

**THE COUNCIL FOR THE
TOWN OF UPPER MARLBORO**

ORDINANCE: 2026-01
SESSION: Special Town Meeting
INTRODUCED: February 10, 2026
DATE ENACTED: February ____, 2026

**AN ORDINANCE OF THE COUNCIL OF THE TOWN OF UPPER MARLBORO
AMENDING THE TOWN'S FISCAL YEAR 2026 BUDGET AS ADOPTED IN ORDINANCE
2025-03 AND AMENDED BY 2025-04 TO INCREASE REVENUE BY ADDING A \$250,000
ALLOCATION FROM PRINCE GEORGE'S COUNTY AND AN UNASSIGNED FUND
BALANCE OF \$317,983 AND TO INCREASE EXPENSES IN GENERAL GOVERNMENT,
PUBLIC WORKS AND PUBLIC SAFETY AND TO ADD THE EXPENDITURE OF THE
PRINCE GEORGE'S COUNTY ALLOCATION AND REFLECT A CAPITAL IMPROVEMENT
BUDGET**

WHEREAS, the Town of Upper Marlboro (the "Town") is a municipal corporation of the State of Maryland expressly authorized by Maryland Code Annotated, Local Government ("LG") Art., § 5-205(b)(1) to expend any municipal funds for any purpose deemed to be public and to affect the safety, health and general welfare of the municipality and its occupants; and

WHEREAS, pursuant to Md. Code Ann., LG Article, Section 5-205(b)(4), a municipality may spend money for a purpose different from the purpose for which the money was appropriated or spend money not appropriated at the time of the annual levy if approved by a two-thirds vote of all the individuals elected to the legislative body; and

WHEREAS, the Charter of the Town of Upper Marlboro (the "Town Charter"), Section 82-41 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 membership of the Council shall be necessary for adoption; and

WHEREAS, the Town 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 Council 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, Town Charter, Section 82-11 further states that in the case of an emergency, the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by unanimous vote of the Town Council; and

WHEREAS, said 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, the Town Charter, Section 82-42 prescribes that no public money may be expended without having been appropriated by the Council, 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, the Town Charter, Section 82-43 prescribes that any transfer of funds between major appropriations for different purposes by the Town Manager must be approved by the Council before becoming effective; and

WHEREAS, the Town Charter, Section 82-44 proscribes any expenditure 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, the Council of the Town of Upper Marlboro approved the FY26 Budget via Ordinance No. 2025-03, which in Section 4 thereof states that all budget amendments transferring monies between general classifications of expenditures or appropriations as reflected in the budget ordinance shall be submitted to the Council for approval, from time to time, by ordinance; and

WHEREAS, the Council amended the Town's Fiscal Year 26 budget through the adoption of Ordinance No. 2025-04; and

WHEREAS, the Council finds that it is necessary to further amend the Town's FY26 Budget adopted via Ordinance No. 2025-03, as it was amended by Ordinance No. 2025-04, by allocating and appropriating funds for the following reasons: to address current service needs, fund unexpected expenditures, fund underfunded services, and capitalize on new revenue sources; and

WHEREAS, the Council finds that it is necessary to amend Ordinance No. 2025-03, as amended by Ordinance No. 2025-04, by reallocating Town funds and limiting expenditures in several Town Departments.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE TOWN OF UPPER MARLBORO, MARYLAND, AS FOLLOWS:

Section 1. The Fiscal Year 2026 Budget adopted via Ordinance 2025-03, and amended by Ordinance No. 2025-04 as restated in the center column below, and as divided into the following indicated major anticipated revenue funds or having the estimated amounts at the time of the tax levy as indicated herein below, is hereby amended and readopted as indicated in the far-right column below as follows:

<u>REVENUE SOURCE</u>	<u>ADOPTED FY 26 BUDGET AMOUNT</u>	<u>AMENDED FY26 BUDGET AMOUNT</u>
Taxes	\$1,630,050.00	\$1,630,050.00
Fines, License and Permits	\$1,249,900.00	\$1,249,900.00
Intergovernmental	\$86,322.00	\$86,322.00
Miscellaneous Revenue	\$177,061.00	\$177,061.00
Grants	\$595,000.00	\$595,000.00
PGCO Econ Dev		\$250,000.00
Unassigned Fund Balance		\$317,983.00
Total Revenues:	\$3,738,333.00	\$4,306,316.00

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 FY 2026 Budget Ordinance, 2025-03 and amended by 2025-04, as amended by this FY 2026 Amendatory Budget Ordinance 2026-01 shall equal or exceed the total of the proposed expenditures within the following general classification of expenditure or major appropriations having the amounts as indicated herein below, is hereby amended and readopted as indicated in the far-right column below as follows:

<u>EXPENDITURES</u>	<u>FY26 ADOPTED BUDGET AMOUNT</u>	<u>FY 26 AMENDED BUDGET AMOUNT</u>
General Government	\$723,650.00	\$799,478.00
Public Safety	\$1,427,100.00	\$1,594,428.00
Public Works	\$816,380.00	\$891,207.00
Capital Improvement	\$751,203.00	\$751,203.00
PGCO Econ Dev	0	\$250,000.00
BJAG Police Grant	\$20,000.00	\$20,000.00
Total Expenditure	\$3,738,333.00	\$4,306,316.00

AND BE IT FURTHER ENACTED AND ORDAINED by the Council of the Town of Upper Marlboro, Maryland that, except for the revenue and expenditure amounts provided hereinabove in Sections 1 and 2 as amendments, the remaining provisions of the FY 2026 Budget Ordinance 2025-03, as amended by Ordinance 2025-04, shall remain in full force and effect as if written word for word within this Ordinance and readopted herein.

AND BE IT FURTHER ENACTED AND ORDAINED by the Council of the Town of Upper Marlboro, Maryland that the tax levy for Fiscal Year 2026 for the Town of Upper Marlboro and all other taxes, liens, and/or fees prescribed therein shall remain as previously approved and adopted in the FY 2026 Budget Ordinance 2025-03 as amended by Ordinance 2025-04.

AND BE IT FURTHER ENACTED AND ORDAINED by the Council of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter this Ordinance shall be posted in the Town office and this FY 2026 Amendatory Budget Ordinance 2026-01 or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

AYES:

NAYES:

ABSENT:

INTRODUCED in a public session of the Council on this 10th day of February 2026.

ORDAINED, APPROVED AND finally passed by the Council of the Town of Upper Marlboro, Maryland on this _____ day of February 2026.

THE COUNCIL OF THE TOWN OF UPPER
MARLBORO

Charles Colbert, Mayor

Derrick Brooks, Vice Mayor

Sarah Franklin, Councilmember

Karen Lott, Councilmember

Joseph Hourcle, Councilmember

Attest:

Telaya Bush, Town Clerk