

**Mayor and Council of Federalsburg  
Tuesday, January 3, 2023  
Public Hearing and Meeting @ 6:00 P.M.**

This Meeting is being held at the Mayor and Council Meeting Room located at 118 North Main Street. Citizens who wish to participate by video shall follow directions listed below:

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/88900808018?pwd=UXNiTUJ2Tkdk2Mjl2L3hNQWVnRlFKQT09>**

**Meeting ID: 889 0080 8018**

**Passcode: TOFBusi**

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**Agenda**

- I. Call to Order**
- II. Welcome and Pledge of Allegiance**
- III. Public Hearing - ORDINANCE NO. 2022-09 AN ORDINANCE OF THE MAYOR AND COUNCIL OF FEDERALSBURG TO AUTHORIZE THE FEDERALSBURG POLICE DEPARTMENT TO ISSUE AND ENFORCE CITATIONS BASED ON SPEED MONITORING SYSTEMS**
- IV. Public Hearing - ORDINANCE NO. 2022-10 AN ORDINANCE OF THE MAYOR AND COUNCIL OF FEDERALSBURG TO AMEND CHAPTER 239 OF THE FEDERALSBURG TOWN CODE TITLED "WATER SYSTEMS, PRIVATE" TO AMEND THE PROCESS FOR OBTAINING A PRIVATE WELL IN TOWN**
- V. Public Comment**
- VI. Approval of Minutes**
- VII. Action on ORDINANCE NO. 2022-09 AN ORDINANCE OF THE MAYOR AND COUNCIL OF FEDERALSBURG TO AUTHORIZE THE FEDERALSBURG POLICE DEPARTMENT TO ISSUE AND ENFORCE CITATIONS BASED ON SPEED MONITORING SYSTEMS**

**VIII. Action on ORDINANCE NO. 2022-10 AN ORDINANCE OF THE MAYOR AND COUNCIL OF FEDERALSBURG TO AMEND CHAPTER 239 OF THE FEDERALSBURG TOWN CODE TITLED "WATER SYSTEMS, PRIVATE" TO AMEND THE PROCESS FOR OBTAINING A PRIVATE WELL IN TOWN**

**IX. Fee Schedule Review and Proposed Revisions**

**X. 115-117 N. Main Street Draft Scope of Work**

**XI. Apartment Building Trash Collection**

**XII. Mayor & Council Action Items**

- \* **Councilmember Windsor**
- \* **Councilmember Sewell**
- \* **Councilmember Phillips**
- \* **Councilmember Willoughby**
- \* **Mayor Abner**

**XIII. Executive Session – Personnel**

**XIV. Adjournment**

**NOTES:**

**THE MEETINGS ARE BEING RECORDED, PLEASE TURN OFF ALL CELLULAR DEVICES AND PAGERS DURING THE MEETING, PLEASE REMAIN QUIET, UNLESS ADDRESSING THE COUNCIL.**

***Please Note:*** Pursuant to the Annotated Code of Maryland, State Government Article Section 10-508(a), the Council by majority vote may retire to executive or closed session at any time during the meeting. Should the Council retire to executive or closed session; the chair will announce the reasons and a report will be issued at a future meeting disclosing the reasons for such session. Meetings are conducted in Open Session unless otherwise indicated. All or part of Mayor and Council meetings can be held in closed session under the authority of the state open meetings law by vote of the Mayor and Council.

***Rules for Public Comment***

The Mayor and Council invite and welcome comments at public meetings. The Mayor or presiding officer will recognize you. Please introduce yourself at the podium (spelling

your last name, for recording purposes) and give the name of your street and block number (e.g., 100 block of Main Street).

Time limits for speaking are indicated on the meeting agenda. While speaking, please maintain a courteous tone and avoid personal attack.

**Mayor & Council of Federalsburg**  
**Monday, December 5, 2022**  
**6:00 pm**

The Mayor & Council of Federalsburg held their regular monthly meeting on Monday, December 5, 2022 at 6:00 pm, in the Mayor & Council meeting room located at Town Hall. Those in attendance were Mayor Abner and Councilmembers Sewell, Phillips, Windsor and Willoughby. Lyndsey Ryan, Town Attorney, staff and members of the public were also present.

Mayor Abner called the meeting to order at 6:00 pm, welcomed all guests present and led the group in the pledge of allegiance.

**Prayer of Invocation**

Pastor Marie Coulbourne led the group in a Prayer of Invocation.

**Public Comments**

**Federalsburg Activity Center** – Pam Bockhart and David Ricks gave an update on the Federalsburg Activity Center. They also thanked the Town again for their donation. The Activity Center is now at a standstill and waiting for the grant money from the State of Maryland so they can proceed with renovations. They are anxious to get the heat installed and duct work completed because with the weather getting colder they don't want the pipes to freeze

Mr. Ricks stated that the Activity Center was contacted by the Boys & Girls Club with discussions to partner with them. They will assist with finishing the building and setup some of their programs to assist with the community. Mr. Ricks stated that they have not made any decisions yet but they are having discussions and getting more information to weigh their options.

There were some questions about the amount of flexibility the Center will have if the Boys & Girls Club comes in. They offer many leadership classes and set up everything so they can acquire a portion of the building. They would payoff the building and assist with renovations, but details are still being discussed.

Mayor Abner requested contact information and offered to reach out to our State of Maryland contacts for assistance.

There was concern that some of the Town's people who have already donated to the Activity Center may not agree with the Boys & Girls Club joining in. The Activity Center is would like input from anyone/everyone in the Community on this issue.

## Approval of Minutes

Councilmember Phillips requested a change to the previous month's minutes. He stated that he did not object to revising the entire Comprehensive Plan, he only objected to the length of time it has taken to get it completed.

Councilmember Phillips made a motion seconded by Councilmember Windsor and unanimously passed to approve the previous months minutes as corrected.

### **Introduction of Ordinance No. 2022-09 – Authorize and Enforce Citations**

Councilmember Sewell introduced Ordinance No. 2022-09, an Ordinance of the Mayor and Council of Federalsburg to authorize the Federalsburg Police Department to issue and enforce citations based on speed monitoring systems.

This ordinance provides for the Town to work with a local company to utilize speed ticketing cameras in town. These radar systems can be located within one-half mile of any public school and will automatically issue payable tickets once a violator is detected going over the posted speed limit. Citations would have a fine of \$40 set by the Maryland General Assembly and the town would divide proceeds with the vendor minus expenses.

Chief McDermott stated that one camera will be permanently located near the Federalsburg Elementary School and one mobile camera unit will be located within a half mile of the school. Chief McDermott stated that there is no cost to the school, but a contract is required and the Town must continue working with them for a specified amount of time.

Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously passed to introduce Ordinance No. 2022-09 and schedule a Public Hearing for the January 3, 2023 regular meeting.

### **Introduction of Ordinance No. 2022-10 – Amend Section 239 entitled Water Systems, Private**

Councilmember Willoughby introduced Ordinance No. 2022-10, an Ordinance of the Mayor and Council of Federalsburg to amend Chapter 230 of the Federalsburg Town Code titled, "Water Systems, Private" to amend the process for obtaining a private well in Town.

Town Manager DiRe stated that the main change is to remove the \$25 fee and allow the Mayor and Council to determine a fee.

Councilmember Willoughby made a motion seconded by Councilmember Phillips and unanimously passed to introduce Ordinance No. 2022-10 and schedule a Public Hearing for the January 3, 2023 regular meeting.

## **Introduction of Resolution No. 2022-01 – Amending Article IV and Article V Amending the Process for Appointing Certain Employees**

Councilmember Phillips introduced Resolution No. 2022-01, a Resolution of the Mayor and Council of Federalsburg amending Article IV and Article V of the Federalsburg Town Charter to amend the process for appointing certain employees.

Councilmember Phillips made a motion seconded by Councilmember Sewell and unanimously passed to introduce Resolution No. 2022-01 and schedule a Public Hearing for January 3, 2023.

## **Review of Town Charter Article II – Elections**

Town Manager DiRe reported that town staff is bringing this Town Charter Chapter Article to the Mayor and Council for review and update. The Mayor and Council have some questions about changing the town election. It was agreed to contact the Board of Elections to determine if the town election and general election can be held at the same time and place.

Town Manager DiRe reported that the Charter must list exactly what the Town intends to do. So the details will need to be worked out before posting a Public Hearing/Charter Amendment

It was agreed to include on the January agenda for further discussion.

## **Mayor & Council Action Items**

**Councilmember Windsor** – was unable to attend the November Planning & Zoning meeting.

**Councilmember Sewell** – Councilmember Sewell questioned when the lights would be reinstalled on the water tower – Town Manager DiRe stated that once Pixelumen gets back in this area the lights will be reinstalled.

She also thanked everyone who attended tree lighting – it was a great event. December 12<sup>th</sup> is the Christmas parade at 7 pm – she suggested Mayor and Council decide if they are riding or walking. December 18<sup>th</sup> is the Christmas in Chambers Park event at 530 pm. Tomorrow morning at 830 am the change of command for the new Caroline County Officers will take place and the new County Commissioners and new Sheriff Donnie Baker will be sworn in.

**Councilmember Phillips** – Councilmember Phillips had questions regarding the Old Denton Road project. Specifically are all homes on Old Denton Road included in the new connections – Town Manager DiRe stated no there are 11 homes that were not included in the project. There have been some engineering/design problems with this project and this is another one of them. There was also discussion about the entire project being located outside town limits and reaching out to the County to see if they will contribute to the project. Town Manager DiRe will reach out to the County.

There was also question regarding the Riverwalk Terrace project, and whether or not trash collection had been discussed. Town Manager DiRe reported that there have been no discussions regarding trash collection and it was agreed that it should be discussed and Mr. Rauch made aware of the decision.

There was discussion regarding trash collection for the apartment complexes and if the Town would continue to conduct trash collection or allow them to opt out.

**Councilmember Willoughby** – Councilmember Willoughby also stated that the Tree Lighting event was a great event. He also requested an update on the water tower lease agreement/sale.

**Mayor Abner** – Mayor Abner expressed thanks to the Public Works staff for all work on sewer issues recently. She also stated that she has looked over the Comprehensive Plan and will put into a Word document. She agrees that there are a lot of items in the plan that do not need to be in there or need updating. She has also printed out the State requirements and will share with the Planning Commission.

Mayor Abner also expressed thanks to the Lions Club and Public Works Department for putting up the Christmas decorations and making our town beautiful.

#### **Request for Executive Session – Legal Advice and Personnel**

Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously passed to go into closed session for a personnel matter and legal advice at 6:56 pm.

The regular meeting reconvened at 8:06 pm. Mayor Abner reported that the closed session was held from 6:56 to 8:06 pm and no action was taken.

#### **Adjournment**

There being no further business, Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously approved by a vote of five to zero to adjourn the meeting at 8:06 pm.

Respectfully submitted,

**Kristy L. Marshall**

Clerk - Treasurer

ORDINANCE NO. 2022-09

Introduced by: \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF  
FEDERALSBURG TO AUTHORIZE THE FEDERALSBURG POLICE  
DEPARTMENT TO ISSUE AND ENFORCE CITATIONS BASED ON  
SPEED MONITORING SYSTEMS**

WHEREAS, pursuant to the Town of Federalsburg Charter, Section C3-7, the Mayor and Council of Federalsburg have the power to pass ordinances for the purpose of securing persons and property from violence, danger or destruction, and for the protection and promotion of health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein; and

WHEREAS, pursuant to Md. Code Ann. Transportation Article § 21-809, the Federalsburg Police Department has the authority to use and enforce citations issued from speed monitoring systems within one-half mile of any school; and

WHEREAS, in accordance with Md. Code Ann. Transportation Article § 21-809, the Mayor and Council conducted an advertised public hearing on \_\_\_\_\_, 202\_\_; and

WHEREAS, the Mayor and Council have determined that it is desirable and in the public interest to authorize the Federalsburg Police Department to utilize speed monitoring systems within one-half mile of the Federalsburg Elementary School.

NOW, THEREFORE, be it ordained by the Mayor and Council of Federalsburg as follows:

Section 1. Designation of School Zones. A school zone, as defined in Md. Code Ann. Transportation Article § 21-809 (hereinafter the "Statute") is hereby designated within one-half mile of the property improved by the Federalsburg Elementary School situate and lying within the corporate boundary of the Town.

Section 2. Establishment of Speed Monitoring System. A speed monitoring system, as defined by the Statute, is hereby authorized and established in the school zone designated in this Ordinance. The Federalsburg Police Department is authorized to implement and enforce citations issued by the speed monitoring system.

Section 3. Contracts with Speed Monitoring System Contractors. The Mayor and Council may, by resolution, enter into one or more contracts from time to time with one or more qualified speed monitoring system contractors, as provided in the Statute, upon such terms and conditions as deemed desirable by the Mayor and Council; provided however, that no such contract may include a provision under which the contractor's fee is contingent on a per-ticket basis on the number of citations issued or paid. The Contractor designated pursuant to this Section shall be the

Speed Monitoring System  
Ordinance 2022-09

speed monitoring system operator, as defined in the Statute, shall operate the speed monitoring system in accordance with the Statute, and shall administer and process warnings and civil citations as provided in the Statute.

Section 4. Penalty. The driver of a motor vehicle is subject to a civil penalty in the amount of \$40 if the motor vehicle is recorded by a speed monitoring system as being operated in a school zone in excess of the posted speed limit.

Section 5. Administrative Fees. The Town of Federalsburg hereby imposes and may collect the following administrative fees related to the implementation of a speed enforcement using speed monitoring systems in school zones within Town:

- a. MVA flagging fee for unpaid citation: \$35;
- b. Returned check fee: \$25 per returned check;
- c. If a speed camera or red-light camera citation has not been paid in 30 days, the fee shall double, and if not paid in 60 days, the fee shall double again for each speed and red-light camera citation;
- d. Any citations for speed or red-light camera that are unpaid after 60 days risk the suspension of their tags.

Section 6. Notice. If the Town moves or places a mobile or stationary speed system to or at a location where a speed monitoring system had not previously been moved or placed, the Town may not issue a citation for a violation recorded by that speed monitoring system:

- a. Until signage is installed in accordance with Transportation Article, § 21-809(B)(1)(VII), of the Maryland Annotated Code, as amended from time to time; and
- b. For at least the first 15 calendar days after the signage is installed.

Section 7. Warning. Within first 30 days after the first speed monitoring system is placed in the jurisdiction, a violation recorded by any speed monitoring system may be enforced only by the issuance of a warning.

Section 8. Severability. In case any one or more of the provisions of this Ordinance shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceable shall not affect any other provision hereof; and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Speed Monitoring System  
Ordinance 2022-09

Section 9. Effect. In accordance with Section C3-10, of the Federalsburg Town Charter, this Ordinance shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

	Yea/Nay
Kimberly Abner	_____
Debra Sewell	_____
Edward H. Windsor	_____
Robert Willoughby	_____
Scott Phillips	_____

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Kimberly Abner, Mayor

Delivered by the Mayor and recorded by me in the Minute Books of the Mayor and Council of Federalsburg this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Kristy Marshall, Town Clerk

Date Introduced: \_\_\_\_\_  
Date Amendments Introduced: \_\_\_\_\_  
Date Passed: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

ORDINANCE NO. 2022-10

Introduced by: \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF  
FEDERALSBURG TO AMEND CHAPTER 239 OF THE  
FEDERALSBURG TOWN CODE TITLED “WATER SYSTEMS,  
PRIVATE” TO AMEND THE PROCESS FOR OBTAINING A PRIVATE  
WELL IN TOWN**

WHEREAS, pursuant to Md. Code Ann. Local Government Article § 5-202, and Federalsburg Town Charter Section C3-7, the Mayor and Council have the authority to adopt ordinances to protect the health, safety, comfort and convenience of the residents of the Town; and

WHEREAS, the Mayor and Council are concerned about the risk of water wells running dry and groundwater depletion; and

WHEREAS, the Mayor and Council have a process for approving private wells within the Town of Federalsburg that they believe is inadequate to address their concerns and ensure the protection of the public health and welfare; and

WHEREAS, the Mayor and Council have determined that it is desirable and in the public interest to amend the Town Code to further define the process for seeking a permit for a private well and increase the fees for doing so within the corporate limits of the Town.

NOW, THEREFORE, be it ordained by the Mayor and Council of Federalsburg as follows:

**Section 1.** Chapter 239-8 of the Federalsburg Town Code is hereby amended as follows:

**§ 239-8 Application; fee; drawings and specifications.**

Any person contemplating the construction of a private well for domestic use, outside irrigation purposes, refrigeration cooling purposes or the filling of swimming pools shall, ~~previous~~ **prior** to the beginning of any construction, make a formal application **to the Town Office**. The permit fee shall be **paid at the time of submitting the application and the fee shall be set by resolution by the Mayor and Council** ~~\$25 for each well~~. **Applications shall not be considered by the Town until all necessary state, county, and federal approvals have been obtained.** Applications for such permit, except wells referred to in Subsection C of this section, shall be in a form provided by the Codes Inspector. Whenever in the opinion of the Codes Inspector, **or Town Engineer**, complete plans and

specifications are needed to show ~~definitely~~ the desired installation for which the application is made, the applicant shall furnish such drawings and specifications. These drawings and specifications shall be drawn to scale and submitted in duplicate. If approved, one set shall be returned to the applicant marked approved, and one set shall be retained and filed as a permanent record in the office of the Codes Inspector.

**Section 2.:** Chapter 239-12 of the Federalsburg Town Code is hereby amended as follows:

**§ 239-12 Use of private wells for industrial purposes.**

A. Notwithstanding any of the provisions of this chapter, the use or replacement of existing private wells for industrial purposes may be permitted only upon specific prior approval of the Mayor and Council after formal application thereto and hearing thereon *the content of said application and the findings of the Town's Engineer* at one or more regular meetings of the Mayor and Council. *Applications shall not be considered by the Town until all necessary state, county, and federal approvals have been obtained. The Mayor and Council may extend the public review and comment period for an additional fifteen (15) days past the hearing date. The applicant is responsible for all costs incurred by the Town and any of its agents in reviewing the application, conducting necessary site visits, and advertising for the public hearing.* ~~Such~~ Mayor and Council approval shall be evidenced by a resolution adopted by the Mayor and Council ~~and spread upon its minutes.~~ Such resolution shall set forth in precise terms the exact size, location, depth, use or uses and all other pertinent details with respect to the particular private well approved.

B. It shall be the intent of this section to permit the use of an existing well or to replace an existing well with one of equal depth, size and capacity but not to permit increased well capacity, except for uses permitted by this section. In the Mayor and Council's sole discretion, such resolution also may specify initial permit fees and annual permit renewal fees greater than those provided in § ~~239-8,~~ ~~but such fees in no event shall exceed five times the amounts specified in such section.~~

C. No well shall be permitted nor used, if in the judgment of the Mayor and Council based upon the advice of its engineering firm, the use of the well shall adversely affect the public water supply and operation of the water system of the

Mayor and Council of Federalsburg, *or the water supply of properties within a close proximity to the location of the well requested.*

**Section 3.** In case any one or more of the provisions of this Ordinance shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceable shall not affect any other provision hereof; and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

**Section 4.** In accordance with Section C3-10, of the Federalsburg Town Charter, this Ordinance shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

	Yea/Nay
Kimberly Abner	_____
Debra Sewell	_____
Edward H. Windsor	_____
Robert Willoughby	_____
Scott Phillips	_____

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Kimberly Abner, Mayor

Delivered by the Mayor and recorded by me in the Minute Books of the Mayor and Council of Federalsburg this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Kristy Marshall, Town Clerk

Date Introduced: \_\_\_\_\_

Date Amendments Introduced: \_\_\_\_\_

Date Passed: \_\_\_\_\_

Effective Date: \_\_\_\_\_

TO: Mayor & Council Members  
FR: Larry DiRe, Town Manager  
DT: January 3, 2023  
RE: Fee Schedule Review and Proposed Revisions

The town's current fee ordinance and fees charged by the contracted inspection and plan review firm are attached for review and discussion. Please note the rental license and inspection fees were raised from \$40.00 to \$100.00 on December 7, 2020 with the adoption of Resolution 2020 – 03. Although that is not reflected on this version of the town's fee schedule. The next version will be amended accordingly.

Staff recommends the mayor and council adopt the full inspection and plan review service fees charged by the contractor as an addendum to the town's fee schedule ordinance. Staff also recommends several additions to the town's fee schedule to capture costs involving staff time and place a fee on at least two functions not currently charged. As additions staff recommends the following:

- Solar – staff recommends a flat \$50.00 permit fee for proposed small scale residential, commercial, and institutional projects. In addition to this proposed fee, solar projects should also be charged for an electrical permit fee and a plumbing permit fee if the solar project is connected to a hot water heater.
- Private well for industrial use – pending approval of Ordinance 2022 – 10, staff recommends the fee schedule be revised to reflect a \$250.00 permit fee which will cover multiple hours of staff time required to review an application and prepare documents for the required public hearing(s). All associated costs from engineering, hydrologic, legal and any other professional service application review will be invoiced separately from staff time and will be collected in full from the applicant.
- Electrical, plumbing, and HVAC – while the contractor has a stated inspection fee for all of these currently there is no town permit fee associated, Staff recommends a flat \$50.00 fee for all of these for residential and commercial use, and a flat \$150.00 fee for industrial use.

Charging fees is based on a “user pays” approach and defers to cost incurred by the general fund for a private benefit.

Provided for informational purposes at this time. Pending further discussion, provide direction to staff.



## EXHIBIT C

# TOWN OF FEDERALSBURG, MD BUILDING INSPECTION FEE SCHEDULE

- 1) Accessory Dwelling (separate eating, sleeping and living quarters)
  - a) Attached to Existing Dwelling \$245.00
  - b) Detached Structure \$245.00
  - c) Conversion of Existing Structure \$145.00
  
- 2) Accessory/Detached Structures to be permanently affixed to the ground or on a permanent foundation.
  - a) Garages \$115.00
  - b) Pole Buildings \$115.00
  - c) Storage Sheds \$115.00
  - d) Pool Houses \$115.00
  - e) Carports \$115.00
  
- 3) Additions to Residential Dwellings
  - a) Garages \$115.00
  - b) Porches \$115.00
  - c) Rooms \$115.00
  - d) Expansion of Existing Rooms \$115.00
  - e) Dormers \$95.00
  - f) Decks \$95.00
  
- 4) Alterations/Renovations to Residential Dwellings
  - a) Interior \$95.00
  - b) Exterior \$95.00
  - c) Multi-work (Interior & Exterior) \$115.00
  - d) Sunrooms \$115.00
  
- 5) Commercial/Industrial/Institutional
  - a) New Stick Built Construction \$0.25/ sq. ft.
  - b) New Modular Construction \$0.25/ sq. ft.
  - c) Addition \$0.25/ sq. ft.
  - d) Alteration/Renovation 1% of cost of construction
  
- 6) Fireplace/Heating Systems
  - a) New \$85.00
  - b) Repair \$85.00
  
- 7) Foundation
  - a) New \$85.00
  - b) Repair \$85.00



8) Mobile/Manufactured Dwelling	
a) Single wide	\$145.00
b) Double wide	\$145.00
c) Triple wide	\$200.00
9) Multi-Family Dwelling/Two-Family Dwelling	\$145.00 per dwelling
10) New Single-Family Dwelling	
a) Stick-Built	\$245.00
b) Modular	\$145.00
11) Residential Pool	
a) In-ground	\$115.00
b) Above-ground	\$85.00
c) Spa/Hot Tub	\$85.00
12) Commercial Pool	
a) In-ground	\$125.00
b) Above-ground	\$95.00
c) Spa/Hot Tub	\$95.00
13) Sign	
a) Ground-mount	\$115.00
b) On-building	\$85.00
14) Townhouse	\$245.00 per unit
15) Demolitions	\$85.00
16) Signs involving load bearing or related safety issues.	
a) Ground-mount	\$115.00
b) On-building	\$85.00

\* Additional inspection trips required will be assessed a \$50.00 per trip fee

\* After-hours response or other special situations billed at \$100.00 per hour



## **TOWN OF FEDERALSBURG, MD**

### **PLUMBING INSPECTION FEE SCHEDULE**

#### **Non-Residential**

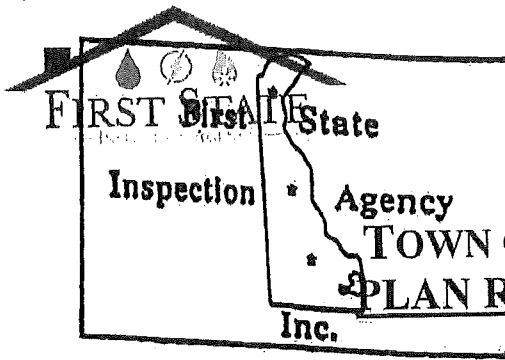
(listed fees apply to new construction, additions and alterations)

Piping under slab (waste and supply), not over 5 fixtures	\$31.00
Each additional fixture	\$6.00
Piping rough in (waste and supply), not over 5 fixtures	\$31.00
Each additional fixture	\$6.00
Piping final inspection not over 5 fixtures	\$31.00
Each additional fixtures	\$6.00
<b>MINIMUM FEE</b>	<b>\$85.00</b>

#### **Residential**

Manufactured Dwellings, per unit (including Mobile Home)	\$85.00
Single Family Dwelling – not over 3 full and/or partial baths	\$130.00
Single Family Townhouse, Condominium – not over 3 full baths	\$130.00
Two Family Dwelling – not over 2 full and/or partial baths per unit	\$175.00
Multi-Family Apartment Building - not over 2 full and/or partial baths per unit	
First Apartment	\$130.00
Each additional Apartment	\$85.00
Each additional bathroom per Dwelling, Townhouse, Condo or Apartment	\$40.00
Additions and Alterations – inspection of drains, wastes, vents, and supply piping	
not over 5 fixtures	\$85.00
Each additional fixture	\$15.00
<b>MINIMUM FEE</b>	<b>\$85.00</b>

Renovations, Alterations and structures not covered by this schedule...  
**APPLY FOR SPECIAL FEE**



**TOWN OF FEDERALSBURG, MD**  
**PLAN REVIEW FEE SCHEDULE**

**BUILDING**

*All use groups other than R3 and R4*

- New Construction (Fee based on \*Gross Floor Area of construction)

Up to and including 10,000 sq. ft.	\$ .045 per sq. ft.
Greater than 10,000 sq. ft.	\$ .03 per sq. ft.

\*Gross Floor Area is defined as the total square footage of all floors, within the perimeter of the outside walls, including basements, cellars, garages, roofed patios, breezeways, covered walkways and attics with floor to ceiling height of 6'6" or more.

- Alterations

1.0% of the estimated cost of construction

Minimum fee \$ 60.00

*One- and Two-Family Dwellings (use groups R3 and R4)*

- New Construction

\$145.00 per dwelling unit includes building, plumbing, and mechanical

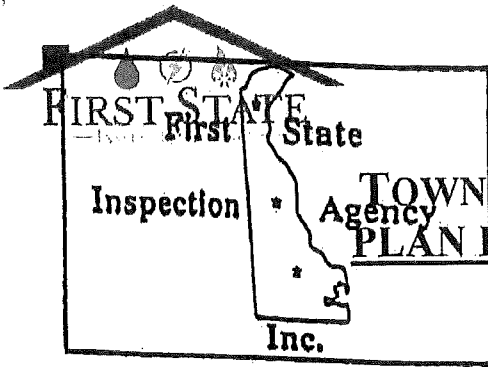
- Alterations and Additions

0.75% of the estimated cost of construction

• Accessory Structures (pole building, garage, pool house)	\$80.00
• Sunroom & screen porch	\$50.00
• Minor interior renovations (basement fit-out)	\$40.00
• Sheds - Pre-Fab/ Stick-built	\$30.00/ \$40.00
• Swimming pools	\$30.00
• Decks	\$30.00
• Solar plan review	\$30.00

Minimum fee \$30.00

Town of Federalsburg, 2021.10.14



**TOWN OF FEDERALSBURG, MD**  
**PLAN REVIEW FEE SCHEDULE**

**PLUMBING**

(All use groups other than R3 and R4)

- Each Fixture or Device \$1.25 ea  
(except special device)
  
- Special Device \$6.50 ea

Examples of Special Devices include: Grease traps, oil separators, water and sewer connections, backflow preventer, steam boilers, sewer pumps, interceptors, etc.

**Minimum fee \$40.00**

When combined with building plan review, plumbing plan reviews for all use groups except R3 and R4 will be performed for 20% of the building plan review fee.

ORDINANCE 2018-3

Introduced by: \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF FEDERALSBURG TO ADOPT AN UPDATED COMPREHENSIVE SCHEDULE OF FEES CHARGED BY THE TOWN OF FEDERALSBURG FOR VARIOUS APPLICATIONS, PERMITS AND INSPECTIONS, AND TO REPEAL ALL ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THE NEW SCHEDULE**

WHEREAS, pursuant to Md. Code Ann. Local Gov't Article, § 5-205 of the Maryland Annotated Code, the Mayor and Council are authorized to establish and collect reasonable fees and charges associated with the exercise of any governmental or proprietary function authorized by law to be exercised by the Town; and

WHEREAS, the Mayor and Council have determined that it is desirable and in the public interest to adopt an updated comprehensive schedule of fees and charges associated with various licenses, permits, applications, inspections and review fees charged by the Town.

NOW, THEREFORE, BE IT ORDAINED BY the Mayor and Council of Federalsburg: as follows:

**Section 1.** The following fee schedule is hereby adopted:

**TOWN OF FEDERALSBURG  
APPLICATION, PERMIT, INSPECTION AND FEE SCHEDULE**

	<u>Permit Application</u>	<u>Inspection Fee</u>
<b><u>I. MISCELLANEOUS FEES</u></b>		
Yard Sale	\$2.00	
All types of Signs (Two sq. ft. or less) (Plus \$2.00 for each additional sq. ft.)	\$10.00	\$10.00
Gasoline Pumps/Island	\$100.00	\$100.00
Fuel Tanks per installation	\$100.00	\$100.00
Re-Inspection Fee (Each time)		\$75.00
<b><u>II. RESIDENTIAL RENTAL HOUSING LICENSE AND INSPECTION</u></b>		
Residential Rental Unit	\$40.00 (annual license)	\$65.00*
Re-inspection Fee (for each re-inspection)		\$45.00

\*Inspection fee is due upon the inspection of the particular unit that is the subject of the inspection.

**III. NON-RESIDENTIAL CONSTRUCTION FEES**

Certificate of Occupancy (only)		\$100.00
Commercial/Industrial/Institutional Building	\$600.00	\$.25 per sq. ft. of gross* floor area
Commercial/Industrial/Institutional Renovations/Repair (Over \$5,000.00 Value)	\$300.00	\$.25 per sq. ft. of gross floor area
Commercial/Industrial/Institutional Renovations/Repairs under \$5,000.00 Value and not requiring sealed drawings (Requires affidavit of compliance signed by property owner)	\$200.00	\$.25 per sq. ft. of gross floor area
Demolition/Moving of Structure Plus \$10,000 bond or letter of credit	\$50.00	\$50.00
Re-Inspection Fee (each time)		\$150.00
Roof (Replacement/Repair)	\$40.00	\$40.00 plus an additional \$.04/ per sq. ft. of roof area being installed
Swimming Pool (Public or Commercial)	\$300.00	\$50.00
Swimming Pool Fence (Public or Commercial)	\$150.00	\$50.00

\*Gross Floor Area for purposes of this Ordinance for both non-residential and residential is defined as the total square footage of all floors within the perimeter of the outside walls, including basements, cellars, garages, roofed patios, breezeways, covered walkways and attics with floor to ceiling height of 6'6" or more.

**IV. RESIDENTIAL CONSTRUCTION PERMIT FEES:**

Accessory Structures (Over 200 sq. ft.) (Including but not limited to carports, garages, storage buildings, etc.)	\$50.00	\$.25 per sq. ft. of gross floor area
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Apartment Building:

First two (2) units	\$300.00	\$.25 per sq. ft. of gross floor area
Each additional unit	\$100.00	\$.25 per sq. ft. of gross floor area
Certificate of Occupancy (only)	\$75.00	
Condominium Building:		
First two (2) units, not over two (2) bedrooms per unit	\$300.00	\$.25 per sq. ft. of gross floor area
Each additional unit	\$100.00	\$.25 per sq. ft. of gross floor area
First two (2) units, three (3) or more bedrooms per unit	\$350.00	\$.25 per sq. ft. of gross floor area
Each additional unit	\$150.00	\$.25 per sq. ft. of gross floor area
Decks/Porches/ADA ramps	\$25.00	\$25.00
Demolition/Moving of Structure	\$25.00	\$25.00
Dwelling (Multi-family and not over three (3) bedrooms)	\$250.00	\$.25 per sq. ft. of gross floor area
Dwelling (Multi-family and four (4) or more bedrooms)	\$350.00	\$.25 per sq. ft. of gross floor area
Dwelling (Single family and not over three (3) bedrooms)	\$150.00	\$.25 per sq. ft. of gross floor area
Dwelling (Single family and four (4) or more bedrooms)	\$250.00	\$.25 per sq. ft. of gross floor area
Dwelling (attached single family townhouse and condominium—three (3) bedrooms or less)	\$300.00	\$.25 per sq. ft. of gross floor area
Dwelling (attached single family Townhouse and condominium—four (4) or more bedrooms)	\$350.00	\$.25 per sq. ft. of gross floor area
Masonry Fireplace/Chimney	\$25.00	Floor area \$25.00 \$50.00

Mobile Home	\$100.00	\$50.00
Manufactured Dwelling, per unit	\$150.00	\$.25 per sq. ft. of gross floor area
Re-Inspection Fee (Each time)		\$50.00
Renovations/Alterations/Additions	\$125.00	\$.25 per sq. ft. of the total work area
Roof (Replacement/Repair)	\$40.00	\$40.00
Swimming Pools (In Ground and Above Ground. Wading pools under 24'' exempt)	\$25.00	\$50.00
Windows Replacement	\$25.00	\$25.00, plus \$5.00 for each window installed/replaced

**V. ZONING FEES:**

**A. Annexation Fee\*:** \$5,000.00 Minimum fee is required with applicant submittal.

\*The annexation application fee may be increased to equal the processing, advertising, and any other fees, costs or charges incurred by the Town associated with the annexation. In addition to the Annexation fee, the developer will also be required, if applicable, to pay the following fees:

Traffic Impact Study	\$500.00
Zoning Map Text Amendment	\$1,000.00

These fees may be increased to cover all necessary costs associated with these items.

**B. Board of Appeals Applications\*:**

1. **Filing Fee for:**

Conditional Use Approval	\$300.00
Special Exception	\$300.00
Variance	\$300.00
Allegation of Error	\$300.00
  
2. **Posting of the Property** \$10.00

\*In addition to the filing fee, the applicant shall also be required to pay for any professional services, such as but not limited to, advertising costs, legal fees, engineering services, and any other appropriate and required services in excess of the filing fee.

**C. Medical Services District (MS) Review:**

Site Plan Review (10,000 sq. ft. or less per building)	\$1,000.00*
Site Plan Review (Over 10,000 sq. ft. per building)	\$2,000.00*

\*Site Plan review includes the original submittal and one revision review.

Site Plan Re-Reviews	\$300.00 each review
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**D. Forest Conservation Plan Review:**

Five acre site or less:	\$300.00
More than five acres site:	\$500.00

The applicant for a forest conservation permit shall be responsible to cover the cost of review, administration and inspection, including any third party reviews or professional fees in excess of the required fee.

**E. Growth Allocation Application and Review: \$5,000.00**

**F. Planned Redevelopment (PR) Application and Review:**

Single Unit:	\$500.00
Multi-Unit:	\$300.00 per unit
Commercial:	\$1,000.00
Amendment to PR Site Plan	
Major Review:	\$3,500.00
Minor Review:	\$1,500.00

**G. PUD (Planned Urban Development) Review:**

PUD Review:	\$5,000.00
Amendment to PUD Site Plan:	
Major Review:	\$3,500.00
Minor Review:	\$1,500.00

**H. Request for Rezoning:**

- 1. Filing Fee: \$300.00\*
- 2. Posting of the Property: \$10.00

\*In addition to the filing fee, the applicant shall also be required to pay for any professional services, such as but not limited to, advertising costs, legal fees, engineering services, and any other appropriate and required services.

**I. Subdivisions (Two Categories)\*:**

**1. Major Subdivisions (Five or more lots)**

- Subdivision Application: \$200.00 per lot
- Plat Review Fee: \$500.00
- Property Line Adjustment: \$300.00 per lot

**2. Minor Subdivisions (Four or fewer lots)**

- Subdivision Application: \$50.00 per lot
- Plat Review Fee: \$200.00
- Property Line Adjustment: \$100.00 per lot
- Subdivision appeals Fee:
  - Major \$250.00
  - Minor \$250.00

**J. Site Plan Review for Two or More Residential Dwellings\***

- Site Plan Review Fee: \$200.00

**K. Site Plan Reviews for Commercial, Industrial and Institutional Facility\***

- Site Plan Review (up to and including 10,000 sq. ft. per building) \$0.06 per sq. ft.
- Site Plan Review (for each sq. ft. over 10,000 sq. ft. per building) \$0.04 per sq. ft.

- Site Plan Re-review Fee: \$30.00

\*Subdivision and site plan reviews may also be charged for any additional fees requiring professional reviews, including but not limited to, legal or engineering. Other applicants will be notified that such a review is necessary and will have the option of withdrawing the application, or authorizing the Town to obtain the service needed. Withdrawal of the application will not entitle the applicant to a refund of their initial fee.

**VI. STORMWATER MANAGEMENT REVIEW.** The review fees for a Stormwater Management Plan depend on whether in the discretion of the Town, the project is a standard or complex project. A standard project is typically a single family dwelling, small scale commercial project or the equivalent and on property that is less than or equal to one acre in size.

A complex project is typically a subdivision, large scale commercial project and on property that is greater than one acre in size. The fees shall be as follows:

<b>A. Stormwater Management permit</b>	\$50.00
<b>B. Review Fees for Standard Project (by type of submittal)</b>	
Concept Plan	\$500.00
Site Plan	\$500.00
Final Plan	\$100.00
Waiver Application	\$100.00
Resubmittal	\$225.00
<b>C. Review Fees for Complex Project (by type of submittal)</b>	
Concept Plan	\$1,000.00
Site Plan	\$1,000.00
Final Plan	\$300.00
Waiver Application	\$100.00
Resubmittal	\$500.00

In addition to the permit and review fees outlined herein, the developer, builder, or applicant, as the case may be, shall be responsible for reimbursing the Town for all professional fees, including engineering fees, consultant's fees, legal fees and expenses or costs, including the costs of any independent hydrology studies which may be reasonably necessary in connection with the processing, review, and analysis of any required stormwater management plan and which are in excess of the required fees.

**VII. GRADING**

Grading Permit	\$50.00
Grading Review	\$500.00

The applicant for a grading permit shall be responsible to cover the cost of review, administration and inspection, including any third party reviews or professional fees relating to a grading permit in excess of the required fees.

**VIII. WATER AND SEWER CONNECTION FEES**

All Units (Commercial/Residential Industrial/Institutional)	
Sewer Connection	\$2,500.00 per unit
Water Connection	\$2,500.00 per unit
Water Meter, Parts and Pit—Deposit Required	\$500.00

(Balance of fees determined upon completion of work)

**Section 2.** The fees outlined in this Ordinance represent the minimum fees. The applicant and/or property owner shall reimburse the Town for the reasonable costs incurred by the Town from third parties who invoice the Town for their services rendered to the Town in connection with any application or submission. All billing rates, fees, and out-of-pocket costs of all such third party costs shall be billed at their rates otherwise charged to the Town. Third party costs include, but are not limited to, engineering fees, consulting fees, legal fees, inspection fees, court reporting fees, advertisement costs for publishing and posting of public notices, etc. In addition to the fees and expenses incurred from third parties, the applicant shall reimburse the Town for the reasonable time spent by town employees relating to the consideration, analysis and/or evaluation of the issues relating to, and/or the processing of, development applications on behalf of the Town. Town employees will log their time spent on such applications, and the applicant shall reimburse the Town for their time at the rate of Fifty Dollars (\$50.00) per hour, or portion thereof.

The minimum base fee collected will be applied to all outstanding bills and the applicant will be billed for all fees, costs, and expenses in excess of the minimum base fee. No final action will be taken on any application with an outstanding balance. At any time during the processing of an application that the applicant is more than thirty (30) days in arrears, all action on the application will cease until the Town's costs are reimbursed in full.

The list of fees set forth herein is not all-inclusive. There may be other fees which are in addition to the fees set forth above and which are included in other ordinances and resolutions of the Town.

**Section 3.** Any fees or charges established by the Town that are inconsistent with the fees are charges set forth in this Ordinance, including the fees established by Ordinance 2013-7, are hereby repealed. Any fee or charge not specifically addressed by this Ordinance shall remain in full force and effect.

**Section 4.** In case any one or more of the provisions of this Ordinance shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceable shall not affect any other provision hereof; and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Yea/Nay

Charles K. Planner	_____
David A. Morean	_____
Edward H. Windsor	_____
Stephen J. Bollinger	_____
Scott Phillips	_____

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Charles K. Planner, Mayor

Delivered by the Mayor and recorded by me in the Minute Books of the Mayor and Council of Federalsburg this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Kristy Marshall, Town Clerk

Approved as to form:

\_\_\_\_\_  
Brynja M. Booth, Town Attorney

Date Introduced: \_\_\_\_\_

Date Amendments Introduced: \_\_\_\_\_

Date Passed: \_\_\_\_\_

Effective Date: \_\_\_\_\_

TO: Mayor & Council Members  
FR: Larry DiRe, Town Manager  
DT: January 3, 2023  
RE: 115-117 North Main Street Draft Scope of Work

The town received grant funding from the Maryland Department of Housing and Community Development to bring the town-owned building at 115-117 N. Main Street up to code and repair certain interior and exterior features. The goal of that funding support was to bring the building up to a sufficient level of repair and service to function as a restaurant, according to the original documentation of several years ago. The restaurant-only development obligation was lifted at the town's request in July 2022. Also, in July 2022 the town had a full building inspection done and that inspection report is attached. To date no work has been done on the building. The disposition of the building has been as source of inquiry on several occasion.

While conditions in the building have not improved, rather may have further deteriorated since that date, before staff brings a revised scope of work forward for review and action, ideally next month, a scope of work tasks needs to be discussed and finalized.

Pending mayor and council discussion, provide direction to staff.

**First State Inspection Agency, Inc.**  
**Milford, DE 19963**  
**1001 Matlind Way**

**302-422-3859**  
**302-422-4270 Fax**  
**1-800-468-7338**

July 14, 2022

Town of Federalsburg  
P O Box 471  
Federalsburg MD 21632

## Inspection Results

Inspection Date: 07/13/2022  
Application/Permit No.:  
On premises: 115 – 117 North Main Street Federalsburg, MD 21632  
Owner: Town of Federalsburg  
Customer Job No.:  
Occupant: Commercial Building

**Items below indicate infractions of applicable National Electrical Code or Building Code:**

### Consultation

- Roof to be repaired or replaced by a licensed flat / rubber roof contractor
- Engineer to evaluate post in center of second floor and support beam for structural integrity and purpose
- Testing for lead paint
- Testing for asbestos in floor tiles
- Once leaking is fixed mod remediation co. to access and repair
- Water damaged areas to be repaired
- Hand railing to be installed on back 2nd floor stairwell
- 2nd floor usability as storage or office presumably due to have a half bath (No kitchen or bathing area)
- Back of building brick is cracked and breaking apart, Lintel over back door insufficient to carry weight (Engineer to access)
- Old chimney leaning (Engineer to access)
- 2 Half baths for customer use should have tempered valves on the hot side of vanity faucets
- Each bath to have an exhaust system of 50 cfm vented to the exterior of the building

- Emergency and exit lighting to be repaired or replaced (Licensed Contractor)
- Outside service panel not rated for outside use and roofing installed over equipment not flashed properly to stop water infiltration
- Hatch to crawl space to be of sufficient build to withstand load imposed in closet floor
- Heating system to be serviced
- Glass in front window to be repaired
- Kitchen side emergency and exit lights to be repaired or replaced
- Improper cover behind reception desk
- Kitchen hood system to be recertified by licensed contractor
- Air replenishment system to be installed for proper hood operation
- Heating system to be serviced
- Fire extinguishers to be certified by fire marshal

**Inspector: Eric James**

**Please sign and return to F.S.I.A. after violations have been corrected.**

**Also include the date you would like your re-inspection.**

**(\*\*Only applicable if Delaware Electrical Inspection: Please have corrected and re-inspected within 15 days to be in accordance with Rules and Regulations code 15.5\*\*)**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date ready for re-inspection

TO: Mayor & Council Members  
FR: Larry DiRe, Town Manager  
DT: January 3, 2023  
RE: Apartment Building Trash Collection

The town is currently working under a sole source contract with a private trash hauling service to fulfill the obligations defaulted on by a hauler who was awarded the town contract in May 2022. That was part of a competitive bidding process which included the scope of work matching that previously provided by the town staff. In preparation for the town to either issue a request for proposals for multi-year residential trash collection, or extend the current contract, the issue of defining the scope of work is necessary.

A request to end once weekly municipally contracted trash collection service was received by the town on September 6, 2022. The management company making the request was a town rate payer for municipally contracted trash collection on a weekly basis. They believed more frequent service best served their interest and wished to opt out of town service to be replaced by a private residential trash collection contractor. That apartment complex, Laurel Grove Acres, is a seventy-three-unit residential apartment complex with fenced in pens holding a variety of trash receptacles. The pens are sufficiently sized and located to make use of dumpsters rather than cans. The apartment complex functions more like a commercial facility than a single-family residential unit in the need for and access to large scale volume and on-site trash hauling. Their request was approved by the mayor and town council at the October 3, 2022 regular business meeting.

Moving forward the town has to consider the proposed scope of work for residential trash collection and whether apartment building complexes can receive an equal or better level of current service from a contractor hired by the management company.

Pending further discussion, provide direction to staff.