

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

ORDINANCE: 2024-01
SESSION: Regular Town Meeting
INTRODUCED: April 23, 2024
DATE ENACTED: May 28, 2024
EFFECTIVE DATE: June 17, 2024

AN ORDINANCE OF THE COMMISSIONERS OF THE TOWN OF UPPER MARLBORO APPROVING AND ADOPTING THE BUDGET FOR THE TOWN OF UPPER MARLBORO FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025 (FY2025), ESTABLISHING THE VARIOUS TOWN TAX RATES FOR FY2025, INCLUDING A VACANT PROPERTY TAX RATE, AND SETTING THE COMPENSATION FOR EMPLOYEES AND OFFICERS, AND TO ESTABLISH CERTAIN PROCEDURES FOR REVIEWING AND AMENDING SAME, AS MORE PARTICULARLY SET FORTH HEREIN.

WHEREAS, the legislative body of every incorporated municipality in this State pursuant to Local Government (“LG”) Article, § 5-205 of the Annotated Code of Maryland (“State Code”) is delegated express ordinance-making powers to expend municipal funds for any purpose deemed to be public and which affects the safety, health, and general welfare of the municipality and its occupants; and

WHEREAS, every municipal legislative body is further expressly delegated ordinance-making powers pursuant to said section of the State Code to expend municipal funds provided that any funds not appropriated at the time of the annual levy, shall not be expended, nor shall any funds appropriated be expended for any purpose other than that for which appropriated, except by a two-thirds vote of all members elected to the said legislative body; and

WHEREAS, Section 82-40 of the Charter of the Town of Upper Marlboro (“Charter”) requires that the President of the Board of Commissioners (“President”) at least thirty days before the beginning of each fiscal year. submit a budget to the Board of Commissioners (“Board”); and

WHEREAS, the fiscal year for each municipal corporation in the State of Maryland is mandated by State Code, LG Article, Section 16-101, and Charter, Section 82-39 to begin on July 1 of a calendar year and end on June 30 of the next calendar year; and

WHEREAS, Charter, Section 82-40 further prescribes that the budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year; and

WHEREAS, the Board of Commissioners of the Town of Upper Marlboro, Maryland propose to set the following tax rates for Fiscal Year 2025 for the Town of Upper Marlboro: \$0.38 per \$100 of assessed valuation of residential real property; \$0.55 of assessed valuation for business personal property; \$0.57 of assessed valuation for commercial real property; \$1.50 for vacant property, \$0.25 agricultural use and \$2.50 of assessed valuation for public utility operating real personal property, subject to taxation by the Town of Upper Marlboro for general fund purposes, including debt service purposes;

WHEREAS, Charter, Section 82-41 prescribes that before adopting the budget the Board may hold a public hearing thereon upon such notice as may be deemed appropriate and that the Board may increase, decrease or eliminate any item in the budget and may add new items thereto; and

WHEREAS, MD Ann. Code, Tax-Property, § 6-308. Procedure to increase taxes, requires that the Town advertise its intent to increase any of its property tax rates and to conduct a public hearing, in accordance with the provisions thereof; and

WHEREAS, the Town of Upper Marlboro has published the notices required by the Town Charter and MD Ann. Code, Tax-Property, § 6-308, and conducted the public hearing on the 14th day of May, 2024; and

WHEREAS, Charter, Section 82-41 further prescribes that the budget shall be adopted in the form of an ordinance and that a favorable vote of at least a majority of the total elected members of the Board shall be necessary for adoption; and

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

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

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

WHEREAS, Charter, Section 82-43 prescribes that any transfer of funds between major appropriations for different purposes by the President must be approved by the Board before becoming effective; and

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

WHEREAS, Charter, Section 82-48 mandates that prior to June 30th in each and every year the Board shall determine the tax rates for the ensuing fiscal year, which determination shall constitute the tax levy for such year.

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

Section 1. The Fiscal Year 2025 Budget Ordinance (“FY2025 Budget Ordinance”) shall be divided into the following major anticipated revenue funds or groups having the estimated amounts as indicated below:

<u>REVENUE SOURCE</u>	<u>BUDGET AMOUNT</u>
Taxes	\$1,533,280.00
Fines Licenses & Permits	\$871,000.00
Intergovernmental	\$56,000.00
Miscellaneous Revenue	\$122,725.00
Grants	\$1,415,000.00
Total Revenues	\$3,997,005.00

Section 2. The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the FY2025 Budget Ordinance shall equal or exceed the total of the proposed expenditures within the following general classifications of expenditures as set forth in the appropriations with the amounts as indicated below:

<u>EXPENDITURES</u>	<u>BUDGET AMOUNT</u>
General Government	\$756,700.00
Public Safety	\$1,075,600.00
Public Works Department	\$618,400.00
Capital Improvements	\$131,305.00
Grants	\$1,415,000.00
Total Expenditures	\$3,997,005.00

Section 3. Notwithstanding this budget ordinance, the FY2025 Budget shall be presented and discussed in further detail by enumerating additional sub-categories or detailed items

pertaining to either revenues or expenditures as deemed necessary and expedient by the President and/or the Board (the “Detailed Budget”). Although not considered incorporated by reference or formally part of this FY2025 Budget Ordinance, the Detailed Budget, unless subsequently modified by the President, with approval of the Board as set forth in Section 4 below, shall reflect the various items discussed therein and shall remain substantially uniform throughout the fiscal year having essentially the same format and items as presented to the Board at the Town meeting wherein the FY2025 Budget was approved.

Section 4. All budget amendments transferring monies between general classifications of expenditure or appropriations as reflected in this FY2025 Budget Ordinance shall be submitted to the Board for approval, from time to time, by ordinance. Budget changes or amendments occurring within certain specified sub-categories or the various detailed items not reflected herein but shown in the Detailed Budget shall be approved from time to time by the President subject to review and approval by the Board as recorded in the journal of its proceedings.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the levy for Fiscal Year 2025 for the Town of Upper Marlboro shall hereby be set at \$0.38 per \$100 of assessed valuation of residential real property; \$0.55 of assessed valuation for business personal property; \$0.57 of assessed valuation for commercial real property; \$1.50 for vacant property, \$0.25 agricultural use and \$2.50 of assessed valuation for public utility operating real personal property, subject to taxation by the Town of Upper Marlboro for general fund purposes, including debt service purposes; and

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that it hereby finally sets, ratifies and establishes the compensation of all regular Town staff positions, as prescribed by Section 82-60 of the Town Charter, via this annual budget ordinance enacted herein, in accordance with the pay chart below:

**Town of Upper Marlboro Police Department
ANNUAL COMPENSATION SCHEDULE FY2024 (3.0% COLA)**

Grade Step	Public Safety									
	Police Officer	Private First Class	Corporal	Sergeant	Lieutenant	Captain	Chief of Police	Parking Authority	Code Compliance	Administrative Assistant
Base	\$55,105	\$58,195	\$60,255	\$63,757	\$72,100	\$82,400	\$91,000	\$46,350	\$51,500	\$41,200
1	\$58,411	\$61,687	\$63,870	\$67,582	\$76,426	\$87,344	\$96,460	\$49,131	\$54,590	\$43,672
2	\$60,164	\$63,537	\$65,786	\$69,610	\$78,719	\$89,964	\$99,354	\$50,605	\$56,228	\$44,982
3	\$61,969	\$65,443	\$67,760	\$71,698	\$81,080	\$92,663	\$102,334	\$52,123	\$57,915	\$46,332
4	\$63,828	\$67,407	\$69,793	\$73,849	\$83,513	\$95,443	\$105,404	\$53,687	\$59,652	\$47,722
5	\$65,742	\$69,429	\$71,887	\$76,065	\$86,018	\$98,306	\$108,567	\$55,297	\$61,442	\$49,153
6	\$67,715	\$71,512	\$74,043	\$78,347	\$88,599	\$101,256	\$111,824	\$56,956	\$63,285	\$50,628
7	\$69,746	\$73,657	\$76,264	\$80,697	\$91,257	\$104,293	\$115,178	\$58,665	\$65,183	\$52,147
8	\$71,839	\$75,867	\$78,552	\$83,118	\$93,994	\$107,422	\$118,634	\$60,425	\$67,139	\$53,711
9	\$73,994	\$78,143	\$80,909	\$85,611	\$96,814	\$110,645	\$122,193	\$62,238	\$69,153	\$55,322
10	\$76,213	\$80,487	\$83,336	\$88,180	\$99,719	\$113,964	\$125,858	\$64,105	\$71,228	\$56,982
11	\$78,500	\$82,902	\$85,836	\$90,825	\$102,710	\$117,383	\$129,634	\$66,028	\$73,364	\$58,692
12	\$80,855	\$85,389	\$88,411	\$93,550	\$105,791	\$120,905	\$133,523	\$68,009	\$75,565	\$60,452
13	\$83,281	\$87,950	\$91,064	\$96,356	\$108,965	\$124,532	\$137,529	\$70,049	\$77,832	\$62,266
14	\$85,779	\$90,589	\$93,796	\$99,247	\$112,234	\$128,268	\$141,655	\$72,151	\$80,167	\$64,134
15	\$88,352	\$93,307	\$96,610	\$102,224	\$115,601	\$132,116	\$145,904	\$74,315	\$82,572	\$66,058

General Government & Public Works

Paygrade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1	\$ 38,650	\$ 39,810	\$ 40,970	\$ 42,130	\$ 43,290	\$ 44,450	\$ 45,610	\$ 46,770	\$ 47,930	\$ 49,090
2	\$ 43,060	\$ 44,360	\$ 45,650	\$ 46,940	\$ 48,230	\$ 49,520	\$ 50,820	\$ 52,110	\$ 53,400	\$ 54,690
3	\$ 48,580	\$ 50,040	\$ 51,500	\$ 52,960	\$ 54,410	\$ 55,870	\$ 57,330	\$ 58,790	\$ 60,240	\$ 61,700
4	\$ 55,200	\$ 56,860	\$ 58,520	\$ 60,170	\$ 61,830	\$ 63,480	\$ 65,140	\$ 66,800	\$ 68,450	\$ 70,110
5	\$ 62,920	\$ 64,810	\$ 66,700	\$ 68,590	\$ 70,480	\$ 72,360	\$ 74,250	\$ 76,140	\$ 78,030	\$ 79,910
6	\$ 71,740	\$ 73,900	\$ 76,050	\$ 78,200	\$ 80,350	\$ 82,510	\$ 84,660	\$ 86,810	\$ 88,960	\$ 91,110
7	\$ 81,680	\$ 84,140	\$ 86,590	\$ 89,040	\$ 91,490	\$ 93,940	\$ 96,390	\$ 98,840	\$ 101,290	\$ 103,740
8	\$ 92,730	\$ 95,520	\$ 98,300	\$ 101,080	\$ 103,860	\$ 106,640	\$ 109,430	\$ 112,210	\$ 114,990	\$ 117,770

Public Safety Specialty & Incentive Hourly Pay

- Active Field Training Officer: \$4.00 an hour
- Night Shift Differential: \$2.45 an hour

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the below staffing levels are authorized for each Department:

- General Government: One Town Administrator, one Town Clerk, one Administrative Assistants (Deputy Clerk), one part-time Events Coordinator, one Special Assistant and one Circuit Rider Grant Manager.
- Public Safety: One Chief of Police, one Sergeant, two Corporals, one Police Officer, and one Code Compliance Officer.

- Public Works: One Director, one Foreman, one Crew Lead, and two Crew Members.
- Should additional funding become available, or additional annexation phases are completed the additional staffing levels are authorized: Public Safety- one Captain, one Lieutenant, one Sergeant, one Police Officer, three Administrative Assistants, and one Parking Enforcement officer. Public Works- two crew members. General Government- one Administrative Assistant and one Economic Development Coordinator.

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

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall be posted in the Town Hall office, and this FY 2025 Budget Ordinance or a fair summary of it shall be published once in a newspaper of general circulation in the Town.

AYES: ____

NAYES: ____

ABSENT: ____

ORDAINED, APPROVED AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this ____ day of May, 2024, by:

Attest:

THE BOARD OF COMMISSIONERS OF THE TOWN
OF UPPER MARLBORO, MARYLAND

John Hoatson, Town Clerk

Sarah Franklin, President

Derrick Brooks, Commissioner

Charles Colbert, Commissioner

Karen Lott, Commissioner

Alma Prevatte, Commissioner

Reviewed and Approved for Legal Sufficiency

_____ Date: _____
Karen Ruff, Esq., Town Attorney