



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
WILL BE HELD  
VIA VIDEO AND AUDIO CONFERENCE  
7:30 p.m.  
September 14, 2020  
REGULAR SESSION**

The Council meeting will be conducted entirely remotely with no in-person meeting attendance. To join the Council meeting through a video conference, please use the link below.

**Join Meeting:** <https://us02web.zoom.us/j/82489568048?pwd=RnlEc3QwSDR5YnR3RnRkNUppPWStMdz09>  
**To join with audio only, dial:** (301) 715-8592  
**Meeting ID:** 824 8956 8048  
**Password:** 101647

**Public Participation:**

Participants who join the video/audio conference will be muted and video turned off during the meeting except for Mayor, Council, and staff. Participants will have the opportunity to speak during Public Comment - agenda item #6. During that time, all participants will be taken off mute. If you would like to comment, please state your name and Mayor Carey will call on you to speak. Public comments will be limited to three minutes.

Public comments or questions may also be made by emailing the Town Clerk Andrea Marcavitch at [amarcavitch@upmd.org](mailto:amarcavitch@upmd.org). All electronic comments must be submitted by 6 p.m. on September 14, 2020. Comments received will be read by the Town Clerk during public comment.

**1. CALL TO ORDER: *Mayor Carey***

<b>Present:</b>	Biermann Schultz Morrissey Verrill Caskey Wells Stephen	<b>Absent:</b>	Biermann Schultz Morrissey Verrill Caskey Wells Stephen
-----------------	---	----------------	---

**2. PLEDGE OF ALLEGIANCE – Mayor Carey**

**3. APPROVAL OF THE AGENDA**

<b>Moved by:</b>	<b>Seconded by:</b>	
<b>Yea:</b>	<b>Nay:</b>	<b>Abstain:</b>

**4. APPROVAL OF MINUTES: *August 17, 2020***

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**5. CONSENT AGENDA**

**Motion:** To approve the following consent agenda items.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**A. BUILDING PERMIT APPLICATION TO INSTALL A NEW WALKWAY  
(Carsten Hesse, 4429 Underwood Street) Ward 3**

*To install a 72'x 3' walkway from the sidewalk connecting to new patio in the backyard on Lot 12, Block 11 and Section 3 at 4428 Underwood Street.*

**B. BUILDING PERMIT APPLICATION TO INSTALL A DRYWELL  
(Andrea and Ernesto Corrales, 6704 40<sup>th</sup> Avenue) Ward 3**

*To install a 4" PVC drainage pipe 6" below ground level to direct water flow away from the house to deposit into a 50-gallon dry well and to install a 4" PVC overflow drainage pipe 6" below ground level from the drywell to the sidewalk on Lot 33, Block 39 and Section 7 at 6704 40<sup>th</sup> Avenue. Note: When the Town replaces the sidewalk, the Town will connect the drainage pipe under the new sidewalk allowing the water to outfall through the curb and into the gutter of the street.*

*\*Town Engineer has reviewed, and application reflects recommendations.*

**6. PUBLIC COMMENT**

**7. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS**

**A. MAYOR'S REPORT ~ *Mayor Len Carey***

**B. COMMITTEE REPORTS AND COUNCIL COMMENTS**

**8. CONTINUING BUSINESS**

**A. ADOPTION OF LEGISLATIVE RESOLUTION 20-O-07: EXEMPTION FROM COUNTY LEGISLATION (*Second Reading*)**

**Motion:** To adopt Legislative Resolution 20-O-07 to amend Chapter 1 "General Provisions", by enacting §1-109, "Exemption from County legislation" of the Code of Ordinances of the Town of University Park, to exempt the Town of University Park, a municipal corporation, from all legislation heretofore or hereafter enacted by Prince George's County, Maryland, relating to any subject upon which the Mayor and Common Council of the Town have heretofore been or are hereafter granted legislative authority either by public



**C. POLICE DEPARTMENT SURPLUS VEHICLES**

**Motion:** To declare as surplus a 2012 Chevy Sedan Impala (VIN # 2G1WD5E31C1325787), a 2013 Chevy Sedan Impala (VIN # 2G1WD5E37D1188680) and a 2012 Chevy Sedan Impala (VIN # 2G1WD5E31C1186387) and to authorize the Chief of Police to sell the vehicles.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay: 0**

**Abstain: 0**

**D. INFRASTRUCTURE PROJECT STATUS REPORT**

Public Works Director Mickey Beall will give an update.

**10. TOWN ADMINISTRATOR'S REPORT**

**11. ADJOURNMENT**

**\*\* A Closed Session may be called \*\***

**Agenda Item 4**  
**Draft 8/17/20 Council Minutes**



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
VIA VIDEO AND AUDIO CONFERENCE  
7:30 p.m.  
August 17, 2020  
MINUTES**

**1. CALL TO ORDER: *Mayor Carey* at 7:30 p.m.**

**Present:** Mr. Biermann, Mr. Schultz, Ms. Morrissey, Ms. Verrill, Mr. Caskey, Ms. Wells,  
Mr. Stephen  
**Absent:** None  
**Excused:** None

**2. PLEDGE OF ALLEGIANCE – was led by Mayor Carey.**

**3. APPROVAL OF THE AGENDA as amended.**

**Moved by:** Ms. Wells

**Seconded by:** Ms. Verrill

**Yea:** 7

**Nay:** 0

**Abstain:** 0

Note: Correct 9B to read: to introduce emergency Legislative Resolution 20-O-08. The motion will require two readings but if adopted it will take effect immediately.

**4. APPROVAL OF MINUTES: *July 20, 2020***

**Moved by:** Mr. Caskey

**Seconded by:** Ms. Verrill

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**5. CONSENT AGENDA**

**Motion:** To approve the following consent agenda items.

**Moved by:** Mr. Schultz

**Seconded by:** Ms. Wells

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**A. BUILDING PERMIT APPLICATION TO CONSTRUCT A GARAGE WITH LEAN-TO,  
ADD A DRIVEWAY EXTENSION, AND REMOVE SHED  
(Christopher Kearney, 4205 Tuckerman Street) Ward 2**

*To construct a 24'x 24' detached garage (max 15' height) with 8'x 24' lean-to, 1,100 square foot driveway extension and to remove shed on Lots 23 & 24, Block 8 and Section 2 at 4205 Tuckerman*

*Street.*

**B. BUILDING PERMIT APPLICATION TO INSTALL A PATIO**

**(Isabel Ahmann, 4408 Beechwood Road) Ward 5**

*To install a 9'x 18' patio on Lot 44 and Block A at 4408 Beechwood Road.*

**C. BUILDING PERMIT APPLICATION TO INSTALL A PATIO**

**(Jeremy Perkins, 4410 Beechwood Road) Ward 5**

*To install a 18.9'x 9' patio on Lot 46 and Block A at 4410 Beechwood Road.*

**D. BUILDING PERMIT APPLICATION TO REPLACE 4' FENCE**

**(Richard Sturges and Devon Payne-Sturges, 4403 Van Buren Street) Ward 3**

*To replace a 4' fence on Lot 10, Block 14 and Section 3 at 4403 Van Buren Street.*

**E. BUILDING PERMIT APPLICATION TO INSTALL A SHED**

**(A, Reese Madsen, 4208 Sheridan Street) Ward 1**

*To remove existing shed and replace with a 8'x 10' shed on concrete pad on Lot 8, Block 8 and Section 2 at 4208 Sheridan Street.*

**F. DUMPSTER PERMIT EXTENSION**

**(Calle Roubic Cone, 4309 Woodberry Street) Ward 4**

*A dumpster permit has been issued for 30 days and extended by the Mayor for an additional 60 days, and will expire on August 30. Due to exceptional circumstance of COVID-19 precautions, the demolition of the construction project is being done in phases. Construction completion date is projected for early November. Per [Town Code Section 7-107](#), Ms. Cone is asking Council to extend the dumpster permit for an additional 60 days, until October 30, 2020.*

**G. AMEND VEORIDE AGREEMENT**

*To authorize amendment to Exhibit A, Terms of Service, to the VeoRide Agreement, to allow VeoRide until November 20, 2020, to develop a digital or other solution to provide two-tier hours of operation, so that micro-mobility vehicle services can available 24 hours per day/7 days per week in the Town.*

**H. MARYLAND HERITAGE AREA AUTHORITY (MHAA) GRANT FUNDS**

*To authorize the Mayor to receive grant funds awarded from the Maryland Heritage Areas Authority to be applied toward signage, a water fountain, and improvements to Town park paths as budgeted.*

**6. PUBLIC COMMENT**

None

**7. MAYOR, COUNCIL, AND COMMITTEE COMMENTS AND REPORTS**

**A. MAYOR'S REPORT ~ Mayor Len Carey**

- Mayor Carey was appointed to the Legislative Committee of the Maryland Municipal League. This will be his 5<sup>th</sup> year on the Committee.
- Received many emails from residents about the pronouncement regarding the playgrounds.

**B. COMMITTEE REPORTS AND COUNCIL COMMENTS**

**Ms. Wells - Ward 6**

- Residents of several local municipalities are organizing an event that will tie in with the Unity March at the Lincoln Memorial scheduled for August 28. The plan is to march along the Rt. 1 corridor to the African American Museum in North Brentwood. This is also an opportunity for Voting Registrars to register voters.

**Police, Traffic and Public Safety Committee- Mr. Schultz**

No August meeting.

**Policy, Rules and Municipal Structure Committee - Ms. Verrill**

No August meeting.

**Public Facilities and Services Committee - Mr. Caskey**

No August meeting.

**8. CONTINUING BUSINESS**

**A. AMEND RESOLUTION 2020-R-02: TO AUTHORIZE MAYOR TO DEFER LICENSE APPLICATION FEES**

**Motion:** To amend 2020-R-02 to add language authorizing the Mayor to defer rental license application fees in cases where rent has not been paid and the owner is unable to evict, so long as the owner or manager provides supporting documentation and completes the application and self-inspection process.

**Moved by:** Mr. Caskey

**Seconded by:** Mr. Stephen

**Yea:** 7

**Nay:** 0

**Abstain:** 0

**9. NEW BUSINESS**

**A. INTRODUCTION OF LEGISLATIVE RESOLUTION 20-O-07: EXEMPTION FROM COUNTY LEGISLATION (*First Reading*)**

**Motion:** To introduce Legislative Resolution 20-O-07 to amend Chapter 1 “General Provisions”, by enacting §1-109, “Exemption from County legislation” of the Code of Ordinances of the Town of University Park, to exempt the Town of University Park, a municipal corporation, from all legislation heretofore or hereafter enacted by Prince George’s County, Maryland, relating to any subject upon which the Mayor and Common Council of the Town have heretofore been or are hereafter granted legislative authority either by public general law or by the Town Charter.

*The earliest date this motion may be considered for passage is September 14, 2020.*

**Moved by:** Ms. Verrill

**Seconded by:** Mr. Stephen

**Yea:** 7

**Nay:** 0

**Abstain:** 0

<b>Roll Call Vote:</b>	Mr. Biermann	Yea
	Mr. Schultz	Yea
	Ms. Morrissey	Yea
	Ms. Verrill	Yea
	Mr. Caskey	Yea
	Ms. Wells	Yea
	Mr. Stephen	Yea

**B. EMERGENCY LEGISLATIVE RESOLUTION 20-O-08: AMENDING CHAPTER 1 TO ALLOW SPEED MONITORING ZONES**

**Motion:** To introduce emergency Legislative Resolution 20-O-08 to amend Chapter 1 “General Provisions”, by enacting §9-109, “Speed monitoring system” of the Code of Ordinances of the Town of University Park, to conform the Town code language with that of amended §21-809 of the Transportation Article, Annotated Code of Maryland, to include mobile in addition to stationary cameras, and to include zones within ½ mile of an institute of higher education.

*The earliest date this motion may be considered for passage is September 14, 2020. If adopted, the resolution will take effect immediately.*

**Moved by:** Ms. Wells

**Seconded by:** Mr. Biermann

**Yea:** 7

**Nay:** 0

**Abstain:** 0

<b>Roll Call Vote:</b>	Mr. Biermann	Yea
	Mr. Schultz	Yea
	Ms. Morrissey	Yea
	Ms. Verrill	Yea
	Mr. Caskey	Yea
	Ms. Wells	Yea
	Mr. Stephen	Yea

**C. DISCUSSION OF TOWN ORDINANCES REGARDING 6 FOOT FENCES**

The Policy, Rules, and Municipal Structure Committee recently met and after some discussion a majority of the Committee decided to recommend allowance for backyard fence heights up to 6 feet. Ms. Verrill asked the Town Attorney to develop legislation that would allow the Council to vote to allow 6 foot fences.

**Discussion**

- Need to be more specific about side yards.
- The set-back on corner lots is a Town requirement, not the County.
- There may be a desire on the part of the Town to continue to review the permits and not defer totally to the County.
- Need to stop having ordinances on the books that aren’t enforced.
- A resident has the right to feel secure at their home so they should be allowed to have a 6 foot fence.
- Six foot fences should not be allowed in the front yard.
- It was recommended that the Council allow some time before making a final decision on allowing 6 foot fences since there are residents who have strong feelings about the fence

heights.

**Motion:** Council directs the Town Attorney to draft amendments to the current Town Code to allow backyard fences to be 6 feet in height.

**Moved by:** Ms. Verrill

**Seconded by:** Ms. Morrissey

**Yea:** 7

**Nay:** 0

**Abstain:** 0

## 10. ADMINISTRATOR AND DEPARTMENT REPORTS

### A. REPORT FROM THE TOWN ADMINISTRATOR~ *David Deutsch*

- In reference to the COVID-19 pandemic, University Park will soon receive Federal money through the County.
- Mayor Carey said that Mr. Deutsch came aboard four months ago and has been instrumental in many things such as safely opening the playground.. The ability to professionalize the operation is an outstanding reason for having a Town Administrator.

### B. REPORT FROM THE TOWN ATTORNEY ~ *Suellen Ferguson*

No report.

### C. REPORT FROM THE TOWN CLERK ~ *Andrea Marcavitch*

- The fall Maryland Municipal League Conference (virtual) is scheduled for October 8-9. Those who would like to attend should inform Ms. Marcavitch.

### D. REPORT FROM THE CHIEF OF POLICE ~ *Chief Harvey Baker*

Crime Report, July 20 - August 17 in Wards 1, 2, 4, and 6.

- September 2 - Annual Patrol Rifle Qualification Training.
- September 8 - Annual Firearms Qualification Training.
- September 14-16 - Annual In-Service Training.
- Traffic enforcement update: 110 enforcement actions were taken from July 4 - August 10.
- Corporal Morris completed the MPTC Instructor school for the Taser 7. He is looking to become a taser instructor. In September, a taser instructor from the Maryland National Capital Park Police will train all of the University Park officers.
- A Councilmember would like to see the officers have assigned beats within Wards. This will give residents an opportunity to know the police officers.
- A Councilmember thanked the Chief for the recently installed LED flashing stop signs.

### E. REPORT FROM THE TOWN TREASURER ~ *Dan Baden*

July 2020 Treasurer's Report

- The reimbursement for the COVID expense is going to be approximately \$63,000.00.

### F. REPORT FROM THE DIRECTOR OF PUBLIC WORKS ~ *Michael Beall*

- The Beechwood Road bridge assessment site work has been completed and now waiting for the report from the engineer.
- An engineer has been hired review land records and easements for the several stormwater management systems within the Town which have not yet been accepted by the County. This topic will come back to the Council for discussion when the report is complete.

- The Queens Chapel Road design is underway and completion is expected in October.
- Road construction is taking place throughout the Town.
- WSSC road work is taking place on Van Buren Street, completing repairs due since 2015.
- WSSC has approved a reimbursement amount of \$582,000 for Town road work. Washington Gas will reimburse University Park \$5,895 for locations where they had done road work. A report will be available in September with more information on this topic.
- The contract for the path adjacent to the Adelphi Meadow is out for signature. The goal is to have the path completed by mid-September.
- A member of the Sustainability Committee said that he will work on getting volunteers to help maintain the Adelphi Meadow. Mr. Beall confirmed that the Town will mow the meadow every March.

**11. ADJOURNMENT** by consent at 9:14 p.m.

**Agenda Item 5A**  
**Hesse Building Permit Application**

Note: the 12'x12' patio on the County permit was approved by Council on 7/6/20.



# Building Permit Application

◆ The Town of University Park ◆

An incorporated municipality in Prince George's County, Maryland  
Town Hall, 6724 Baltimore Avenue, University Park, Maryland 20782  
Phone: (301) 927-4262 Fax: (301) 277-4548 Email: townhall@upmd.org

*For Office Use Only*  
Ward # 3 Date Received: 8/29/20  
Permit Application: Approved   
Rejected   
Check/Cash Amt.: \$29.95  
Permit Number: \_\_\_\_\_  
Date Issued: \_\_\_\_\_

Name of Applicant(s): Carsten Hesse

Telephone Number: (240) 421 1353 Home ( ) \_\_\_\_\_ Cell \_\_\_\_\_

Work: \_\_\_\_\_ Email: nelson/nz@yahoo.com

Street Address of Property: 4429 Underwood St University Park MD 20782

Lot Number: 12 Block Number: 11 Section Number: \_\_\_\_\_

Person/Company Doing the Work: E J Contractor

Address/Phone: 10 James St Gaithersburg MD 20877

Signature of Property Owner: Carsten Hesse Date: 8/29/2020

### Description of Work

Check all that apply:

**Fence:** Height: \_\_\_\_\_, Material: \_\_\_\_\_, Style: \_\_\_\_\_

**Outbuilding:** Dimensions: \_\_\_\_\_, Height at Apex: \_\_\_\_\_  
Materials: \_\_\_\_\_

**Other:** (Please Specify):  
Dimensions: \_\_\_\_\_, Height at Apex: \_\_\_\_\_  
Materials: \_\_\_\_\_

Please Specify Reason for Structure: Sidewalk 72' Long x 3' wide  
Using: Nicorock Pavers 6"x9" + 6"x6", 4" Concrete and 1" of Crush Stone

**POD or Dumpster** (check one) Unit will be placed on the property: \_\_\_\_\_ or on the street: \_\_\_\_\_

Dates the unit will be delivered: \_\_\_\_\_ picked up: \_\_\_\_\_

Permit and Non-Refundable Filing Fee Paid (\$10 + 10% of County permit fee (if applicable)) = \$ 29.95

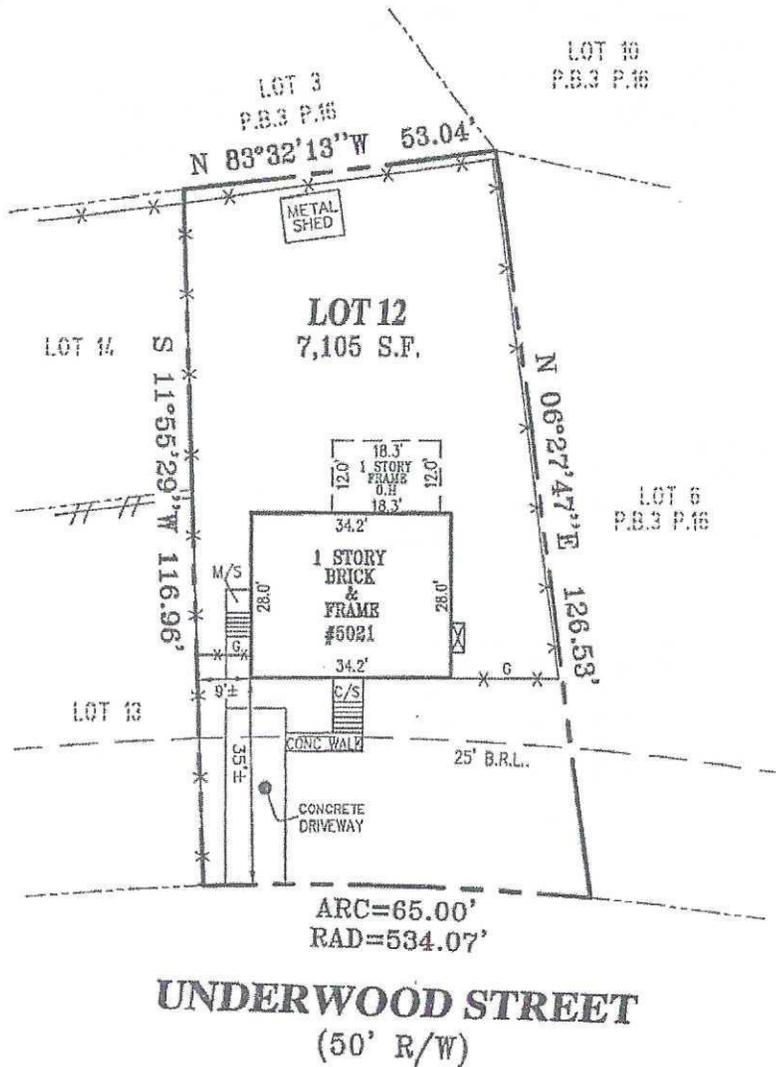
**Caution:** To begin construction before a permit has been issued and prominently displayed for inspection at the construction site is a clear violation of municipal law.

**CONSUMER INFORMATION NOTES:**

1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
5. No Title Report furnished.

**Notes:**

1. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 1 foot.
2. Fences, if shown, have been located by approximate methods.



LOCATION DRAWING  
 LOT 12, BLOCK 11  
 SECTION THREE  
**UNIVERSITY PARK**  
 PRINCE GEORGE'S COUNTY, MARYLAND

**UNDERWOOD STREET**  
 (50' R/W)

<p><b>SURVEYOR'S CERTIFICATE</b></p> <p>"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION."</p> <p><i>[Signature]</i></p> <p>MARYLAND PROPERTY LINE SURVEYOR REG. NO. 692              Expires: 04-07-2021</p>		<p><b>REFERENCES</b></p> <p>APPROVED PERMIT SET</p> <p>PLAT BY: 40</p> <p>PLAT NO: 04</p> <p>LIBER: 04</p> <p>FOLD: 04</p>		<p><b>SNIDER &amp; ASSOCIATES</b>              LAND SURVEYORS              19544 Amaranth Drive              Germantown, Maryland 20874              301/948-5100 Fax 301/948-1288              WWW.SNIDERSURVEYS.COM</p>	
<p>Case Name: HESSE WALKWAY/PATIO                  Case Number (Permit #): 21245-2020-0                  Case Type: RG                  Issuance Date: 08/28/20</p>		<p><b>DATE OF LOCATIONS</b></p> <p><b>SCALE:</b> 1" = 30'</p>		<p><b>WALL CHECK:</b></p> <p><b>DRAWN BY:</b> K.D.S.</p>	
<p>Address: 4429 UNDERWOOD ST HYATTSVILLE, MD 20854                  (Lot(s), Block(s) and Parcel(s)): Lot 12 and Block 11</p>		<p><b>HSE. LOC:</b> 02-25-2020</p>		<p><b>JOB NO:</b> 20-00548</p>	



PRINCE GEORGE'S COUNTY

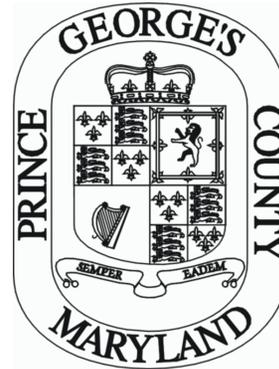
PERMIT

ISSUANCE DATE : Aug-28-2020

EXPIRATION DATE :

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

**PROPERTY OWNER**  
 CARSTEN J & DYLLIS HESSE  
 4429 UNDERWOOD ST  
 HYATTSVILLE, MD 20782 (240) 421-1353



**CONTRACTOR**  
 J CONTRACTOR  
 10 JAMES ST  
 GAITHERSBURG, MD 20877 (240) 421-1353  
 LICENSE NUMBER: 107785

**OCCUPANT**

**ARCHITECT**

TYPE OF PERMIT : **DPIE RG**  
 WORK DESCRIPTION : **12'x12' patio & walkway**  
 EXISTING USE : **SFD**  
 USE (DER PROPOSED) : **SFD**  
 SUBDIVISION : **UNIVERSITY PARK**

OWNERSHIP :	HEIGHT FT :	ELECTRICITY :
LIBER : 14714	WIDTH FT : 3	CENTRAL A/C :
FOLIO : 363	DEPTH FT : 62	ELEVATOR :
ED/ACCT NO. : 19 / 2126225	NO STORIES :	ESCALATOR :
LOT : 12	DWELL UNTS :	BASEMENT :
BLOCK : 11	PARKING SP :	BOILER NUMBER :
TAX MAP : 042	LIVE LOAD :	CBCA : N
SCD :	USE GROUP : MISC.	HISTORICAL : N
SPEC EXCEPT :	TYPE CONST : 1A	SIGN NUMBER :

**Conditions**

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

*Melinda Bolling*

Melinda Bolling

INSPECTION APPROVALS				
BUILDING INSPECTOR	HEALTH	ELECTRICAL	PLUMBING	FIRE MARSHALL
APPROVED :				

**noreply@co.pg.md.us**

**To:fulvialnz@yahoo.com**

Fri, Aug 28 at 12:48 PM

## Successful Payment Receipt

Please print this receipt for your records

Remittance ID: yaqbwozdr0ubmgip1djuc2w3

Received: August 28, 2020 12:48PM EDT

Permit Number: 21245-2020-0/DPIE RG

Telephone Number: 12406444289

Amount: \$199.50

Service Fee: \$4.89

Service Fee Type: Dual Transaction

Total Amount: \$204.39

Transaction Type: Authorization and Capture

Approval Code: 014821

Card Information: Visa

Fulvia Lainez

\*\*\*\*\*6036

Billing information: Address Line 1: 10 james st

Country: United States

State: MD

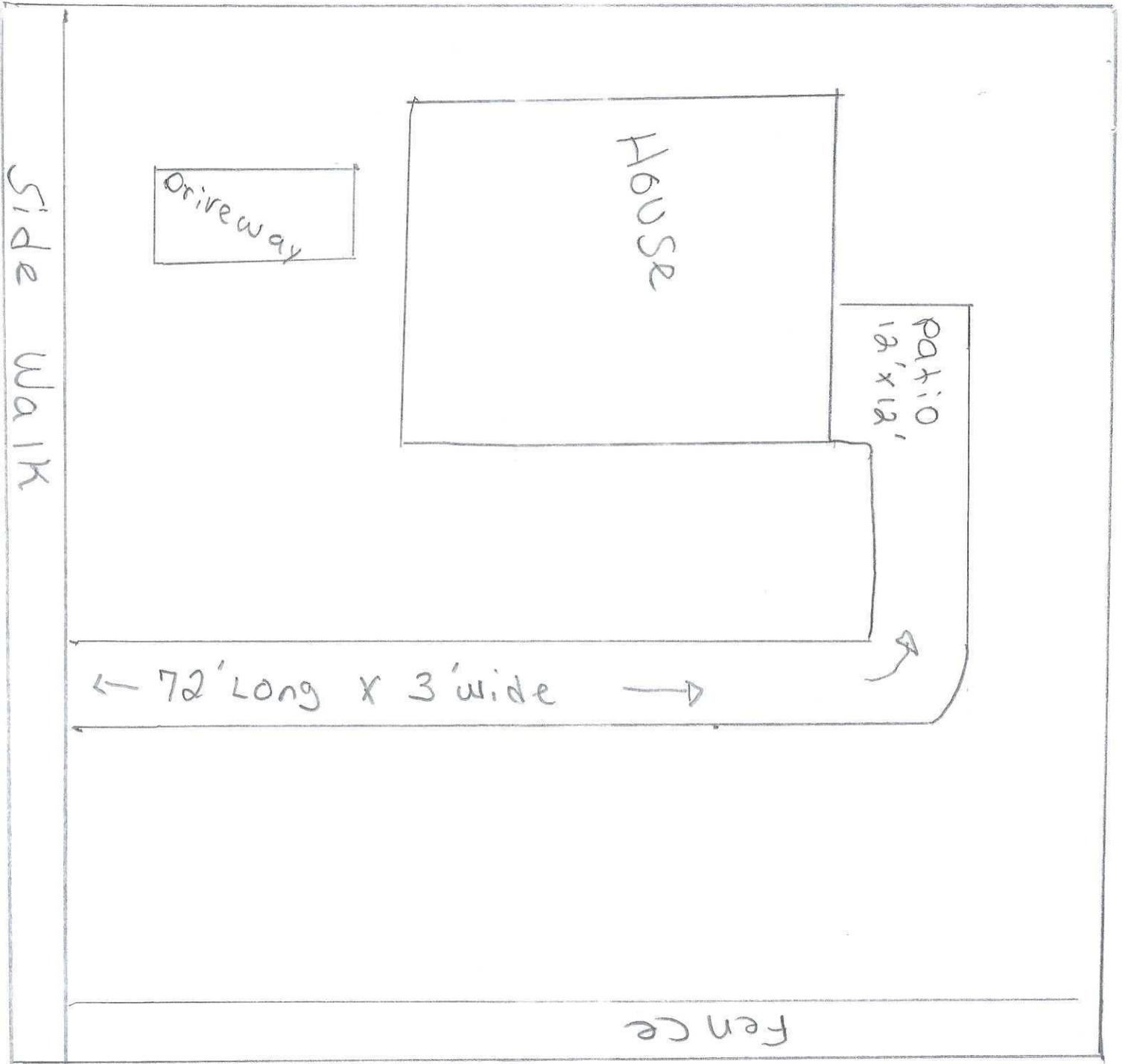
City: gaithersburg

ZIP Code: 20877

---

The information contained herein (or in any attachment) is privileged and confidential and intended only for the recipient listed above. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy. Review, retransmission, dissemination or other use of, or action taken in reliance upon, this information by persons or entities other than the intended recipient is prohibited. While reasonable efforts have been made to ensure that attachments are virus-free, it is the recipient's sole responsibility to scan all attachments for viruses.

- 
- 
-

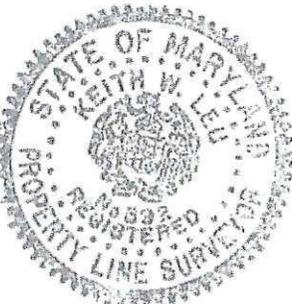
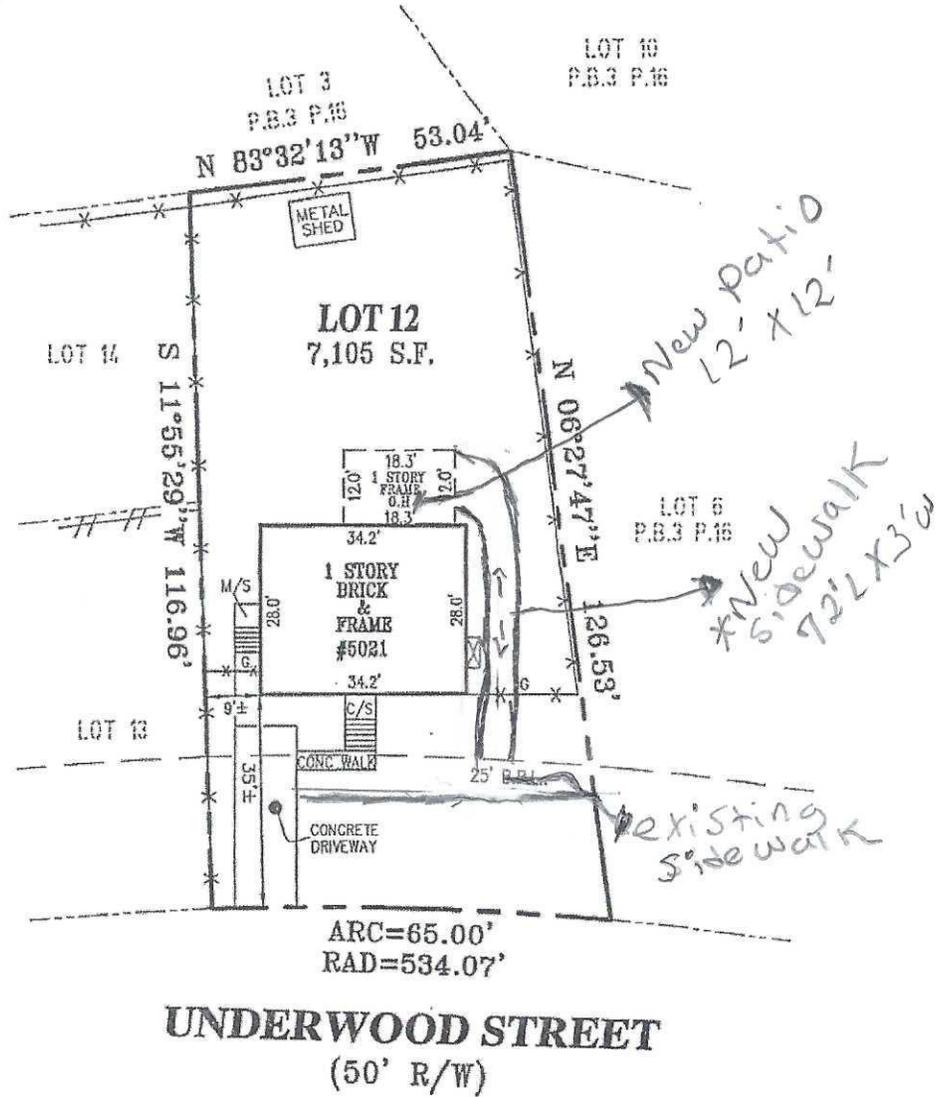


**CONSUMER INFORMATION NOTES:**

1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
5. No Title Report furnished.

**Notes:**

1. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 1 foot.
2. Fences, if shown, have been located by approximate methods.



LOCATION DRAWING  
 LOT 12, BLOCK 11  
 SECTION THREE  
**UNIVERSITY PARK**  
 PRINCE GEORGE'S COUNTY, MARYLAND

<b>SURVEYOR'S CERTIFICATE</b>		<b>REFERENCES</b>			<b>SNIDER &amp; ASSOCIATES</b> LAND SURVEYORS 18544 Amaranth Drive Germantown, Maryland 20874 301/948-5100 Fax 301/948-1286 WWW.SNIDERSURVEYS.COM	
"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION."  MARYLAND PROPERTY LINE SURVEYOR REG. NO. 592 Expires: 04-07-2021		PLAT BK.	40			
		PLAT NO.	94	WALL CHECK:	DRAWN BY: K.D.S.	
		LIBER		HSE. LOC.:	02-25-2020	
		FOLIO		JOB NO:	20-00548	

**Agenda Item 5B**  
**Corrales Building Permit Application**



# Building Permit Application

◆ The Town of University Park ◆

An incorporated municipality in Prince George's County, Maryland  
Town Hall, 6724 Baltimore Avenue, University Park, Maryland 20782

Phone: (301) 927-4262 Fax: (301) 277-4548 Email: townhall@upmd.org

For Office Use Only

Ward # 2 Date Received: 8/24/20

Permit Application: Approved  Rejected

Check/Cash Amt.: \$10

Permit Number: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Name of Applicant(s): Andria & Ernesto Corrales

Telephone Number: (202) 281-6524 Home ( ) \_\_\_\_\_ Cell \_\_\_\_\_

Work: \_\_\_\_\_ Email: ernie1212@gmail.com

Street Address of Property: 6704 40th Avenue

Lot Number: 33 Block Number: 39 Section Number: 7

Person/Company Doing the Work: TBD

Address/Phone: \_\_\_\_\_

Signature of Property Owner: [Signature] Date: 8/24/20

### Description of Work

Check all that apply:

Fence: Height: \_\_\_\_\_, Material: \_\_\_\_\_, Style: \_\_\_\_\_

Outbuilding: Dimensions: \_\_\_\_\_, Height at Apex: \_\_\_\_\_

Materials: \_\_\_\_\_

Other: (Please Specify): Drainage discharge line w/drywell (see attached)

Dimensions: \_\_\_\_\_, Height at Apex: \_\_\_\_\_

Materials: \_\_\_\_\_

Please Specify Reason for Structure: alleviate safety hazard of water build-up on sidewalk

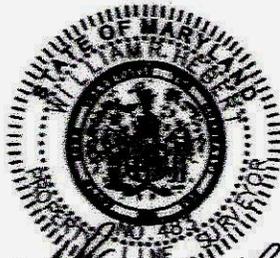
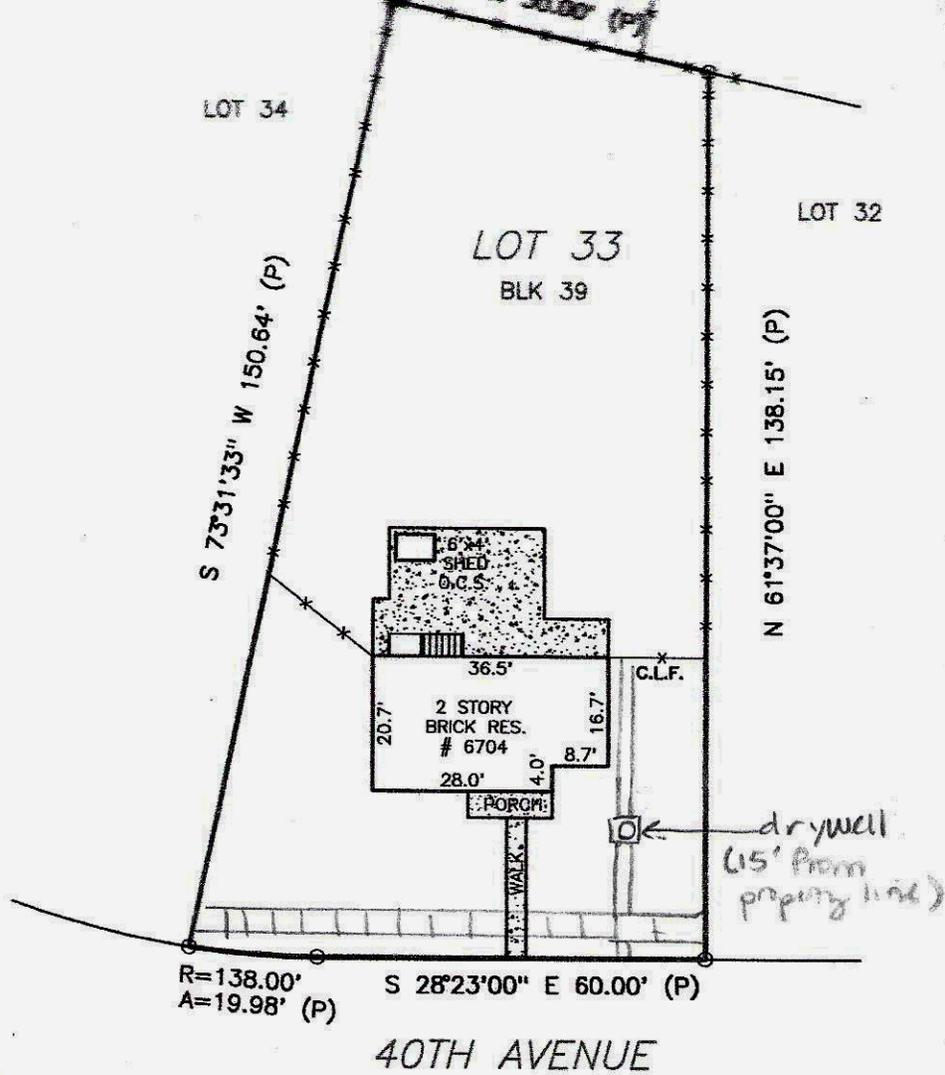
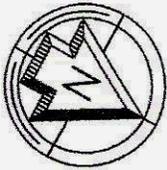
POD or Dumpster (check one) Unit will be placed on the property: \_\_\_\_\_ or on the street: \_\_\_\_\_

Dates the unit will be delivered: \_\_\_\_\_ picked up: \_\_\_\_\_

Permit and Non-Refundable Filing Fee Paid (\$10 + 10% of County permit fee (if applicable))= \$ 10.00

**Caution:** To begin construction before a permit has been issued and prominently displayed for inspection at the construction site is a clear violation of municipal law.

LOCATION DRAWING  
 LOT 33, BLOCK 39  
 SECTION 7, UNIVERSITY PARK  
 PRINCE GEORGE'S COUNTY, MARYLAND  
 08-25-2014 SCALE 1"=30'



*William D. Scott*  
 EXPIRES 1-14-2015



GRAPHIC SCALE (In Feet)  
 1 inch = 30' ft.

ACCURACY=3/4"

POINTS OF INTEREST:  
 NONE VISIBLE

CLIENT NUMBER: 01122-3187

DATE: 8/25/2014

BUYER: ANDREA MARIE CORRALES & ERNESTO CORRALES

SELLER: BABAK HOSSEINI AND TAHEREH BABAK

**CERTIFIED TO:**

ANDREA MARIE CORRALES & ERNESTO CORRALES; STEWART TITLE OF MARYLAND, INC.; STEWART TITLE GUARANTY COMPANY; CITIBANK, N.A.

A LICENSEE EITHER PERSONALLY PREPARED THIS DRAWING OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN REGULATION .12 OF CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS.

**Bronwyn Scott**



bronwynscott@mris.com  
 c: 202.368.7186  
 o: 301.474.2400

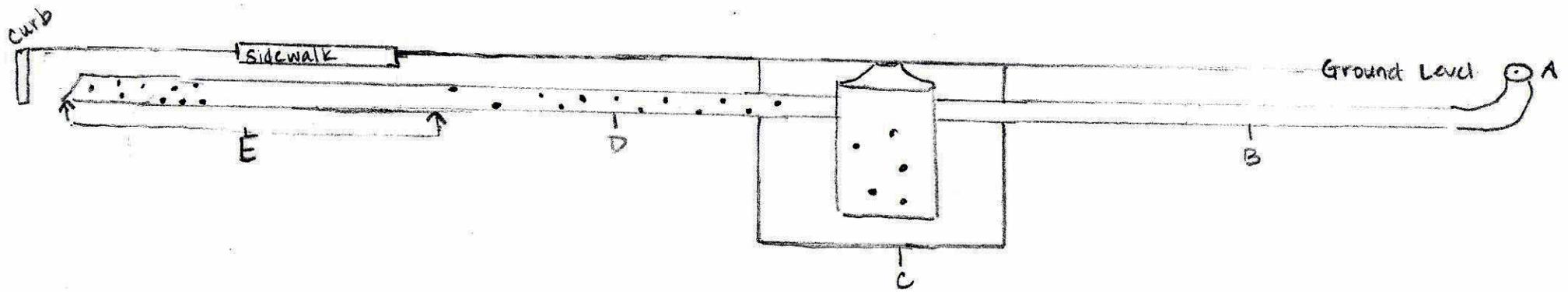


**EACTA**  
 Maryland Surveyors, Inc.

LB#21535  
 www.exactaMD.com  
 P (443)692-6523 • F (443)692-6524  
 10480 Little Patuxent Parkway • Suite 400 • Columbia, MD 21044

THIS IS A TWO PAGE DOCUMENT. THE ADVICE FOUND ON THE AFFIXED PAGE (PAGE 2 OF 2) IS AN INTEGRAL PART OF THE PLAT.

Figure 1



#### Figure A - Cleanout

- Install drain cleanout to existing inlet pipe at ground level

#### Figure B - Inlet Pipe

- Existing 4" solid sch 40 PVC drain pipe
- 6" below ground level
- No modifications required

#### Figure C - Drywell Addition

- Beginning at 20' from home's foundation create 4' X 4' hole
- Lay landscape fabric in hole
- Add 1" - 2" of gravel
- Install 50 gallon drywell barrel with knockout holes for drainage
- Insert ground surface popup for secondary overflow
- Approximately 15' from property line

#### Figure D - Outflow Pipe Modification

- Remove existing drain pipe
- Install 6" below ground level a 4" perforated PVC pipe from drywell to approximately 18" before sidewalk
- Install 4" solid sch 40 PVC drain pipe beginning 18" before sidewalk to the sidewalk

#### Figure E - Outflow Pipe Under New Sidewalk to Curb

- Being installed by Town simultaneously with new sidewalk (date TBD)

**Agenda Item 8A**  
**Legislative Resolution 20-O-07**

Adding § 1-109 Exemption from County  
legislation  
Sponsored by: Councilmember Verrill

LEGISLATIVE RESOLUTION 20-O-07

Resolution and Ordinance of the Town of University Park to amend Chapter 1 “General Provisions”, by enacting §1-109, “Exemption from County legislation” of the Code of Ordinances of the Town of University Park, to clarify those powers that it has retained and exercises in lieu of County legislation, as per §4-111 of the Local Government Article, Annotated Code of Maryland.

**WHEREAS**, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Mayor and Common Council of the Town of University Park have the power to pass such ordinances as deemed necessary to protect the health, safety and welfare of the residents of the municipality and to prevent and remove nuisances; and

**WHEREAS**, pursuant to §4-111, “Application of county legislation to municipalities”, Local Government Article, Annotated Code of Maryland, the Town retains the power to legislate with respect to certain subject matters, and can exempt itself from the application of County legislation; and

**WHEREAS**; the Mayor and Council wish to clarify those powers that it has retained and exercises in lieu of County legislation.

---

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[~~Brackets~~] indicate matter deleted from existing law

\* \* Asterisks\* \* indicate existing law which are unchanged but not set forth in the ordinance

CAPITALS INDICATE MATTER ADDED BY AMENDMENT TO THE PROPOSED

ORDINANCE

~~[Brackets]~~ indicate matter deleted by amendment to the proposed ordinance

**Section 1.** NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Common Council of the Town of University Park, Maryland that Chapter 1 “General Provisions”, §1-109 "Exemption from County legislation", be, and is hereby enacted to read as follows:

§1-109 EXEMPTION FROM COUNTY LEGISLATION

(A) EXCEPT AS PROVIDED IN THIS SECTION, THE MAYOR AND COMMON COUNCIL HEREBY EXEMPT THE TOWN OF UNIVERSITY PARK, A MUNICIPAL CORPORATION, FROM ALL LEGISLATION HERETOFORE OR HEREAFTER ENACTED BY PRINCE GEORGE’S COUNTY, MARYLAND, RELATING TO ANY SUBJECT UPON WHICH THE MAYOR AND COMMON COUNCIL OF THE TOWN HAVE HERETOFORE BEEN OR ARE HEREAFTER GRANTED LEGISLATIVE AUTHORITY EITHER BY PUBLIC GENERAL LAW OR BY THE TOWN CHARTER.

(B) THE FOREGOING EXEMPTION SHALL NOT REPEAL OR PROHIBIT ANY TOWN ORDINANCE THAT SPECIFICALLY ADOPTS OR INCORPORATES BY REFERENCE ANY COUNTY LEGISLATION, AND SUCH COUNTY LEGISLATION ADOPTED OR INCORPORATED BY THE TOWN CODE AS OF \_\_\_\_\_ OR ADOPTED OR INCORPORATED BY REFERENCE INTO THE TOWN CODE IN THE FUTURE SHALL HAVE FULL FORCE AND EFFECT TO THE EXTENT PROVIDED IN THE TOWN ORDINANCE ADOPTING OR INCORPORATING THE SAME.

(C) THE FOLLOWING CHAPTERS OF THE PRINCE GEORGE’S COUNTY CODE, AS AMENDED, OR PORTIONS THEREOF, ENACTED BY PRINCE GEORGE’S COUNTY, AS THEY NOW EXIST AND AS MAY HEREAFTER BE AMENDED, ARE EXCEPTIONS TO THE GENERAL EXEMPTION SET FORTH IN SUBSECTION (A) ABOVE, AND SHALL BE APPLICABLE WITHIN THE TOWN UNTIL SUCH TIME AS THE MAYOR AND COMMON COUNCIL SHALL DULY EXEMPT THE TOWN FROM THEIR APPLICATION:

- (1) SUBTITLE 1, GENERAL PROVISIONS, SHALL APPLY WITHIN THE TOWN ONLY TO THE EXTENT THAT SUCH APPLICATION IS NECESSARY TO EFFECTIVELY IMPLEMENT OTHER COUNTY LAWS THAT APPLY WITHIN THE TOWN.
- (2) SUBTITLE 2, ADMINISTRATION, SHALL APPLY WITHIN THE TOWN ONLY TO THE EXTENT THAT SUCH APPLICATION IS NECESSARY TO EFFECTIVELY IMPLEMENT OTHER COUNTY LAWS THAT APPLY WITHIN THE TOWN.
- (3) SUBTITLE 3, ANIMAL CONTROL
- (4) SUBTITLE 4, BUILDING
- (5) SUBTITLE 5, BUSINESSES AND LICENSES, WITH THE EXCEPTION OF DIVISION 8, SHORT TERM RENTALS
- (6) SUBTITLE 6, EMERGENCY MANAGEMENT

- (7) SUBTITLE 7, COURT SYSTEM
- (8) SUBTITLE 9, ELECTRICITY
- (9) SUBTITLE 10, FINANCE AND TAXATION
- (10) SUBTITLE 11, FIRE SAFETY, WITH THE EXCEPTION OF SEC. 11-293
- (11) SUBTITLE 12, HEALTH
- (12) SUBTITLE 13, HOUSING AND PROPERTY STANDARDS, DIVISION 6, DIVISION 9A, DIVISION 12, DIVISION 12A, AND DIVISION 13 ONLY
- (13) SUBTITLE 17, PLUMBING AND GAS FITTING
- (14) SUBTITLE 18, POLICE
- (15) SUBTITLE 19, POLLUTION
- (16) SUBTITLE 20, TAXICABS AND LIMOUSINES
- (17) SUBTITLE 20A, TRANSPORTATION
- (18) SUBTITLE 21, REFUSE
- (19) SUBTITLE 22, ON-SITE SEWAGE DISPOSAL SYSTEMS
- (20) SUBTITLE 23, ROADS AND SIDEWALKS
- (21) SUBTITLE 24, SUBDIVISIONS
- (22) SUBTITLE 24A, TELEVISION AND RADIO EQUIPMENT REPAIR
- (23) SUBTITLE 25, TREES AND VEGETATION
- (24) SUBTITLE 26 VEHICLES AND TRAFFIC
- (25) SUBTITLE 26A MOTOR VEHICLE REPAIR
- (26) SUBTITLE 27 ZONING
- (27) SUBTITLE 27A URBAN CENTERS AND CORRIDOR NODES DEVELOPMENT AND ZONING CODE
- (28) SUBTITLE 29 PRESERVATION OF HISTORIC RESOURCES
- (29) SUBTITLE 32 WATER RESOURCES PROTECTION AND GRADING CODE

(D) NOTWITHSTANDING ANY OF THE FOREGOING, COUNTY LEGISLATION SHALL APPLY WITHIN THE TOWN WHERE:

- (1) LEGISLATION IS ENACTED BY PRINCE GEORGE'S COUNTY COUNCIL SITTING AS A BOARD OF HEALTH FOR PRINCE GEORGE'S COUNTY PURSUANT TO STATE LAW.
- (2) A LAW OR REGULATION AS ENACTED BY PRINCE GEORGE'S COUNTY, MARYLAND, INVOLVING COUNTY REVENUE OR TAXATION PURSUANT TO THE PROVISIONS OF THE TAX-GENERAL OR TAX-PROPERTY ARTICLES OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, OR LEGISLATION ADOPTING THE COUNTY BUDGET.
- (3) A LAW ENACTED BY THE GENERAL ASSEMBLY SO PROVIDES.

(E) PRINCE GEORGE'S COUNTY, MARYLAND, IS HEREBY REQUESTED TO ENFORCE THE CHAPTERS DESCRIBED IN SUBSECTIONS (C) AND (D) WITHIN THE

TOWN AS COUNTY LAWS TO THE SAME EXTENT AND IN THE SAME MANNER THAT SUCH COUNTY LAWS ARE ENFORCED IN UNINCORPORATED AREAS OF THE COUNTY.

(F) WHENEVER COUNTY AND TOWN LEGISLATION APPLY WITHIN THE TOWN ON THE SAME SUBJECT MATTER, THEY SHALL BE CONSTRUED TOGETHER IN SUCH MANNER AS TO BOTH BE EFFECTIVE WITHIN THE TOWN. NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (C) OF THIS SECTION, WHENEVER A CONFLICT EXISTS BETWEEN A PROVISION OF THE TOWN CODE AND A COUNTY LAW WHICH APPLIES WITHIN THE TOWN AS A COUNTY LAW, THE TOWN CODE PROVISION SHALL SUPERSEDE THE CONFLICTING COUNTY LAW. NOTHING CONTAINED IN SUBSECTION (C) SHALL BE DEEMED TO REPEAL OR OTHERWISE AFFECT ANY TOWN ORDINANCE. (G) NOTHING CONTAINED IN THIS SECTION SHALL LIMIT OR OTHERWISE AFFECT THE TOWN'S AUTHORITY, WHETHER EXERCISED PREVIOUSLY OR IN THE FUTURE, TO REQUEST THE ENFORCEMENT OF TOWN LEGISLATION IN WHOLE OR IN PART BY PRINCE GEORGE'S COUNTY AND TO ENTER INTO AGREEMENTS PROVIDING FOR THE SAME.

Section 2. Be it further resolved that this ordinance shall become effective twenty (20) days after enactment by the Mayor and Common Council of University Park. 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: Be it further resolved that a complete and exact copy of this proposed Ordinance shall be posted on the entrance door of the Town Building of University Park, Maryland, for a period of not less than ten (10) days, and a fair summary of this Ordinance shall be published at least once in a newspaper having general circulation in the community.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020

ATTEST:

MAYOR AND COMMON COUNCIL  
TOWN OF UNIVERSITY PARK

\_\_\_\_\_

By: \_\_\_\_\_  
Lenford C. Carey, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Suellen M. Ferguson, Town Attorney

**Agenda Item 8B**  
**Legislative Resolution 20-O-08**

Amending § 9-109 Speed monitoring systems  
Sponsored by: Councilmember Wells

EMERGENCY LEGISLATIVE RESOLUTION 20-O-08

Resolution and Ordinance of the Town of University Park to amend Chapter 9 “Traffic and Vehicles”, by enacting §9-109, “Speed monitoring system” of the Code of Ordinances of the Town of University Park, to conform the Town code language with that of amended §21-809, Transportation Article, Annotated Code of Maryland, to include mobile in addition to stationary cameras, and to include zones within ½ mile of an institute of higher education.

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Mayor and Common Council of the Town of University Park have the power to pass such ordinances as deemed necessary to protect the health, safety and welfare of the residents of the municipality and to prevent and remove nuisances; and

**WHEREAS**, §21-809 of the Transportation Article, Annotated Code of Maryland, as amended, authorizes the Town to operate a speed monitoring system to enforce the speed limit in school zones; and

**WHEREAS**, §21-809 of the Transportation Article, Annotated Code of Maryland, as amended, authorizes the Town to operate a speed monitoring system to enforce the speed limit within ½ mile of an institution of higher education; and

---

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[~~Brackets~~] indicate matter deleted from existing law

\* \* Asterisks\* \* indicate existing law which are unchanged but not set forth in the ordinance

CAPITALS INDICATE MATTER ADDED BY AMENDMENT TO THE PROPOSED

ORDINANCE

~~[Brackets]~~ indicate matter deleted by amendment to the proposed ordinance

**WHEREAS**, pursuant to §21-809, as amended, the Town has adopted this enforcement mechanism to operate a speed monitoring system to enforce the speed limit in school zones for increased public safety; and

**WHEREAS**, the Mayor and Common Council have determined that it is in the public interest to adopt this enforcement mechanism to operate a speed monitoring system to enforce the speed limit within ½ mile of an institution of higher education for increased public safety; and

**WHEREAS**, §21-809 was amended by the State Legislature; and

**WHEREAS**, it is appropriate to conform the Town code language with that of amended §21-809.

**Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the Town of University Park, Maryland that Chapter 9 “Vehicles and Traffic”, §9-109 "Speed monitoring system", be, and is hereby amended to read as follows:

**§9-109 Speed monitoring system IN SCHOOL ZONES AND WITHIN ONE-HALF MILE OF AN INSTITUTION OF HIGHER EDUCATION**

The Town and its police department are authorized to operate a speed monitoring system to enforce the speed limit pursuant to § 21-809, Transportation Article, Annotated Code of Maryland, as amended, IN SCHOOL ZONES AND WITHIN ONE-HALF MILE OF AN INSTITUTION OF HIGHER EDUCATION.

B. Before activating a ~~non-unmanned stationary~~ speed monitoring system, the Town shall:

- (1) Publish notice of the location of the speed monitoring system on its website and in a newspaper of general circulation in the Town.
- (2) Ensure that each SPEED LIMIT sign ~~[that]~~ APPROACHING AND WITHIN AN INSTITUTE OF HIGHER EDUCATION ZONE, AND EACH SPEED LIMIT SIGN THAT designates a school zone IS PROXIMATE TO A SIGN THAT:

(A) indicates that speed monitoring systems are in use in THE school OR INSTITUTE OF HIGHER EDUCATION zone~~[s-]~~; AND

(B) IS IN ACCORDANCE WITH THE MANUAL FOR AND THE SPECIFICATIONS FOR A UNIFORM SYSTEM OF TRAFFIC CONTROL DEVICES ADOPTED BY

THE STATE HIGHWAY ADMINISTRATION UNDER §25-104 OF THE  
TRANSPORTATION ARTICLE, ANNOTATED CODE OF MARYLAND.

C. A speed monitoring system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m. A SPEED MONITORING SYSTEM IN A ZONE WITHIN ONE-HALF MILE OF AN INSTITUTION OF HIGHER EDUCATION MAY OPERATE 24 HOURS PER DAY, SEVEN DAYS PER WEEK.

D. For a period of at least 30 days after the first speed monitoring system is placed in the Town, a violation recorded by any speed monitoring system may be enforced only by issuance of a warning. THEREAFTER, IF THE TOWN MOVES OR PLACES A MOBILE OR STATIONARY SPEED MONITORING SYSTEM WHERE A SPEED MONITORING SYSTEM HAS NOT PREVIOUSLY BEEN PLACED, THE TOWN MAY NOT ISSUE A CITATION FOR A VIOLATION RECORDED BY THAT SPEED MONITORING SYSTEM:

(1) UNTIL SIGNAGE IS INSTALLED IN ACCORDANCE WITH SUBSECTION B OF THIS SECTION; AND

(2) FOR AT LEAST THE FIRST 15 CALENDAR DAYS AFTER THE SIGNAGE IS INSTALLED.

E. The Town Council is hereby authorized to designate school speed enforcement zones AND ZONES WITHIN ONE-HALF MILE OF AN INSTITUTION OF HIGHER LEARNING consistent with this section by resolution.

Section 2. Be it further resolved that the Common Council has determined that it is necessary that this Ordinance be effective immediately and it is therefore adopted as an emergency measure pursuant to section 311(a) of the Town Charter.

Section 3. Be it further resolved that this ordinance shall become effective immediately after enactment by the Mayor and Common Council of University Park. 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 4: Be it further resolved that a complete and exact copy of this proposed Ordinance shall be posted on the entrance door of the Town Building of University Park, Maryland, for a period of not less than ten (10) days, and a fair summary of this Ordinance shall be published at least once in a newspaper having general circulation in the community.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020

ATTEST:

MAYOR AND COMMON COUNCIL  
TOWN OF UNIVERSITY PARK

\_\_\_\_\_

By: \_\_\_\_\_  
Lenford C. Carey, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Suellen M. Ferguson, Town Attorney

**Agenda Item 9A**

**General Order Section 400.4, Electronic Control Devices/Tasers**

**UNIVERSITY PARK POLICE****GENERAL ORDER**

TITLE <b>ELECTRONIC CONTROL DEVICE</b>		PROCEDURE NUMBER <b>UPPD400.4</b>	
SECTION <b>OPERATIONS PROCEDURES</b>	NUMBER OF PAGES <b>3</b>	EFFECTIVE DATE <b>10/01/2020</b>	REVIEW DATE
<input type="checkbox"/> NEW <input checked="" type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS DATE:	CALEA CHAPTER <b>1</b>	AUTHORITY <b>Chief Harvey R. Baker</b>	

**I. PURPOSE**

The purpose of this general order is to establish guidelines for the deployment of the Electronic Control Device (ECD). The University Park Police issues the Taser brand ECD.

**II. POLICY**

**A.** Consistent with the Department's philosophy of utilizing the minimum amount of reasonable force to control a combative person, the use of departmentally owned and issued ECD is approved for officers with proper training, appropriate equipment, and situational considerations.

**B.** The purpose of the ECD is to provide for a less lethal alternative to use of force. The ECD is not intended to replace the use of firearms when deadly force is necessary. Officers will always comply with the policy and procedures of this General Order when deploying the ECD.

**C.** The ECD may be used to control a subject who is violent, potentially violent or is physically resisting, when deadly force is not justified and attempts to control the subject by other tactics have been ineffective and there is a reasonable expectation that it is safe for officers to approach within contact range of the subject. The ECD may be used to subdue individuals who demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appear to pose an immediate

risk to themselves or others or to the safety of the public in general in an attempt to effect an arrest. Mere flight from a pursuing officer, without other known circumstances or factors, is not sufficient good cause for use of the ECD to apprehend an individual. The ECD shall not be used to psychologically torment, elicit statements or to punish any individual.

**III. DEFINITIONS**

**A. ECD**– is an Electronic Control Device weapon that utilizes compressed nitrogen to shoot two small probes up to 21 feet. These probes are connected to the weapon by high – voltage insulated wire. When the probes contact the subject, they transmit an electrical pulse along the wires and into the body through up to two inches of clothing. The probes do not have to penetrate the flesh or cause bodily harm to be effective.

**B. Electro-Muscular Disruption (EMD)** – is an electric signal that overrides the central nervous system and directly controls the skeletal muscles. The EMD effect causes an uncontrollable contraction of the muscle tissue, debilitating the subject regardless of pain tolerance or mental focus. The output does not damage an implanted pacemaker and will not cause the loss of bladder or bowel control.

**C. Data port** – stores the downloadable date and time on a dataport located in the back of the unit each time the ECD is fired.

## ELECTRONIC CONTROL DEVICE UPPD 400.4

### IV. DISCHARGE CONSIDERATION OF THE ECD:

**A. Officers shall announce “Taser”** when practical, use verbal commands and point laser sight at the subject prior to discharging the ECD.

**B.** Have a back up officer available to assist with the arrest or the use of additional force, if necessary.

**C.** Have a second cartridge ready in case the probes miss the intended target or misfire.

**D.** The ECD may be used when:

1. Necessary to control a dangerous or violent subject when lethal force does not appear to be justified.
2. Attempts to control the subject by other tactics have been ineffective.
3. There is reasonable expectation that it is unsafe for officers to approach within the reach of the subject.
4. The subject is displaying active resistance.
5. Lesser force options are ineffective.
6. The subject poses a threat from a distance and attempts to close on the officer, placing the officer at risk of injury.
7. May be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal is an imminent threat to human safety and alternative methods are not reasonably available.

**E.** The ECD shall not be aimed at the head or facial area of the subject, and will avoid the following areas:

1. back of the neck
2. groin
3. throat
4. kidney
5. spine

**F.** Use of the ECD on certain individuals should be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the individual or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the ECD. This includes:

1. Individuals who are known to be pregnant.
2. Elderly individuals or obvious juveniles.
3. Individuals with obviously low body mass.
4. Individuals who are handcuffed or otherwise restrained.
5. Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise near any known combustible vapor or flammable material, including alcohol-based oleoresin capicum (OC) SPRAY.
6. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

### V. DISCHARGING OFFICER RESPONSIBILITIES:

**A.** Ensure the batteries of the ECD are fully charged. When checking the batteries, the cartridge must be removed.

**B. A verbal warning of the intended use of the ECD should precede its use unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:**

1. **Provide the individual with a reasonable opportunity to voluntarily comply.**
2. **Provide other officers and individuals with a warning that the ECD may be deployed.**

## ELECTRONIC CONTROL DEVICE UPPD 400.4

**C.** Officers will report the discharge, including accidental discharges, of the ECD to their supervisor as soon as practicable.

**D.** The discharging officer will visually inspect the contact site. Probes penetrating the skin will be removed by authorized medical personnel. If this occurs, obtain a Medical Discharge Report from the medical facility and attach to the Use of Force Report,

**E.** Ensure that photographs are taken of the probe penetration sites and any secondary injuries caused by falling to the ground, etc.

**F.** Once the probes have been removed, they will be treated as biohazard sharps.

**G.** The discharging officer will ensure the photographs, expended cartridge with probes and a limited number of microdots are put into evidence for examination by the EDC Coordinator.

**H.** Officers will complete and provide the necessary information to complete all necessary reports, including the Use of Force Report, by the end of their shift.

**I.** Officers are required to have a supervisor perform a data download after every usage prior to the ECD being placed back into service. The data sheet will be attached to the Use of Force report. **(UPPD 400.0)**

### **VI. SUPERVISOR RESPONSIBILITIES**

**A.** Ensure that only certified officers are carrying the department issued ECD.

**B.** Confirm all circumstances, if possible, before the ECD is deployed. A supervisor may authorize the use of the ECD if a subject has already been exposed to OC Spray. Those circumstances must be an extreme nature when the subject poses an immediate risk to themselves or an imminent threat of death or serious physical injury to the officer or others.

**C.** Approve all requests for assistance to mutual aid and allied agencies, if practicable, within the geographical boundaries of District 1 of Prince George's County Police Department.

**D.** Ensure that all reporting requirements which include the Use of Force Report have been satisfied.

**E.** Ensure that a data download was performed, and the data sheet is attached to the Use of force Report.

### **VII. ECD COORDINATOR:**

**A.** The ECD Coordinator shall be certified by the Maryland Police Training Commission as an ECD Instructor. The ECD Coordinator will be responsible for the follow:

**1.** Receive, inspect, and ensure the maintenance and replacement of ECD.

**2.** Maintain records as they pertain to the ECD and its use.

**3.** Return any defective or damaged ECD and cartridge to the manufacturer.

**4.** Ensure that the batteries are properly charged.

**5.** Verify the date, time and the number of discharges will be downloaded from the ECD and will be part of the deployment evaluation routinely conducted anytime the ECD is discharged.

**6.** Ensure that the data downloads are conducted monthly.

**7.** Conducts a monthly inventory of the ECD and cartridges that are assigned to this agency.

### **VIII. TRAINING AND CERTIFICATION REQUIREMENTS:**

**A.** The authorization to carry and/or use the ECD is granted by the Department to

ELECTRONIC CONTROL DEVICE UPPD 400.4  
officers based upon their completion of  
specified training courses and demonstrated  
proficiency under the supervision of a  
certified ECD instructor. The certification of  
the ECD will be conducted biennially.

**VIX. STATE OF MARYLAND  
REPORTING REQUIRMENTS**

Annually the use and deployment of the  
ECD will be reported as required by Public  
Safety Article Section 3-207(b)(1).

**End of Document**

**Agenda Item 9B**  
**Resolution 2020-R-06**

**RESOLUTION OF THE MAYOR AND COUNCIL  
OF THE TOWN OF UNIVERSITY PARK  
AUTHORIZING ESTABLISHMENT OF SCHOOL ZONES AND THE AUTHORITY TO  
PROCEED WITH OPERATION OF FIXED AND MOBILE SPEED MONITORING  
SYSTEMS.**

**WHEREAS**, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Town of University 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

**WHEREAS**, §21-809 of the Transportation Article, Annotated Code of Maryland, as amended, authorizes the Town to operate a fixed and mobile speed monitoring system to enforce the speed limit during certain hours in school zones established within the Town, and at all times within one-half mile of the grounds of the University of Maryland; and

**WHEREAS**, it is in the public interest that the Town adopt this enforcement mechanism for increased public safety; and

**WHEREAS**, the Mayor and Council adopted Chapter 9 “Vehicles and Traffic”, §9-109 "Speed monitoring system", of the Town Code to authorize use of a speed monitoring system pursuant to §21-809; and

**WHEREAS**, §21-809 requires the establishment of school zones, and the authority of the government with jurisdiction to enable the Town to place a speed monitoring system on a road within that zone or within one-half mile of the grounds of the University of Maryland; and

**WHEREAS**, the Mayor and Council have determined that the speed monitoring system placed within one-half mile of the grounds of the University of Maryland should operate to the full extent of the hours allowed by state law.

CAPS  
[Brackets]

: Indicate matter added to existing resolution.  
: Indicate matter deleted from resolution.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Common Council of the Town of University Park as follows:

1. A school zone in the multiple school area of University Park Elementary School and Northwestern High School and a zone within one-half mile of the University of Maryland property or buildings, as set out in Section 21-809(b)(vi)(3) of the Transportation Article, Annotated Code of Maryland as amended, be and they are hereby established.
2. The use of a stationary and mobile speed monitoring system in the said University Park Elementary School and Northwestern High School school zone, and within one-half mile of the University of Maryland property or buildings, as set out in Section 21-809(b)(vi)(3) of the Transportation Article, Annotated Code of Maryland as amended, be and are hereby approved.
3. The Town Police Department be and it is hereby authorized to take those actions necessary to allow operation of a fixed and mobile speed monitoring system in the multiple school zone area of University Park Elementary School and Northwestern High School on the northbound side of Adelphi Road, from its intersection with Queens Chapel Road and Maryland Route 410, East West Highway, to its intersection with Wells Parkway, including a request that Prince George's County grant permission to establish a school zone in the multiple school area of University Park Elementary School and Northwestern High School and grant permission to authorize installation of signage and operation of a stationary and mobile speed monitoring system.
4. The Town Police Department be and it is hereby authorized to take those actions necessary to obtain any required permission from the State of Maryland to allow

operation of a fixed and mobile speed monitoring system in the multiple school zone area of University Park Elementary School and Northwestern High School on the eastbound side of Maryland Route 410, East-West Highway within the Town boundary, from its intersection with Route 1, Baltimore Avenue, to its intersection with Queens Chapel Road and Adelphi Road, including a request that the State of Maryland grant permission to authorize installation of signage and operation of a stationary and mobile speed monitoring system.

5. The Town Police Department be and it is hereby authorized to take those actions necessary to obtain any required permission from the State of Maryland or other government with jurisdiction to operate a speed monitoring system within one-half mile of the University of Maryland property or buildings, as set out in Section 21-809(b)(1)(vi)(3) of the Transportation Article, Annotated Code of Maryland as amended, including but not limited to that part of southbound Route 1, Baltimore Avenue, within Town boundaries, and that part of northbound Adelphi Road within Town boundaries, including a request that the State of Maryland grant permission to authorize installation of signage and operation of a stationary and mobile speed monitoring system.

**APPROVED** by the Mayor and Common Council of the Town of University Park at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**EFFECTIVE** the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**WITNESS:**

**MAYOR AND COMMON COUNCIL  
TOWN OF UNIVERSITY PARK**

---

---

Lenford C. Carey

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

---

Suellen M. Ferguson, Town Attorney