election to be held on May 6, 2019.

WHEREAS, Article V of the Town of Riverdale Park Charter governs all Town elections; and

WHEREAS, Section 502 of that Article requires that the Mayor and Council appoint judges and clerks of election; and

WHEREAS, Section 29-3 of the Riverdale Park Town Code provides that the chief judge and deputy chief judge shall be appointed by the Mayor from the Town at-large, and that each Councilmember shall appoint one judge from their respective wards, and that all appointments are subject to confirmation by the Council; and

WHEREAS, the Mayor and Councilmembers have made the appointments as required by Section 29-3 and submitted the appointments to the Council for confirmation; and

WHEREAS, Section 29-6 of the Town Code requires the Mayor and Council to establish compensation of the judges of election at the meeting when the judges are appointed; now, therefore,

SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK that the Council confirms the appointments of the following individuals to serve as judges for the Town election on May 6, 2019:

Chief Election Judge: Geraldine Gee

Deputy Election Judge: Joseph Mooney

Election Judge Ward 1:

Election Judge Ward 2:

Election Judge Ward 3: Karyn Howard

Election Judge Ward 4:

Election Judge Ward 5:

Election Judge Ward 6:

SECTION 2. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK that, the judges shall be paid the following rates:

Chief Judge: \$300 for Election Day, \$50 for training and \$12.00 per hour for election preparation.

Deputy Judge: \$200 for Election Day, \$50 for training and \$12.00 per hour for election preparation.

Ward Judges: \$200 for Election Day and \$50 for training.

SECTION 3. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK that this Resolution shall become effective immediately upon its passage by the Council.

ATTEST:

COUNCIL OF THE TOWN OF
RIVERDALE PARK

Jessica Barnes, Town Clerk

Alan K. Thompson, Mayor

COUNCIL OF THE TOWN OF RIVERDALE PARK, MARYLAND
Resolution 2019-R-03

Introduced by: CM Marsha Dixon

Date Introduced: February 4, 2019

Date Adopted: February 4, 2019

Date Effective: February 4, 2019

FOR THE PURPOSE of appointing members of the Board of Election Appeals for the Town election on May 6, 2019.

WHEREAS, Article V of the Town of Riverdale Park Charter governs all Town elections; and

WHEREAS, Section 502 of that Article requires that the Mayor and Council appoint judges and clerks of election; and

WHEREAS, Chapter 29-22 of the Town Code requires the Mayor and Council to appoint seven (7) members, one (1) each appointed by the Mayor and each Council Member, to the Board of Election Appeals;

THEREFORE, be it resolved that:

Mayor and Council appoint the following members of the Board of Election Appeals for the Town election on May 6, 2019:

Mayor:

Ward 1:

Ward 2:

Ward 3:

Ward 4:

Ward 5:

Ward 6:

ATTEST:

COUNCIL OF THE TOWN OF
RIVERDALE PARK

Jessica Barnes, Town Clerk

Alan K. Thompson, Mayor



Town of Riverdale Park, Maryland

Town Administration

TO: Mayor and Council
FROM: John N. Lestitian, Town Manager
DATE: March 1, 2019
RE: MARC / VRE Connection

Action Requested: Staff seek direction from the Mayor and Council for the Town to comment to the National Capital Region Transportation Planning Board (TPB).

Background: The TPB is accepting public comments as part of the DRAFT FY2020 UNIFIED PLANNING WORK PROGRAM (UPWP). A UPWP is an annual or biennial statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area. One plan under consideration is the establishment of run-through service of the Maryland MARC trains and the Virginia Railway Express trains.

The VRE System Plan 2040 was completed in 2014. The Plan lists a MARC/VRE run-through service in Phase 3, 2031 to 2040. The following excerpt is from the Plan:

Weekend Travel

This market includes weekend trips on both Saturday and Sunday or on Saturday only for work and non-work purposes. While VRE's existing railroad operating agreements do not permit weekend service, VRE may choose to pursue changing those agreements to enable weekend service in the future. Should that be the case, the best approach for VRE is to focus on specific types of trips among the large amount of travel made on weekends: trips to sporting events, museums, theater, restaurants, and other special events, especially where driving afterwards may be constrained. Maryland's MARC service has seen significant growth since starting weekend service to Washington DC in December 2013, and long-established services on other commuter railroads carry as much as half a weekday's passengers.

Run-Through or Regional Rail Service

This market would be tapped by extending VRE service beyond Washington's Union Station to Maryland and extending MARC commuter rail service southward to Virginia to serve through Washington DC trips such as from Rockville or Baltimore to Alexandria or Manassas to Fort Meade to cite a few potential activity centers. VRE and MARC's existing railroad operating agreements do not permit run-through service; however, it is a market that could be pursued with the appropriate railroad capacity investments and agreements.

The run-through market 36 could be as many as 100,000 weekday trips by 2040, depending on the services provided, a third of which could be work-related. Extension of VRE trains into MARC territory or vice versa could attract a share of these trips.

A search of the Maryland Transportation Authority website did not reveal a long-term planning document.

The TPB are accepting public comments on their UPWP until March 16, 2019. The briefing materials for the UPWP are found at the following link:

[https://www.mwcog.org/assets/1/28/02202019 - Item 8 - Feb TPB -](https://www.mwcog.org/assets/1/28/02202019_-_Item_8_-_Feb_TPB_-_Draft_FY_2020_UPWP.pdf)

[_Draft FY 2020 UPWP.pdf](https://www.mwcog.org/assets/1/28/02202019_-_Item_8_-_Feb_TPB_-_Draft_FY_2020_UPWP.pdf). This document is 114 pages. Attached please find select information that may assist the Mayor and Council in your discussion.

Attachments:

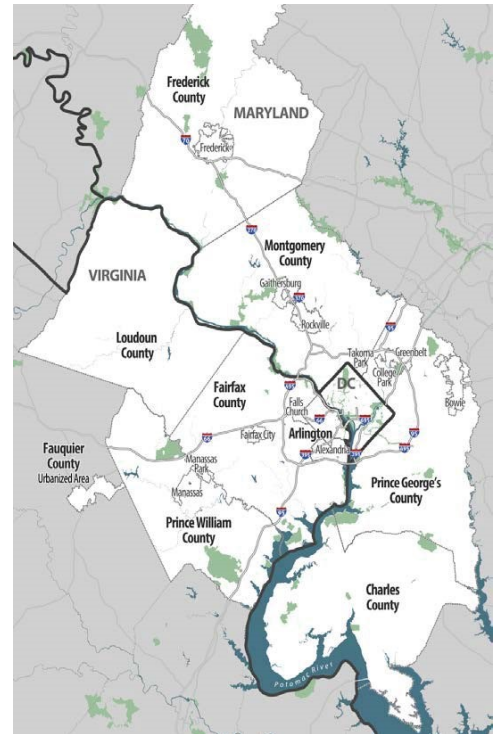
c. file

About the TPB

- Federally designated MPO for the Washington region
- 3,500 square miles in area
- More than 5 million people and nearly 3 million jobs
- About 17 million person trips per day
- Plays an important role as the regional forum for transportation planning
- Prepares plans and programs that the federal government must approve in order for federal-aid transportation funds to flow to metropolitan Washington
- Provides technical resources for decision-making



National Capital Region
Transportation Planning Board



Agenda Item #8: Draft FY 2020 UPWP
February 20, 2019

5

Unified Planning Work Program – “How” the work is done

- A Unified Planning Work Program (UPWP) is an annual or biennial statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area
- MPOs are required to develop UPWPs to govern work programs for the expenditure of FHWA and FTA planning funds [23 CFR 450.308)(b)]
- Board to approve March 20, 2019



National Capital Region
Transportation Planning Board

Agenda Item #8: Draft FY 2020 UPWP
February 20, 2019

6

Member Benefits Technical Resources for Decision-Making

- Travel monitoring
- Travel forecasting
- Multimodal initiatives
- Greater emphasis on performance
- Variety of communication tools to help us and you get the word out
- Travel, traffic, demographic analysis & datasets



Highlighted Activities

- New 2021-2026 TIP
- New iTIP Database
- Supporting Visualize 2045 Aspirational Initiatives
- Safety Study
- MARC/VRE Run Through Study
- Congestion Management Technical Report



Figure 4: Transportation Planning Studies within the National Capital Region, 2018

STUDY	PRIMARY AGENCIES	SCHEDULE	PRODUCTS
REGIONAL			
Station Area Plans (multiple stations)	WMATA	On-going	Plans
Station Access Studies (multiple stations)	WMATA	On-going	Plans
Station Capacity Studies	WMATA	On-going	Plans
Bus Service Evaluation Studies	WMATA	On-going	Studies
Bus Transformation Project: Metrobus Strategy and Roadmap	WMATA	2019	Plan
Flexible Metrorail Operational Analysis	WMATA	2019	Study, Plan
Blue/Orange/Silver Corridor Capacity & Reliability Alternatives Analysis	WMATA	2020	NEPA - scoping
D&G Junction Pocket Track Extension Project Development	WMATA	2021	Plan, Construction Package
SmarTOD (TOD planning online tool)	WMATA	2020	Model/Data tool
Bus-Oriented Development Study	WMATA	2021	Study
Applied Planning Intelligence Data Analysis Support Platform	WMATA	Develop 2020; ongoing	Data tool
Electric Bus Implementation Alternatives Analysis	WMATA	2020	Study, NEPA scoping
MARC/VRE D.C. Run-through Latent Demand Study	MWCOG, MDOT MTA, VRE	2019	Report

TRANSPORTATION

TPB Comment Form

Comment on the TPB's FY 2020 Unified Planning Work Program

Comment by March 16, 2019

The Unified Planning Work Program (UPWP) describes the regional transportation planning and special technical assistance work activities proposed to be undertaken between July 1, 2019 and June 30, 2020 by COG/TPB staff in cooperation with state, local, and public transportation agencies.

The TPB released the FY 2020 UPWP for a 30-day public comment period from February 14 to March 16, 2019. Comments will be reviewed and shared with the TPB prior to requesting its approval on March 20, 2019.

Materials for review and comment:

- [TPB briefing materials on the FY 2020 UPWP](#) (presentation and draft document)

Comments submitted below (or by email to tpbcomment@mwkog.org) are manually reviewed and approved and may take up to one business day before appearing in the search results below.

Comment on the TPB's FY 2020 Unified Planning Work Program

Name of Agency/Business/Organization

First Name *

Last Name *

Address 1

Address 2

City *

State *


Zip/Postal Code *

Phone

E-mail *

Subject

Text Area

REC 

999 characters left

Comments longer than 1,000 characters in length may be submitted by uploading a Word or

PDF document below.

File Upload

Browse...

☐ I'm not a robot

reCAPTCHA
[Privacy](#) - [Terms](#)

Submit

Reset

TPB UPWP Comment Form Submissions

Name of Agency/Business/Organization:

Subject:

Search Clear

Name of Agency/Business/Organization	First Name	Last Name	City	State	Zip/Postal Code	Subject	File Upload
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Results: 0 Comments found.

The Metropolitan Washington Council of Governments (COG) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination in all programs and activities. For more information, to file a Title VI related complaint, or to obtain information in another language, visit www.mwcog.org/nondiscrimination or call (202) 962-3300.

El Consejo de Gobiernos del Área Metropolitana de Washington (COG) cumple con el Título VI de la Ley sobre los Derechos Civiles de 1964 y otras leyes y reglamentos en todos sus programas y actividades. Para obtener más información, someter un pleito relacionado al Título VI, u obtener información en otro idioma, visite www.mwcog.org/nondiscrimination o llame al (202) 962-3300.



Town of Riverdale Park, Maryland

Office of Finance Services

TO: John N. Lestitian, Town Manager

FROM: Paul Smith, Director of Finance and Employee Services

DATE: March 1, 2019

RE: FY2020 Projected Fund Balances

Action Requested: No formal action is requested. Staff seek an opportunity to provide a high-level information update to and to receive input from the Mayor and Council and the public on the FY2020 Projected Fund Balances.

Background: The staff Leadership Team and Budget Committee continue their work in developing the FY2020 Proposed Budget. Staff will present information in the same format that we have throughout this budget development process. The Town maintains the following Funds:

- General Fund Reserve
- Economic Development Fund
- Community Development Fund
- Health and Wellness Fund
- Special Revenue Fund (TIF)
- Debt Service Reserve Fund
- Capital Improvement Fund

The presentation will provide current projections for FY2020 Fund Balances. It is important to note that the Budget Committee is working to balance the FY2020 Proposed Budget and fund balance numbers may change over the course of the next month.

At the meeting, staff will be available to respond to questions or concerns.

c. Leadership Team



Riverdale Park Ethics Commission

Committee Members

- ▶ Chair
 - ▶ John Wells
- ▶ Vice-Chair
 - ▶ Corey Beauford
- ▶ Commission Member
 - ▶ Andrea Huberty
- ▶ Attorney to the Commission
 - ▶ Frederick C. Sussman
- ▶ Town Manager
 - ▶ John Lestitian
- ▶ Town Clerk
 - ▶ Jessica Barnes

Purpose of the Commission

- ▶ Per Chapter 32 of the Riverdale Park Code of Ethics
 - ▶ *Adopted October 23, 2011*
- ▶ “... to provide regulations relating to conflicts of interest, financial disclosure by Town elected officials, candidates for elective Town office, and certain Town employees, and lobbying disclosure...”
- ▶ “... providing for enforcement of the terms of the ordinance and penalties for violations...”
- ▶ “... generally relating to the enactment of new regulations intended to ensure ethical conduct by Town officials and employees and appropriate disclosure by candidates for Town elective office.”

Duties of the Commission

- ▶ Review Financial Disclosure Statements
- ▶ Address Conflicts of Interest and Issue Advisory Opinions
- ▶ Manage Lobbyist Registration and Reporting
- ▶ Charged with Investigating and Adjudicating Alleged Violations
- ▶ Enforcement of the Ethics Ordinance

Next Steps

- ▶ Education and Outreach
- ▶ Ethics Commission Webpage
- ▶ Updates to the Town Ordinance and Financial Disclosure Statement

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