

LIBERO 022 PAGE 01

A RESOLUTION AUTHORIZING AND EMPOWERING COUNTY COMMISSIONERS OF ST. MARY'S COUNTY TO ISSUE, SELL AND DELIVER, AT ANY ONE TIME OR FROM TIME TO TIME, ITS REVENUE BONDS IN ONE OR MORE SERIES AND IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,750,000, PURSUANT TO THE PROVISIONS OF SECTIONS 14-101 THROUGH 14-109 OF ARTICLE 41 OF THE ANNOTATED CODE OF MARYLAND (1997 REPLACEMENT VOLUME) AS AMENDED IN ORDER TO LOAN THE PROCEEDS THEREOF TO TRITON METALS, INC., MARYLAND CORPORATION, FOR THE SOLE AND EXCLUSIVE PURPOSES DESCRIBED IN THIS RESOLUTION; APPROVING, PURSUANT TO NOTICE AND FOLLOWING A PUBLIC HEARING, THE ISSUANCE OF THE BONDS REQUESTED IN THE LETTER OF INTENT FROM TRITON METALS, INC. TO COUNTY COMMISSIONERS OF ST. MARY'S COUNTY DATED JANUARY 22, 2002; MAKING CERTAIN LEGISLATIVE FINDINGS, AMONG OTHERS, CONCERNING THE PUBLIC BENEFIT AND PURPOSE OF SUCH REVENUE BONDS; PROVIDING THAT SUCH REVENUE BONDS AND THE INTEREST THEREON SHALL BE LIMITED OBLIGATIONS OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, REPAYABLE SOLELY FROM THE REVENUES DERIVED FROM LOAN REPAYMENTS (BOTH PRINCIPAL AND INTEREST) MADE AVAILABLE FOR SUCH PURPOSE, AND THAT NEITHER SUCH REVENUE BONDS NOR THE INTEREST THEREON SHALL EVER CONSTITUTE AN INDEBTEDNESS OR A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWERS OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR CHARTER PROVISION OR STATUTORY LIMITATION AND THAT NEITHER SHALL EVER CONSTITUTE OR GIVE RISE TO ANY PECUNIARY LIABILITY OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY; AUTHORIZING AND EMPOWERING THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, PRIOR TO THE ISSUANCE, SALE AND DELIVERY OF SUCH REVENUE BONDS, TO PRESCRIBE THE RATE OR RATES OF INTEREST SUCH REVENUE BONDS ARE TO BEAR, THE FORM, TENOR, TERMS AND CONDITIONS OF AND SECURITY FOR SUCH REVENUE BONDS, AND TO PRESCRIBE, DETERMINE, PROVIDE FOR AND APPROVE VARIOUS OTHER MATTERS, DETAILS, DOCUMENTS AND PROCEDURES IN CONNECTION WITH THE AUTHORIZATION, ISSUANCE, SECURITY, SALE AND PAYMENT FOR SUCH REVENUE BONDS; AND GENERALLY PROVIDING FOR AND DETERMINING VARIOUS MATTERS AND DETAILS IN CONNECTION WITH THE AUTHORIZATION, ISSUANCE, SECURITY, SALE AND PAYMENT OF SUCH REVENUE BONDS.

RECITALS:

Sections 14-101 to 14-109, inclusive, of Article 41 of the Annotated Code of Maryland (1997 Replacement Volume), as amended (the "Act") empower all the counties and municipalities of the State of Maryland to issue revenue bonds and to loan the proceeds of the sale of such revenue bonds to a "facility user" to finance the acquisition (as defined in the Act) by such "facility user" of any facility (as described in the Act). As defined in the Act, a "facility user" includes any individual, public or private corporation, partnership, association, firm, or other entity whether or not created for the purpose of making a profit, which owns, leases, or uses all or any part of a facility.

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LIBERO 022 PAGE 02

The Act declares it to be the legislative purpose to relieve conditions of unemployment in the State of Maryland, to encourage the increase of industry and a balanced economy in the State of Maryland, to assist in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State of Maryland through among other things, port development and the control, reduction or abatement of pollution of the environment and the utilization and disposal of wastes (where proceeds of the bonds are used for that purpose), to promote economic development, to protect natural resources and encourage resource recovery and to generally promote the health, welfare, and safety of the residents of each of the counties and municipalities of the State of Maryland.

County Commissioners of St. Mary's County, a body politic and corporate and a political subdivision of the State of Maryland (the "County"), has received a letter of intent dated January 22, 2002, from Triton Metals, Inc., (the "Borrower") as supplemented by a letter dated April 9, 2002 from the Borrower and KMAHL Properties, LLC, a Maryland limited liability company (KMAHL together, (the "Letter of Intent") a "facility applicant" as defined in the Act, in which it is requested that the County participate in the financing of a certain facility as defined herein, by the issuance of certain bonds described therein and by loaning the proceeds thereof to the Borrower for the purpose of acquiring and owning the facility defined herein upon the terms and conditions of a loan or similar agreement to be entered into between the County and the Borrower (the "Loan Agreement"), as permitted by the Act (such loan being herein referred to as the "Loan").

The Facility, which is a "facility" as defined in the Act, will consist generally of (i) the acquisition of approximately 13.922 acres of land (the "Land") and an approximately 51,400 square foot industrial building (the "Building") both located at 43979 Airport View Drive, Hollywood, St. Mary's County, Maryland 20636; (ii) the renovation and equipping of the Land and the Building; (iii) the acquisition and installation of necessary or useful equipment, machinery, furnishings and fixtures for the foregoing; and (iv) the acquisition of any other improvements or interest in land as may be necessary or useful for the foregoing, including roads or other rights of access, utilities, and site preparation facilities (items (i) through (iv) collectively, the "Facility").

Proceeds of the Bonds may also be used to pay interest on the Bonds during the renovation of the Facility and to pay costs of issuance of the Bonds.

The Facility will be owned by HMAHL and the Borrower, for use in its business as a high precision manufacturer of close tolerance mechanical and fabricated components for defense and commercial industries.

The County, in compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended, held a public hearing on April 9, 2002 pursuant to notice (in form attached hereto as Exhibit A) published in a newspaper of general circulation in St. Mary's County on March 22 and March 29, 2002 for the purpose of apprising affected residents of St. Mary's County, Maryland of the proposed issuance of the Bonds and allowing such residents to appear and be heard concerning the issuance of the Bonds and the location and nature of the Facility. The County has determined following such public hearing, and after having duly considered the necessity for the issuance of the Bonds for competitive economic development purposes to insure job opportunities and to provide for a sufficient tax base, that there will be a substantial public benefit from the issuance of the Bonds, that the issuance of the Bonds to finance the Facility is in the public interest and for a public purpose and by this Resolution has given its approval thereto.

Pursuant to the Letter of Intent the County has been requested to participate in the financing of the acquisition of the Facility by the issuance and sale by the County of its revenue bonds in an aggregate principal amount not to exceed \$3,616,700 pursuant to and in accordance with the Act.

The County, based upon the findings and determinations set forth below, has determined to participate in the financing of the Facility by (a) issuing, selling and delivering its revenue bonds in an aggregate principal amount not to exceed \$3,750,000 (the "Bonds"), and (b) loaning the

proceeds of the Bonds to the Borrower upon the terms and conditions of the Loan Agreement, as permitted by the Act.

The Loan Agreement will require the Borrower (a) to use the proceeds of the Bonds solely to finance the acquisition, construction, equipping and development of the Facility (except to the extent of amounts permitted to be expended for other purposes under the Act and by the Loan Agreement), and (b) to make Loan payments which will be sufficient to enable the County to pay the principal of and interest and premium, if any, on the Bonds when and as the same shall become due and payable.

As security for the Bonds, the County may enter into a trust agreement with one or more corporate trustees or a purchase or assignment agreement with the purchaser of the Bonds, pursuant to which, the County will assign to such trustee or purchaser, among other things, and excepting the right of the County to indemnification and to payments to the County for expenses, all of the County's right, title and interest in and to, and remedies with respect to the Loan Agreement and any other document or instrument relating to the Loan, and any and all other property of every description and nature from time to time by delivery or by writing of any kind conveyed, pledged, assigned or transferred, as and for additional security for the Bonds.

SECTION 1. BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That, acting pursuant to the Act, it is hereby found and determined as follows:

(1) The issuance and sale of the Bonds by the County pursuant to the Act in order to lend the proceeds thereof to the Borrower for the sole and exclusive purpose (except to the extent of amounts permitted to be expended for other purposes under the Act and by the Loan Agreement) of financing the acquisition (within the meaning of the Act), construction, equipping and development by the Borrower of the Facility will facilitate and expedite the acquisition of the Facility by the Borrower.

(2) The acquisition, construction, equipping and development of the Facility by the Borrower and the financing and refinancing thereof as provided in this Resolution will promote the declared legislative purposes of the Act by (a) creating jobs and employment, thus relieving conditions of unemployment in the State of Maryland and in St. Mary's County; (b) assisting in the retention of existing industry and commerce and in the attraction of new industry and commerce in the State of Maryland and in St. Mary's County; (c) promoting economic development; (d) protecting natural resources and encouraging resource recovery; and (e) promoting the health, welfare and safety of the residents of the State of Maryland and St. Mary's County.

(3) In addition to authorizing the County itself to acquire the Facility and either to lease or to sell the same to the Borrower, the Act authorizes facility financing, or a refunding thereof, to be accomplished in the form of a loan by the County to the Borrower. The loan form of transaction avoids indirect costs and burdens on the County by eliminating any direct involvement by the County in the acquisition, ownership or administration of the Facility while permitting the imposition of ample controls on the use of the proceeds of the Bonds, thus insuring that the public purposes of the Act and the bond transactions are fully accomplished. Because it is in the best interests of the citizens of St. Mary's County to finance the acquisition of the Facility by a loan to the Borrower, this Resolution contemplates and authorizes a transaction in the form of a loan of the proceeds of the Bonds by the County to the Borrower. Accordingly, this Resolution, together with one or more written orders to be executed by the President of the Board of County Commissioners of St. Mary's County (the "Board") prior to the issuance, sale and delivery of the Bonds (the "Written Order"), the Loan Agreement and any other instrument pertaining to the issuance, sale or delivery of the Bonds, including those instruments approved by the Written Order (such other instruments, together with the Loan Agreement, collectively, the "Bond Documents"), contains, or shall contain, such provisions as the County deems appropriate to effect the financing of the acquisition by the Borrower of the Facility by the loan form of transaction.

(4) NEITHER THE BONDS NOR THE INTEREST THEREON SHALL EVER CONSTITUTE AN INDEBTEDNESS OR GENERAL OBLIGATION OF THE COUNTY OR A CHARGE AGAINST, OR PLEDGE OF THE GENERAL CREDIT OR TAXING POWERS OF THE COUNTY, WITHIN THE MEANING OF ANY CONSTITUTIONAL OR CHARTER PROVISION OR STATUTORY LIMITATION, AND NEITHER SHALL EVER CONSTITUTE OR GIVE RISE TO ANY PECUNIARY LIABILITY OF THE COUNTY. THE BONDS AND THE INTEREST THEREON SHALL BE LIMITED OBLIGATIONS OF THE COUNTY, REPAYABLE BY THE COUNTY SOLELY FROM THE REVENUES DERIVED FROM LOAN REPAYMENTS (BOTH PRINCIPAL AND INTEREST) MADE TO THE COUNTY BY THE BORROWER ON ACCOUNT OF THE LOAN AND FROM ANY OTHER MONIES MADE AVAILABLE TO THE COUNTY FOR SUCH PURPOSE. The proceeds of the Bonds, and the payments to be made by the Borrower pursuant to the Loan Agreement, will be paid directly to a trustee or the holders of the Bonds in the event a trustee is not appointed for such purpose to be held and disbursed as shall be approved by the President of the Board in the Written Order. No such monies will be commingled with the County's funds but are deemed necessary or desirable by the County to insure that the proceeds of the Bonds are used to accomplish the public purposes of the Act and this Resolution. The transactions authorized hereby do not constitute any physical public betterment or improvement or the acquisition of property for public use or the purchase of equipment for public use. The public purposes expressed in the Act are to be achieved by facilitating the acquisition of the Facility by the Borrower.

(5) The Borrower and/or KMAHL are or will be a "facility applicant" and a "facility user" as defined in the Act and the Facility will be used by the Borrower for manufacturing purposes within the purposes permitted by the Act.

SECTION 2. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That the County hereby approves and is authorized and empowered to issue, sell and deliver, at any time or from time to time, one or more series of Bonds to be to be designated as shall be prescribed in the Written Order, in a principal amount not to exceed \$3,750,000 subject to the provisions of this Resolution. The proceeds of the Bonds will be loaned to the Borrower pursuant to the terms and provisions of the Loan Agreement, to be expended by the Borrower for the sole and exclusive purpose of financing and refinancing the acquisition of a Facility as specified in the Act (including reimbursing the Borrower for prior capital expenditures) (except to the extent of amounts permitted to be expended for other purposes under the Act and by the Loan Agreement).

The Letter of Intent has been accepted by the County and the President of the Board has executed the Letter of Intent in order to evidence such acceptance. The Letter of Intent is intended to constitute a "letter of intent" as contemplated by the Act.

The authority to issue the Bonds is intended to and shall include the authority to issue revenue refunding bonds. Reference herein to the "Bonds" shall include revenue refunding bonds where appropriate. In the event that any refunding bonds are issued pursuant to this Resolution, the outstanding principal amount of any "refunded bonds" (as hereinafter defined) shall not be taken into account in determining the aggregate principal amount of the Bonds issued, sold and delivered hereunder. The term "refunded bonds" means any Bonds (i) for the payment of which (both principal and interest) provision has been made from the proceeds (including any earnings on the investment thereof) of Bonds issued pursuant to this Resolution, or (ii) which have been paid from such proceeds, whether such provisions for payment, or such payment is made at or prior to the maturity of such Bonds.

SECTION 3. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That this Resolution is intended to be, and shall constitute, evidence of the County's intent to issue and deliver the Bonds authorized hereby in accordance with the terms hereof when the Bonds are sold, provided that the County shall have no duty to obtain a purchaser or purchasers therefor and shall incur no pecuniary liability in the event that the Bonds are not sold.

SECTION 4. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That the Bonds shall be executed in the name of the County and on its behalf by the President or Vice President of the Board, by his or her manual or facsimile signature, and the corporate seal of the County or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by the County Administrator (or other authorized officer) by his or her manual or facsimile signature. The Bond Documents shall be executed in the name of the County and on its behalf by the President or Vice President of the Board by his or her manual signature, and the corporate seal of the County or a facsimile thereof shall be impressed or otherwise reproduced thereon and attested by the County Administrator (or other authorized officer) by his or her manual signature. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds or any of the aforesaid documents shall cease to be such officer before the delivery of the Bonds or any of the aforesaid documents, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. The President of the Board, the County Administrator and other officials of the County are hereby authorized and empowered to do all such acts and things and execute such other documents and certificates as the President of the Board may deem necessary to carry out and comply with the provisions hereof.

SECTION 5. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That prior to the issuance, sale and delivery of the Bonds, the President of the Board shall execute the Written Order pursuant to which the President of the Board may (without limitation) specify, prescribe, determine, provide for or approve, all within the limitation of this Resolution and the Act, all matters, details, forms, documents and procedures pertaining to the sale, security, issuance, delivery and payment of or for the Bonds, including (without limitation):

- (a) The principal amount of the Bonds to be issued at any one time or from time to time, the rate or rates of interest thereon, the date or dates of maturity thereof, provisions for the payment thereof, prepayment, sinking fund or redemption provisions (if any) thereof, the designation or designations of the Bonds and of any series, the date or dates of issuance thereof;
- (b) the form, tenor, terms and conditions of the Bonds, and provisions for the registration and transfer of the Bonds (if any);
- (c) the form and contents of, and provisions for the execution and delivery of, such financing documents as the President of the Board shall deem necessary or desirable to evidence, secure or effectuate the Loan and the issuance, sale and delivery of the Bonds, including (without limitation) any loan agreements, notes, mortgages, security agreements, assignments, guarantees, financing agreements or escrow agreements;
- (d) provision for the payment directly by the Borrower of all expenses of preparing, printing and selling the Bonds, including (without limitation) any and all costs, fees and expenses, incurred by or on behalf of the County in connection with the authorization, issuance, sale and delivery of the Bonds, and all costs incurred in connection with the development of the appropriate legal documents, including fees of counsel to the County, and compensation to any persons (other than full-time employees of the County) or entities performing services for or on behalf of the County in connection therewith and in connection with all other transactions contemplated by this Resolution, whether or not the proposed financing is consummated;
- (e) the creation of security for the Bonds and provision for the administration of the Bonds, including (without limitation) the appointment of such trustees, escrow agents, payment agents, registrars or other agents as the President of the Board shall deem necessary or desirable to effectuate the transactions authorized hereby;
- (f) the preparation and distribution, in conjunction with representatives of the Borrower and the prospective purchasers of or underwriters for the Bonds of any series, both a preliminary and a final official statement, placement memoranda or offering circular in connection with the sale of the Bonds of any series, if such preliminary official statement and final official

statement, placement memoranda or offering circulars are determined to be necessary or desirable for the sale of the Bonds of such series;

(g) the form and contents of, and provisions for the execution and delivery of, a contract or contracts for the purchase and sale of the Bonds of any series (or any portion thereof); and

(h) such other matters in connection with the authorization, issuance, execution, sale, delivery and payment of the Bonds, the security for the Bonds and the Loan, and the consummation of the transactions contemplated by this Resolution as may be deemed appropriate and approved by the President of the Board including (without limitation) establishing procedures for the execution, acknowledgment, sealing and delivery of such other and further agreements, documents, and instruments (including continuing disclosure documents), and the authorization of the officials of the County to take any and all actions, as are or may be necessary or appropriate to consummate the transactions contemplated by this Resolution in accordance with the Act and this Resolution.

SECTION 6. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That (a) **THE ACT PROVIDES THAT NEITHER THE BONDS NOR THE INTEREST THEREON SHALL EVER CONSTITUTE AN INDEBTEDNESS OR A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWERS OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR CHARTER PROVISION OR STATUTORY LIMITATION AND SHALL NEVER CONSTITUTE OR GIVE RISE TO PECUNIARY LIABILITY OF THE COUNTY.** In order to implement Section 14-106(e) of the Act stating that the Bonds shall never constitute or give rise to pecuniary liability of the County, the Written Order, the Loan Agreement, the Bonds and the Bond Documents may provide that no bondholder shall look to the County for damages suffered by such bondholder as a result of the failure of the County to perform any covenant, undertaking or obligation under the Bond Documents, nor as result of the incorrectness of any representation made by the County in the Bond Documents. Although this Resolution recognizes that the Bond Documents shall not give rise to pecuniary liability of the County, nothing contained in this Resolution or in the Bond Documents shall be construed to preclude in any way any action or proceedings (other than that element in any action or proceeding involving a claim for monetary damages against the County) in any court or before any governmental body, agency or instrumentality, or otherwise against the County or any of its officers or employees to enforce the provisions of any of the Bond Documents.

(b) Although the Bond Documents shall provide that the County shall have the right to seek remedies in the event of a default by the Borrower, it is contemplated that the County will assign the performance of obligations to take action to the trustee for the holder(s) of the Bonds or the purchasers or holder of the Bonds, in order to implement the purposes and intent of the Act, namely to facilitate the acquisition of the Facility by the Borrower without incurring any pecuniary obligation or liability of the County. Accordingly, if a trustee is appointed for such purpose, the trustee shall have the duty act, whether or not at the direction of the bondholders, in all instances in which the trustee for such bonds may act and determines that action is appropriate. In any case, where action by the trustee for the Bonds or the purchaser or holder of the Bonds requires simultaneous or subsequent action by the County, the County will cooperate with such trustee or the purchaser or holder of the Bonds and take any and all action necessary to effectuate the purposes and intent of the Resolution and the Bond Documents. The performance by the trustee for the Bonds or the purchaser or holder of the Bonds of obligations under any of the Bond Documents permits the identification of all costs arising from the exercise of such obligations. The Bond Documents shall provide that the Borrower shall pay those costs in order to avoid any direct or indirect pecuniary burden on the County.

(c) Issuance of the Bonds is subject to the availability of a private activity bond volume cap allocation.

SECTION 7. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That, as permitted by the Act, the Bonds of each series shall be sold at private (negotiated) sale and at par, unless the President of the Board

deems it to be in the best interests of the County to sell the Bonds of any series at public sale or by retail sale or above or below par, in which event the Bonds of such series shall be sold in such manner, at such price or prices and upon such terms as shall be determined in the Written Order to be in the best interests of the County. The Bond of each series shall be sold at such times, on such dates and to such persons, firms or corporations (including, without limitation, banks or other financial institutions) as shall be determined by the President of the Board, with the consent of the Borrower. Issuance of the Bonds shall be subject to the availability of a private activity bond allocation for the Bonds.

SECTION 8. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part hereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Resolution or their application to other persons or circumstances and the remaining provisions shall be construed so as to give practical realization to the public purposes intended to be achieved hereunder and the protection against pecuniary liability to be afforded to the County. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstance to which this Resolution or any part hereof is inapplicable had been specifically exempted therefrom.

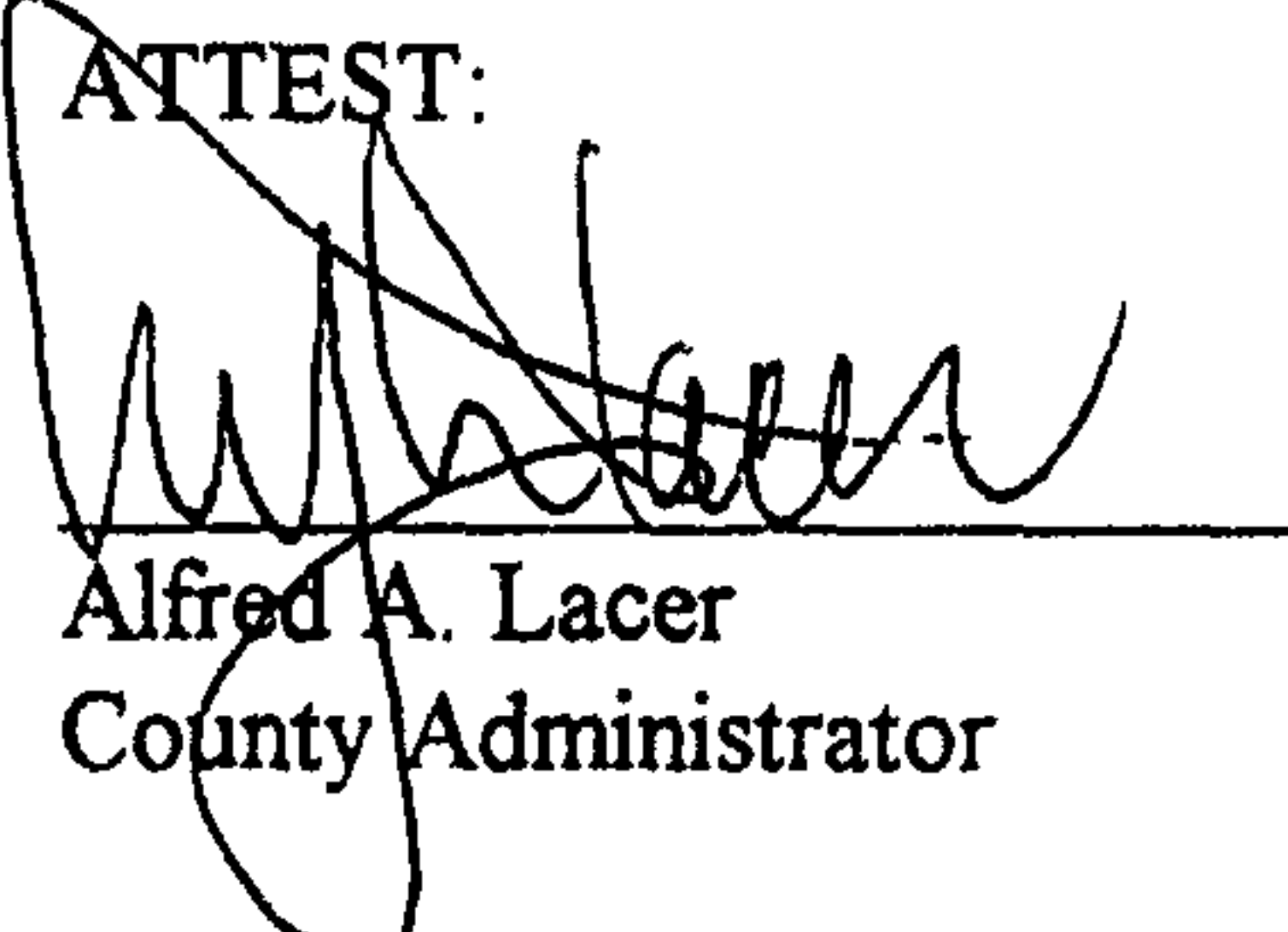
SECTION 9. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That in the event that the financing transactions contemplated by this Resolution shall not have occurred by September 15, 2002 (or such earlier date if required by applicable law, the County's authorization under this Resolution shall terminate unless otherwise extended by resolution of the Board.

SECTION 10. AND BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, That this Resolution shall take effect from the date of its adoption.

PASSED AND ADOPTED THIS 9th day of April, 2002.

EFFECTIVE DATE: 04/09/02


ATTEST:

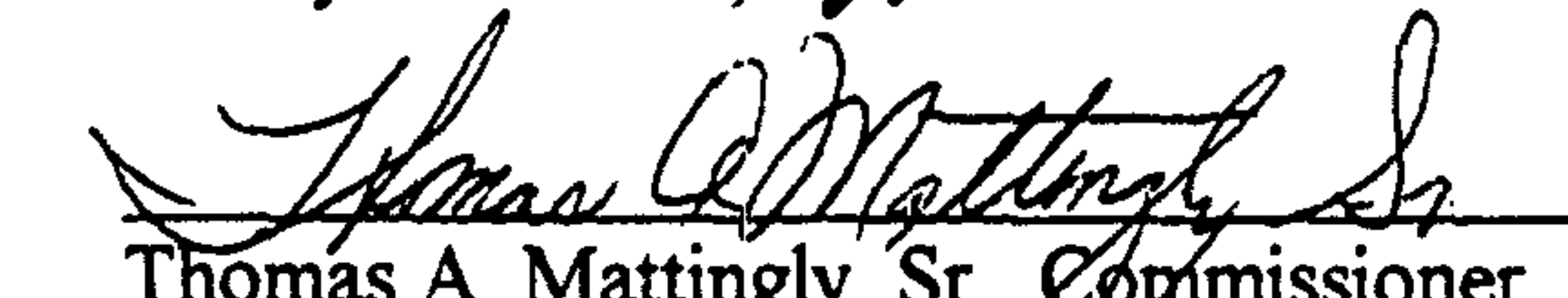

Alfred A. Lacer
County Administrator

COUNTY COMMISSIONERS OF
ST. MARY'S COUNTY, MARYLAND

By: 
Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

Approved as to Form and Legal Sufficiency:


Timmy F. Ruppertsberger, Bond Counsel

NO.: 2002 - 16
SUBJECT: Adoption of Greenview Parkway,
Longfields Boulevard, and
Deerpath Court
Greenview West Subdivision
Section 1, Phases 1 and 2

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated November 15, 1999, and Record Plat recorded at EWA 42, Page 6, and EWA 44, Page 17, for Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337).

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337), located in Section 1, Phases 1 and 2 of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 42, Page 6, and EWA 44, Page 17) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337), into the County's Highway Maintenance System.

Those voting aye: All

Those voting nay: _____

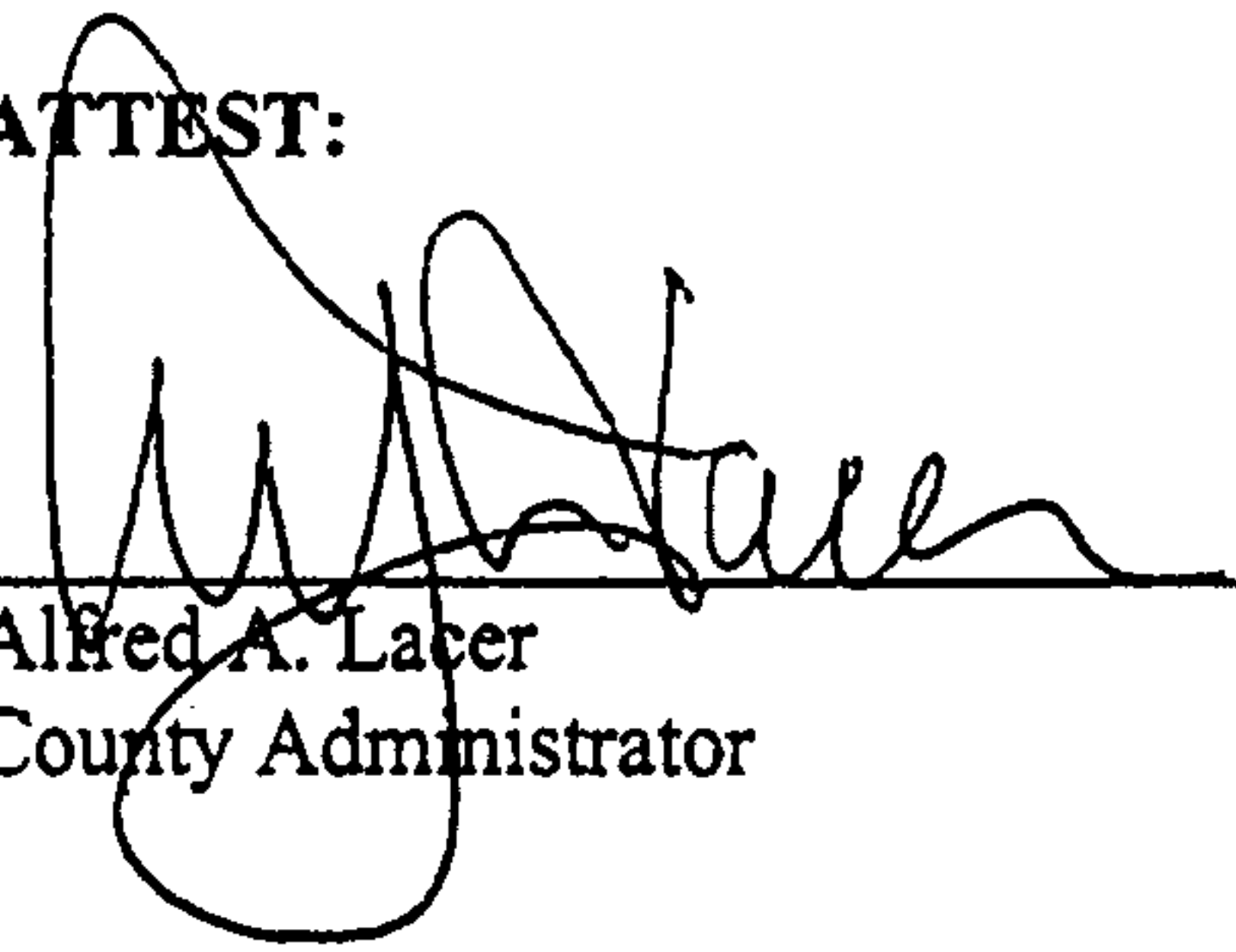
Those abstaining or absent: _____

Date of Adoption: 4-30-02

Effective Date: 4-30-02

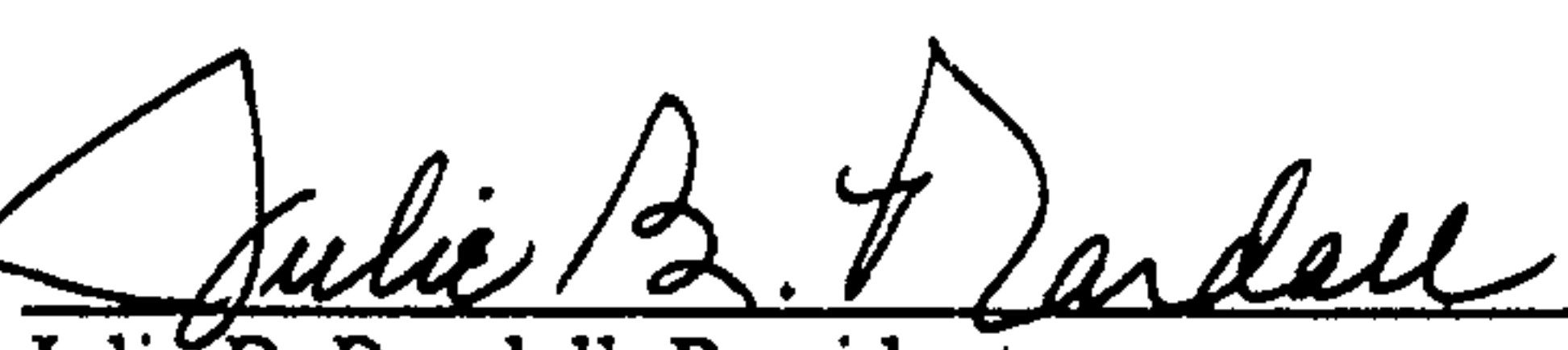
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EWA CSS Bk#638
May 07, 2002 08:53 am

ATTEST:

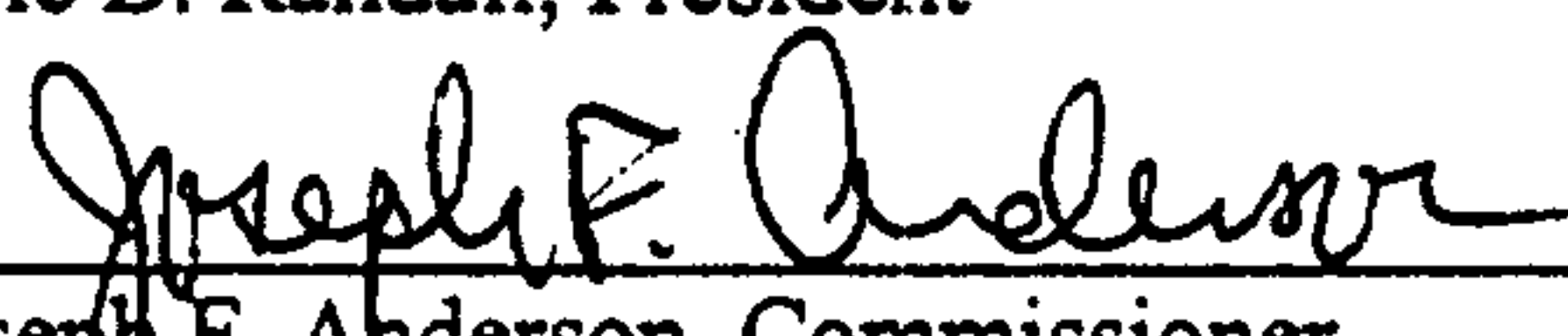


Alfred A. Lacer
County Administrator


BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND



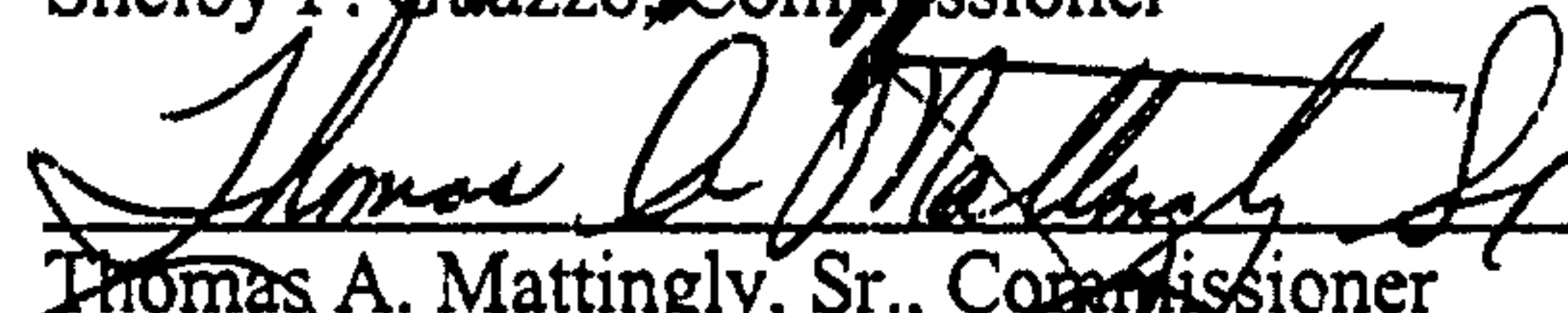
Julie B. Randall, President



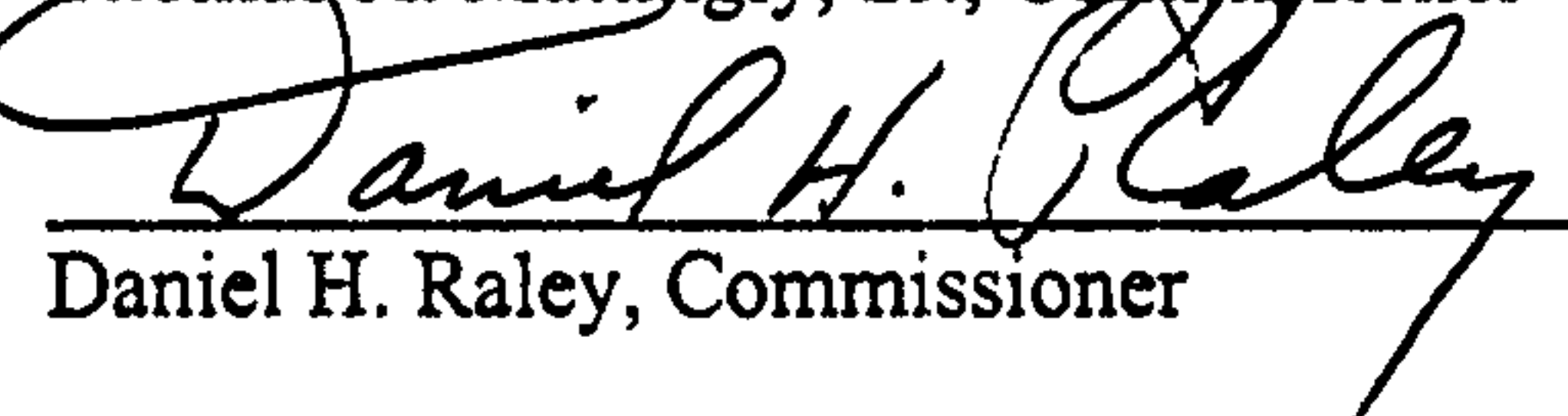
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner




Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



John B. Norris, III
Acting County Attorney

NO.: 2002- 17
SUBJECT: Longfields Boulevard and Deerpath Court
Stop Signs
Greenview West Subdivision
Section 1, Phases 1 and 2

LIBERO 0 2 2 PAGE 0 9 RESOLUTION

WHEREAS, pursuant to Section 1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of Longfields Boulevard (County Route 31268), and Chancellors Run Road (MD Route 237); Longfields Boulevard, County Route 31268, and Greenview Parkway, County Route 30983; and Deerpath Court, County Route 31337, and Longfields Boulevard, located in Section 1, Phases 1 and 2, of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 42, Page 6, and EWA 44, Page 17, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at these intersections by means of traffic control devices, specifically, stop signs on Longfields Boulevard, County Route 31268, at the intersection with Chancellors Run Road (MD Route 237); Longfields Boulevard, County Route 31268, at the intersections with Greenview Parkway, County Route 30983; and Deerpath Court, County Route 31337, at the intersection with Longfields Boulevard.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersections of Longfields Boulevard, County Route 31268, and Chancellors Run Road (MD Route 237); Longfields Boulevard, County Route 31268, at the intersections with Greenview Parkway, County Route 30983; and Deerpath Court, County Route 31337, at the intersection with Longfields Boulevard; and that in the interest of public safety and to eliminate a hazardous condition, Longfields Boulevard, County Route 31268, and Deerpath Court, County Route 31337, further identified as being located in Section 1, Phases 1 and 2, of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 42, Page 6, and EWA 44, Page 17) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically stop signs, on Longfields Boulevard, County Route 31268, at the intersection with Chancellors Run Road (MD Route 237); and Longfields Boulevard, County Route 31268, at the intersections with Greenview Parkway, County Route 30983; and Deerpath Court, County Route 31337, at the intersection with Longfields Boulevard.

Those voting aye: All
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 4-30-02
Effective Date: 4-30-02

ATTEST:

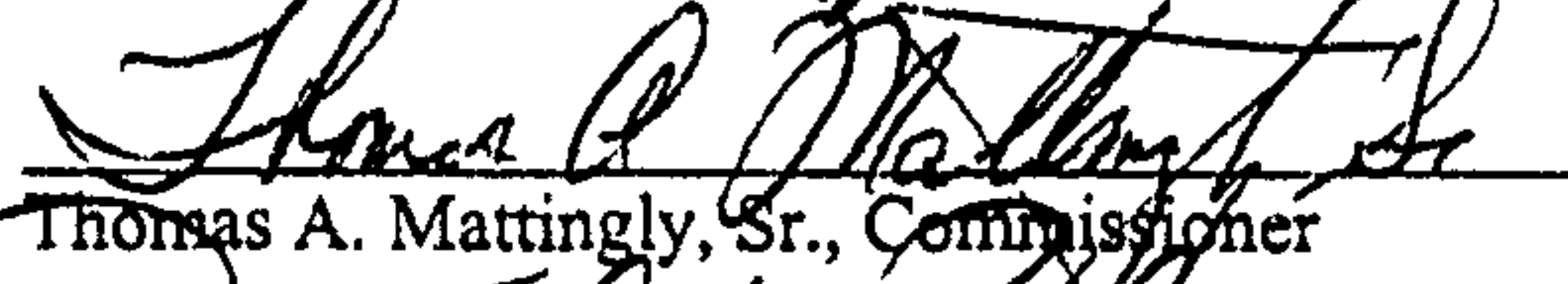

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President



Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
Acting County Attorney

NO.: 2002- 18
SUBJECT: Greenview Parkway,
Longfields Boulevard and Deerpath Court
Speed Limit
Greenview West Subdivision
Section 1, Phases 1 and 2

LIBERO 022 PAGE 10

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-I of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337), located in Section 1, Phases 1 and 2, of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 42, Page 6, and EWA 44, Page 17, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

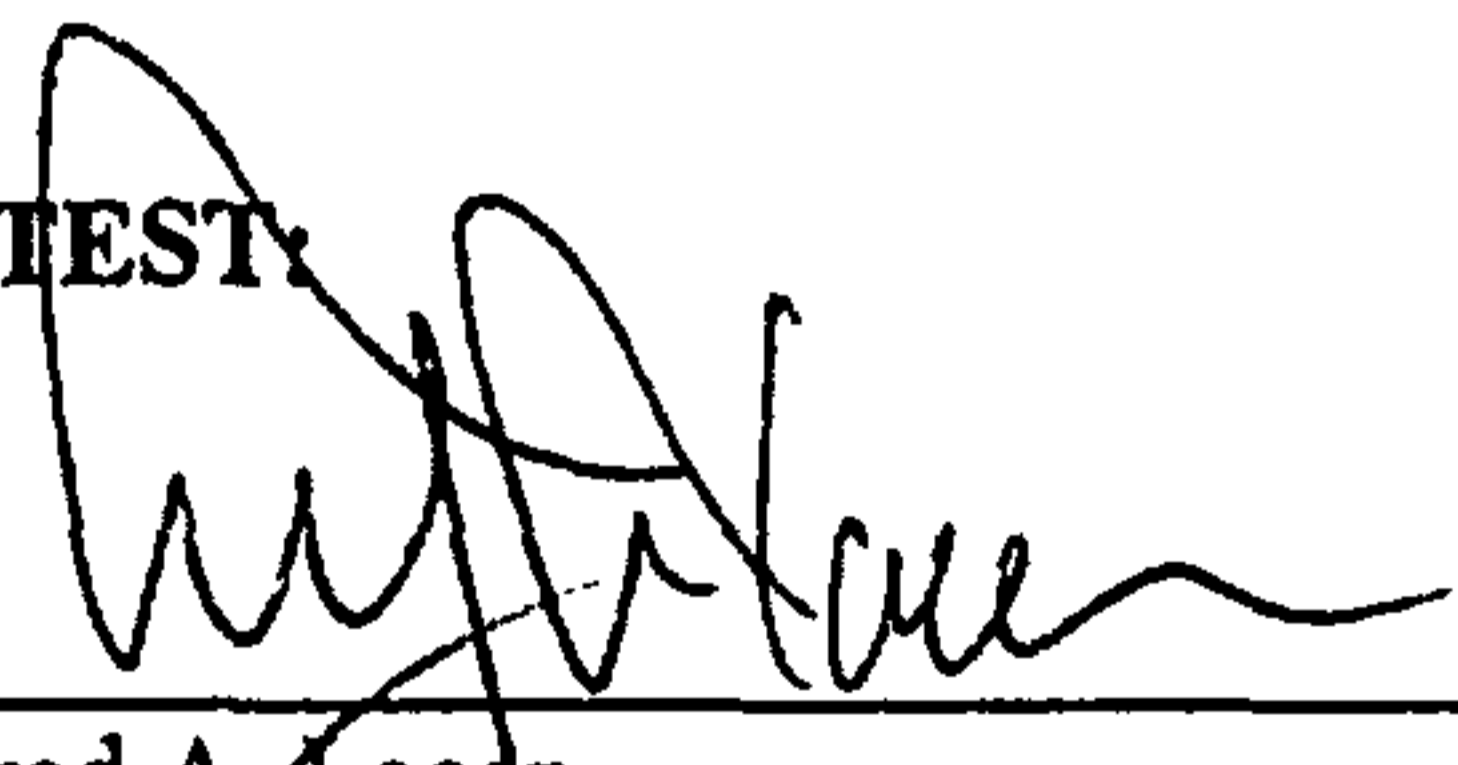
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337).

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Greenview Parkway, Longfields Boulevard and Deerpath Court is greater than reasonable or safe, and that Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337), located in Section 1, Phases 1 and 2, of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 42, Page 6, and EWA 44, Page 17) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

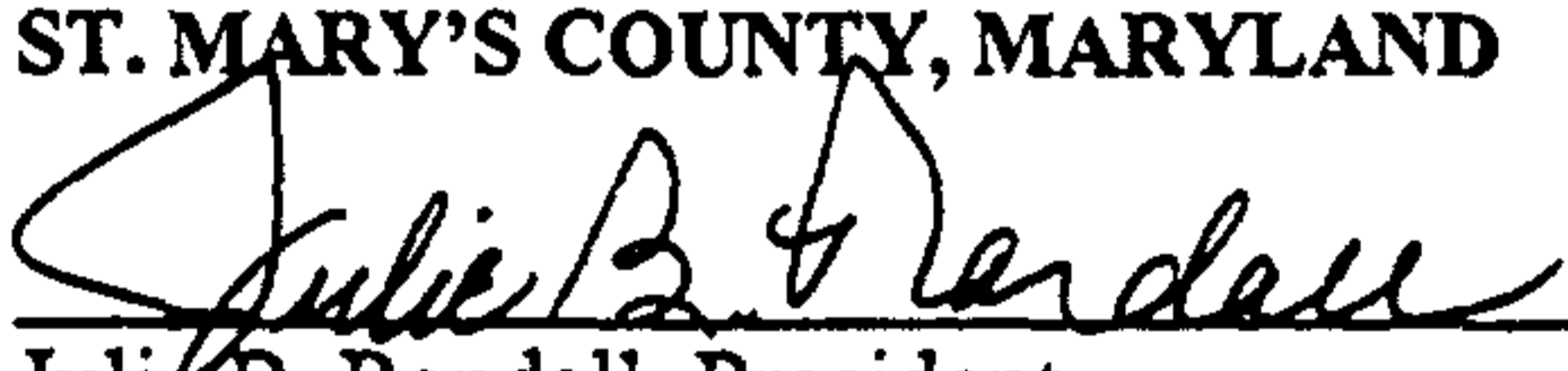
BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

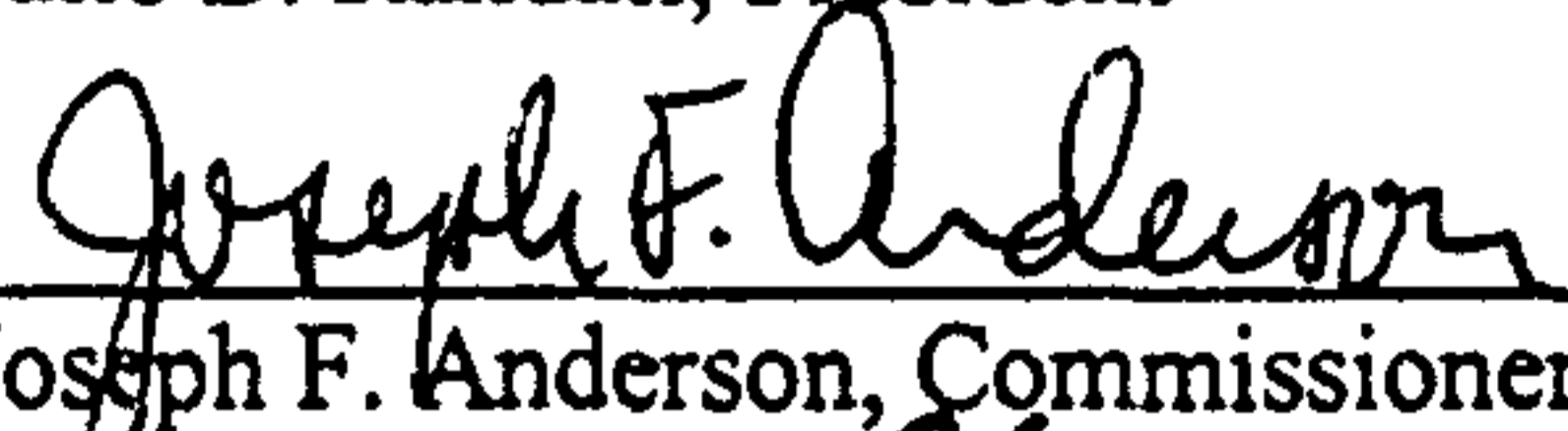
Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____


Date of Adoption: 4-30-02
Effective Date: 4-30-02

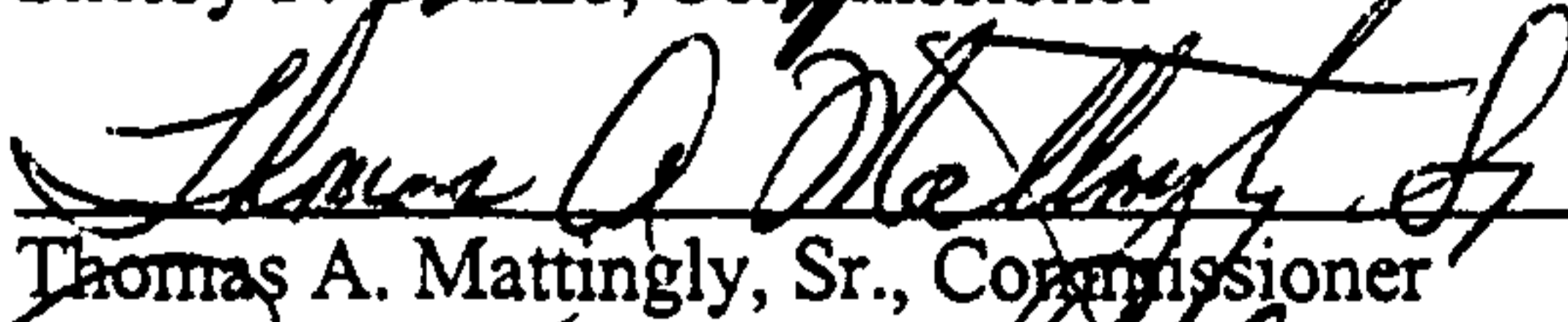
ATTEST:



Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND



Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
Acting County Attorney

LIBERO 0 2 2 PAGES Subject: Approve Concept for Great Mills
Roadway Enhancement. Project

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND**

PURPOSE

To approve the concept for enhancements to Great Mills Road between Coral Drive and Saratoga Drive and to authorize the Office of the Lexington Park Plan to seek funding from the Maryland State Highway Administration to design the proposed Concept for roadway enhancements.

WHEREAS, the St. Mary's County Government Office of the Lexington Park Plan sought and was approved to have the Lexington Park Revitalization District designated a Neighborhood Conservation Community by the Maryland State Highway Administration (SHA) for the purpose of developing a Concept for landscape and infrastructure enhancements to Great Mills Road in the town center area of Lexington Park; and

WHEREAS, SHA, working with the Office of the Lexington Park Plan, defined the study area of the project to include the section of Great Mills Road from Coral Drive to the entrance of St. Mary's Square and employed traffic and landscape consultants to perform background studies including an assessment of existing traffic and storm water conditions; and

WHEREAS, SHA and the consultants worked with a volunteer Task Force composed of business and property owners located within the study area to review the background studies and to develop a Concept for reconstructing the road within the study area to improve accessibility for pedestrian and handicapped individuals, to correct existing storm water management problems, to calm and direct traffic to improve safety, and to visually enhance the roadway through the use of increased landscaping, decorative pavers and lighting, and the consolidation or removal of utility poles; and

WHEREAS, the Concept was reviewed by key property owners whose property is within the study area during a meeting with SHA on February 8 and then the Concept was presented to the public during a workshop held on March 27 at the Lexington Park Library and subsequently displayed at McKays Food and Pharmacy Center on Great Mills Road from April 4 through April 15 to provide the public an opportunity to review and comment on the Concept for enhancements to Great Mills Road in the study area; and

WHEREAS, the Concept was presented to the Board of Commissioners by SHA and the Office of the Lexington Park Plan for review and consideration on March 23 during a regular meeting of the Board; and

WHEREAS, in accordance with Section 5-1405 of *Article 83A* of the Annotated Code of Maryland, the governing body of the jurisdiction in which the Project is located must evidence its approval of the Concept; and

WHEREAS, the County has determined that it is in the best interest of the citizens of St. Mary's County, Maryland that the County (i) approve the Concept, and (ii) authorize staff to seek funding through the Maryland State Highway Administration to design the Concept for roadway enhancements to Great Mills Road within the study area.

LIBERO 022 PAGED 12

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that:

1. It is in the best interest of the health, safety and welfare of the citizens of St. Mary's County, Maryland to approve the Concept for enhancements to Great Mills Road in the defined study area.
2. The Office of the Lexington Park Plan is authorized to seek funding for design of the Concept through the State Highway Administration, the terms and conditions of which remain subject to the subsequent approval of the County Commissioners.
3. This Resolution shall take effect from the date set forth below as the "Effective Date"; and
4. The foregoing recitals are hereby adopted as if fully set forth herein.

Those Voting Aye: ALL

Those Voting Nay: _____

Those Absent: _____

Adopted: 4-30-02

Effective Date: 4-30-02

ATTEST:

George G. Forrest
Deputy County Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Alfred A. Lacer
Alfred A. Lacer
Attorney for St. Mary's County

BOARD OF COUNTY
COMMISSIONERS FOR ST. MARY'S
COUNTY, MARYLAND

Julie B. Randall
Julie B. Randall, President

Joseph F. Anderson
Joseph F. Anderson, Commissioner

Shelby P. Guazzo
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley
Daniel H. Raley, Commissioner

Subject: Repeal and Adoption of the
St. Mary's County Comprehensive
Zoning Ordinance

LISEFO 0 2 2 PAGEO 1 3

ORDINANCE

AN ORDINANCE FOR THE PURPOSE OF REPEALING THE ST. MARY'S COUNTY ZONING ORDINANCE IN PART AND ZONING MAPS AND ADOPTING THE ST. MARY'S COUNTY COMPREHENSIVE ZONING ORDINANCE AND ZONING MAPS

Recitals

RECORDING FEE 0.00
TOTAL 0.00

WHEREAS, *Article 66B* of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners for St. Mary's County, Maryland to enact a zoning ordinance to promote the health, safety and welfare of St. Mary's County, and to provide for its administration, enforcement and amendment; and

Rest#SM02 Rcrt#999999
EWA KAE BIK#1513

WHEREAS, the Maryland General Assembly has adopted Article 41, Section 18-101 through 18-108, which requires all counties to have in operation an enhanced 911 emergency telephone system, an integral part of which is the implementation of a permanent addressing system; and

MAY 14, 2002 03:11 PM

WHEREAS, Section 8-1801, *et seq.* of the Natural Resources Article of the Maryland Annotated Code, as amended, authorizes the Board of County Commissioners for St. Mary's County, Maryland to adopt a program to protect the Chesapeake Bay and its tributaries by fostering more sensitive development activity for certain shoreline areas so as to minimize damage to water quality and natural habitats; and

WHEREAS, Section 5-1601, *et seq.* of the Natural Resources Article of the Maryland Annotated Code, as amended, requires the Board of County Commissioners for St. Mary's County, Maryland to develop a local forest conservation program, consistent with the intent, requirements, and standards of that subtitle; and

WHEREAS, Section 5-801, *et seq.* of the Environment Article of the Maryland Annotated Code, as amended, authorizes the Board of County Commissioners for St. Mary's County, Maryland to develop a program of flood control planning and management; and

WHEREAS, the St. Mary's County Planning Commission, following due public notice, held a public hearing on the proposed Unified Land Development Code, of which revisions to the St. Mary's County Comprehensive Zoning Ordinance and Zoning Maps were a part, on June 26, June 28 2000; and

WHEREAS, on October 23, 2000 and pursuant to *Article 66B*, Section 3.05 of the Maryland Annotated Code, the St. Mary's County Planning Commission forwarded a recommendation to the Board of County Commissioners regarding the adoption of the Unified Land Development Code, including revisions to the St. Mary's County Comprehensive Zoning Ordinance and Zoning Maps; and

WHEREAS, on July 17 and 18, 2001, for which due public notice was published in the June 29, July 6 and July 13, 2001 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment; and

WHEREAS, pursuant to those comments, the Board of County Commissioners for St. Mary's County, Maryland directed that additional modifications be made, which included the segregation of the four regulatory components of the Unified Land Development Code into separate documents, one being the St. Mary's County Comprehensive Zoning Ordinance and associated Zoning Maps; and

WHEREAS, on February 26 and 27, 2002, for which due public notice was published in the February 8 and 15, 2002 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment on the amended portion of the former Unified Land Development Code constituting the St. Mary's County Comprehensive Zoning Ordinance and the Official Zoning Maps incorporated within the Comprehensive Zoning Ordinance by reference; and

Subject: Repeal and Adoption of the
St. Mary's County Comprehensive
Zoning Ordinance

LIBERO 022 PAGE 14

Page 2 of 3

WHEREAS, the Chesapeake Bay Critical Area Commission has not yet provided final approval of the provisions of the St. Mary's County Comprehensive Zoning Ordinance constituting the St. Mary's County Chesapeake Bay Critical Area Program as required pursuant to Section 8-1808 and 8-1809 of the *Natural Resources Article* of the Maryland Annotated Code, as amended; and

WHEREAS, on April 9 and April 23, 2002, the Board of County Commissioners approved the amendment to the St. Mary's County Comprehensive Zoning Ordinance based upon public comments and policy decisions subsequent to the February 2002 public hearings and open record periods to promote the health, safety and welfare of St. Mary's County; and

WHEREAS, upon due consideration of the comments of the public and staff; and in furtherance of the public health, safety and welfare, it is in the best interest of the public health, safety and welfare of the citizens of St. Mary's County, Maryland, to adopt the Ordinance; and

WHEREAS, all procedural requirements of *Article 66B* of the Maryland Annotated Code, as amended, with regard to preparation of the recommendation of the Planning Commission and subsequent action of the Board of County Commissioners for St. Mary's County, Maryland have been met.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Comprehensive Zoning Regulations, adopted August 1, 1990, Ordinance 90-11, as amended, and the Official Zoning Maps incorporated therein by reference are hereby repealed, save and except Section 38.2 of the St. Mary's County Comprehensive Zoning Regulations, adopted August 1, 1990, Ordinance 90-11, as amended, shall hereby remain in effect and shall control over contradictory provisions in the St. Mary's County Comprehensive Zoning Ordinance, Exhibit "A" hereto, until repealed by this Board of County Commissioners upon a finding by the Chesapeake Bay Critical Area Commission that the amended St. Mary's County Chesapeake Bay Critical Area Program, as set forth in the St. Mary's County Comprehensive Zoning Ordinance, Exhibit "A" hereto, complies with the requirements of law and regulation.

BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Comprehensive Zoning Ordinance, Exhibit "A" hereto, and the Official Zoning Maps incorporated therein by reference, are hereby adopted.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Comprehensive Zoning Ordinance shall be effective upon the date written below.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that in the event any portion of the St. Mary's County Comprehensive Zoning Ordinance is found to be unconstitutional, illegal, null or void it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

Those voting Aye: DH Raley, SP Guazzo, TA Nutting, Sr.

Those voting Nay: J B Randall and J F Anderson

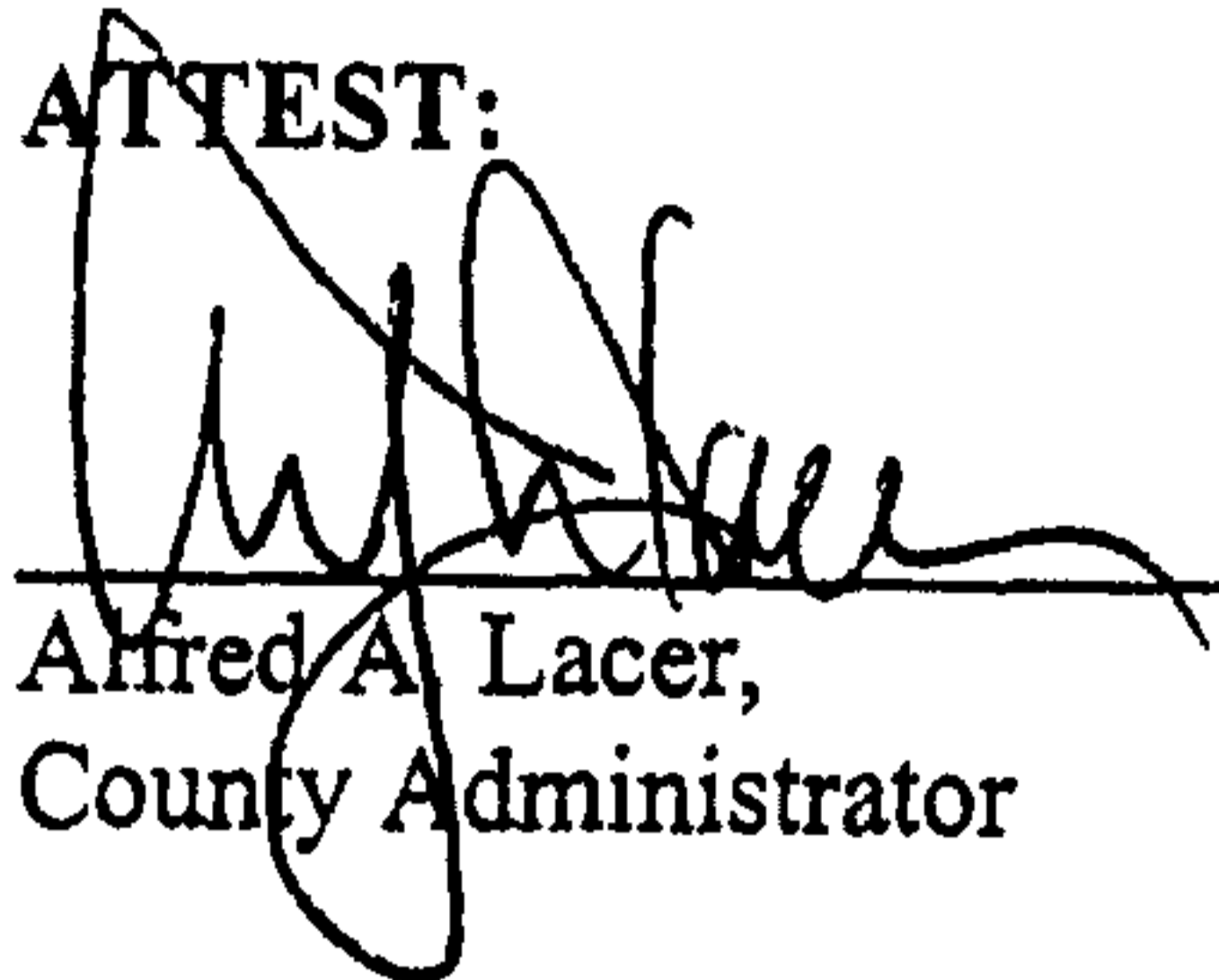
Subject: Repeal and Adoption of the
St. Mary's County Comprehensive
Zoning Ordinance

LIBERO 022 PAGE 15


Date of Adoption: May 7, 2002

Effective Date: May 13, 2002

ATTEST:


Alfred A. Lacer,
County Administrator

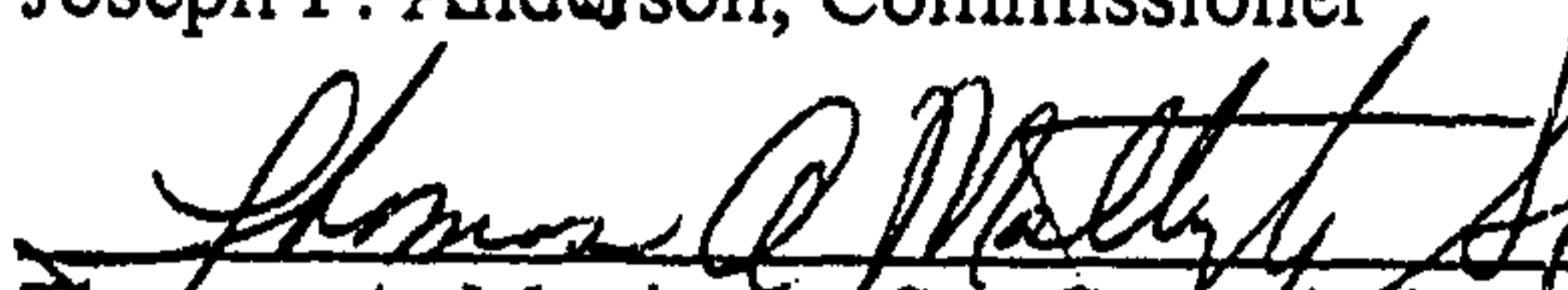
Approved as to form and legal
sufficiency:

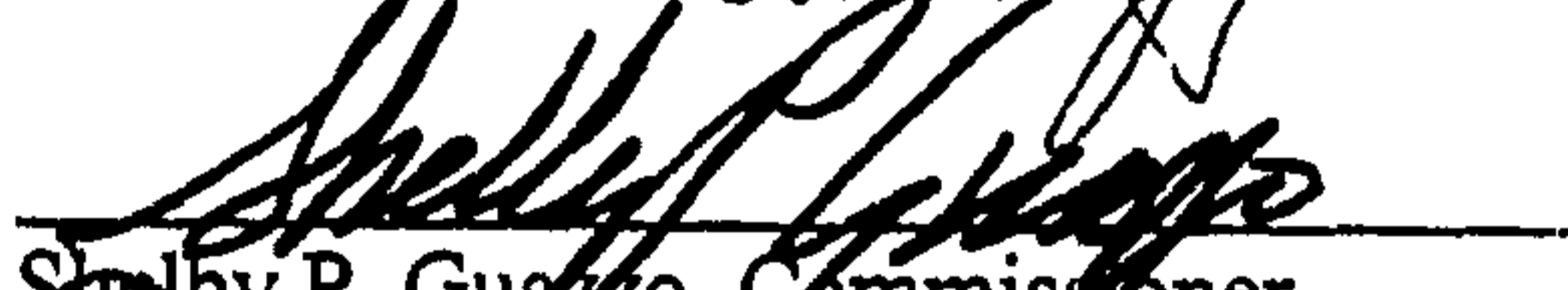

John B. Norris, III
County Attorney

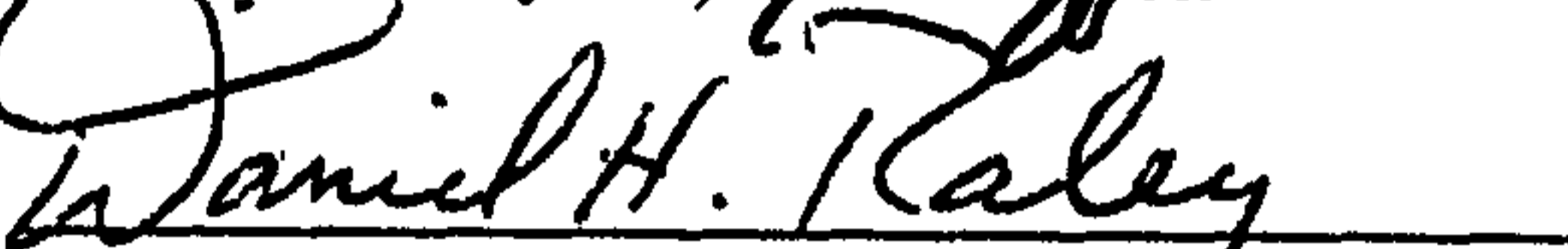
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

-NAY-
Julie B. Randall, President

Nay
Joseph F. Anderson, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Shelby P. Guazzo, Commissioner


Daniel H. Raley, Commissioner

Subject: Repeal and Adoption of the
St. Mary's County Subdivision
Ordinance

LIBERO 0 2 2 PAGEO 1 6

Page 1 of 2

ORDINANCE

**AN ORDINANCE FOR THE PURPOSE OF REPEALING THE ST.
MARY'S COUNTY SUBDIVISION REGULATIONS AND
ADOPTING A REVISED ST. MARY'S COUNTY SUBDIVISION
ORDINANCE**

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA KAE BIK#1513

Recitals

WHEREAS, *Article 66B* of the Maryland Annotated Code, as amended, empowers the Board of County Commissioners for St. Mary's County, Maryland to enact a subdivision ordinance to promote the health, safety and welfare of St. Mary's County, and to provide for its administration, enforcement and amendment; and

MAY 14, 2002 03:12 PM

WHEREAS, the St. Mary's County Planning Commission, following due public notice, held a public hearing pursuant, in part, to *Article 66B*, §5.03 of the Maryland Annotated Code on the proposed Unified Land Development Code, of which revisions to the St. Mary's County Subdivision Ordinance was a part, on June 26, June 28 2000; and

WHEREAS, on October 23, 2000 and pursuant to *Article 66B*, Section 5.03 of the Maryland Annotated Code, the St. Mary's County Planning Commission forwarded a recommendation to the Board of County Commissioners regarding the adoption of the Unified Land Development Code, including revisions to the St. Mary's County Subdivision Ordinance; and

WHEREAS, on July 17 and 18, 2001, for which due public notice was published in the June 29, July 6 and July 13, 2001 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment; and

WHEREAS, pursuant to those comments, the Board of County Commissioners for St. Mary's County, Maryland directed that additional modifications be made, which included the segregation of the four regulatory components of the Unified Land Development Code into separate documents, one being the St. Mary's County Subdivision Ordinance; and

WHEREAS, at their regularly scheduled meeting on March 11, 2002, the St. Mary's County Planning Commission authorized the publication of a brief and accurate summary of the nature and contents of the regulation sufficient to inform an individual of ordinary intelligence pursuant to *Article 66B*, §5.03 of the Maryland Annotated Code for the purpose of providing public notice for the County Commissioners to hold a public hearing and accept public comment regarding the same; and

WHEREAS, on April 16, 2002, for which due public notice was published in the March 29, April 5 and April 10, 2002 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment on the amended portion of the former Unified Land Development Code constituting the St. Mary's County Subdivision Ordinance; and

WHEREAS, upon due consideration of the comments of the public and staff; and in furtherance of the public health, safety and welfare, it is in the best interest of the public health, safety and welfare of the citizens of St. Mary's County, Maryland, to adopt the Ordinance; and

WHEREAS, all procedural requirements of *Article 66B* of the Maryland Annotated Code, as amended, with regard to preparation of the recommendation of the Planning Commission and subsequent action of the Board of County Commissioners for St. Mary's County, Maryland have been met.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Subdivision Regulations, adopted March 18, 1978, as amended, is hereby repealed.

Subject: Repeal and Adoption of the
St. Mary's County Subdivision
Ordinance

LIBERO 022 PAGED 17

BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Subdivision Ordinance, Exhibit "A" hereto, is hereby adopted.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Subdivision Ordinance shall be effective upon the date written below.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that in the event any portion of the St. Mary's County Subdivision Ordinance is found to be unconstitutional, illegal, null or void it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

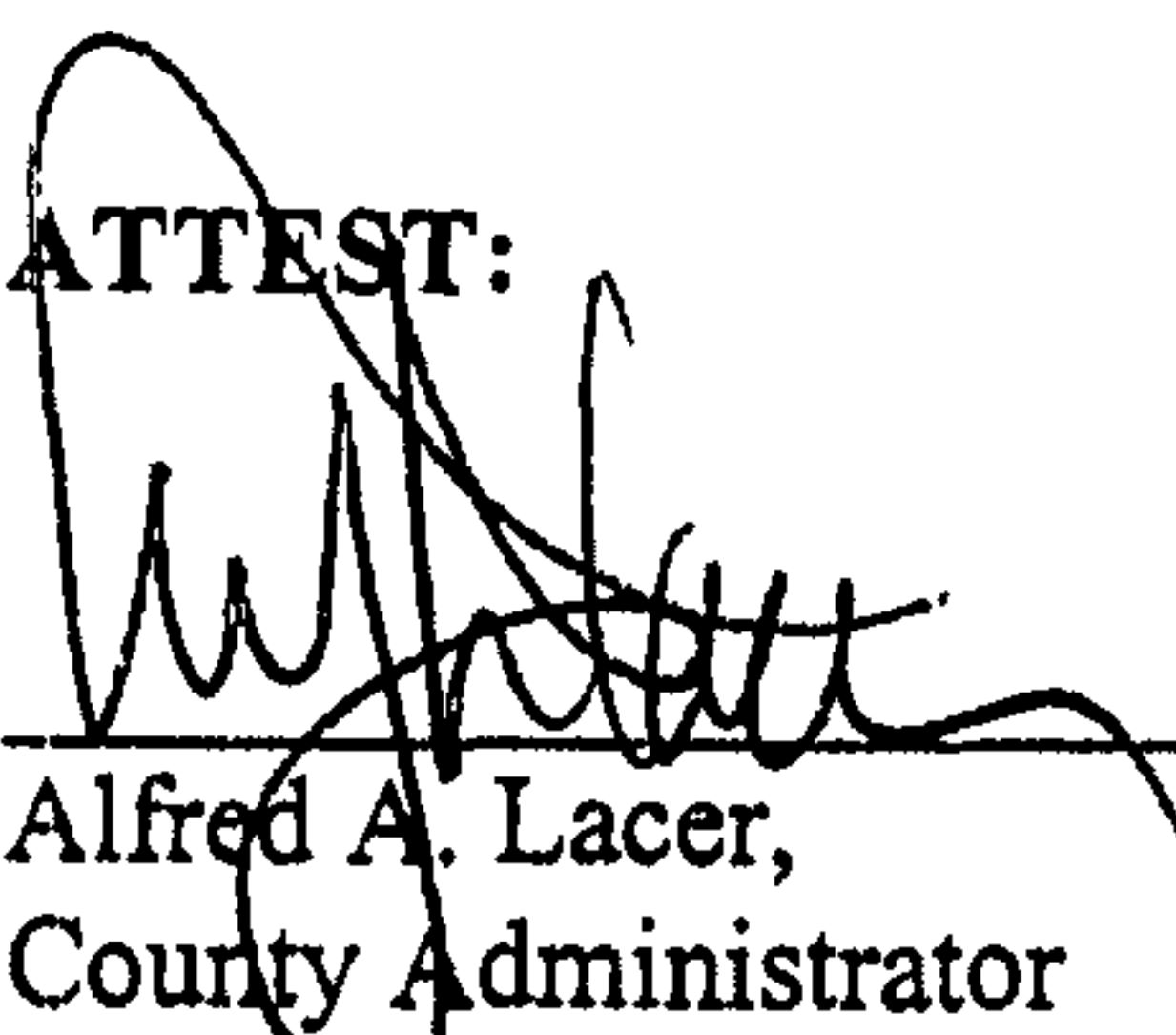
Those voting Aye: all

Those voting Nay: _____

Date of Adoption: May 7, 2002

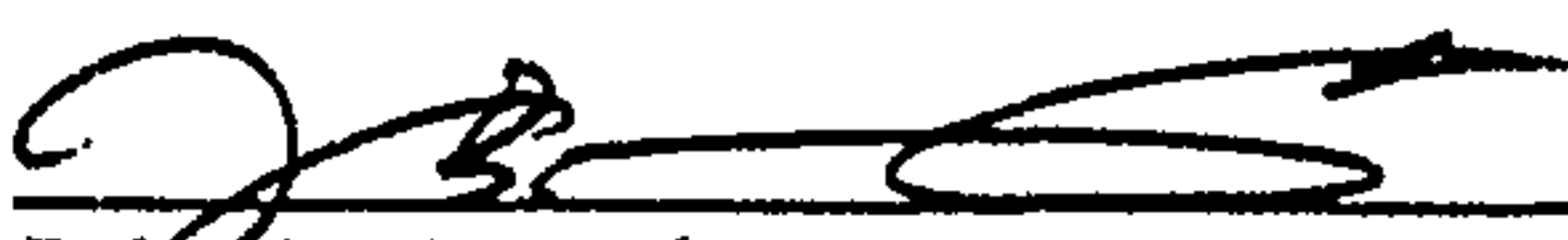
Effective Date: May 13, 2002

ATTEST:



Alfred A. Lacer,
County Administrator

Approved as to form and legal
sufficiency:



John B. Norris, III
County Attorney

**BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND**



Julie B. Randall, President



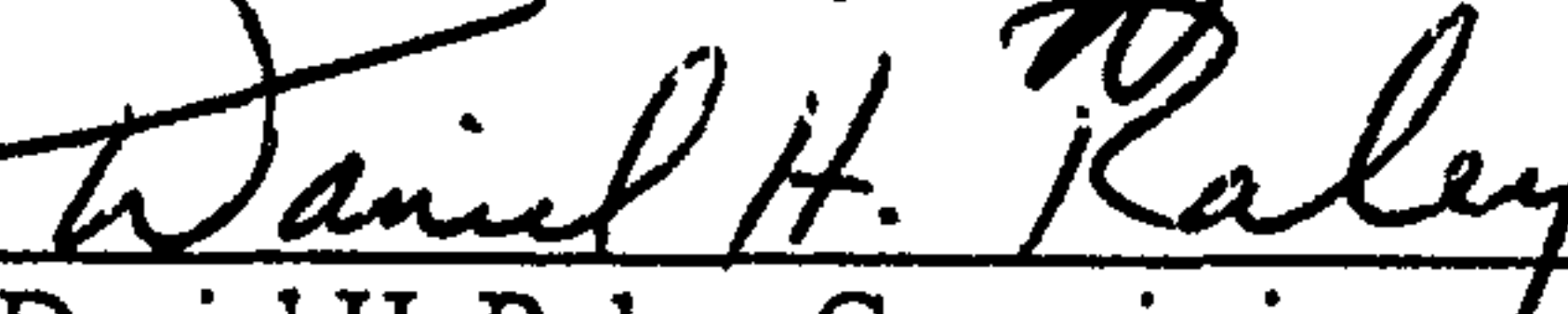
Joseph F. Anderson, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Shelby P. Guazzo, Commissioner



Daniel H. Raley, Commissioner

Subject: Repeal and Adoption of the
St. Mary's County Road Ordinance

LIBERO 022 PAGE 18

Page 1 of 2

ORDINANCE**AN ORDINANCE FOR THE PURPOSE OF REPEALING THE ST. MARY'S COUNTY ROAD ORDINANCE AND ADOPTING A REVISED ST. MARY'S COUNTY ROAD ORDINANCE**RECORDING FEE 0.00
TOTAL 0.00
Rest#999999**Recitals**

WHEREAS, Article 19, Section 109-1, *et seq.* of the Public Local Laws of Maryland and Sections 1 and 10-I of Article 25 of the Maryland Annotated Code empowers the Board of County Commissioners for St. Mary's County, Maryland to control and regulate the public roads and bridges to promote the health, safety and welfare of St. Mary's County, and to provide for its administration, enforcement and amendment; and

EWA KAE BIK#1513

WHEREAS, the Board of County Commissioners did on the 7th day of April, 1976 adopt the St. Mary's County Road Ordinance by Resolution No. 76-7 and amended the same from time to time; and

May 14, 2002 03:13 PM

WHEREAS, comprehensive revisions have been proposed to the St. Mary's County Road Ordinance; and

WHEREAS, on October 23, 2000, the St. Mary's County Planning Commission forwarded a recommendation to the Board of County Commissioners regarding the adoption of the Unified Land Development Code, including revisions to the St. Mary's County Road Ordinance; and

WHEREAS, on July 17 and 18, 2001, for which due public notice was published in the June 29, July 6 and July 13, 2001 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment; and

WHEREAS, pursuant to those comments, the Board of County Commissioners for St. Mary's County, Maryland directed that additional modifications be made, which included the segregation of the four regulatory components of the Unified Land Development Code into separate documents, one being the St. Mary's County Road Ordinance; and

WHEREAS, on April 16, 2002, for which due public notice was published in the March 29, April 5 and April 10, 2002 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment on the amended portion of the former Unified Land Development Code constituting the St. Mary's County Road Ordinance; and

WHEREAS, on April 30, 2002, the Board of County Commissioners approved the amendment to the St. Mary's County Road Ordinance based upon public comments and policy decisions subsequent to the April 16, 2002 public hearings and open record periods to promote the health, safety and welfare of St. Mary's County; and

WHEREAS, all procedural requirements regarding due public notice and subsequent action of the Board of County Commissioners for St. Mary's County, Maryland have been met.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Road Ordinance, adopted April 7, 1976, Ordinance 76-7, as amended, is hereby repealed.

BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Road Ordinance, Exhibit "A" hereto, together with all documents incorporated therein by reference, is hereby adopted.

Subject: Repeal and Adoption of the
St. Mary's County Road Ordinance

LIBERO 022 PAGE 19

Page 2 of 2

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Road Ordinance, Exhibit "A" hereto, shall be effective upon the date written below.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that in the event any portion of the St. Mary's County Road Ordinance is found to be unconstitutional, illegal, null or void it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

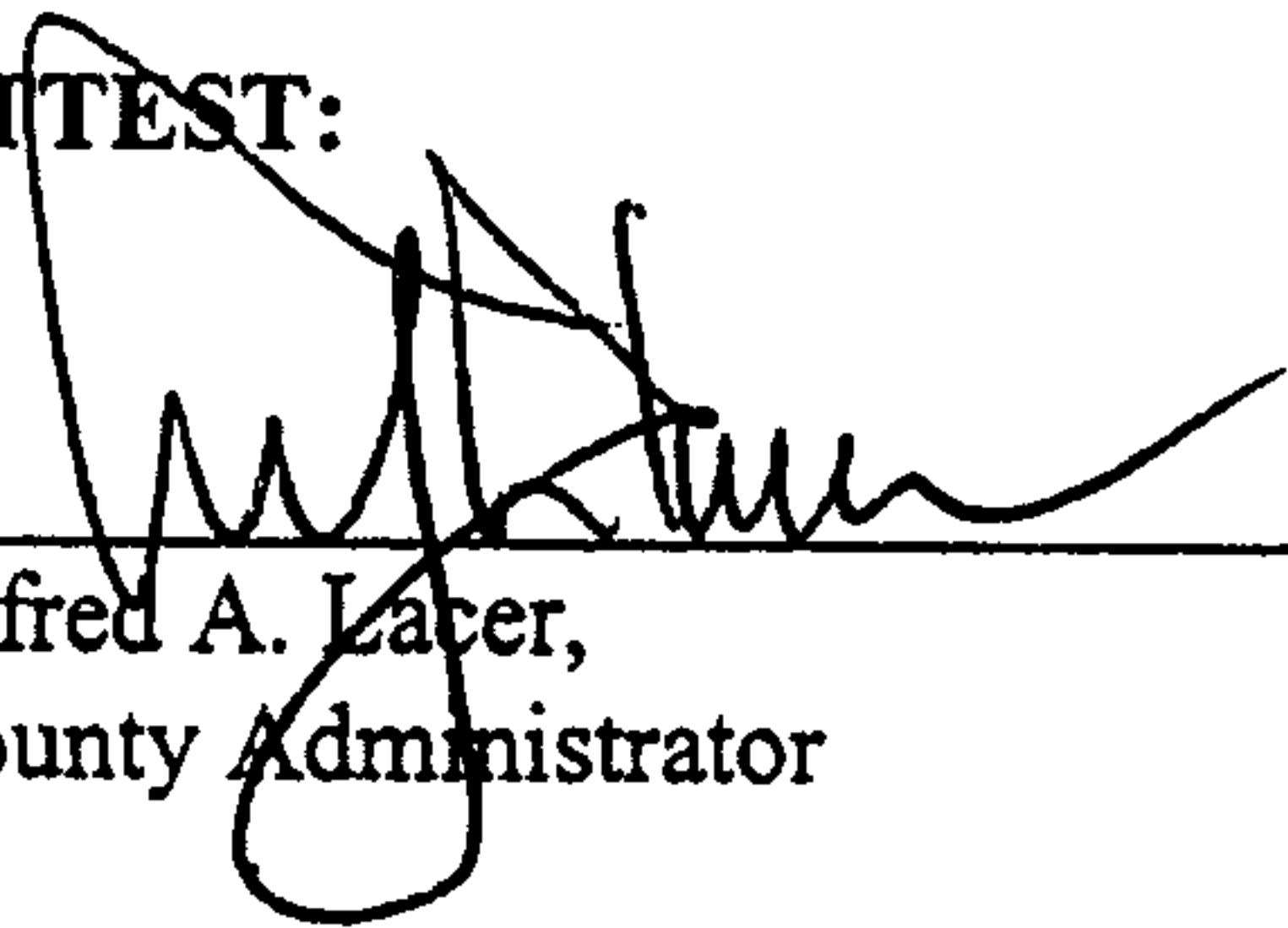
Those voting Aye: all

Those voting Nay: _____

Date of Adoption: May 7, 2002


Effective Date: May 13, 2002

ATTEST:



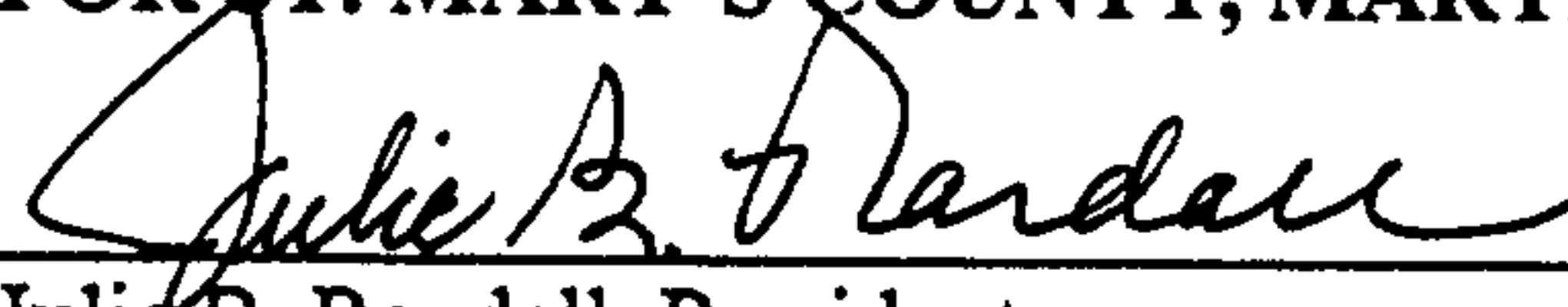
Alfred A. Lacer,
County Administrator

**Approved as to form and legal
sufficiency:**

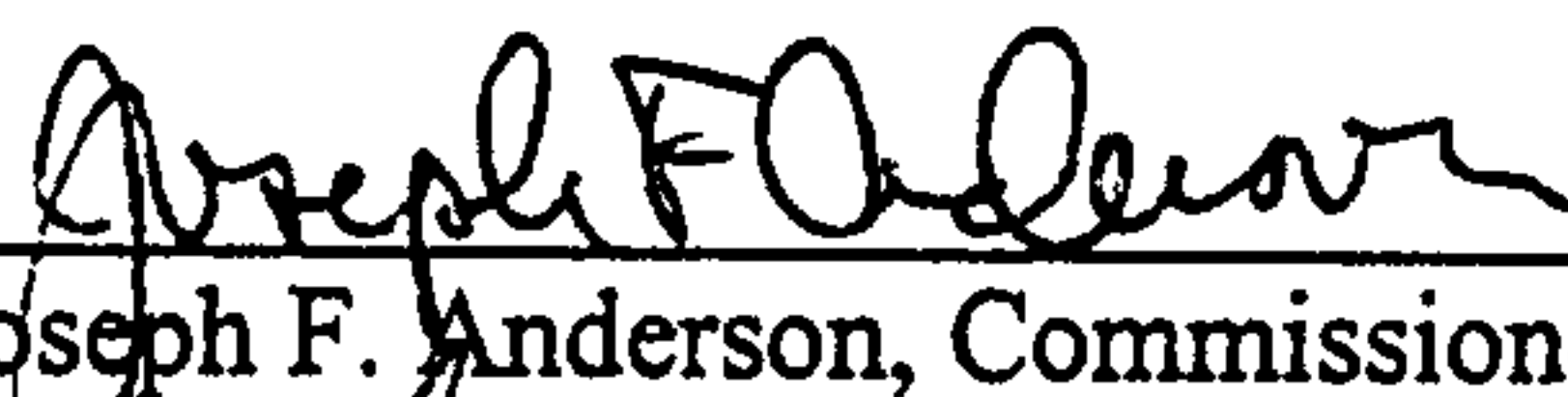


John B. Norris, III
County Attorney

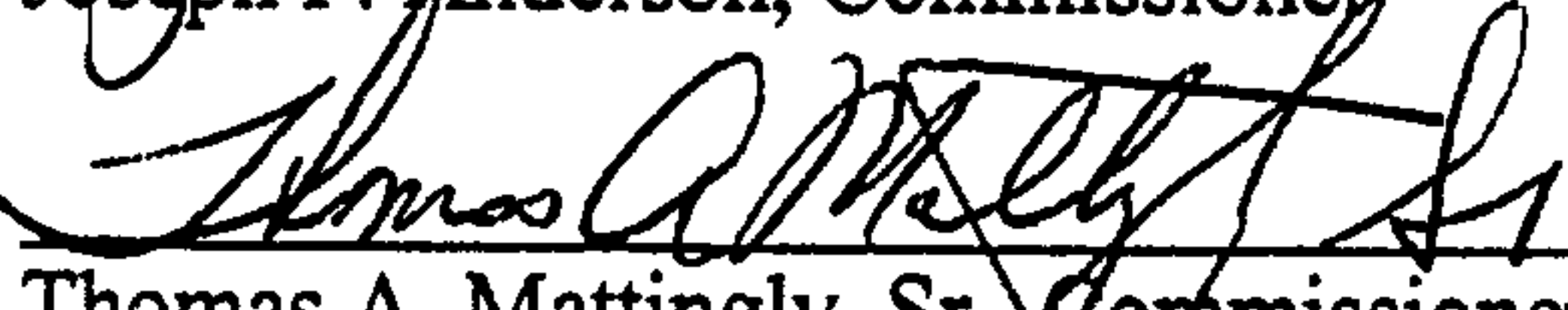
**BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND**



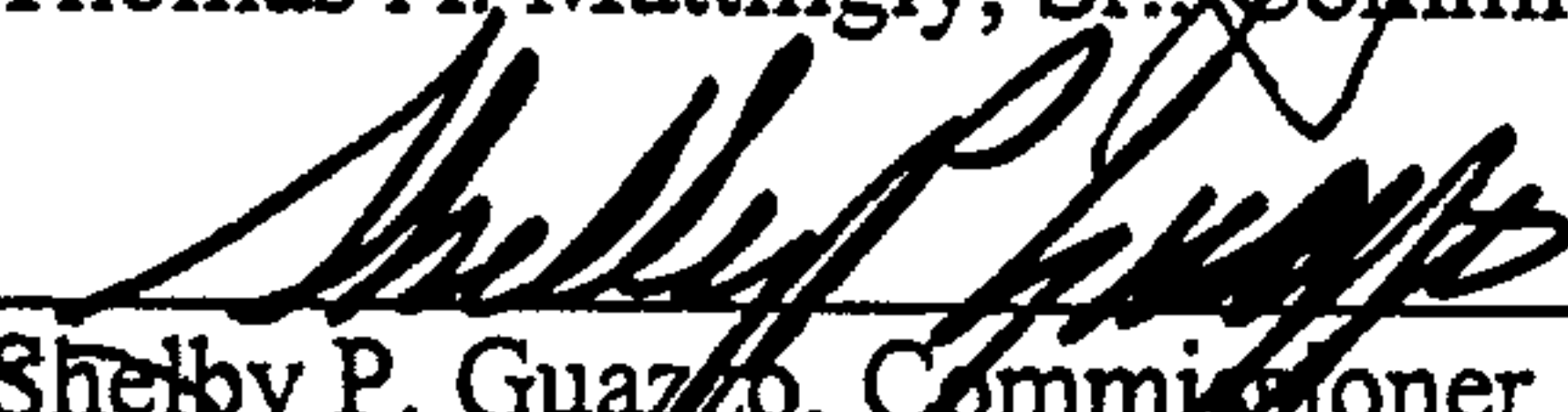
Julie B. Randall, President



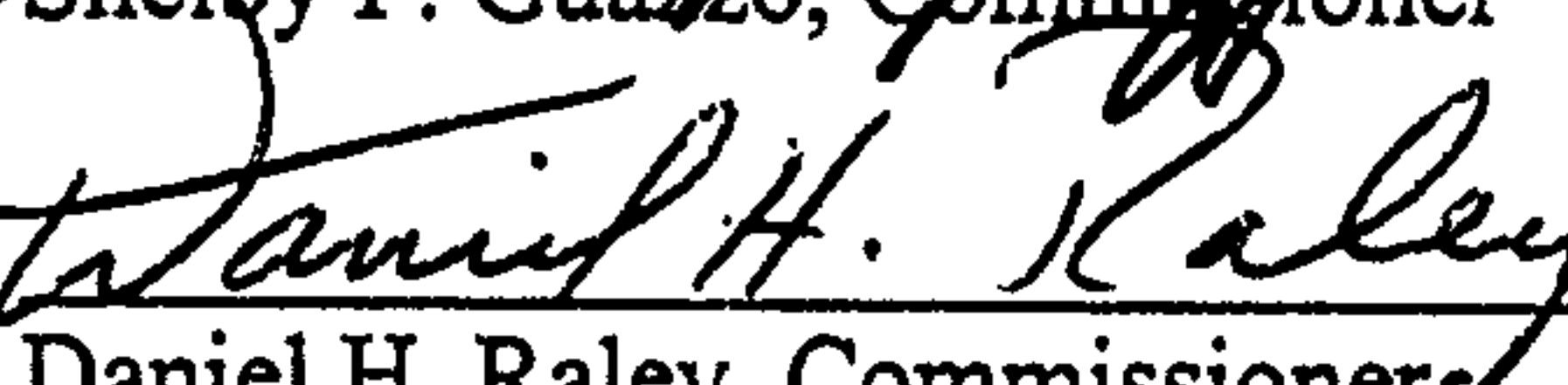
Joseph F. Anderson, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Shelby P. Guazzo, Commissioner



Daniel H. Raley, Commissioner

Subject: Repeal of the St. Mary's County Ordinances Addressing Stormwater Management, Grading, Erosion and Sediment Control and Adoption of the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance

LIBERO 022 PAGE 20

ORDINANCE

AN ORDINANCE FOR THE PURPOSE OF REPEALING THE ST. MARY'S COUNTY ORDINANCES ADDRESSING STORMWATER MANAGEMENT, GRADING, EROSION AND SEDIMENT CONTROL AND ADOPTING THE ST. MARY'S COUNTY STORMWATER MANAGEMENT, GRADING, EROSION AND SEDIMENT CONTROL ORDINANCE

RECORDING FEE 0.00
TOTAL 0.00
Rest#SN02 Rcpt#999999
EWA KAE BIK#1513

Recitals

WHEREAS, *Environment Article*, Title 4, Subtitle 1, of the Maryland Annotated Code authorizes and empowers the Board of County Commissioners for St. Mary's County, Maryland to adopt a grading ordinance to promote the health, safety and welfare of St. Mary's County, and to provide for their administration, enforcement and amendment consistent with that Subtitle; and

MAY 14, 2002 03:14 PM

WHEREAS, *Environment Article*, Title 4, Subtitle 2, of the Maryland Annotated Code and Code of Maryland Regulations, Title 26, Subtitle 17, requires that counties in Maryland adopt ordinances necessary to implement a stormwater management program by July 1, 2001; and

WHEREAS, *Article 25*, Section 10-J of the Maryland Annotated Code and Code of Maryland Regulations, Title 26, Subtitle 17, authorizes and empowers the Board of County Commissioners for St. Mary's County, Maryland to adopt a sediment and erosion control ordinance to control sedimentation and promote the health, safety and welfare of St. Mary's County, and to provide for its administration, enforcement and amendment; and

WHEREAS, by letter dated April 22, 2002, the Maryland Department of the Environment has accepted that the Ordinance attached hereto as Exhibit "A" as consistent with the requirements of State law; and

WHEREAS, the Board of County Commissioners have, this day, approved such changes as have been made by the Director of Public Works and Transportation and incorporated within Exhibit "A" hereto as directed by the Maryland Department of the Environment; and

WHEREAS, the St. Mary's County Planning Commission, following due public notice, held a public hearing on the proposed Unified Land Development Code, of which the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance was a part, on June 26, June 28 2000; and

WHEREAS, on October 23, 2000, the St. Mary's County Planning Commission forwarded a recommendation to the Board of County Commissioners regarding the adoption of the Unified Land Development Code, including Stormwater Management, Grading, Erosion and Sediment Control; and

WHEREAS, on July 17 and 18, 2001, for which due public notice was published in the June 29, July 6 and July 13, 2001 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment; and

WHEREAS, pursuant to those comments, the Board of County Commissioners for St. Mary's County, Maryland directed that additional modifications be made, which included the segregation of the four regulatory components of the Unified Land Development Code into separate documents, one being the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance; and

Subject: Repeal of the St. Mary's County Ordinances Addressing Stormwater Management, Grading, Erosion and Sediment Control and Adoption of the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance

LIBERO 0 2 2 PAGE 2 1

WHEREAS, on April 16, 2002, for which due public notice was published in the March 29, April 5 and April 10, 2002 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment on the amended portion of the former Unified Land Development Code constituting the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance; and

WHEREAS, upon due consideration of the comments of the public and staff; and in furtherance of the public health, safety and welfare, it is in the best interest of the public health, safety and welfare of the citizens of St. Mary's County, Maryland, to adopt the Ordinance; and

WHEREAS, all procedural requirements regarding due public notice and subsequent action of the Board of County Commissioners for St. Mary's County, Maryland have been met.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Sedimentation Control Ordinance, adopted July 1, 1971, Ordinance 71-9, as amended; the St. Mary's County Stormwater Management Ordinance, adopted June 28, 2001, Ordinance 01-17, as amended; and any regulations or ordinance previously adopted by this Board regarding grading, are hereby repealed.

BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance, Exhibit "A" hereto, is hereby adopted.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance, Exhibit "A" hereto, shall be effective upon the date written below.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that in the event any portion of the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance is found to be unconstitutional, illegal, null or void it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

Those voting Aye: all

Those voting Nay: _____

Date of Adoption: May 7, 2002

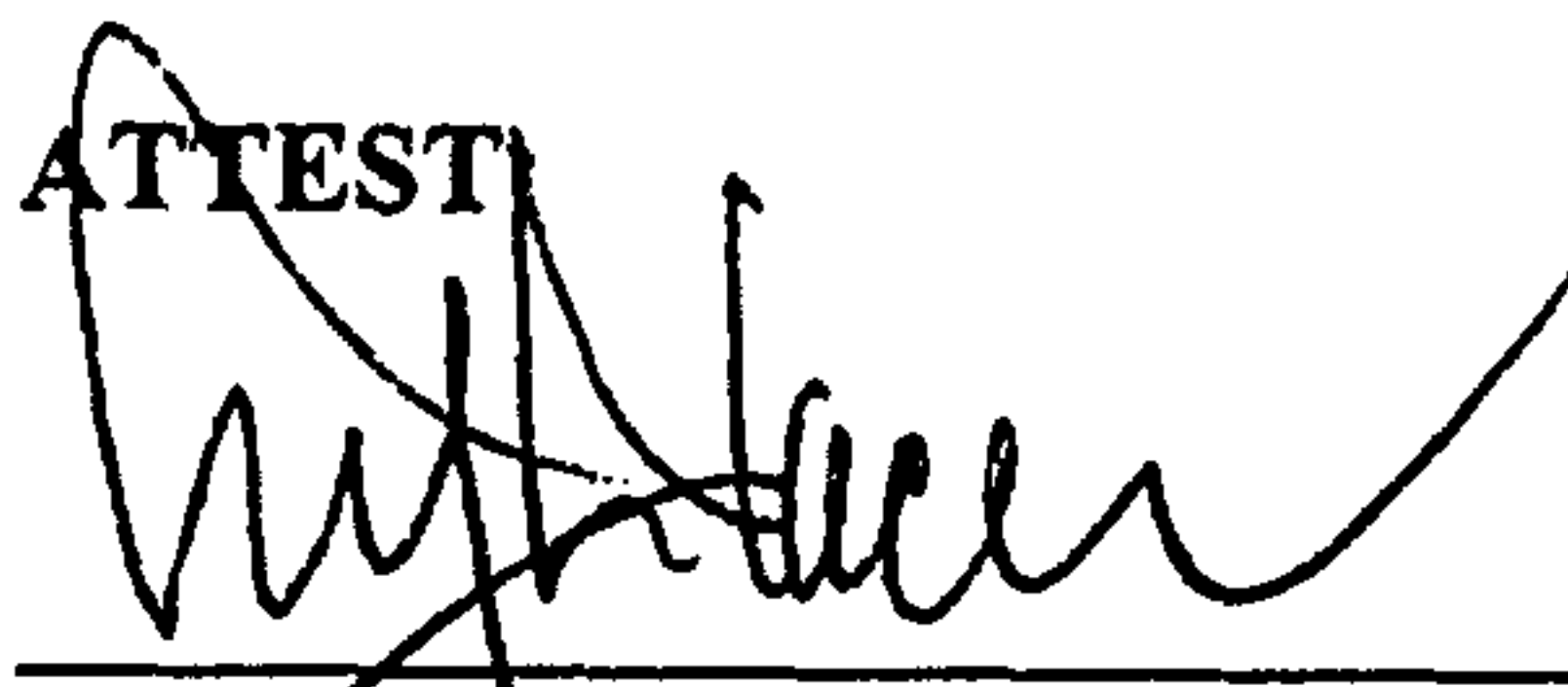
Effective Date: May 13, 2002

[SIGNATURES ON THE FOLLOWING PAGE]

Subject: Repeal of the St. Mary's County Ordinances Addressing Stormwater Management, Grading, Erosion and Sediment Control and Adoption of the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance


LIBERO 022 PAGE 022

ATTEST



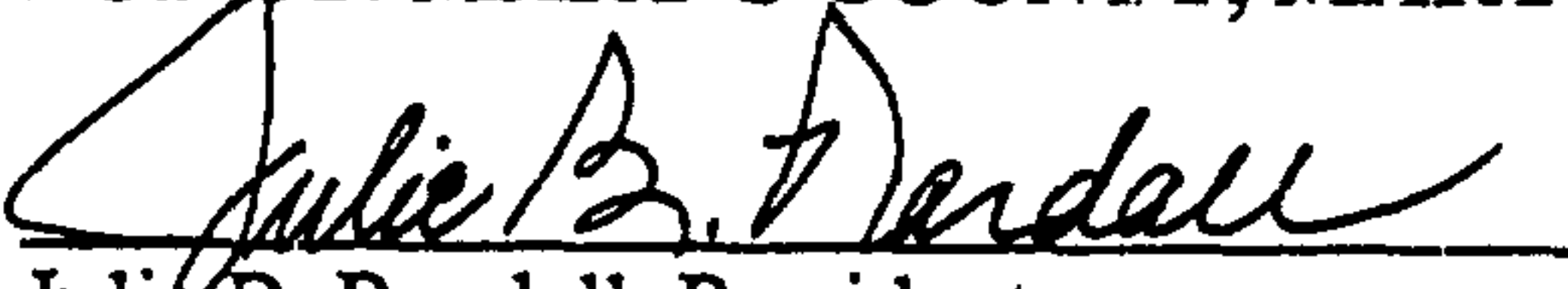
Alfred A. Lacer,
County Administrator

Approved as to form and legal sufficiency:

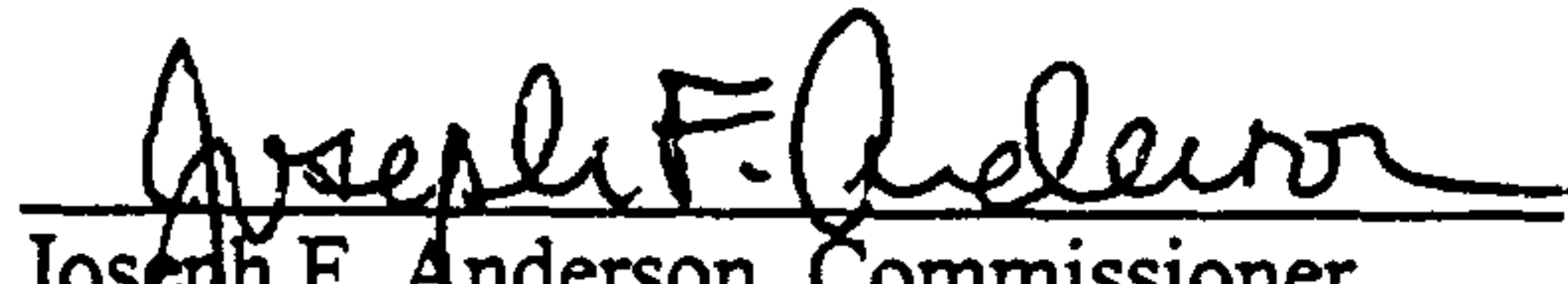


John B. Norris, III
County Attorney


BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND




Julie B. Randall, President



Joseph F. Anderson, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Shelby P. Guazzo, Commissioner



Daniel H. Raley, Commissioner,

RESOLUTION NO. 2002-20

SUBJ: Public Facilities Bonds of 1999
Retrofit Sidewalks
Tudor Hall Village
Health Department
Maintenance Facility
Lexington Park Addition
Leonard Hall Rec. Center
Gymnastics Center
Recycling Support
Asphalt Overlay

RECORDING FEE 0.00
TOTAL 0.00
RES#SM02 Rcpt#999999
EWA KAE BIR#1513
MAY 14, 2002 03:15 PM

LIBERO 022 PAGE 23

Page 1 of 3

RESOLUTION

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY for the purpose of supplementing the Resolution of the County adopted on October 5, 1999 authorizing the issuance of general obligation bonds of the County by designating certain new projects as additional projects authorized to be financed with the proceeds from the sale of such bonds.

RECITALS

On October 5, 1999, the County Commissioners of St. Mary's County (the "County") adopted its Resolution, 99-20 (the "Authorizing Resolution"), authorizing the issuance and sale of \$29,575,000 County Commissioners of St. Mary's County Public Facilities Bonds of 1999 dated October 15, 1999 (the "Bonds"), a portion of the proceeds of which were to be used to finance the construction, improvement or development of certain capital projects described in such Authorizing Resolution (the "Original Projects").

Section 13 of the Authorizing Resolution provides that the proceeds of the Bonds shall be applied to the payment of the cost of the projects described in Resolution No. 99-20, unless the County by resolution authorizes the application of the proceeds of the Bonds to other capital projects of the County, and any unexpended proceeds of the Bonds shall otherwise be applied as provided in Resolution No. 99-20.

The County has determined that a portion of the proceeds of the sale of the Bonds originally designated to be used to finance the costs of the Original Projects is no longer required for such purpose.

The County has determined that it is in its best interest to use \$574,197.00 of the proceeds of the Bonds to finance all or a portion of the costs of certain projects listed on Schedule A attached hereto.

The County has further determined that the projects being financed by the proceeds of the Bonds and listed on Schedule A attached hereto have been authorized by Chapter 439 of the Laws of Maryland of 1996, Chapter 460 of the Laws of Maryland of 1997, Chapter 77 of the Laws of Maryland of 1998, and Chapter 86 of the Laws of Maryland of 1999, and have been approved by St. Mary's County Board of County Commissioners Approved Budget.

BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:

Section 1: The authorizing resolution adopted by the County Commissioners of St. Mary's County on October 5, 1999 (the "Authorizing Resolution") authorizing the issuance and sale of \$29,575,000 aggregate principal amount of County Commissioners of St. Mary's County Public Facilities Bonds of 1999, dated October 15, 1999 (the "Bonds") is hereby supplemented for the sole purpose of designating the projects described in Section 2 below as additional projects the costs of which are authorized to be financed with the proceeds of the sale of the Bonds.

SUBJ: Public Facilities Bonds of 1999
Retrofit Sidewalks
Tudor Hall Village
Health Department
Maintenance Facility
Lexington Park Addition
Leonard Hall Rec. Center
Gymnastics Center
Recycling Support
Asphalt Overlay

LIBERO 0 2 2 PAGE 2 4

Page 2 of 3

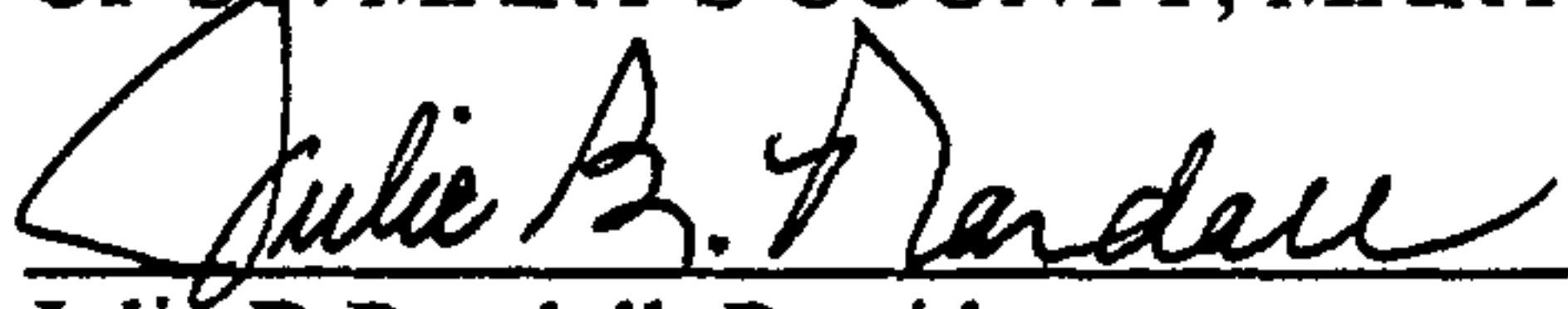
Section 2: The County hereby finds and determines that a portion of the proceeds from the sale of the Bonds designated to finance the construction, improvement or development of certain capital projects approved by the Authorizing Resolution is no longer required for such purpose. The County hereby designates \$574,197.00 from the proceeds of the sale of the Bonds to be used to finance the construction, improvement or development of the projects in the County set forth in Schedule A attached to and made a part of this Resolution. The designation of such additional projects authorized to be financed from the proceeds of the sale of the Bonds shall in no way limit the County from designating such further additional projects as permitted under the Authorizing Resolution and shall in no way modify, amend or rescind any other provisions of the Authorizing Resolution.


Section 3: This Supplement Resolution shall become effective immediately upon its passage.

Date of Adoption: 5/7/02

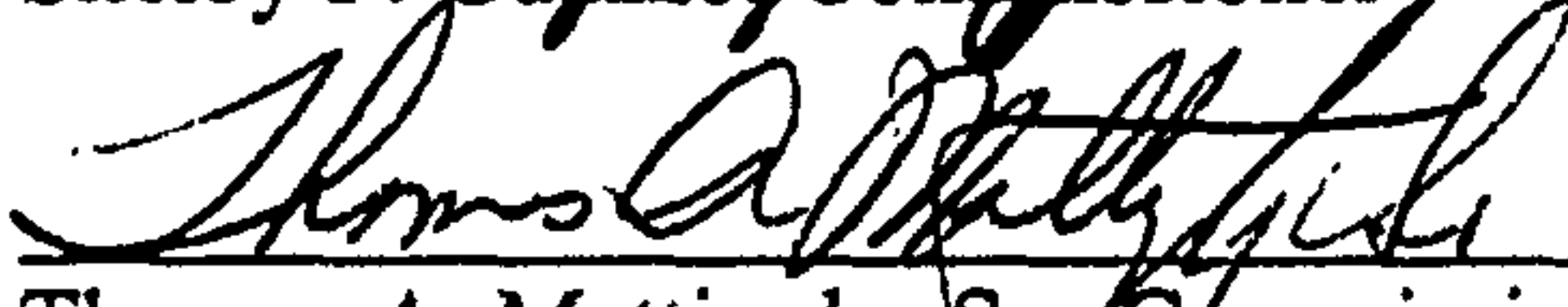
Effective Date: 5/7/02

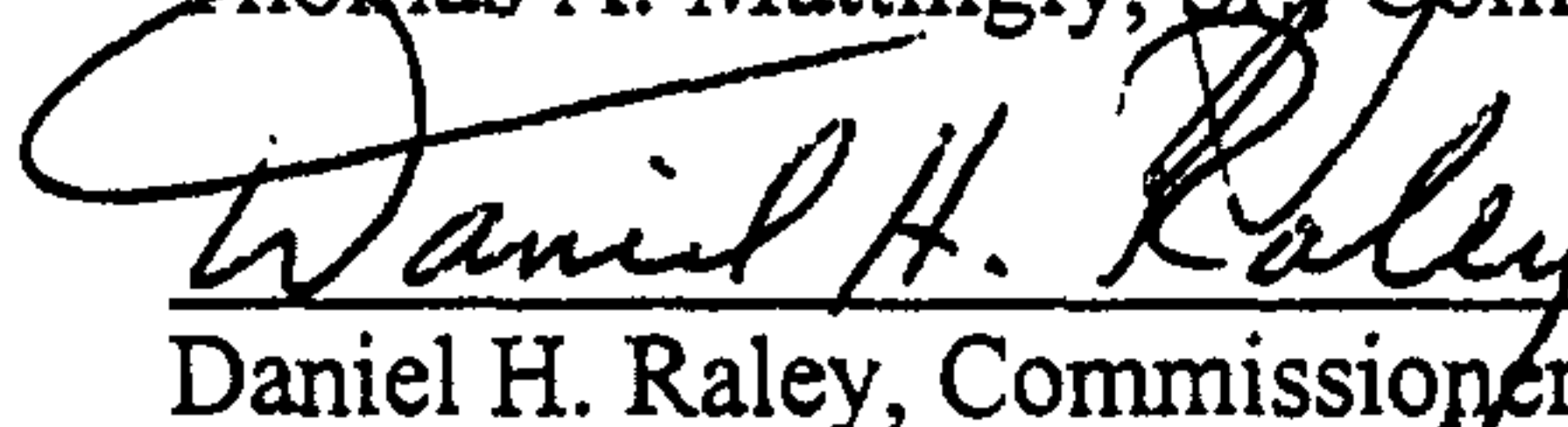
BOARD OF COUNTY COMMISSIONERS
OF ST. MARY'S COUNTY, MARYLAND



Julie B Randall, President



Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

ATTEST

Alfred A. Lacer
County Administrator


Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris
County Attorney

RESOLUTION NO. 2002-

SUBJ: Public Facilities Bonds of 1999
Retrofit Sidewalks
Tudor Hall Village
Health Department
Maintenance Facility
Lexington Park Addition
Leonard Hall Rec. Center
Gymnastics Center
Recycling Support
Asphalt Overlay

LIBERO 0 2 2 PAGE 2 5

Page 3 of 3

Description of Additional Projects Authorized to be Financed with
the Proceeds of the County Commissioners of St. Mary's County
Public Facilities Bonds of 1999.

Retrofit Sidewalk	107,550
Tudor Hall Village	1,171
Health Department	3,556
Maintenance Facility	129,830
Lexington Park Addition	9,037
Leonard Hall Rec. Center	62,580
Gymnastics Center	4,268
Recycling Support	129,349
Asphalt Overlay	126,856

NO.: 2002 - 16
SUBJECT: Adoption of Greenview Parkway, Longfields Boulevard, and Deerpath Court Greenview West Subdivision Section 1, Phases 1 and 2

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated November 15, 1999, and Record Plat recorded at EWA 42, Page 6, and EWA 44, Page 17, for Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337).

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337), located in Section 1, Phases 1 and 2 of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 42, Page 6, and EWA 44, Page 17) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337), into the County's Highway Maintenance System.

Those voting aye: All

Those voting nay: _____

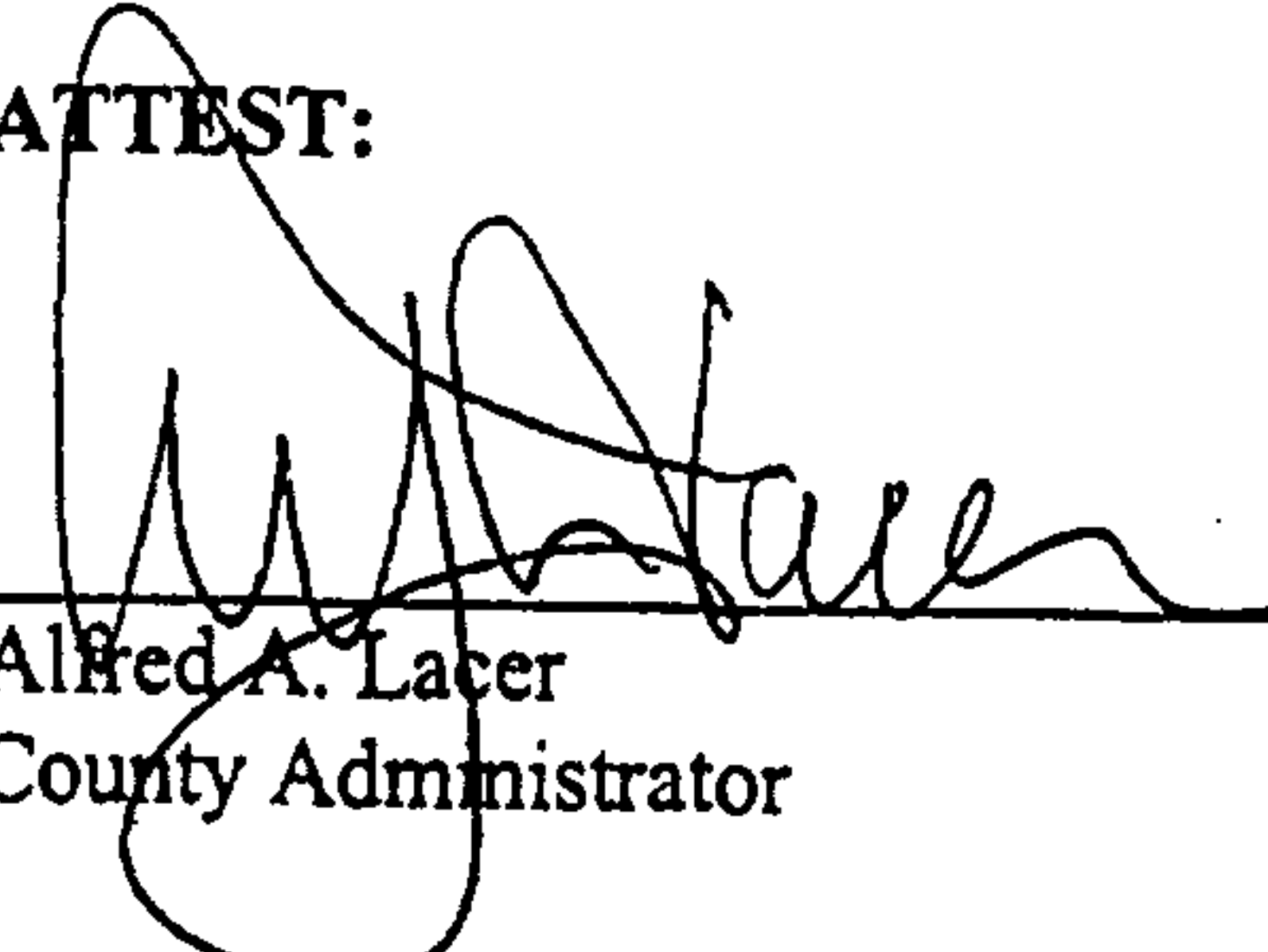
Those abstaining or absent: _____

Date of Adoption: 4-30-02

Effective Date: 4-30-02

RECORDING FEE 0.00
TOTAL 0.00
Rest#SMB2 Rcpt#999999
EWA CSS Bk#630
May 07, 2002 08:53 am

ATTEST:

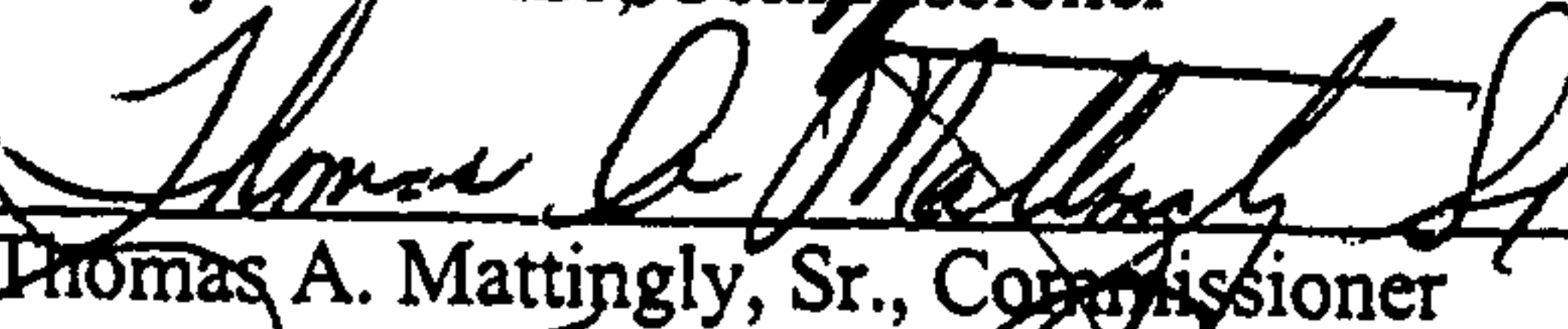

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

RE-RECORDED

RECORDING FEE 0.00
TOTAL 0.00
Rest#SMB2 Rcpt#999999
EWA CSS Bk#1683
May 15, 2002 02:54 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
Acting County Attorney

CLERK'S EXHIBIT

These Resolutions were recorded at Liber 22 Folio 8 thru 12 on May 7, 2002 at 8:53 am. These documents were erroneously recorded as one recording and should have been four separate recorded documents.

LIBERO 0 2 2 PAGE 0 9 RESOLUTION

WHEREAS, pursuant to Section 1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of Longfields Boulevard (County Route 31268), and Chancellors Run Road (MD Route 237); Longfields Boulevard, County Route 31268, and Greenview Parkway, County Route 30983; and Deerpath Court, County Route 31337, and Longfields Boulevard, located in Section 1, Phases 1 and 2, of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 42, Page 6, and EWA 44, Page 17, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at these intersections by means of traffic control devices, specifically, stop signs on Longfields Boulevard, County Route 31268, at the intersection with Chancellors Run Road (MD Route 237); Longfields Boulevard, County Route 31268, at the intersections with Greenview Parkway, County Route 30983; and Deerpath Court, County Route 31337, at the intersection with Longfields Boulevard.

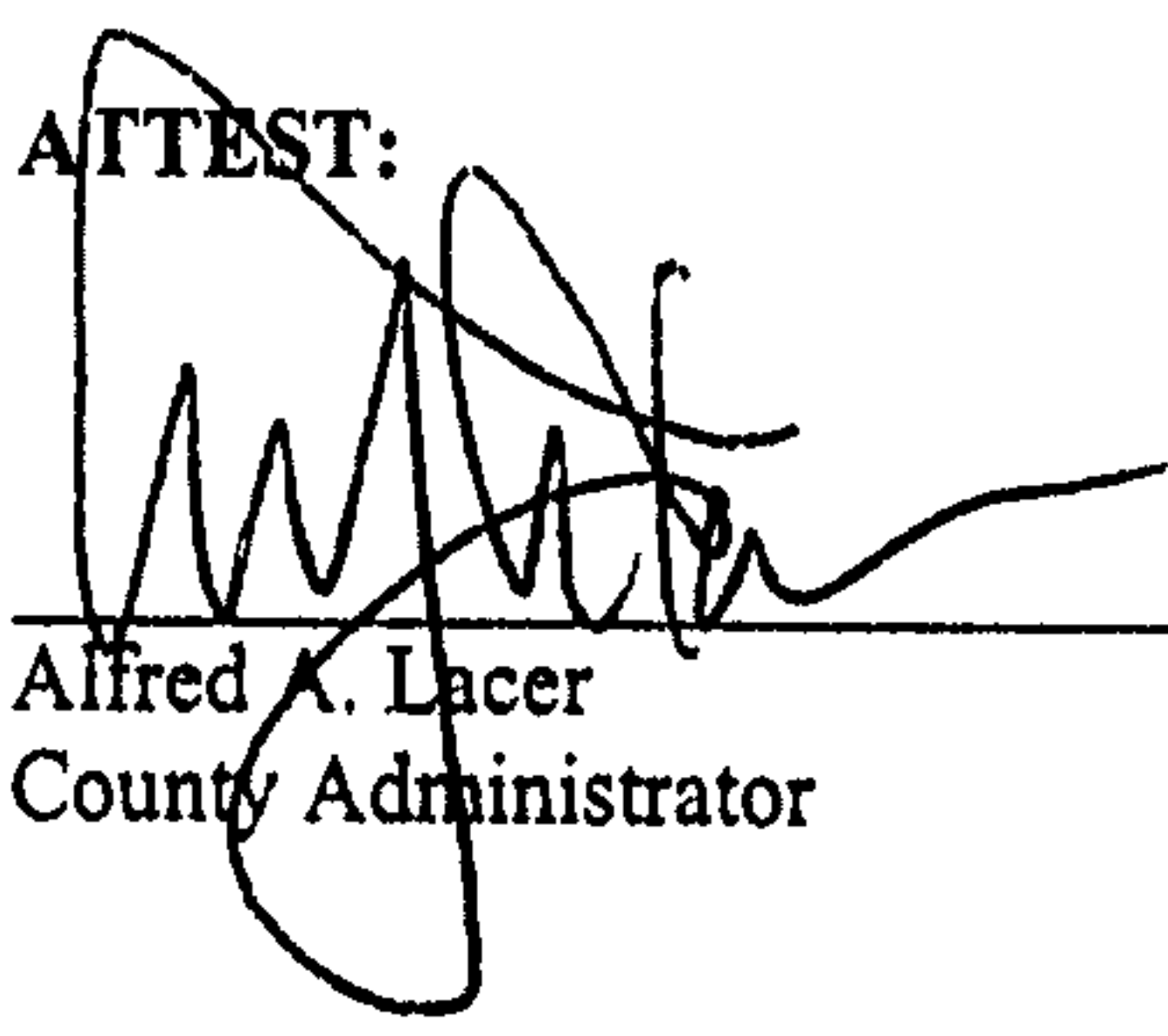
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersections of Longfields Boulevard, County Route 31268, and Chancellors Run Road (MD Route 237); Longfields Boulevard, County Route 31268, at the intersections with Greenview Parkway, County Route 30983; and Deerpath Court, County Route 31337, at the intersection with Longfields Boulevard; and that in the interest of public safety and to eliminate a hazardous condition, Longfields Boulevard, County Route 31268, and Deerpath Court, County Route 31337, further identified as being located in Section 1, Phases 1 and 2, of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 42, Page 6, and EWA 44, Page 17) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically stop signs, on Longfields Boulevard, County Route 31268, at the intersection with Chancellors Run Road (MD Route 237); and Longfields Boulevard, County Route 31268, at the intersections with Greenview Parkway, County Route 30983; and Deerpath Court, County Route 31337, at the intersection with Longfields Boulevard.


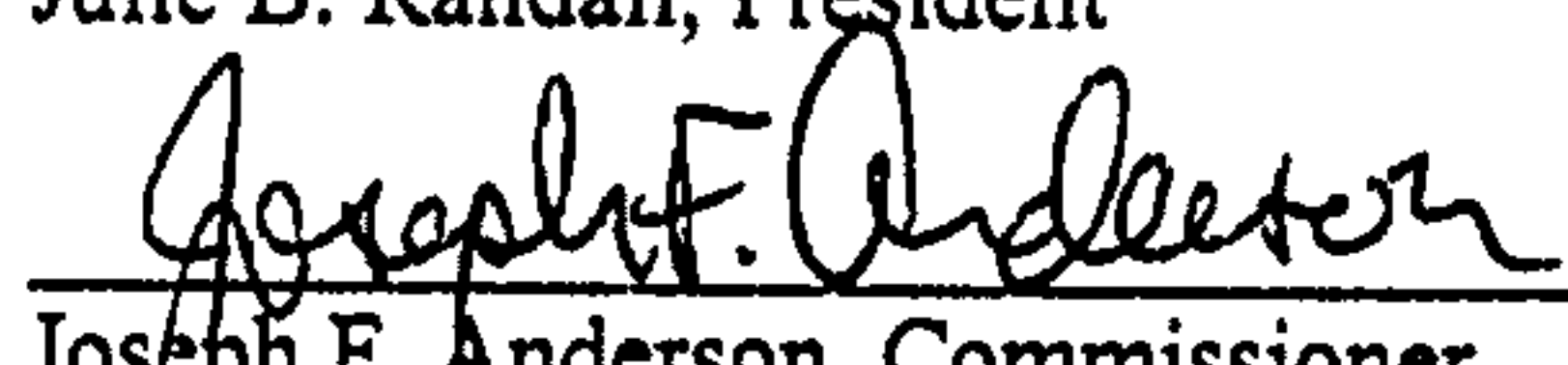

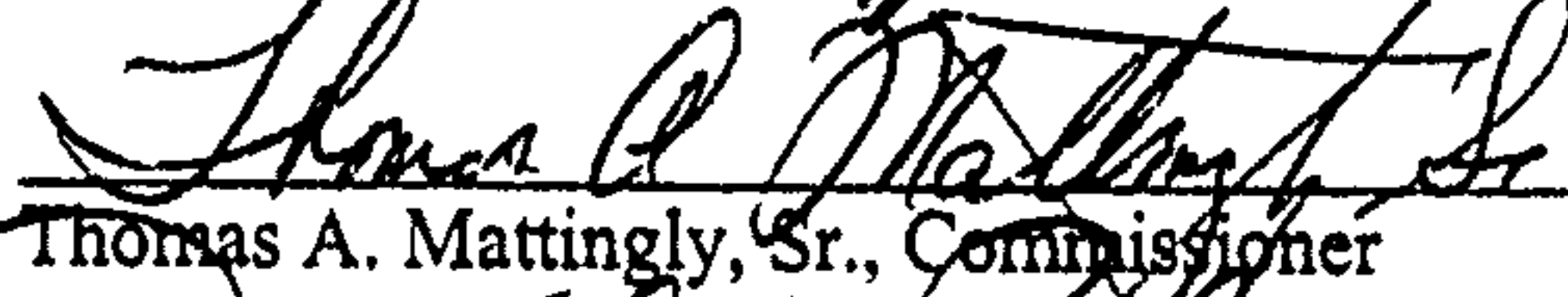
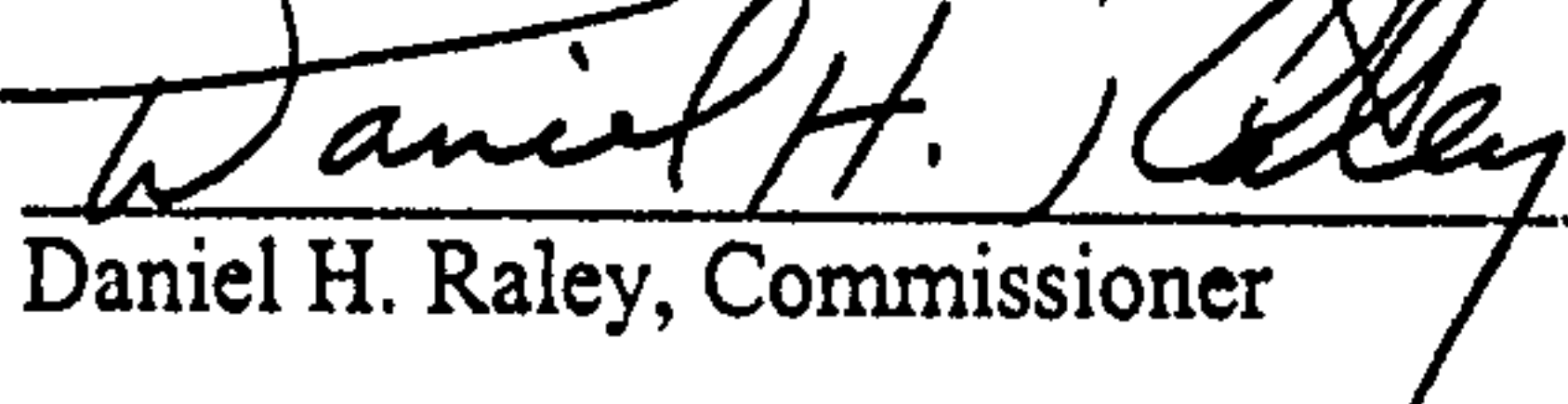
Those voting aye: All
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 4-30-02
Effective Date: 4-30-02

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA CSS EIK#1683
May 15, 2002 02:56 PM


ATTEST:


Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President

Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
Acting County Attorney

CLERK'S EXHIBIT

These Resolutions were recorded at Liber 22 Folio 8 thru 12 on May 7, 2002 at 8:53 am. These documents were erroneously recorded as one recording and should have been four separate recorded documents.

LIBERO 0022 PAGE 30

LIBERO 0022 PAGE 10

NO.: 2002- 18
SUBJECT: Greenview Parkway,
Longfields Boulevard and Deerpath Court
Speed Limit
Greenview West Subdivision
Section 1, Phases 1 and 2

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-1 of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337), located in Section 1, Phases 1 and 2, of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 42, Page 6, and EWA 44, Page 17, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337).

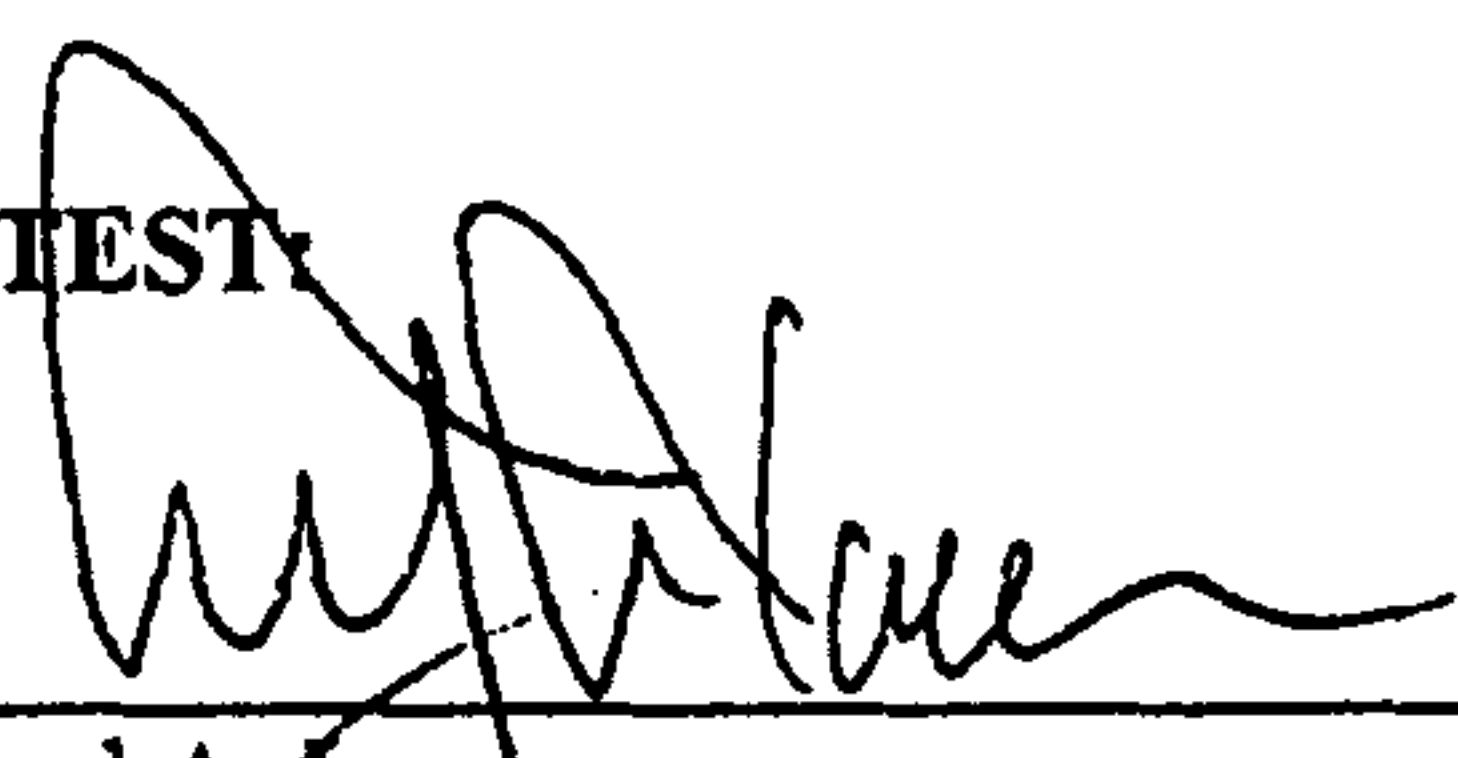
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Greenview Parkway, Longfields Boulevard and Deerpath Court is greater than reasonable or safe, and that Greenview Parkway (County Route 30983), Longfields Boulevard (County Route 31268), and Deerpath Court (County Route 31337), located in Section 1, Phases 1 and 2, of the Greenview West Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 42, Page 6, and EWA 44, Page 17) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

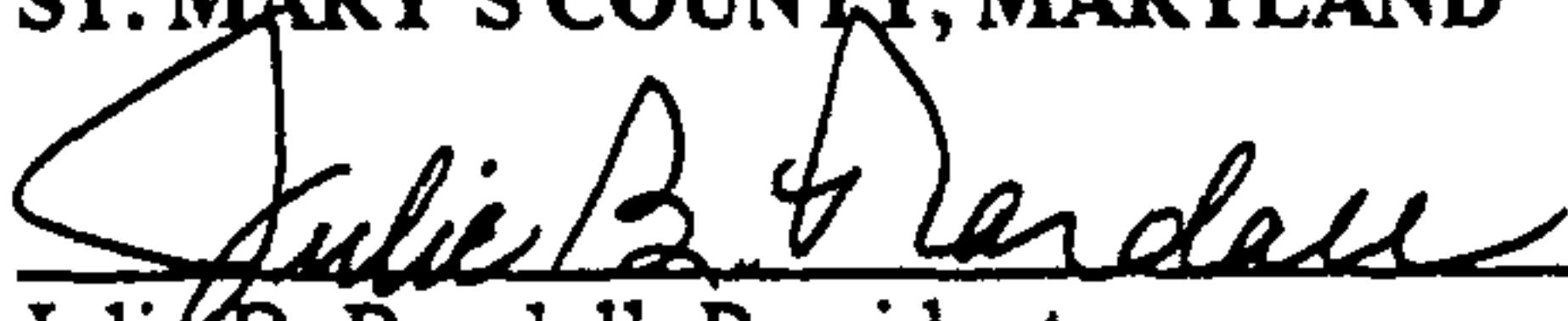
Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____

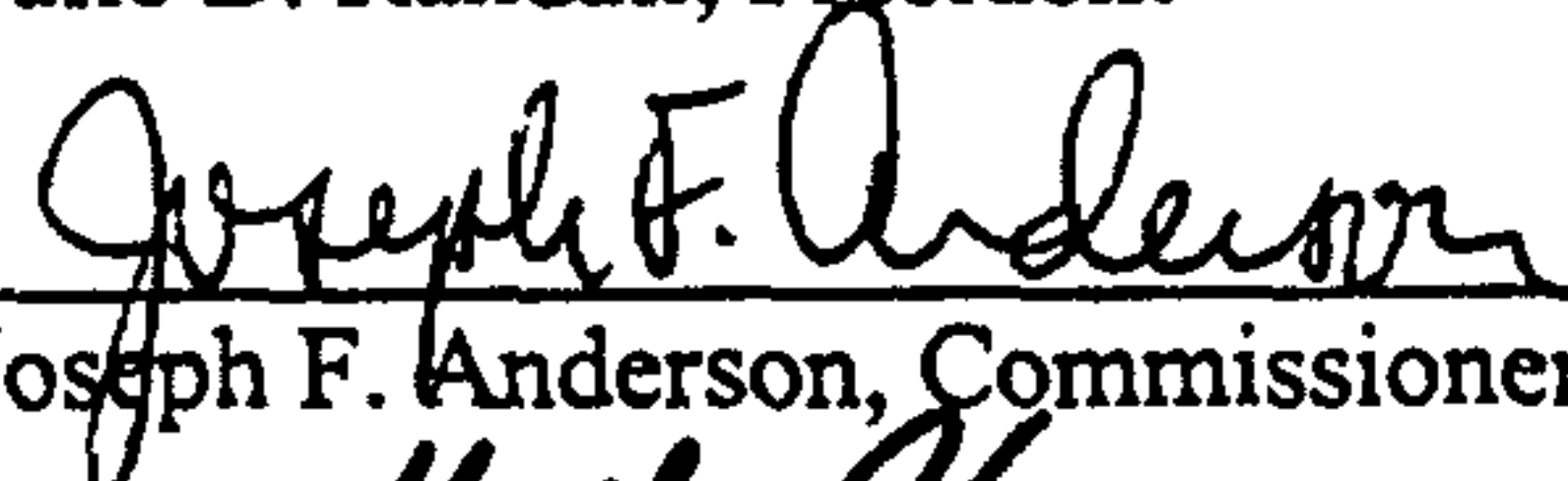
RECORDING FEE 0.00
TOTAL 0.00
Rest#5802 Rcpt#999999
EWA CSS Blk#1633
May 15, 2002 02:57 PM


Date of Adoption: 4-30-02
Effective Date: 4-30-02

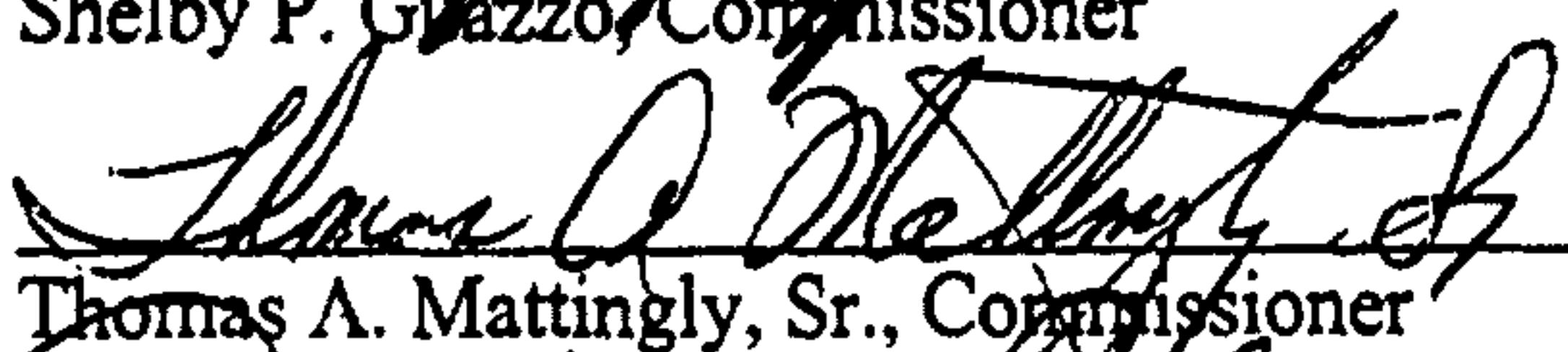
ATTEST:


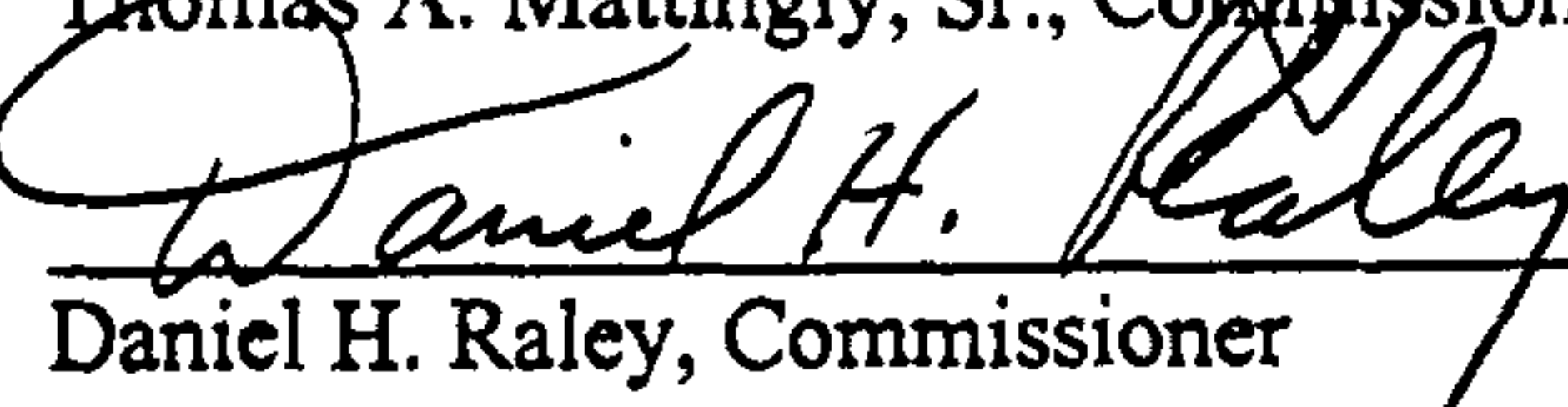
Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND



Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
Acting County Attorney

CLERK'S EXHIBIT

These Resolutions were recorded at Liber 22 Folio 8 thru 12 on May 7, 2002 at 8:53 am. These documents were erroneously recorded as one recording and should have been four separate recorded documents.

LIBERO 0 2 2 PAGE 3 2 Subject: Approve Concept for Great Mills
Roadway Enhancement. Project

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND**

PURPOSE

To approve the concept for enhancements to Great Mills Road between Coral Drive and Saratoga Drive and to authorize the Office of the Lexington Park Plan to seek funding from the Maryland State Highway Administration to design the proposed Concept for roadway enhancements.

RECORDING FEE 0.00
TOTAL 0.00
Res#5002 Ref#999999
EMA CSS 01k#1683
May 15, 2002 02:58 PM

WHEREAS, the St. Mary's County Government Office of the Lexington Park Plan sought and was approved to have the Lexington Park Revitalization District designated a Neighborhood Conservation Community by the Maryland State Highway Administration (SHA) for the purpose of developing a Concept for landscape and infrastructure enhancements to Great Mills Road in the town center area of Lexington Park; and

WHEREAS, SHA, working with the Office of the Lexington Park Plan, defined the study area of the project to include the section of Great Mills Road from Coral Drive to the entrance of St. Mary's Square and employed traffic and landscape consultants to perform background studies including an assessment of existing traffic and storm water conditions; and

WHEREAS, SHA and the consultants worked with a volunteer Task Force composed of business and property owners located within the study area to review the background studies and to develop a Concept for reconstructing the road within the study area to improve accessibility for pedestrian and handicapped individuals, to correct existing storm water management problems, to calm and direct traffic to improve safety, and to visually enhance the roadway through the use of increased landscaping, decorative pavers and lighting, and the consolidation or removal of utility poles; and

WHEREAS, the Concept was reviewed by key property owners whose property is within the study area during a meeting with SHA on February 8 and then the Concept was presented to the public during a workshop held on March 27 at the Lexington Park Library and subsequently displayed at McKays Food and Pharmacy Center on Great Mills Road from April 4 through April 15 to provide the public an opportunity to review and comment on the Concept for enhancements to Great Mills Road in the study area; and

WHEREAS, the Concept was presented to the Board of Commissioners by SHA and the Office of the Lexington Park Plan for review and consideration on March 23 during a regular meeting of the Board; and

WHEREAS, in accordance with Section 5-1405 of *Article 83A* of the Annotated Code of Maryland, the governing body of the jurisdiction in which the Project is located must evidence its approval of the Concept; and

WHEREAS, the County has determined that it is in the best interest of the citizens of St. Mary's County, Maryland that the County (i) approve the Concept, and (i) authorize staff to seek funding through the Maryland State Highway Administration to design the Concept for roadway enhancements to Great Mills Road within the study area.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that:

1. It is in the best interest of the health, safety and welfare of the citizens of St. Mary's County, Maryland to approve the Concept for enhancements to Great Mills Road in the defined study area.
2. The Office of the Lexington Park Plan is authorized to seek funding for design of the Concept through the State Highway Administration, the terms and conditions of which remain subject to the subsequent approval of the County Commissioners.
3. This Resolution shall take effect from the date set forth below as the "Effective Date"; and
4. The foregoing recitals are hereby adopted as if fully set forth herein.

Those Voting Aye: ALL

Those Voting Nay: _____

Those Absent: _____

Adopted: 4-30-02

Effective Date: 4-30-02

ATTEST:

George G. Forrest
Deputy County Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Laper
Alfred A. Laper
Attorney for St. Mary's County

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND

Julie B. Randall
Julie B. Randall, President

Joseph F. Anderson
Joseph F. Anderson, Commissioner

Shelby P. Gaazzo
Shelby P. Gaazzo, Commissioner

Thomas A. Mattingly, Sr.
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley
Daniel H. Raley, Commissioner

CLERK'S EXHIBIT

These Resolutions were recorded at Liber 22 Folio 8 thru 12 on May 7, 2002 at 8:53 am. These documents were erroneously recorded as one recording and should have been four separate recorded documents.

RESOLUTION NO. 2002-21

SUBJ: Public Improvement Bonds of 2001
Lexington Park Library

LIBERO 0 2 2 PAGEO 3 5

Page 1 of 3

RESOLUTION

RESOLUTION OF THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY for the purpose of supplementing Resolution R-2001-35, adopted on June 28, 2001, authorizing the issuance of general obligation bonds of the County by designating certain new project(s) as additional project(s) authorized to be financed with the proceeds from the sale of such bonds.

RECITALS

On June 28, 2001, the County Commissioners of St. Mary's County (the "County") adopted its Resolution, R-2001-35 (the "Authorizing Resolution"), authorizing the issuance and sale of \$25,000,000 County Commissioners of St. Mary's County Consolidated Public Improvement Bonds of 2001 dated June 15, 2001 (the "Bonds"), a portion of the proceeds of which were to be used to finance the construction, improvement or development of certain capital projects described in such Authorizing Resolution (the "Original Projects").

Section 13 of the Authorizing Resolution provides that the proceeds of the Bonds shall be applied to the payment of the cost of the projects described in Resolution No. 2001-35, unless the County by resolution authorizes the application of the proceeds of the Bonds to the construction, improvement or development of other public facilities in the county, and any unexpended proceeds of the Bonds shall otherwise be applied as provided in Resolution No. 2001-35.

The County has determined that a portion of the proceeds of the sale of the Bonds originally designated to be used to finance the costs of the Original Projects is no longer required for such purpose.

The County has determined that it is in its best interest to use \$122,554.00 of the proceeds of the Bonds to finance all or a portion of the costs of certain project(s) listed on Schedule A attached hereto.

The County has further determined that the project(s) being financed by the proceeds of the Bonds and listed on Schedule A attached hereto have been authorized by Chapter 439 of the Laws of Maryland of 1996, Chapter 460 of the Laws of Maryland of 1997, Chapter 77 of the Laws of Maryland of 1998, and Chapter 86 of the Laws of Maryland of 1999, and have been approved by St. Mary's County Board of County Commissioners Approved Budget.

BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:

Section 1: The authorizing resolution adopted by the County Commissioners of St. Mary's County on June 28, 2001 (the "Authorizing Resolution") authorizing the issuance and sale of \$25,000,000 aggregate principal amount of County Commissioners of St. Mary's County Public Improvement Bonds of 2001, dated July 15, 2001 (the "Bonds") is hereby supplemented for the sole purpose of designating the project(s) described in Section 2 below as additional project(s) the costs of which are authorized to be financed with the proceeds of the sale of the Bonds.

RECORDING FEE 0.00
TOTAL 0.00
REGISTERED REP14535555
CWA CS3 01/14/21/96
MAY 21 2002 10:14 AM

RESOLUTION NO. 2002-21

SUBJ: Public Improvement Bonds of 2001
Lexington Park Library

LIBERO 022 PAGE 3 b

Page 2 of 3

Section 2: The County hereby finds and determines that a portion of the proceeds from the sale of the Bonds designated to finance the construction, improvement or development of certain capital projects approved by the Authorizing Resolution is no longer required for such purpose. The County hereby designates \$122,554.00 from the proceeds of the sale of the Bonds to be used to finance the construction, improvement or development of the project(s) in the County set forth in Schedule A attached to and made a part of this Resolution. The designation of such additional project(s) authorized to be financed from the proceeds of the sale of the Bonds shall in no way limit the County from designating such further additional projects as permitted under the Authorizing Resolution and shall in no way modify, amend or rescind any other provisions of the Authorizing Resolution.


Section 3: This Supplement Resolution shall become effective immediately upon its passage.


Date of Adoption: 05/14/02

Effective Date: 05/14/02

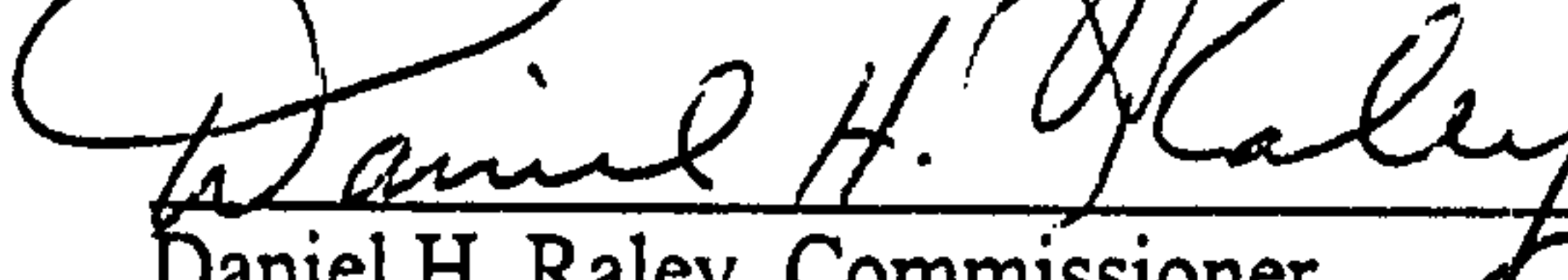
BOARD OF COUNTY COMMISSIONERS
OF ST. MARY'S COUNTY, MARYLAND


Julie B Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Gvazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

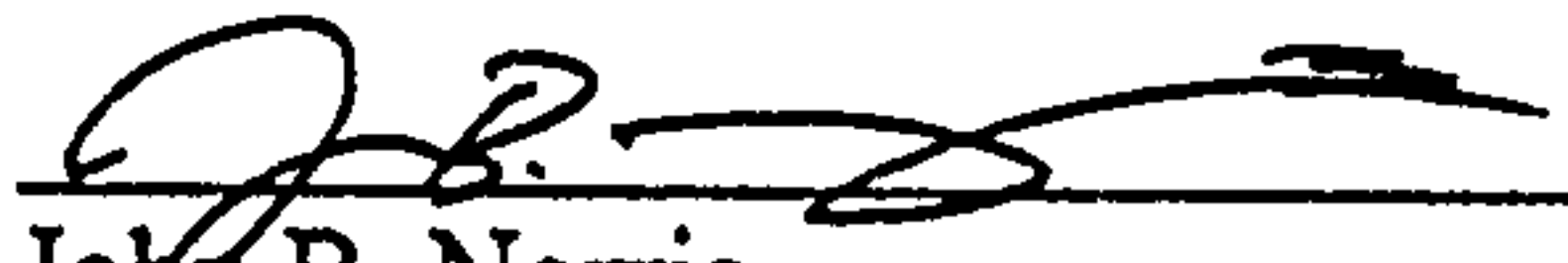
ATTEST


Alfred A. Lacer
County Administrator



Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



John B. Norris
County Attorney

RESOLUTION NO. 2002-21

SUBJ: Public Improvement Bonds of 2001
Lexington Park Library

LIBERO 022 PAGE 37

Page 3 of 3

SCHEDULE A

Description of Additional Project(s) Authorized to be financed
with the Proceeds of the County Commissioners of St. Mary's
County Public Improvement Bonds of 2001.

Lexington Park Library	\$122,554
------------------------	-----------

LIBERO 022 PAGE 39

Subject: Feasibility Study of the Lexington Park Focus Enterprise Zone.

4. This Resolution shall take effect from the date set forth below as the "Effective Date"; and

5. The foregoing recitals are hereby adopted as if fully set forth herein.

Aye: Abb

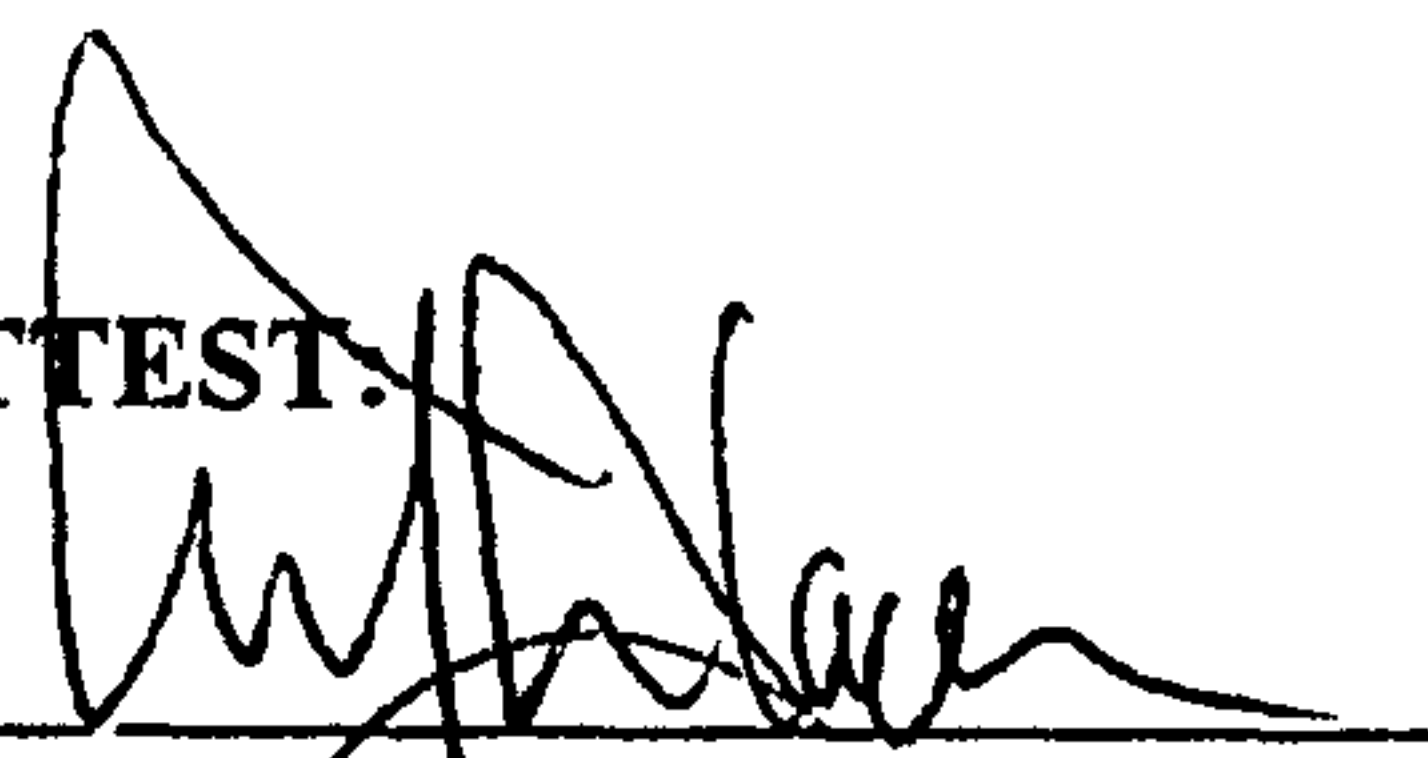
Nay: _____

Absent: _____


Adopted: 5/21/02

Effective Date: 5/21/02


ATTEST:

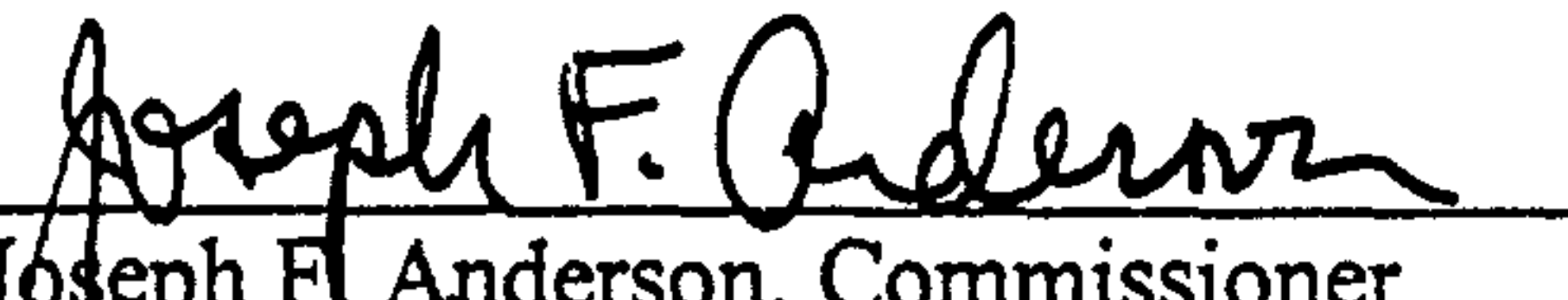

Alfred A. Lacer,
County Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


John B. Norris, III
Acting County Attorney

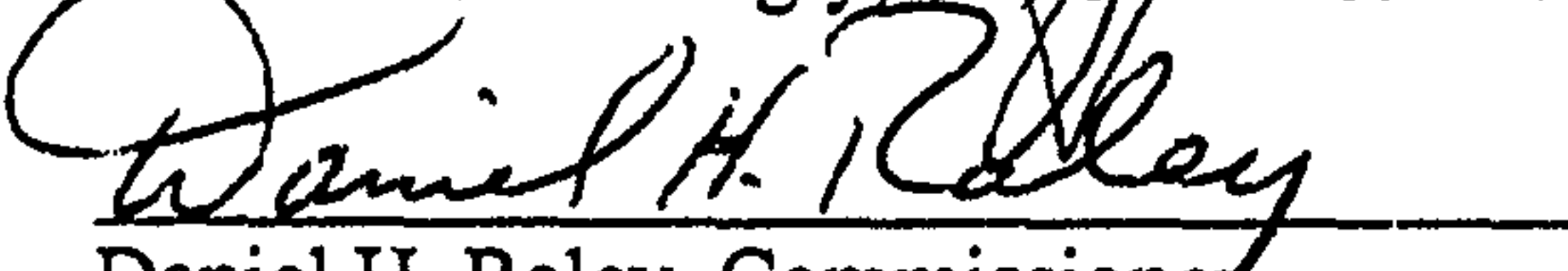
BOARD OF COUNTY
COMMISSIONERS FOR ST. MARY'S
COUNTY, MARYLAND


Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND

PURPOSE

To support and authorize the application of the Office of the Lexington Park Plan to seek funding from the Maryland Department of Business and Economic Development for a feasibility study of the Lexington Park Focus Enterprise Zone as part of the update of the Lexington Park-Tulagi Place Master Plan and the development of an integrated systems plan for the area of St. Mary's County commonly referred to as the "Wedge".

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rpt#999999
EWA JLC BIK#2823
May 29, 2002 10:43 am

WHEREAS, the St. Mary's County Government Office of the Lexington Park Plan will submit an application to receive grant funds from the Maryland Department of Business and Economic Development (the "Department") from the Maryland Economic Development Assistance Authority and Fund ("MEDAAF") administered by the Department in the amount of Fifty-Eight Thousand Dollars (\$58,000), (the "Grant"); and

WHEREAS, the Grant will be used to conduct a feasibility study of the Lexington Park Focus Enterprise Zone as part of the update of the Lexington Park-Tulagi Place Master Plan and the development of an integrated systems plan for the area of St. Mary's County commonly referred to as the "Wedge", (the Project); and

WHEREAS, the St. Mary's County Board of Commissioners, through general funds, hereby agrees to contribute Twenty-Five Thousand Dollars (\$25,000) to the Project (the "County Grant"); and

WHEREAS, in accordance with Section 5-1405 of *Article 83A* of the Annotated Code of Maryland, the governing body of the jurisdiction in which the Project is located must evidence its approval of the Project, endorsement of the Grant and pledge the County Grant by formal resolution; and

WHEREAS, the County has determined that it is in the best interest of the citizens of St. Mary's County, Maryland that the County (i) approve the Project, (ii) endorse the Grant, and (iii) make the County Grant.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that:

1. It is in the best interest of the health, safety and welfare of the citizens of St. Mary's County, Maryland that the Project commence.
2. The Office of the Lexington Park Plan is authorized to seek funding, the terms and conditions of which remain subject to the subsequent approval of the County Commissioners, for the development of a feasibility study of the Lexington Park Focus Enterprise as part of the update of the Lexington Park-Tulagi Place Master Plan and for the development of an integrated systems plan for the area of St. Mary's County commonly referred to as the "Wedge"; and
3. The expenditure of general funds in the amount of \$25,000 for the development of a feasibility study of the Lexington Park Focus Enterprise Zone may be a condition of the Grant; and

NO.: 2002-13

SUBJECT: FY 2003 ST. MARY'S COUNTY BUDGET

LIBERO 022 PAGE 040

APPROPRIATION ORDINANCE

WHEREAS, the 1979 Laws of Maryland, Chapter 670, the 1982 Laws of Maryland, Chapter 75, and the 1986 Laws of Maryland, Chapter 48, codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 27-1 through 27-11 authorizes and empowers the Board of County Commissioners to adopt the Annual Budget and Appropriation Act by June 1 of each year;

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-5, the Recommended Budget was filed in the office of the Board of County Commissioners on March 26, 2002, public hearings were held on April 23, 2002 and April 25, 2002, pursuant to Notice published on April 12, 2002 and April 19, 2002 in The Enterprise, a newspaper of general circulation in the County;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Mary's County, Maryland, that the operating budget for fiscal year 2003 (FY 2003) is hereby adopted as set forth in the St. Mary's County Approved Budget for Fiscal Year 2003, a copy of which is incorporated herein by reference. In accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-8, transfer of appropriations between general classification of expenditures as outlined in this Ordinance may be authorized by the Board of County Commissioners of St. Mary's County, Maryland;

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Board of County Commissioners of St. Mary's County, Maryland that the following appropriations and capital improvement program are enacted for St. Mary's County for the fiscal year beginning July 1, 2002 (FY 2003) as follows:

SECTION 1. OPERATING APPROPRIATIONS

County Departments

County Commissioners/County Administrator	\$ 1,265,307
Office on Aging	1,864,102
Office of Community Services	834,966
County Attorney	398,226
Department of Economic & Community Development	1,809,575
Emergency Management Agency	758,154
Emergency Communications Center	1,571,599
Department of Finance	1,179,923
Marcey Halfway House	328,950
Department of Information Technology	1,466,447
Department of Human Resources	1,098,212
Department of Facilities Management	3,272,803
Department of Planning and Zoning	1,418,187
Department of Building Permit Services	809,710
Department of Public Works & Transportation	10,087,567
Department of Recreation and Parks	<u>2,349,557</u>
Total County Departments	<u>\$ 30,513,285</u>

Elected Officials

Circuit Court	\$ 1,052,727
Orphan's Court	27,914
Office of the Sheriff	15,658,896
Office of the State's Attorney	1,844,480
County Treasurer	<u>282,167</u>
Total Elected Officials	<u>\$ 18,866,184</u>

RECORDING FEE 0.00
 TOTAL 0.00
 REGISTERED 06/11/03
 EM W/ 01/17/03
 JUN 03, 2002 04:01 PM

NO.: ~~2002-13~~

SUBJECT: FY 2003 ST. MARY'S COUNTY BUDGET

State Agencies and
Independent Boards

LIBERO 022 PAGE 41

Department of Health	\$ 958,961
Department of Social Services	314,896
Alcoholic Beverages Board	153,095
Supervisors of Elections	498,269
Cooperative Extension Service	141,392
Ethics Commission	11,110
Soil Conservation District	31,424
Wicomico Scenic River Commission	1,000
Board of Education	54,534,715
College of Southern Maryland	1,912,317
Board of Library Trustees	<u>1,547,532</u>
Total State Agencies and Independent Boards	<u>\$ 60,104,711</u>

Non-Profit Private Entity
Contributions

The ARC of Southern Maryland, Inc.	\$ 132,150
Big Brothers/Big Sisters	4,000
Catholic Charities	15,000
So. Md. Center for L.I.F.E.	15,000
The Center for Life Enrichment	155,908
Chamber of Commerce	10,920
St. Mary's County Farmers Market Association	1,000
Greenwell Foundation	30,000
St. Mary's Co. Historical Society	12,700
Hospice of St. Mary's	15,000
La Familia	1,500
Lexington Park Lions Club	1,500
Literacy Council of St. Mary's	12,000
Maryland Department of Agriculture Weed Control	12,500
Maryland Geological Survey (Met Comm)	14,835
Maryland Historical Society	1,000
MBA (Minority Business Alliance)	5,000
Patuxent River Naval Air Museum	30,000
Southern Maryland Navy Alliance, Inc. ¹	20,000
Rotary Club	5,000
St Mary's College River Concert Series	10,000
St. Mary's College Scholarship Fund	6,000
Seventh District Optimist (Blessing of the Fleet)	10,000
Sotterley Mansion Foundation	25,000
Southern Md. Higher Education Center	60,000
So. Md. Child Care Resource Center	7,400
So. Md. Resource Conservation/Development	5,200
Three Oaks Center	50,000
Tri-County Alternatives for Youth and Families	26,250
Tri-County Community Action Committee	17,751
Tri-County Council	94,200
Tri-County Youth Services Bureau	116,479
Walden/Sierra, Inc.	195,038
Watermen's Association	25,000
St. Mary's Women's Center	<u>72,409</u>
Total Non-Profit Entity Contributions	<u>\$ 1,215,740</u>

Private Entity Agents of
County Government

Mental Health Authority of St. Mary's	<u>\$ 54,945</u>
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NO.: 2002-13

SUBJECT: FY 2003 ST. MARY'S COUNTY BUDGET

Private Entity Emergency
Service Providers

Fire Departments and Rescue Squads	\$ <u>1,290,269</u>
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Other Government Budget
Costs

Mosquito Control Program	\$ 40,000
Reserve - Potential Grants	150,000
Leonardtwn - Tax Rebate Grant	45,487
Employer Contributions	645,000
G. O. Bonds - Issue Expense	134,000
Debt Service	12,301,341
Capital Projects	325,000
911 Emergency Communications/EDS	1,201,460
Budgeted Reserve Account - Undesignated	<u>47,000</u>
Total Other Government Budget Costs	<u>\$ 14,889,288</u>

TOTAL GENERAL FUND	<u>\$ 126,934,422</u>
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Enterprise and Special
Revenue Funds

505	Recreation and Parks Activities Fund	\$ 2,809,332
520	Wicomico Shores Municipal Golf	1,073,648
205	Medical Adult Day Care Special Revenue Fund	944,951
530	Miscellaneous Revolving Fund	<u>65,967</u>
	Total Enterprise & Special Revenue Funds	<u>\$ 4,893,898</u>

SECTION 2. CAPITAL
IMPROVEMENTS FUND
APPROPRIATIONS
Public Facilities

Lexington Park Family Center	\$ 75,000
Charlotte Hall Senior Activity Center	116,000
Governmental Center - annex	50,000
Naval Air Museum/Visitor Center	5,868,372
Airport Improvements	75,000
Governmental Center	110,000
Lexington Park Library	577,000
Archives/former Sheriff Department	230,000
Renovate former Lexington Park Library	540,000
Emergency Communications Center	70,000
Courthouse (humidity issues)	250,000
College of Southern Md. (humidity issues)	465,546
Detention Center	1,500,000
Mansfield -acquisition/demolition	490,800
College of Southern Md., Phase II	(1,040,237)
Tudor Hall (Phase II)	(1,485,000)
Fire & Rescue Revolving Loan Fund	250,000
Parking/Site Improvements	50,000
Roof Repairs - County Facilities	50,000
ADA Upgrades	40,000
Building Maintenance & Repair Projects	<u>175,000</u>
Total Public Facilities	<u>\$ 8,457,481</u>

Land Conservation

Rural Legacy Program	\$ 250,000
Agricultural Preservation Program	1,011,417
Purchase of Development Rights	<u>88,583</u>
Total Land Conservation	<u>\$ 1,350,000</u>

NO.: 2002-13

SUBJECT: FY 2003 ST. MARY'S COUNTY BUDGET

LIBERO 0 2 2 PAGE 4 3

Marine

Murray Road Revetment	\$	60,000
Thomas Road Revetment		<u>15,000</u>
Total Marine	\$	<u>75,000</u>

Highways

Asphalt Overlay	\$	1,550,000
Surface Treatment		375,000
Slurry Seal		200,000
Removal of Roadside Obstacles		260,000
Streetscape Improvements		80,000
County Mapping		100,000
Regional Stormwater Management Facility		150,000
Rodo Beach Taxing District		24,400
Bridge/Culvert Repair		157,000
Adequate Public Facilities		350,000
Retrofit Sidewalk Program		160,000
Lexington Park/Tulagi Master Plan		<u>500,000</u>
Total Highways	\$	<u>3,906,400</u>

Solid Waste

St. Andrews Landfill Closure Area B	\$	100,000
Convenience Center Site Assessments		214,000
St. Andrews Landfill Area D		<u>75,000</u>
Total Solid Waste	\$	<u>389,000</u>

Recreation and Facility
Development

Piney Point Lighthouse Museum & Park	\$	70,000
Wicomico Club House		<u>300,000</u>
Total Recreation and Facility Development	\$	<u>370,000</u>

Parks Acquisition and
Development

Parks ADA Accessibility	\$	175,000
Lancaster Park - hiker/ biker trail		100,000
Nicolet Park Expansion		400,000
Chaptico Park		1,000,000
Park Planning Grant		25,000
Seventh District Park Improvements		35,000
Elms Beach Park Expansion		<u>35,000</u>
Total Parks Acquisition and Development	\$	<u>1,770,000</u>

Public Landings Acquisition
and Development

Abell's Wharf Public Landing	\$	594,010
Derelict Boat Removal		30,000
Fox Harbor Landing		100,000
Forest Landing		100,000
Wicomico Shores Public Landing		<u>100,000</u>
Total Public Landings Acquisition and Development	\$	<u>924,010</u>

NO.: 2002-13

SUBJECT: FY 2003 ST. MARY'S COUNTY BUDGET

LIBERO 0 2 2 PAGE 4 4

Public Schools

Lexington Park Elementary Addition/Renovation	\$ 620,000
White Marsh Roof Systemic Renovation	50,000
Park Hall Elementary Well Replacement	75,000
Banneker Elementary Addition/Renovation	160,000
Leonardtwn High Addition/Renovation	105,000
Technical Center Addition/Renovation	7,366,688
Margaret Brent Middle Addition/Renovation	5,688,000
Margaret Brent Middle Relocatable Classrooms	334,000
Ridge Elementary Gymnasium Addition	27,000
Carver Elementary Replacement School	170,000
Site/Parking - Various Locations	65,000
Relocatable Classrooms-Future Capacity	250,000
ADA Transition Plan	231,000
Total Public Schools	<u>\$ 15,141,688</u>

TOTAL CAPITAL IMPROVEMENTS FUND	<u>\$ 32,383,579</u>
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AND BE IT FURTHER ORDAINED in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-3, that the Capital Program for the fiscal years ending June 30, 2004; June 30, 2005; June 30, 2006; June 30, 2007 and June 30, 2008; is hereby adopted as set forth in the St. Mary's County Approved Budget for Fiscal Year 2003, a copy of which is incorporated herein by reference, by the Board of County Commissioners of St. Mary's County, Maryland.


Those voting Aye: Bandall, Anderson, Mattingly, Raley


Those voting Nay: Guazzo

Those Absent: _____


Adoption Date: May 28, 2002

Effective Date: July 1, 2002

ATTEST:

 Alfred A. Lacer
 County Administrator

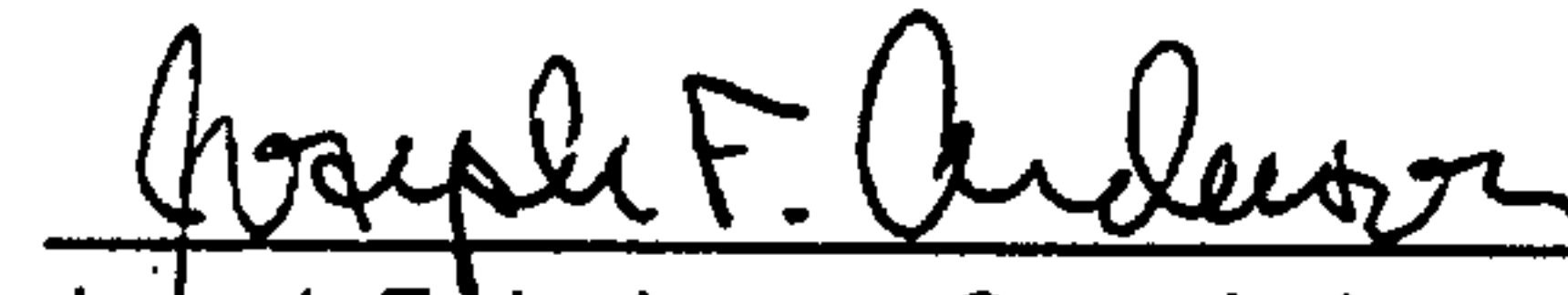

 Elaine M. Kramer
 Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



 John B. Norris
 County Attorney

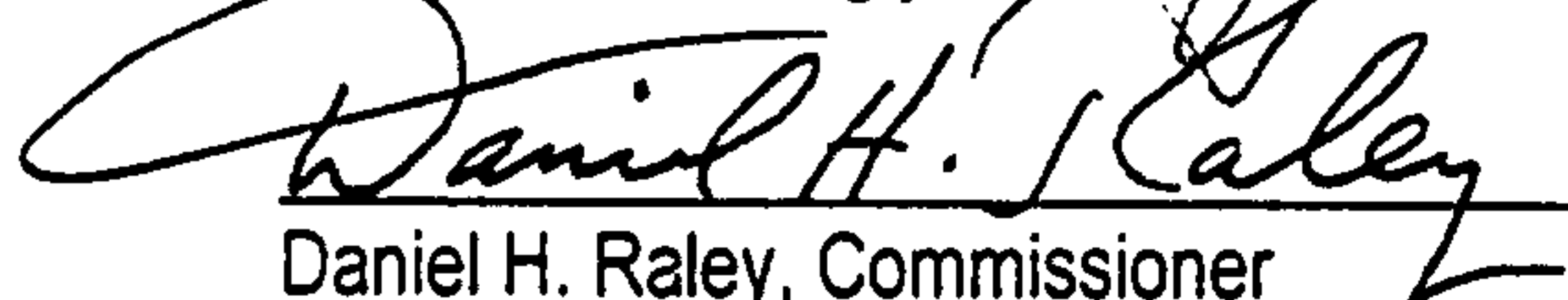
BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND


 Julie B. Randall, President


 Joseph F. Anderson, Commissioner


 Shelby P. Guazzo, Commissioner


 Thomas A. Mattingly, Sr., Commissioner


 Daniel H. Raley, Commissioner

NO.: 2002-14

LIBERO 022 PAGE 45

SUBJECT: ORDINANCE FOR LEVYING RATES FOR ST. MARY'S COUNTY REVENUE TAXES, FIRE TAX RATE, PROPERTY TAX RATE, ENERGY AND FUEL TAX RATES, AND SPECIAL DISTRICT TAX RATES FOR FISCAL YEAR 2003

REVENUE TAX ORDINANCE

Budget Authority

WHEREAS, the 1979 Laws of Maryland, Chapter 670, the 1982 Laws of Maryland, Chapter 75, and the 1986 Laws of Maryland, Chapter 48, codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 27-1 through 27-11, authorizes and empowers the Board of County Commissioners for St. Mary's County to adopt the Annual Budget and Appropriation Act by June 1 of each year; and

Compliance with Budget Procedures

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-5, the Recommended Budget was filed in the office of the Board of County Commissioners on March 26, 2002, public hearings were held on April 23, 2002 and April 25, 2002, pursuant to Notice published on April 12, 2002 and April 19, 2002 in The Enterprise, a newspaper of general circulation in the County; and

Fire Property Tax Levy Authority

WHEREAS, the 1957 Laws of Maryland, Chapter 759, Section 77B, which has been codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 49-1, authorizes and directs the Board of County Commissioners for St. Mary's County, Maryland to levy a fire tax of not more than fourteen cents (\$0.14) on every One hundred dollars (\$100.00) of assessed valuation of all real and personal property in the Election Districts wherein the question of levying said Fire Tax has been submitted to and approved by a referendum of the legally qualified voters; and

WHEREAS, In Election Districts 1, 2, 3, 4, 5, 6, 7, 8 and 9, the Fire Tax has been voted upon and approved by the legally qualified voters; and

Authority for a Service Charge for the Semi-Annual Payment of Property Taxes

WHEREAS, Tax-Property Article of the Maryland Annotated Code, Sections 6-202, 6-204, 6-302, 6-306 and 6-308 and the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-7(C), authorizes and empowers the Board of County Commissioners for St. Mary's County to levy a property tax rate for each fiscal year; and

RECORDING FEE 0.00

WHEREAS, the Maryland Department of Assessments and Taxation has approved a service charge of One and three hundred seventy-five thousandths percent, (1.375%), of the amount of tax due at the second installment to cover lost interest income and administrative expenses associated with the semiannual payment for a property owner electing to pay real property taxes under a semiannual payment schedule pursuant to Section 10-204.3 of the Tax-Property Article of the Annotated Code of Maryland. As a result, the service charge shall be effective at the rate of One and three hundred seventy-five thousandths percent, (1.375%), of the amount of tax due at the second installment; and

TOTAL 0.00
Res#SM03 Rpt#999999
EHA KAE BIK#99
Jun 03, 2002 04:02 PM

Income Tax Levy Authority

WHEREAS, pursuant to Section 10-106(a) (iii) of the Tax-General Article of the Maryland Annotated Code and the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 267-15, the Board of County Commissioners for St. Mary's County shall set, by ordinance or resolution, a County Income Tax equal to at least One percent, (1%), but not more than Three and two-tenth percent, (3.20%), of an individual's Maryland taxable income for the taxable year beginning after December 31, 2002; and

LIBERO 0 2 2 PAGED 4 b

SUBJECT: ORDINANCE FOR LEVYING RATES FOR
ST. MARY'S COUNTY REVENUE TAXES,
FIRE TAX RATE, PROPERTY TAX RATE,
ENERGY AND FUEL TAX RATES, AND
SPECIAL DISTRICT TAX RATES
FOR FISCAL YEAR 2003

WHEREAS, Tax-General Article of the Maryland Annotated Code, Section 10-106(a) (2) and the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 267-16 authorizes the County income tax to continue until the County changes the rate by ordinance or resolution; and

WHEREAS, the Board of County Commissioners for St. Mary's County, by Ordinance 2000-24, adopted June 27, 2000, set the County Income Tax Rate at Three and one-tenth percent, (3.10%), of an individual's Maryland taxable income; and

Energy and Fuel Tax Rate Levy Authority

WHEREAS, Article 24, Section 9-604 of the Maryland Annotated Code authorizes and empowers the Board of County Commissioners for St. Mary's County to impose, by ordinance, and collect a sales and use tax on any form of energy or fuel used or consumed in St. Mary's County; and

WHEREAS, the Board of County Commissioners imposed such a sales and use tax on energy or fuel by Ordinance No. 89-13 adopted on May 16, 1989, and repealed and re-enacted by Ordinance No. 90-19 adopted on October 16, 1990, which ordinance has been codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 267-23 through 267-28; and

WHEREAS, Article 24, Section 9-604 of the Maryland Annotated Code provides that the sales and use tax on energy or fuel may not exceed Five percent, (5%), of the sum of the total amounts billed in the County by all vendors for energy and fuel subject to the tax within classifications separated by energy or fuel during the calendar year that ends before the beginning of each fiscal year divided by the total number of units of energy or fuel subject to the tax within the classifications used or consumed in St. Mary's County during the calendar year that ends before the beginning of each fiscal year; and

WHEREAS, the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 267-24 (F) provides that the Board of County Commissioners shall levy the Energy and Fuel tax rates for each fiscal year ensuing after the fiscal year beginning after June 30, 1990, in accordance with the procedures set forth in that sub-section of the ordinance; and

Special District Tax Rate Levy Authority

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland are empowered by virtue of Article 25, Sections 167A through 167E of the Maryland Annotated Code, to establish, create, repair, and maintain shore erosion control districts; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, may act as District Council pursuant to authority granted in Article 25, Sections 161-167; in Article 25, Sections 167A-E; and Natural Resources Article Section 8-705 of the Maryland Annotated Code for the Special Districts created as Shore Erosion, Erosion Control Districts and/or Waterway Improvement Districts; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland are empowered under the provisions of the Code of Public Local Laws of Maryland, Article 19 (St. Mary's County) Section 109-2(C) and (D), to construct and improve private roads and drainage incident thereto and to impose an annual benefit assessment for said construction and/or improvement after the approval of a petition of a majority of the property owners whose property benefits from said improvements; and

WHEREAS, the Board of County Commissioners, acting as District Council, shall certify the amount of each assessment to the Treasurer of St. Mary's County, Maryland on or before May 1 of each year hereafter for debt service on the capital construction costs, utilizing a uniform assessment method whereby each property within the district, as defined above, shall pay an equal share; and

NO.: 2002-14

LIBERO 022 PAGE 47

SUBJECT: ORDINANCE FOR LEVYING RATES FOR ST. MARY'S COUNTY REVENUE TAXES, FIRE TAX RATE, PROPERTY TAX RATE, ENERGY AND FUEL TAX RATES, AND SPECIAL DISTRICT TAX RATES FOR FISCAL YEAR 2003

Special District Tax – Hollywood Shores Shore Erosion Control District Levy Authority

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, by virtue of Article 25, Section 166(a) of the Maryland Annotated Code, shall impose an annual levy to pay all interest as it becomes due, all principal as it matures and all expenses to effectuate the provisions of that subtitle, including the construction, maintenance and repairs of improvements; and the reimburse the Board of County Commissioners for St. Mary's County for, acting as district counsel for each district, for all expenses incurred by them, not to exceed Two Hundred Dollars, (\$200.00), each; and

WHEREAS, the Board of County Commissioners for St. Mary's County have directed the Department of Public Works to conduct annual inspections of the district's improvements and to annually submit a budget for "district maintenance" including inspection, maintenance, repairs, and incidental and overhead expenses, for purposes of maintaining and repairing the District's improvements until the District is first dissolved; and

WHEREAS, the Department of Public Works has conducted such inspections and prepared such a budget; and

Levy of Fire Property Tax Rate

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County, the Fire Tax is hereby assessed on every One hundred dollars (\$100.00) of assessed valuation of all real and personal property, effective July 1, 2002, as follows:

Fire Tax Rates-Real Property:	Election District 1	\$.036
	Election District 2	\$.044
	Election District 3	\$.024
	Election District 4	\$.044
	Election District 5	\$.044
	Election District 6	\$.044
	Election District 7	\$.044
	Election District 8	\$.044
	Election District 9	\$.036;

Fire Tax Rates – Personal And other property:	Election District 1	\$.09
	Election District 2	\$.11
	Election District 3	\$.06
	Election District 4	\$.11
	Election District 5	\$.11
	Election District 6	\$.11
	Election District 7	\$.11
	Election District 8	\$.11
	Election District 9	\$.09;

Levy of Service Charge for the Semi-Annual Payment of Property Taxes

BE IT FURTHER ORDAINED, that the property tax rate for St. Mary's County for fiscal year 2003, Ninety and eight-tenths cents (\$.908) per One hundred dollars, (\$100.00), of assessed valuation, for real property and Two dollars and twenty-seven cents (\$2.27) per One hundred dollars (\$100.00) of assessed valuation for other property enacted by Ordinance 2000-15 is reaffirmed; and that the service charge, applicable only to those choosing to take

NO.: 2002-14

LIBERO 022 PAGE 48

SUBJECT: ORDINANCE FOR LEVYING RATES FOR
ST. MARY'S COUNTY REVENUE TAXES,
FIRE TAX RATE, PROPERTY TAX RATE,
ENERGY AND FUEL TAX RATES, AND
SPECIAL DISTRICT TAX RATES
FOR FISCAL YEAR 2003

advantage of the optional semiannual payment schedule for State, County and special taxing district property taxes due on owner-occupied residential property pursuant to Section 10-204.3 of the Tax-Property Article of the Maryland Annotated Code, be established at One and three hundred seventy-five thousandths percent, (1.375%), of the amount of tax due at the second installment; and

Levy of Energy and Fuel Tax Rate

BE IT FURTHER ORDAINED, by the Board of County Commissioners of St. Mary's County, Maryland that the following energy and fuel tax rates are enacted for St. Mary's County for fiscal year 2003:

Energy Tax Rates:	Electricity - \$.00357 per kilowatt-hour.
	Fuel Oil - \$.07016 per gallon.
	Liquefied Petroleum Gas - \$.08772 per gallon

Levy of Special District Tax Rate

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that, pursuant to its authority, the following Special District tax rates shall be enacted for the following districts for Fiscal Year 2003:

Breton Bay Shore Erosion	Group A - \$413.97 per year; Group B - \$137.49 per year.
Jefferson Island Erosion	Varying amounts each year, per DNR agreements, hereby incorporated by reference.
Golden Beach #3 Road & Drainage	\$73.67 per lot.
Tall Timbers Erosion #2	\$8.85 per front foot.
Tall Timbers Erosion #3	\$115.33 per front lot; \$57.28 per back lot.
Duke Drive	\$67.29 per lot.
Southampton Lighting	\$19.76 per lot.
Kline Drive	\$100.48 per lot.
Scott Circle	\$130.76 per lot.
Roof Top Circle	\$237.80 per lot.
Miles Drive	\$270.24 per lot.
Rosebank Village	\$342.65 per lot.
Cloverdale Acres	\$512.75 per lot.
Wicomico Shores	\$228.73 per lot.
Hollywood Shores	\$39.47 per owner (plus annual maintenance and inspection fee)
Mallard Creek	\$259.26 per owner
Little Kingston Creek	\$136.35 per owner
Mulberry South	\$283.76 per lot

Levy of Special District Tax – Hollywood Shores Shore Erosion Control District

BE IT FURTHER ORDAINED, that the Board of County Commissioners for St. Mary's County, Maryland acting as the District Council by virtue of Article 25, Section 166(a) and (b) hereby levies, on each "property" within the boundaries of the Special Districts, the first annual assessment of \$0.004298 per One hundred dollars (\$100) of value for inspection, maintenance, repairs, district overhead, and incidental expenses, as to the Hollywood Shores Shore Erosion Control District.

NO.: 2002-14

LIBERO 022 PAGEO 49

SUBJECT: ORDINANCE FOR LEVYING RATES FOR ST. MARY'S COUNTY REVENUE TAXES, FIRE TAX RATE, PROPERTY TAX RATE, ENERGY AND FUEL TAX RATES, AND SPECIAL DISTRICT TAX RATES FOR FISCAL YEAR 2003

Those voting Aye: BANDALL, Anderson, Mattingly, Raley

Those voting Nay: GUZZO

Those Absent: _____

Adoption Date: May 28, 2002

Effective Date of Ordinance:	July 1, 2002
Effective Date of Fire Tax Rates:	July 1, 2002
Effective Date of Property Tax Service Charge:	July 1, 2002
Effective Date of Income Tax Rate:	January 1, 2003
Effective Date of Energy and Fuel Tax Rate:	July 1, 2002
Effective Date of Special District Tax Rate:	July 1, 2002
Effective Date of Special District Tax - Hollywood Shores Shore Erosion Control District Rate:	July 1, 2002

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND

Julie B. Randall
Julie B. Randall, President

Joseph F. Anderson
Joseph F. Anderson, Commissioner

Shelby P. Guzzo
Shelby P. Guzzo, Commissioner

Thomas A. Mattingly, Sr.
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley
Daniel H. Raley, Commissioner

ATTEST:

Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

John B. Norris
John B. Norris
County Attorney

SUBJ.: FY 2002 Supplemental Appropriation
Department of Recreation and Parks

ORDINANCE

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2002 Capital Fund Budget to increase the appropriation for the Department of Recreation and Parks for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19. (St. Mary's County) §27-9(A). The St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$44,000.00 are available. For the purpose of improving access to the Wicomico River for the boating public through a modification to Waterway Improvement Program grants for boat ramp improvements at Bushwood Wharf.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on May 21, 2002 pursuant to notice published on or about May 10, 2002 and May 17, 2002 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on May 21, 2002 to present and explain the requirements to increase the Fiscal Year 2002 Budget in the amount of \$44,000.00 (Forty Four Thousand Dollars) and such increase is hereby approved this 4th day of June, 2002, by the Board of County Commissioners for St. Mary's County, Maryland.

Those voting Aye: All
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 06/04/02
Effective Date: 06/04/02

**BOARD OF COUNTY COMMISSIONERS
OF ST. MARY'S COUNTY, MARYLAND**

Julie B. Randall
Julie B. Randall, President

Joseph F. Anderson
Joseph F. Anderson, Commissioner

Shelby P. Guazzo
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley
Daniel H. Raley, Commissioner

ATTEST:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

FUNDING AVAILABILITY VERIFIED:
Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
John B. Norris
John B. Norris
County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Rest#3002 Ropt#999999
EWA CSS BIK#1100
Jun 12, 2002 01:49 PM

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: May 28, 2002

TO: Board of County Commissioners

**ORDINANCE
NUMBER:** 2002- 15

PURPOSE: For the purpose of improving access to the Wicomico River for the boating public through a modification to Waterway Improvement Program grants for boat ramp improvements at Bushwood Wharf.

FUNDS CERTIFICATION:

Amount
\$44,000.00

Source
Department of Natural Resources Waterway Improvement Fund
Grant Modification.



Elaine M. Kramer
Director of Finance

Subject: Anti Displacement and Relocation Assistance Plan

Liber 22 Folio 52 **PURPOSE**

To adopt the attached Citizen Participation Plan to meet the citizen participation requirements of 24 CFR Sec. 42.325.

ORDINANCE

WHEREAS, the Board of County Commissioners agrees to comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("URA"), as amended, as implemented in 49 CFR Part 24; and the Housing and Community Development Act of 1974 ("HCD Act of 1974"), as amended; and

WHEREAS, the Board of County Commissioners is a unit of general local government receiving or expecting to receive CDBG funds; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, held a public hearing on June 4, 2002 pursuant to Article 25, Section 3(r) of the Annotated Code of Maryland, after due notice was published in The Enterprise, a newspaper of general circulation in St. Mary's County, on May 22, 2002 and May 29, 2002, in order to hear public comments regarding the Residential Anti Displacement and Relocation Assistance Plan; and

WHEREAS, the ten-day comment period announced at the public hearing on this matter has expired during which the public could submit written comment regarding the Anti Displacement and Relocation Assistance Plan, and this matter is ready for formal consideration and approval by the Board of County Commissioners; and

WHEREAS, after considering public input and staff comments and recommendations regarding this matter, it is determined that the St. Mary's County Community Development Block Grant Residential Anti Displacement and Relocation Assistance Plan is in the best interest of the citizens of St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the "St. Mary's County, Maryland Community Development Block Grant Program Residential Anti Displacement and Relocation Assistance Plan" attached hereto as Exhibit A is hereby accepted and adopted by this Board of County Commissioners for St. Mary's County, Maryland.

Adoption Date: 6/25/02

Those Voting Aye: all

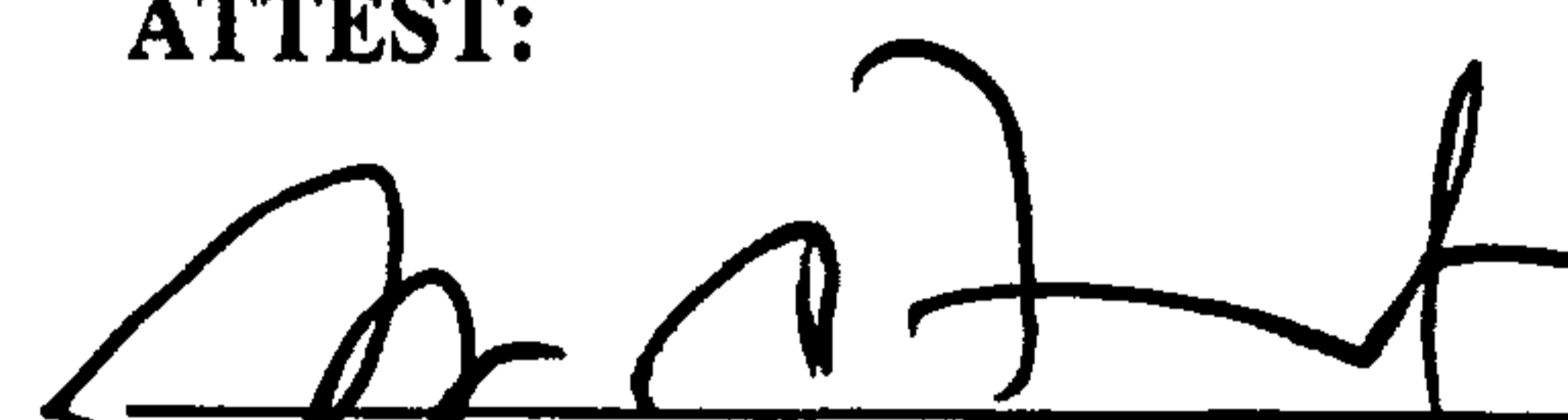
Effective Date: 6/25/02

Those Voting Nay: _____

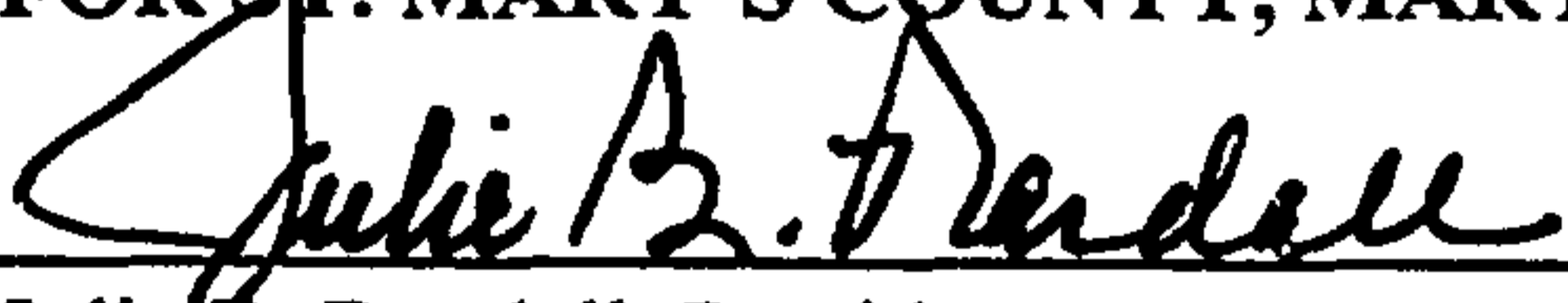
Those Abstaining: _____

RECORDING FEE 0.00
TOTAL 0.00
RES 02 REC 0000000
EMA TIC 1142050
Jun 28, 2002 08:47 am

ATTEST:


Alfred A. Lacer, County Administrator

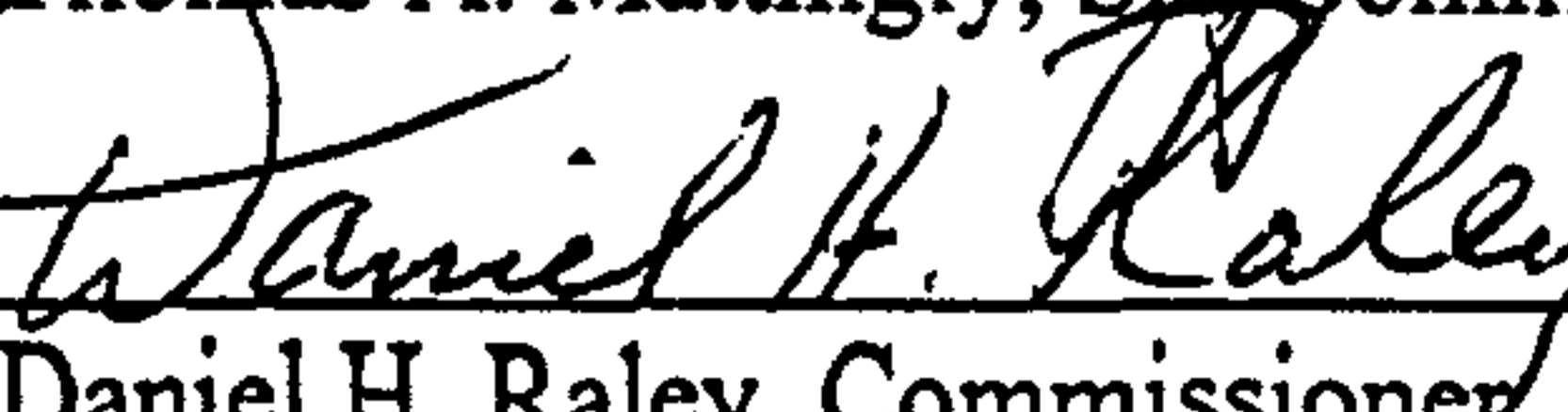
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President



Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III,
County Attorney

ST. MARY'S COUNTY, MARYLAND
~~RESIDENTIAL ANTI DISPLACEMENT AND~~
RELOCATION ASSISTANCE PLAN

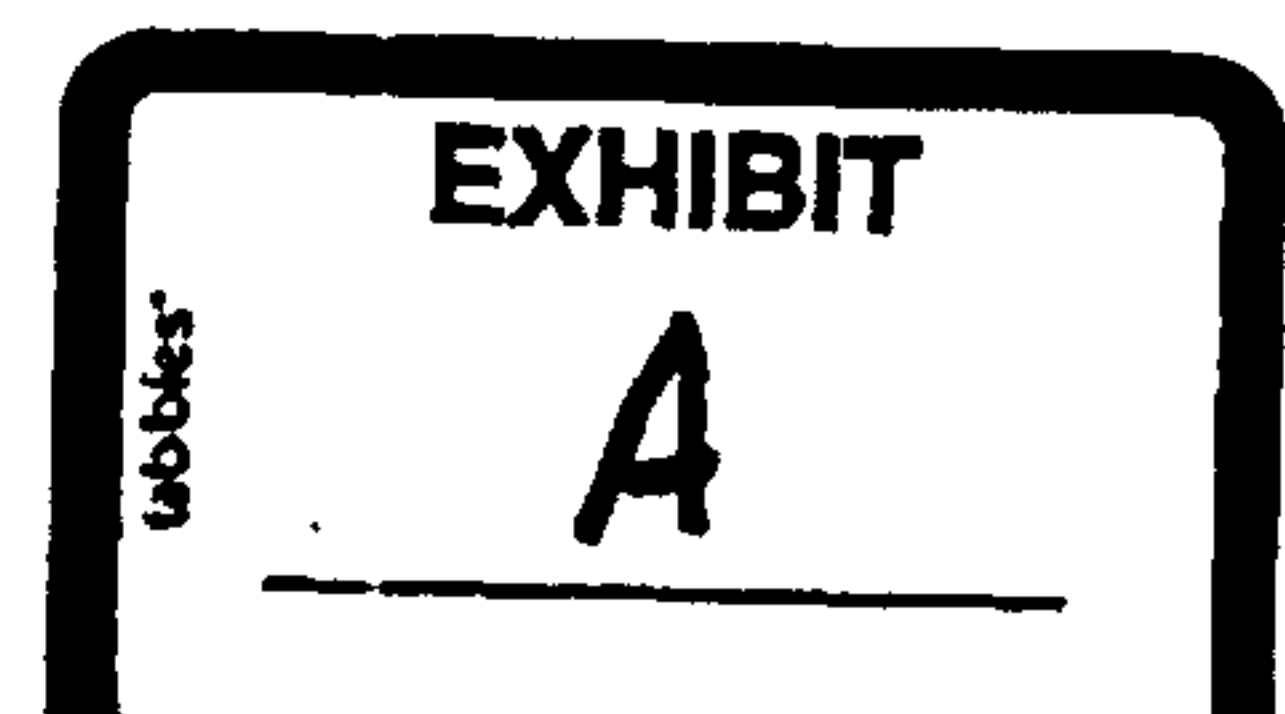
Liber 22 Folio 53

The Board of County Commissioners of St. Mary's County, Maryland (the "County") agrees to comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("URA"), as amended, as implemented in 49 CFR Part 24; and with the Housing and Community Development Act of 1974 ("HCD Act of 1974"), as amended, as implemented in 24 CFR Part 42. This plan is adopted pursuant to 24 CFR § 42.325. It does not delineate the relocation assistance available for nonresidential uses. Persons entitled to such assistance should request individual counseling from the County as to their specific rights to assistance.

The County will replace all occupied, and vacant occupiable, low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing in connection with activities assisted with funds provided under the HCD Act of 1974, as amended. A vacant occupiable dwelling unit means: (1) a vacant dwelling unit that is in a standard condition; (2) a vacant dwelling unit that is in a substandard condition, but is suitable for rehabilitation; or (3) a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by the County covering the rehabilitation or demolition. A vacant dwelling in substandard condition is suitable for rehabilitation if the cost of rehabilitating the dwelling to standard condition, as determined by the Director of the Department of Planning and Zoning, does not exceed 50% of the full cash value of the dwelling as most recently determined by the State Department of Assessments and Taxation. Standard condition means decent, safe and sanitary dwelling as defined by 49 CFR 24.2.

All replaced housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the County will make public and submit to the Maryland Department of Housing and Community Development, Community Development Block Grant ("CDBG") Office the following information in writing:

- A. A description of the proposed assisted activity;
- B. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
- C. A time schedule for the commencement and completion of the demolition or conversion;
- D. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;



- E. The source of funding and a time schedule for the provision of replacement dwelling units; and
- Liber 22 Folio 54
- F. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling for at least fifteen (15) years from the date of initial occupancy.

The County will provide relocation assistance, as described in 24 CFR 24.350, to each low/moderate-income household displaced by the acquisition or demolition of housing or by the conversion or rehabilitation of low/moderate-income dwelling to another use as a direct result of assisted activities.

In addition, in consideration of the financial assistance received from the Maryland CDBG Program, particularly when such assistance is used for acquisition, rehabilitation, demolition, or conversion which results in displacement not covered by the URA, the County accepts the following as the anti-displacement and relocation standards by which the local CDBG project will be administered, including determination of entitlement to and payment of relocation benefits:

1. **Relocation assistance for displaced persons.**

A displaced person, as defined under 24 CFR 42.305, means a lower-income person who, in connection with an activity assisted under any CDBG program, permanently moves from real property or permanently moves personal property from real property as a direct result of the demolition or conversion of a lower-income dwelling. A lower-income person means, as appropriate, a "low and moderate income person." In § 570.3, a low and moderate income person is defined as a member of a family having an income equal to or less than the Section 8 low-income limit established by HUD. As defined in §92.2, a "low-income family means a family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. Any person with a question as to the application of the definition of low or moderate income person should seek guidance from the County pursuant to the advisory services described below.

A displaced person may choose to receive either assistance under the URA and implementing regulations at 49 CFR Part 24 or assistance under section 104(d) of the HCD Act of 1974, including:

(a) *Advisory services.* The County will provide advisory services at the levels described in 49 CFR Part 24. A displaced person must be advised of his or her rights under the Fair Housing Act (42 U.S.C. 3601-19), 24 CFR Part 42 and this Plan. If the comparable replacement dwelling to be provided to a minority person is located in an area of minority concentration, as defined in the consolidated plan, if applicable, the minority person must also be given, if possible, referrals to comparable and suitable decent, safe, and sanitary replacement

2
dwellings not located in such areas. The term minority person refers generally to persons of African American or Hispanic ethnicity.

Liber 22 Folio 54 A

(b) *Moving expenses.* Payment for moving expenses at the levels described in 49 CFR Part 24.

(c) *Security deposits and credit checks.* The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit, and for credit checks required to rent or purchase the replacement dwelling unit.

(d) *Interim living costs.* The County will reimburse a displaced person for actual reasonable out-of-pocket costs incurred in connection with a displacement, including moving expenses and increased housing costs, if:

(1) The person must relocate temporarily because continued occupancy of the dwelling unit constitutes a substantial danger to the health or safety of the person or the public; or

(2) The person is displaced from a "lower-income dwelling unit," none of the comparable replacement dwelling units to which the person has been referred qualifies as a lower-income dwelling unit, and a suitable lower-income dwelling unit is scheduled to become available in accordance with 24 CFR 42.375 which mandates in certain circumstances one-for-one replacement of lower-income dwelling units.

(e) *Replacement housing assistance.* Displaced persons are eligible to receive one of the following two forms of replacement housing assistance:

(1) Each person will be offered rental assistance equal to 60 times the amount necessary to reduce the monthly rent and estimated average monthly cost of utilities for a replacement dwelling (comparable replacement dwelling or decent, safe, and sanitary replacement dwelling to which the person relocates, whichever costs less) to the "Total Tenant Payment," as determined under Part 813 of 24 CFR. All or a portion of this assistance may be offered through a voucher for rental assistance (if available) provided under Section 8. If a Section 8 voucher is provided to a person, the County will provide referrals to comparable replacement dwelling units where the owner is willing to participate in the Section 8 Housing Choice Voucher Program. When provided, cash assistance will generally be in installments, in accordance with 42 U.S.C. 3537c; or

(2) If the displaced person purchases an interest in a housing cooperative or mutual housing association and occupies a decent, safe, and sanitary dwelling in the cooperative or association, the person may elect to receive a payment equal to the capitalized value of 60 times the amount that is obtained by subtracting the "Total Tenant Payment," as determined under 24 CFR Part 813 from the monthly rent and estimated average monthly cost of utilities at a comparable replacement

dwelling unit. To compute the capitalized value, the installments shall be discounted at the rate of interest paid on passbook savings deposits by a federally insured financial institution conducting business within the County. To the extent necessary to minimize hardship to the household, the County shall, subject to appropriate safeguards, issue a payment in advance of the purchase of the interest in the housing cooperative or mutual housing association.

2. **One-for-one replacement of lower-income dwelling units.**

(a) *Units that must be replaced.* All occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than as lower-income dwelling units in connection with an assisted CDBG activity must be replaced with comparable lower-income dwelling units.

(b) *Acceptable replacement units.* Replacement lower-income dwelling units may be provided by any government agency or private developer and must meet the following requirements:

(1) The units must be located within the recipient's jurisdiction. To the extent feasible and consistent with other statutory priorities, the units shall be located within the same neighborhood as the units replaced.

(2) The units must be sufficient in number and size to house no fewer than the number of occupants who could have been housed in the units that are demolished or converted. The number of occupants who could have been housed in units shall be determined in accordance with the County's housing occupancy code. The County will not replace those units with smaller units (e.g., a 2-bedroom unit with two 1-bedroom units), unless the requirements of 24 CFR 42.375 (c)(7) are satisfied.

(3) The units must be provided in standard condition. Replacement lower-income dwelling units may include units that have been raised to standard from substandard condition if:

- (i) No person was displaced from the unit; and
- (ii) Except for squatters, the unit was vacant for at least 3 months before execution of the agreement between the County and the property owner.

(4) The units must initially be made available for occupancy within 3 years after the commencement of the demolition or rehabilitation related to the conversion.

(5) The units must be designed to remain lower-income dwelling units for at least 15 years from the date of initial occupancy as such. Replacement lower-income dwelling units may include, but are not limited to, public housing or existing housing receiving Section 8 project-based assistance.

Liber 22 Folio 55

55A
(d) *Replacement not required.* In certain circumstances, if the requirements of 42 U.S.C. 5304(d)(3) and 24 CFR 42.375(d) are satisfied, one-for-one replacement will not be required.

Liber 22 Folio 53A

3. **General policies.**

- A. The County will assure compliance with the provisions of benefits to displaced persons. However the County may enter into a written agreement with a subrecipient, or the owner of the assisted property, under which either may pay all or part of the cost of the required location assistance.
- B. The cost of relocation assistance and other benefits shall be paid from CDBG funds or such other funds as may be available from any source.
- C. If any owner or occupant of assisted property disagrees with the determination of the County that these requirements do not apply to an acquisition or a displacement, the person may appeal that determination to:

Maryland CDBG Program
Department of Housing and Community Development
100 Community Place
Crownsville, MD 21032-2023

- D. Consistent with the goals and objectives of the CDBG Program, the County will take every preventable action to minimize the involuntary displacement of persons from their homes and neighborhoods. Examples of action which, among others, may be taken to minimize or prevent displacement include:
 - i. Conducting the rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation, by working with empty buildings or groups of empty units first, so they can be rehabilitated first, and tenants moved from occupied units or buildings before rehabilitation of those occupied units or buildings is begun.
 - ii. Establish temporary relocation facilities in order to house families whose displacement will be of short duration, so they can move back to their neighborhoods after rehabilitation or new construction.
 - iii. Provide counseling to assist homeowners and renters to understand the range of assistance that may be available to help them in the area being revitalized.

RESOLUTION

Resolution of the Board of Commissioners of St. Mary's County endorsing two St. Mary's County Housing Authority Small Cities Community Development Block Grant (CDBG) Applications 1) to address the preservation of affordable rental housing units and 2) to capitalize a Housing Fund to address housing needs for low- and moderate-income households in St. Mary's County.

WHEREAS, the Board of County Commissioners for St. Mary's County recognizes that there is a significant need for decent, safe and sanitary housing in St. Mary's County for persons and families of low or moderate incomes; and,

WHEREAS, St. Mary's County is eligible to apply for Federal funds from the Maryland CDBG Program through the Maryland Department of Housing and Community Development; and,

WHEREAS, the initial use of the Homeownership Opportunities Revolving Fund will address urgent housing needs and create immediate housing options to residents of St. Mary's County, giving priority to residents of Lexington Manor. The fund will be used for relocation expenses, land banking, acquisition, and development of affordable rental and permanent housing. The capitalization of this Fund will involve CDBG, St. Mary's County Housing Authority, and private sector monies. Its revolving (re-use) functions will continue to assist low and moderate income persons and families county-wide in the same capacity; and,

WHEREAS, the St. Mary's County Housing Authority hosted the required public hearings related to the formulation of the two St. Mary's County Block Grant Applications on behalf of the Board of County Commissioners of St. Mary's County on May 29, 2002, and June 11, 2002; and,

WHEREAS, St. Mary's County Housing Authority is appropriately capitalized and uniquely qualified to address a range of housing and community development needs in St. Mary's County, and has actively involved itself as a community development organization improving the physical, economic and social environment of St. Mary's County;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of St. Mary's County hereby authorizes the submittal of applications for Community Development Block Grant funds totaling \$400,000.00; and,

BE IT FURTHER RESOLVED, that Board of County of Commissioners of St. Mary's County will execute all appropriate agreements and/or sub-recipient assignments, as required by the CDBG Program; and,

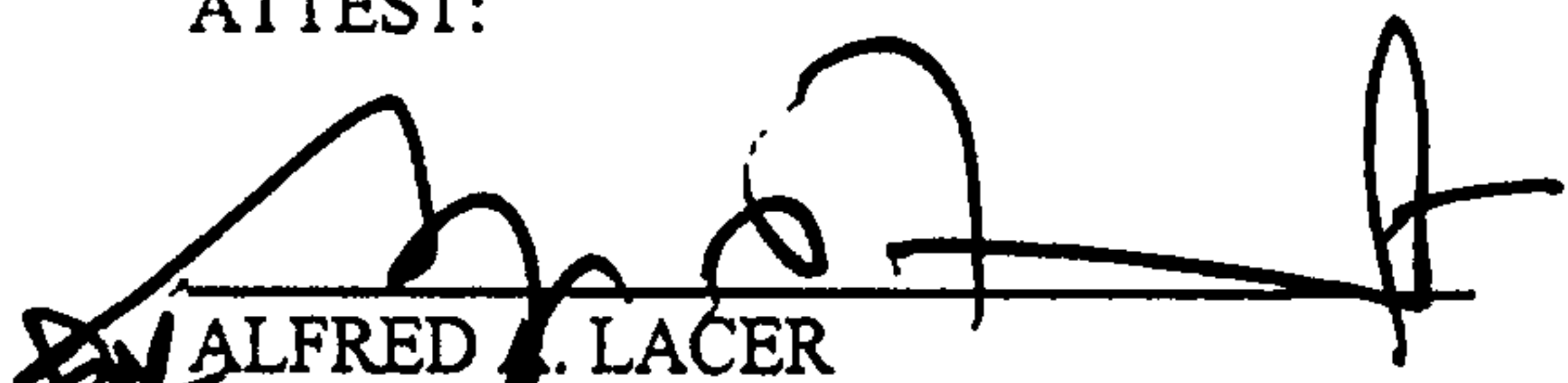
BE IT FURTHER RESOLVED, that Julie B. Randall is authorized and empowered to execute any and all documents required for the submission of the application.

Date of Adoption: 6/25/02

Ayes: all RECORDING FEE 0.00
TOTAL 0.00
Nays: _____ Rest#002 Rpt#999999
EMA TEL 301#2858
Abstain: _____ Jun 28, 2002 08:47 am

Effective Date: 6/25/02

ATTEST:



ALFRED A. LACER
County Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


JOHN B. NORRIS, III
County Attorney

BOARD OF COUNTY COMMISSIONERS
ST. MARY'S COUNTY, MARYLAND


JULIE B. RANDALL, President


JOSEPH F. ANDERSON, Commissioner


SHELBY P. GOAZZO, Commissioner


THOMAS A. MATTINGLY, SR., Commissioner


DANIEL H. RALEY, Commissioner

SUBJECT: CDBG Application/SFY03-Round 1

LIBERO 022 PAGE 57

RESOLUTION

Resolution of the Board of Commissioners of St. Mary's County endorsing two St. Mary's County Housing Authority Small Cities Community Development Block Grant (CDBG) Applications 1) to address the preservation of affordable rental housing units and 2) to capitalize a Housing Fund to address housing needs for low- and moderate-income households in St. Mary's County.

WHEREAS, the Board of County Commissioners for St. Mary's County recognizes that there is a significant need for decent, safe and sanitary housing in St. Mary's County for persons and families of low or moderate incomes; and,

WHEREAS, St. Mary's County is eligible to apply for Federal funds from the Maryland CDBG Program through the Maryland Department of Housing and Community Development; and,

WHEREAS, acquisition funds will be made available to Southern Maryland Tri-County Community Action Committee, Inc. as a deferred gap loan to address urgent housing rehabilitation needs at Great Mills Court Apartments on Lexwood Drive in Lexington Park, Maryland; and,

WHEREAS, acquisition funds will be made available to Southern Maryland Tri-County Community Action Committee, Inc. as a deferred gap loan to address urgent housing rehabilitation needs at Great Mills Court Apartments on Lexwood Drive in Lexington Park, Maryland; and,

WHEREAS, the St. Mary's County Housing Authority hosted the required public hearings related to the formulation of the two St. Mary's County Block Grant Applications on behalf of the Board of County Commissioners of St. Mary's County on May 29, 2002, and June 11, 2002; and,

WHEREAS, St. Mary's County Housing Authority is appropriately capitalized and uniquely qualified to address a range of housing and community development needs in St. Mary's County, and has actively involved itself as a community development organization improving the physical, economic and social environment of St. Mary's County;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of St. Mary's County hereby authorizes the submittal of applications for Community Development Block Grant funds totaling \$400,000.00; and,

BE IT FURTHER RESOLVED, that Board of County of Commissioners of St. Mary's County will execute all appropriate agreements and/or sub-recipient assignments, as required by the CDBG Program; and,

BE IT FURTHER RESOLVED, that Julie B. Randall is authorized and empowered to execute any and all documents required for the submission of the application.

Date of Adoption: 6/25/02

Ayes: all

Nays: _____

Abstain: _____

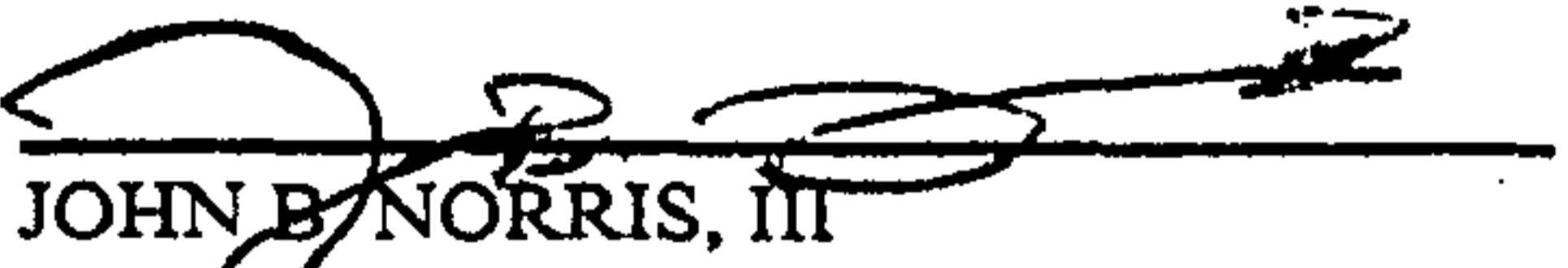
RECORDING FEE 0.00
TOTAL 0.00
Restored Rec'd #999999
EMA TEL 814-2358
Jun 28, 2002 08:48 am

Effective Date: 6/25/02

ATTEST:


ALFRED A. LACER
County Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


JOHN B. NORRIS, III
County Attorney

BOARD OF COUNTY COMMISSIONERS
ST. MARY'S COUNTY, MARYLAND


JULIE B. RANDALL, President


JOSEPH F. ANDERSON, Commissioner


SHELBY P. GUAZZO, Commissioner


THOMAS A. MATTINGLY, Sr., Commissioner


DANIEL H. RALEY, Commissioner

Subject: Citizen Participation Plan

LIBERO 022 PAGE 58 **PURPOSE**

To adopt the attached Citizen Participation Plan to meet the citizen participation requirements of 24 CFR 570.486 and 24 CFR 91.115(e).

ORDINANCE

WHEREAS, the United States Department of Housing and Urban Development regulations codified at 24 CFR 570.486 require that each unit of general local government receiving or expecting to receive Community Development Block Grant ("CDBG") funds to provide for and encourage citizen participation; ensure that citizens are well informed and are given the opportunity to comment regarding local government's proposed and actual use of CDBG funds; and

WHEREAS, the Board of County Commissioners is a unit of general local government receiving or expecting to receive CDBG funds; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, held a public hearing on June 4, 2002 pursuant to Article 25, Section 3(r) of the Annotated Code of Maryland, after due notice was published in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on May 22, 2002 and May 29, 2002, in order to hear public comments regarding the Citizen Participation Plan; and

WHEREAS, the ten-day comment period announced at the public hearing on this matter has expired during which the public could submit written comment regarding the Citizen Participation Plan, and this matter is ready for formal consideration and approval by the Board of County Commissioners; and

WHEREAS, after considering public input and staff comments and recommendations regarding this matter, it is determined that the St. Mary's County Community Development Block Grant Citizen Participation Plan is in the best interest of the citizens of St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the "St. Mary's County, Maryland Community Development Block Grant Program Citizen Participation Plan" attached hereto as Exhibit A is hereby accepted and adopted by this Board of County Commissioners for St. Mary's County, Maryland.

Adoption Date: 6/25/02

Those Voting Aye: all

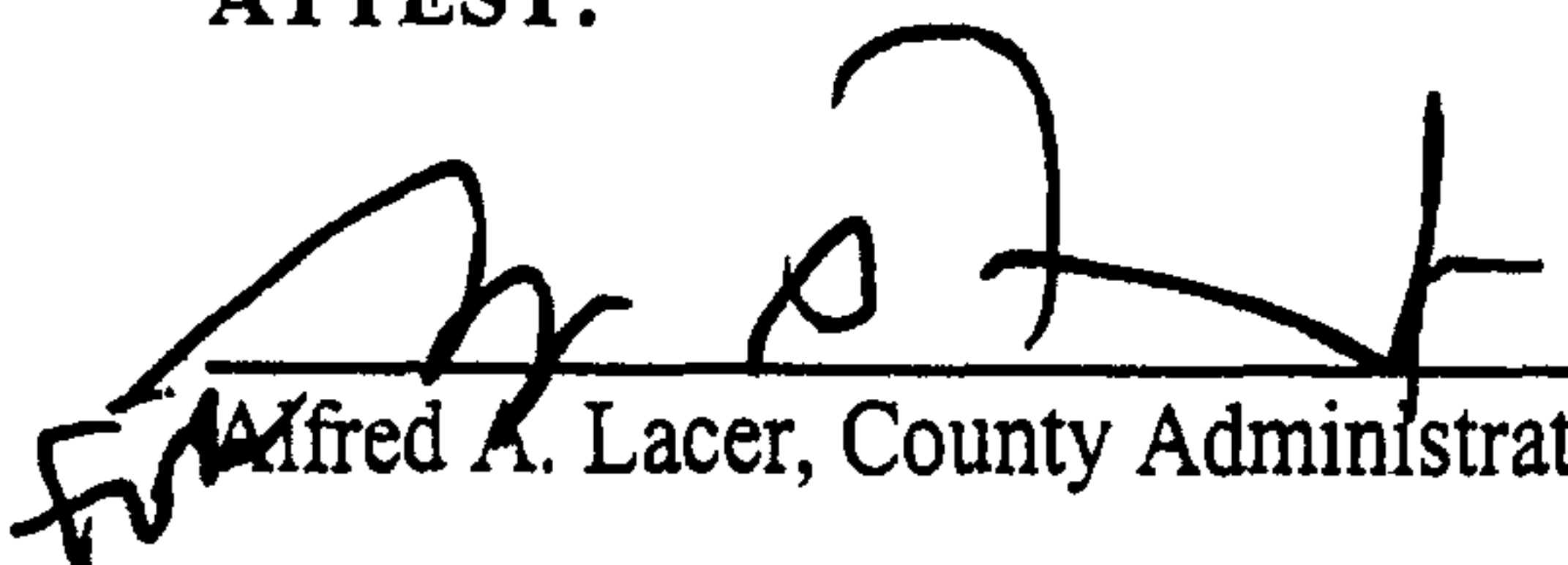
Effective Date: 6/25/02

Those Voting Nay: _____

Those Abstaining: _____

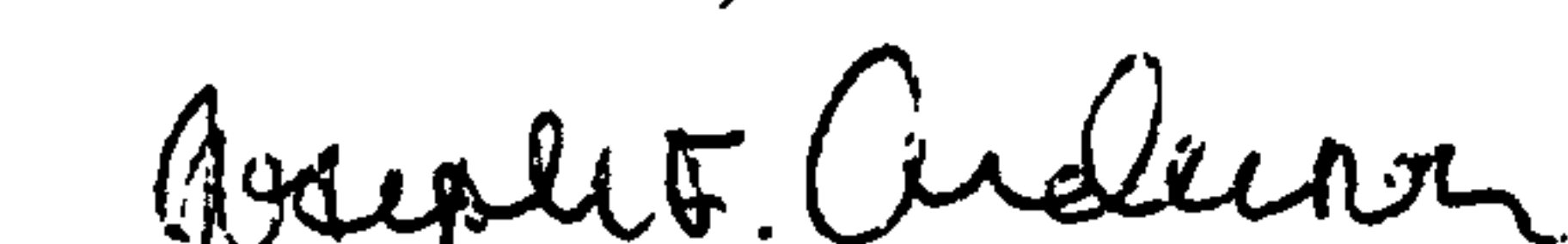
RECORDING FEE 0.00
TOTAL 0.00
Revised 06/25/02
EMA ILC 818:2350
Jun 28, 2002 08:48 am

ATTEST:


Alfred A. Lacer, County Administrator

**BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND**


Julie B. Randall, President



Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

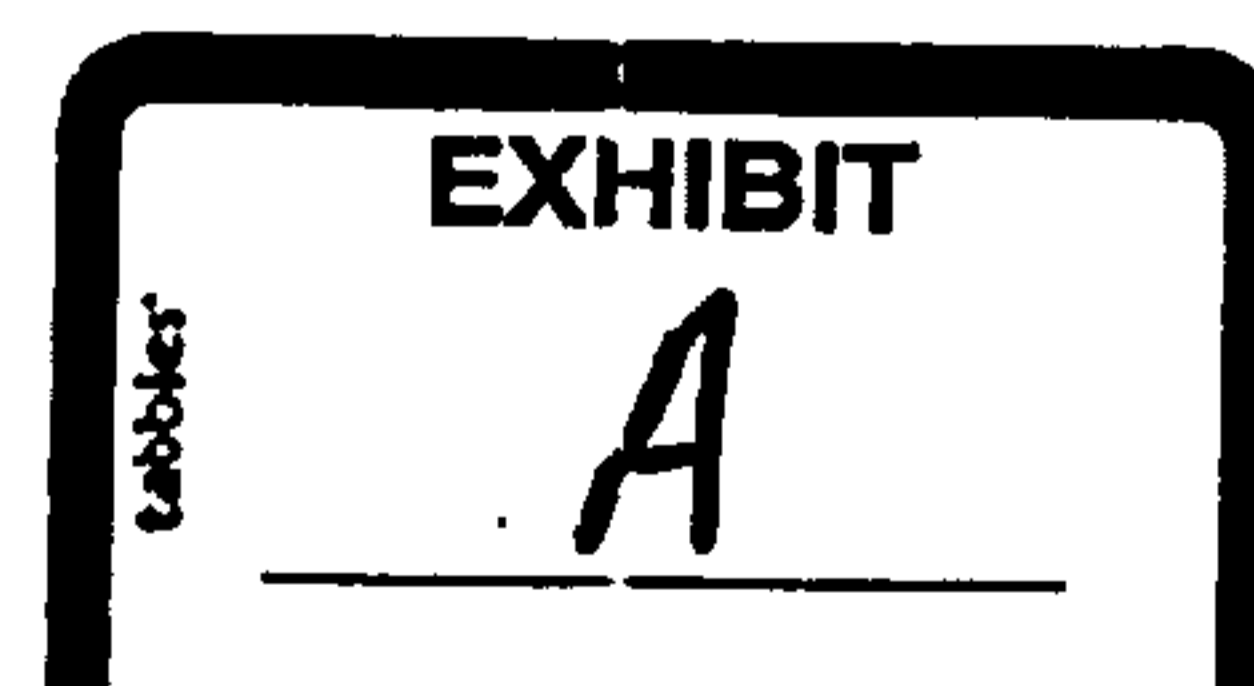
**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**


John B. Norris, III,
County Attorney

**ST. MARY'S COUNTY, MARYLAND COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM**
LIBERO 0 2 2 PAGE 5 9 CITIZEN PARTICIPATION PLAN

The Board of County Commissioners of St. Mary's County, Maryland (the "County") adopts this Citizen Participation Plan to meet the citizen participation requirements of 24 CFR 570.486 and 24 CFR 91.115(e). United States Department of Housing and Urban Development regulations codified at 24 CFR 570.486 require that each unit of general local government receiving or expecting to receive Community Development Block Grant ("CDBG") funds:

- Provide for and encourage citizen participation, particularly by persons who reside in the areas or areas in which CDBG funds are proposed to be used;
- Ensure that citizens will be given reasonable and timely access to local meetings, information and records relating to the unit of general local government's proposed and actual use of CDBG funds;
- Furnish citizens information and accept comment regarding the proposed activity including but not limited to:
 - the amount of CDBG funds expected to be made available for the current fiscal year (including the grant and anticipated program income);
 - identify the range of national objectives for low and moderate income persons;
 - the range of activities that may be undertaken with CDBG funds;
 - the estimated amount of the CDBG funds proposed to be used for application activities;
 - the national objective the application will address to benefit low and moderate income persons;
 - identify if the proposed CDBG activities will likely result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR 42.325.
- Provide technical assistance to groups representative of persons of low and moderate income that request assistance in developing proposals in accordance with procedures developed by the State, which assistance need not include providing funds to such groups;
- Provide for a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining citizens' views and responding to proposals and questions. Together the hearings must cover community development and housing needs, development of proposed activities and a review of program performance. Public hearings to cover community development and housing needs must be held before submission of an application to the State. There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the handicapped. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate;



- Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the State and, for grants already made, activities which are proposed to be added, deleted, or substantially changed from the unit of general local government's application to the State. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the State;
- Provide citizens the address, phone number and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within 15 working days where practicable.

CDBG funded activities may serve beneficiaries outside the jurisdiction of the unit of general local government that receives the grant, provided the County determines that the activity is meeting its needs in accordance with section 106(d)(2)(D) of the Fair Housing Act.

PROVISION OF INFORMATION, PUBLIC HEARINGS AND COMMENTS

The County will provide reasonable access to records and information on the proposed and actual use of CDBG funds during regular business hours of 8:30 am – 4:30 pm at the following location:

County Commissioners of St. Mary's County
 Governmental Center
 23115 Leonard Hall Drive
 P.O. Box 653
 Leonardtown, Maryland 20650

Where possible, the County will provide copies of documents or access to copying services to citizens or groups requesting information at their own expense.

Information will be furnished to citizens through public notice in The Enterprise, a newspaper of general circulation in St. Mary's County, Maryland. CDBG application information will, where determined appropriate by the County, also be provided through newspaper articles, newsletters, community bulletins, flyers or at presentations made at community meetings.

When the County proposes to submit an application to the State of Maryland Department of Housing and Community Development ("DHCD") for CDBG funds for community development and housing, the County will hold **at least two** public hearings to receive input by citizens on the housing and community development needs of the jurisdiction and to discuss the development of proposed activities. The hearings will be held **prior to submission of an application for CDBG funds**. The public notice will state that the following will be discussed:

- the amount of CDBG funds available
- the range of activities that may be undertaken with CDBG funds;

- the estimated amount of the CDBG funds proposed to be used for activities that will meet the national objective of benefit to low and moderate income persons; and
- whether the plans of the County are likely to result in displacement and, if so, the existence of the County's anti-displacement and relocation plan required under 24 CFR 42.325.

LIBERO 022 PAGE 61

If the MD CDBG Program funds the activity, a **third hearing** on program performance must be held at some point during the grant period (but after the activity has been initiated).

The notice of a public hearing be published in a newspaper of general local circulation no less than five (5) days in advance of the hearing. Hearings will be held at times convenient to actual or potential beneficiaries and at locations accessible to the disabled. At least one public hearing of the County Commissioners or their designee prior to submission of an application to the DHCD shall be held in the general neighborhood of the area affected by the proposed activity. The other public hearing may be held at the permanent place of meeting of the County Commissioners of St. Mary's County, the Government Center in Leonardtown. Prior to the first hearing preceding submission of an application to DHCD, the County shall distribute, in the area affected by the proposed activity, flyers giving the public notice of the hearing, and shall post the public notice on a community bulletin board if one is available and posting is practicable. Documentary evidence that the required notices are published and public hearings are held in accordance with the plan will be maintained. Copies of the actual notices and/or affidavits shall be a part of the files, in addition to minutes of the hearings. Written minutes of the hearing and an attendance roster will be maintained by County Commissioners at the following location:

Governmental Center
23115 Leonard Hall Drive
P.O. Box 653
Leonardtown, Maryland 20650

If necessary, County Commissioners will make arrangements for a translator when it is expected that non-English speaking persons will participate. Similarly, a signer shall be provided for a deaf or mute participant. If special accommodations are necessary, however, requests should be made to County Commissioners at Governmental Center, 23115 Leonard Hall Drive, P.O. Box 653, Leonardtown, Maryland 20650. At least 15 days advance notice is requested.

The County Commissioners or their designee will provide citizens an opportunity to comment on the proposed activities in an application to the State. Written comments may be sent to:

County Commissioners of St. Mary's County
Governmental Center
23115 Leonard Hall Drive
P.O. Box 653
Leonardtown, Maryland 20650

TECHNICAL ASSISTANCE

When requested to provide technical assistance to groups representative of persons of low (including lower) and moderate income, the County Commissioners will assist if possible. Files shall document meetings between the group and the local government. If staff capacity or expertise to assist does not exist, the County may seek assistance or expertise from the State.

COMPLAINTS AND GRIEVANCES

Citizens who wish to submit a complaint or grievance may do so by calling or writing:

County Commissioners of St. Mary's County
Governmental Center
23115 Leonard Hall Drive
P.O. Box 653
Leonardtown, Maryland 20650

County Commissioners shall make reasonable effort to provide a response in writing to written complaints or grievances within 15 working days.

AMENDMENTS TO APPLICATIONS OR GRANTS

County Commissioners will provide citizens notice of, and opportunity to comment on, substantial changes to grants already made, including changes in the purpose, scope, location or beneficiaries. This notice can be achieved through publication of a public notice in a newspaper of general circulation describing the change and establishing a comment period or through one public hearing conducted pursuant to the public hearing notice provisions described above.

RESOLUTION

WHEREAS, pursuant to Article 25, Section 11A(a)(1)(i) of the Annotated Code of Maryland, the Board of County Commissioners for St. Mary's County, Maryland is authorized to acquire any property, or any interest therein, by purchase, gift, devise, bequest, condemnation or otherwise, for any public purpose; and

WHEREAS, the Board of County Commissioners adopted a Land Preservation and Recreation Plan which identified the Second (2nd) Election District as an area in need of additional parkland; and

WHEREAS, pursuant to Article 24, Section 4-210 (e) of the Annotated Code of Maryland, a public session was held on November 13, 2001 regarding the acquisition of this property by the Board of County Commissioners. Subsequent thereto and after allowing a period for public comment, on January 8, 2002, a motion carried authorizing Commissioner Randall to sign the Contract for Purchase and Sale.

WHEREAS, after negotiations with the Board of County Commissioners for St. Mary's County, Maryland, the property owner of property described as follows: Parcel "A" containing approximately .49 acres of land improved with a garage/warehouse structure recorded among the Land Records of St. Mary's County, Maryland at Liber 166, folio 45; Parcel "B" containing 1.4 acres of land improved with an office building and a warehouse structure recorded among the Land Records of St. Mary's County, Maryland at Liber 105 at folio 105; and Parcel "C" containing 13,737 square feet of unimproved land known as Lot 1 in Tolson's Subdivision recorded among the Land Records of St. Mary's County, Maryland at Liber 184 at folio 303 (the "Property"), has transferred title of the Property to the Board of County Commissioners by deed recorded in the Land Records of St. Mary's County at Liber EWA 1809, Folio 296; and deed recorded in the Land Records of St. Mary's County at Liber EWA 1809, Folio 301.

WHEREAS, the Board of County Commissioners have determined that the Property shall accommodate and be used for a public park and recreation area for the citizens of the County.


NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County accepts the deed transferring the Property to the Board of County Commissioners described herein and recorded in the Land Records of St. Mary's County at Liber EWA 1809, Folio 296 and deed recorded in the Land Records of St. Mary's County at Liber EWA 1809, Folio 301; on terms and conditions as stated in the same.

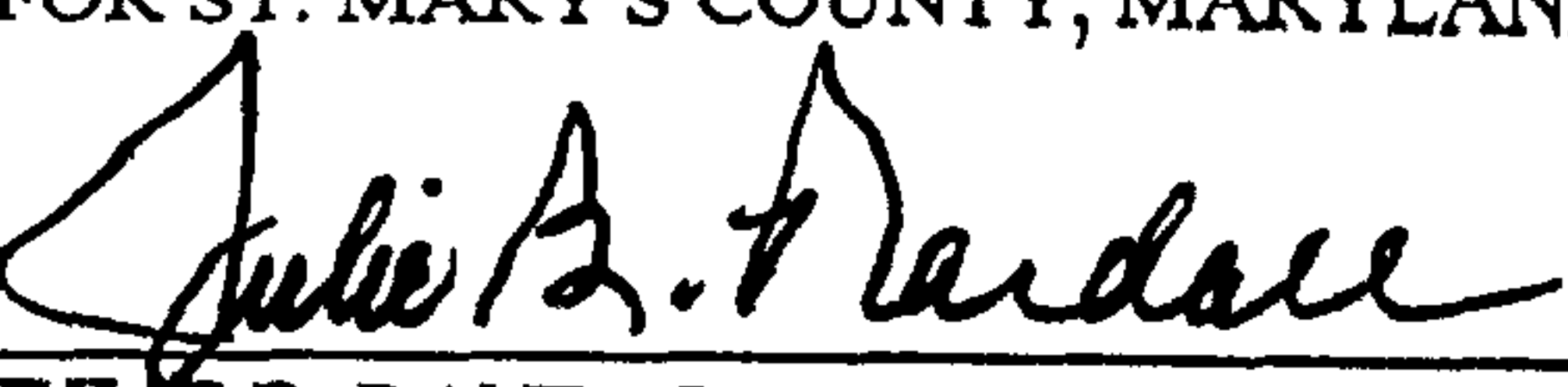
Date of Adoption: 7/9/02


Ayes: all present


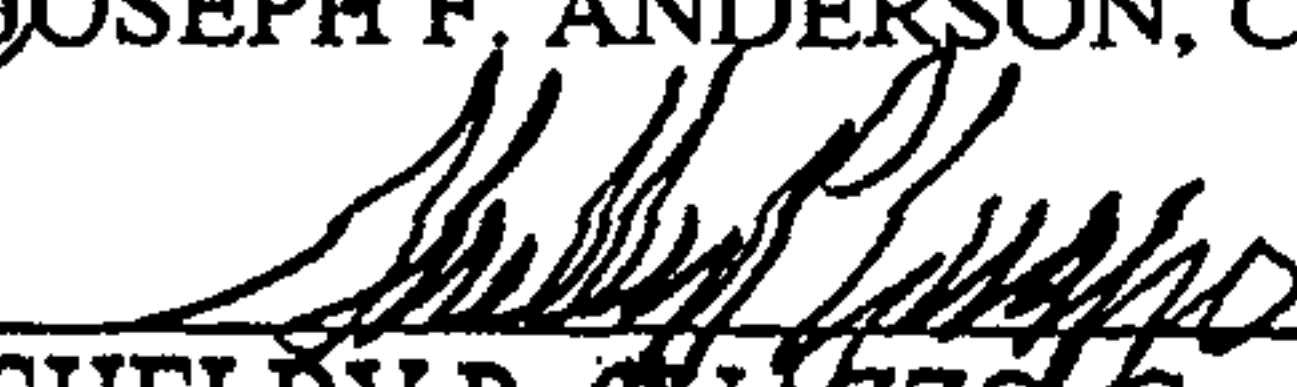
Effective Date: 7/9/02


Nays: _____
absent
Abstain: T.A. Mattingly, Sr.

ATTEST:

ALFRED A. LACER
County Administrator

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

JULIE B. RANDALL, President

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

JOHN B. NORRIS, III
County Attorney


JOSEPH F. ANDERSON, Commissioner

SHELBY P. GUAZZO, Commissioner

absent
THOMAS A. MATTINGLY, Sr., Commissioner

DANIEL H. RALEY, Commissioner

RECORDED
TOL
REGISTERED
EWA 1809
JUL 12 2002 12:33 PM

NO.: 02 - DP
SUBJECT: Adoption of King James Road, King James Parkway, Cornwallis Court, Provincial Drive, Hamlet Court and Tidewater Court St. James Subdivision Sections 1 and 2

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreements dated August 3, 1998 and August 2, 1999, and Record Plats recorded at EWA 46, Page 78, and EWA 48, Page 94, for King James Road, County Route 31341, King James Parkway, County Route 31342, Cornwallis Court, County Route 31343, Provincial Drive, County Route 31344, Hamlet Court, County Route 31345, and Tidewater Court, County Route 31346.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that King James Road, County Route 31341, King James Parkway, County Route 31342, Cornwallis Court, County Route 31343, Provincial Drive, County Route 31344, Hamlet Court, County Route 31345, and Tidewater Court, County Route 31346, located in the St. James Subdivision, Sections 1 and 2, First (1st) Election District, St. Mary's County, Maryland (Plat References: EWA 46, Page 78; and EWA 48, Page 94) meet the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts King James Road, County Route 31341, King James Parkway, County Route 31342, Cornwallis Court, County Route 31343, Provincial Drive, County Route 31344, Hamlet Court, County Route 31345, and Tidewater Court, County Route 31346, into the County's Highway Maintenance System.

Those voting aye: all

Those voting nay: _____

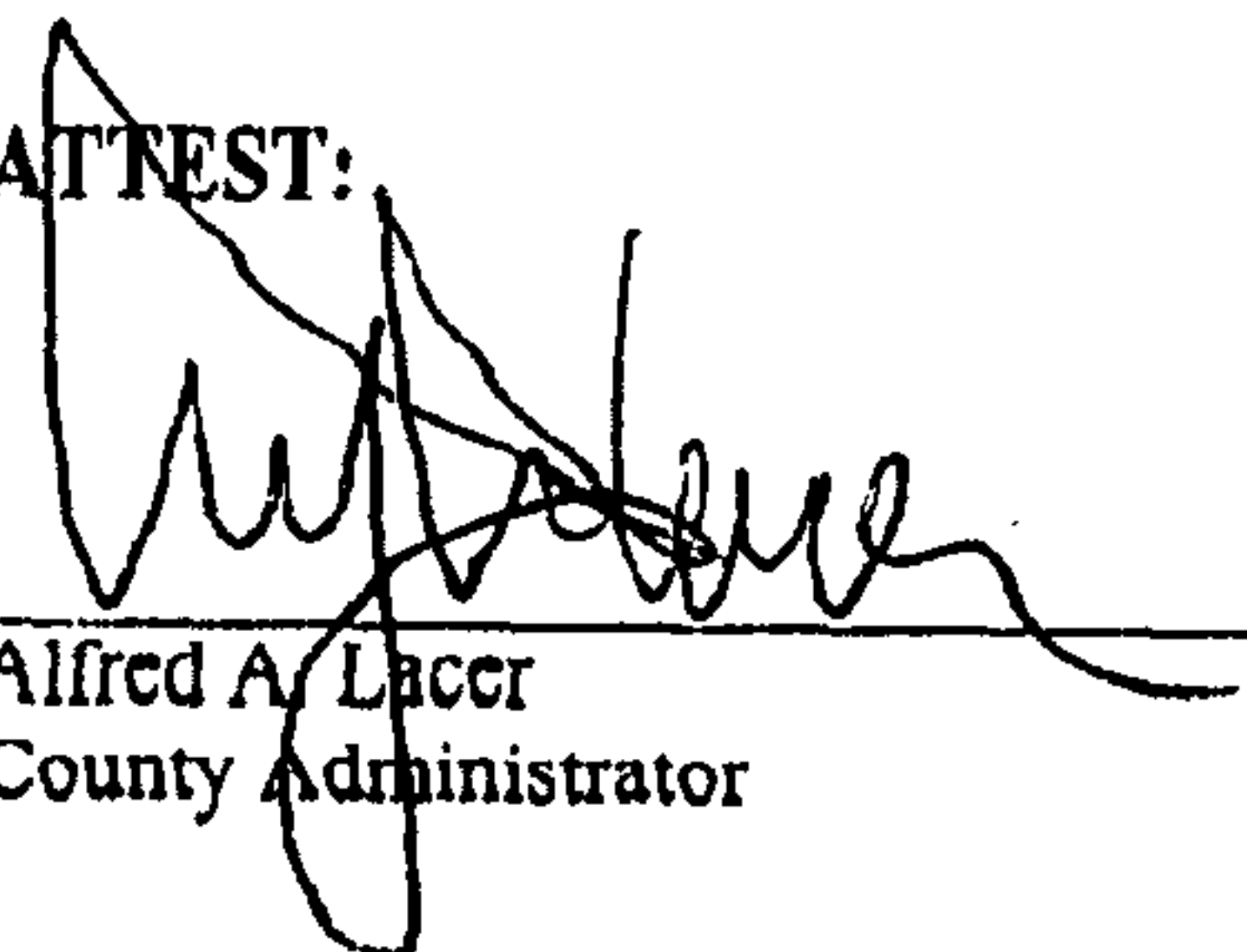
Those abstaining or absent: _____

Date of Adoption: 7/23/02

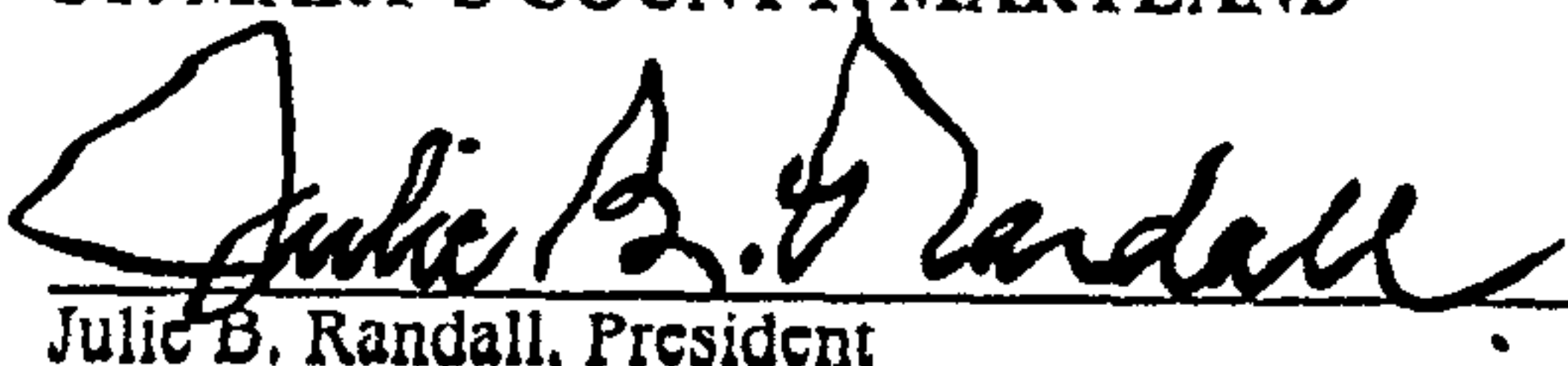
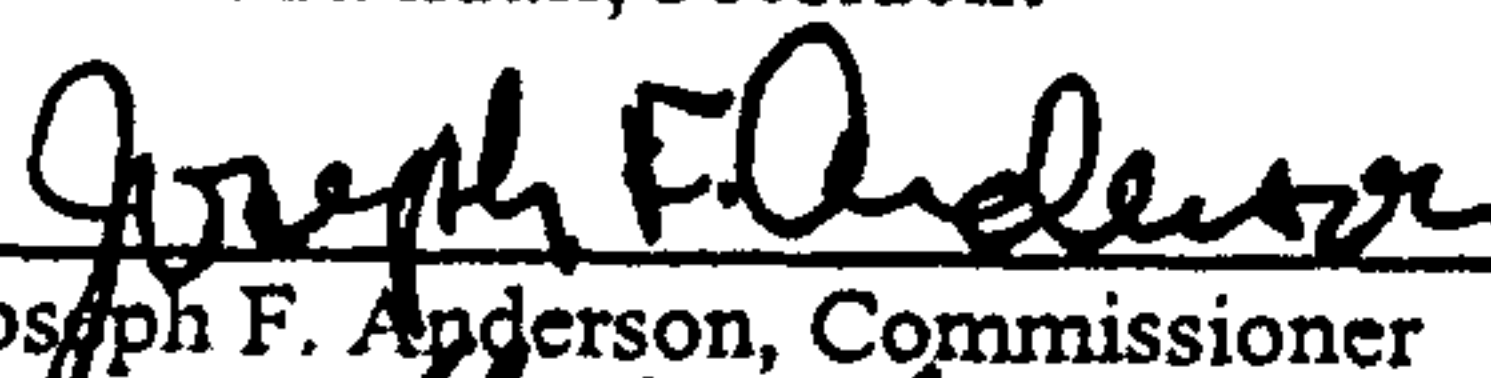


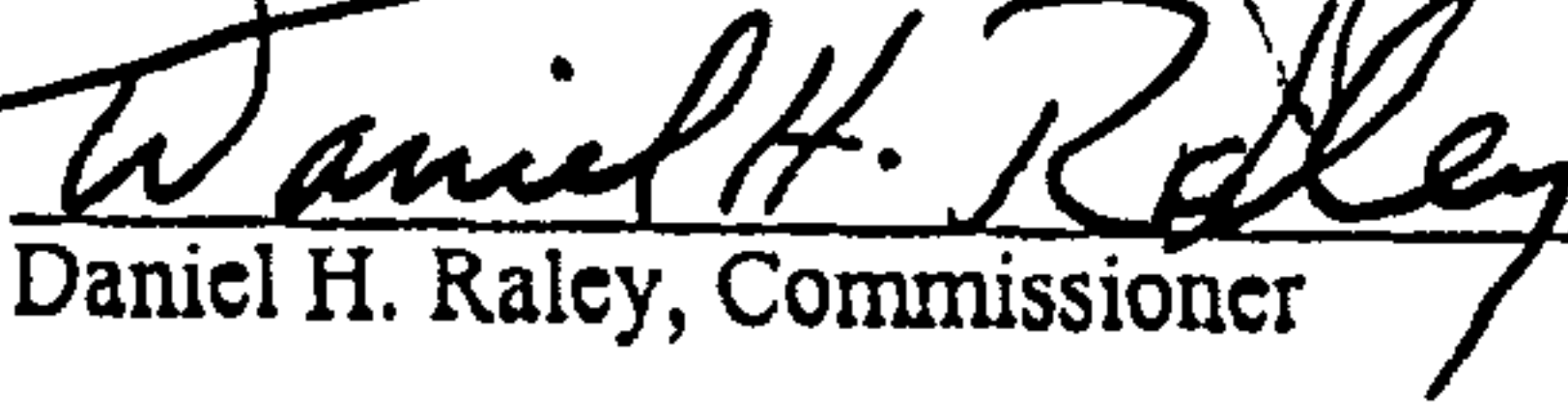
Effective Date: 7/23/02

RECORDING FEE 0.00
TOTAL 0.00
RESTORE NORTH 999999
SMA FAE 0174210
Jul 23 2002 12:04 PM


ATTEST:


Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President

Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

LIGET 0022 PAGE 6 5

RESOLUTION

WHEREAS, pursuant to Section 1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of King James Road, County Route 31341, King James Parkway, County Route 31342, Cornwallis Court, County Route 31343, Provincial Drive, County Route 31344, Hamlet Court, County Route 31345, and Tidewater Court, County Route 31346, located in the St. James Subdivision, Sections 1 and 2, First (1st) Election District, St. Mary's County, Maryland, as per Record Plats recorded at EWA 46, Page 78, and EWA 48, Page 94, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at these intersections; and

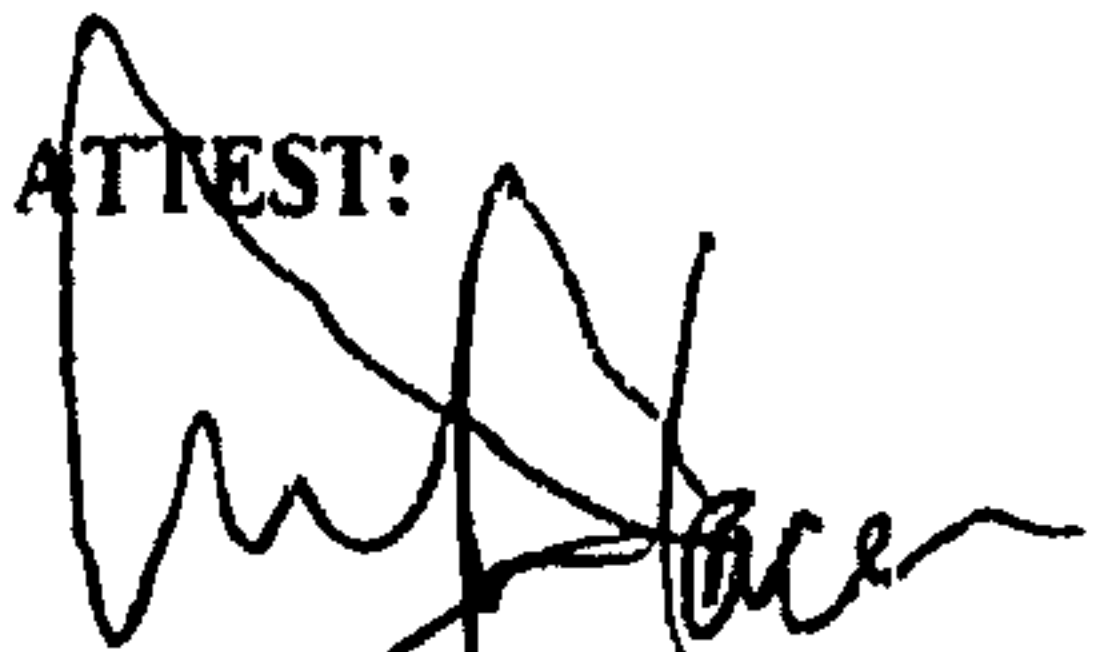
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at these intersections by means of a traffic control device, specifically, stop signs on King James Road, County Route 31341, at the intersection with Three Notch Road (MD Route 235); King James Road, County Route 31341, at the intersection with King James Parkway; Cornwallis Court, County Route 31343, at the intersection with King James Parkway; Provincial Drive, County Route 31344, at the intersection with King James Parkway; Provincial Drive, County Route 3144, at the intersection with Mattapany Road; Hamlet Court, County Route 31345, at the intersection with King James Parkway; and Tidewater Court, County Route 31346, at the intersection with King James Parkway.

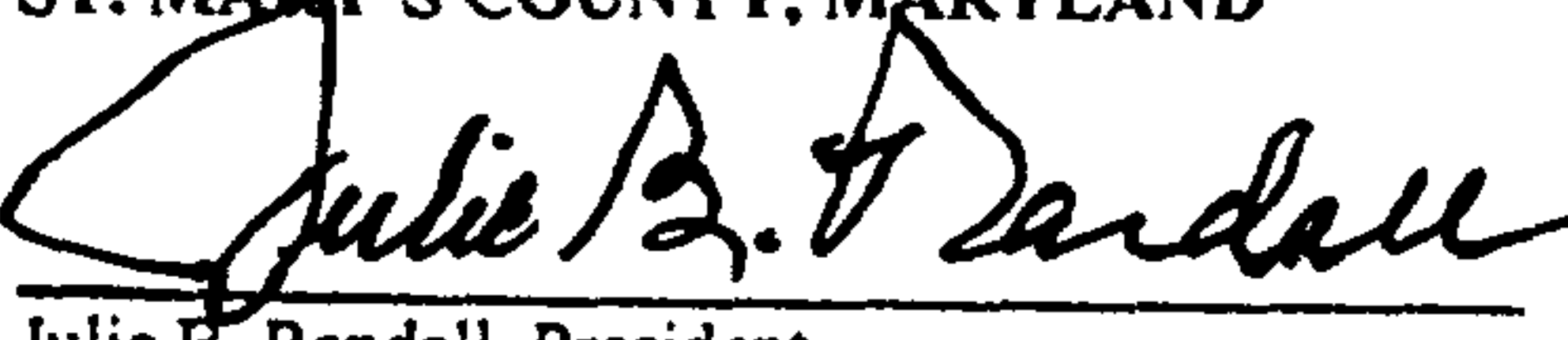
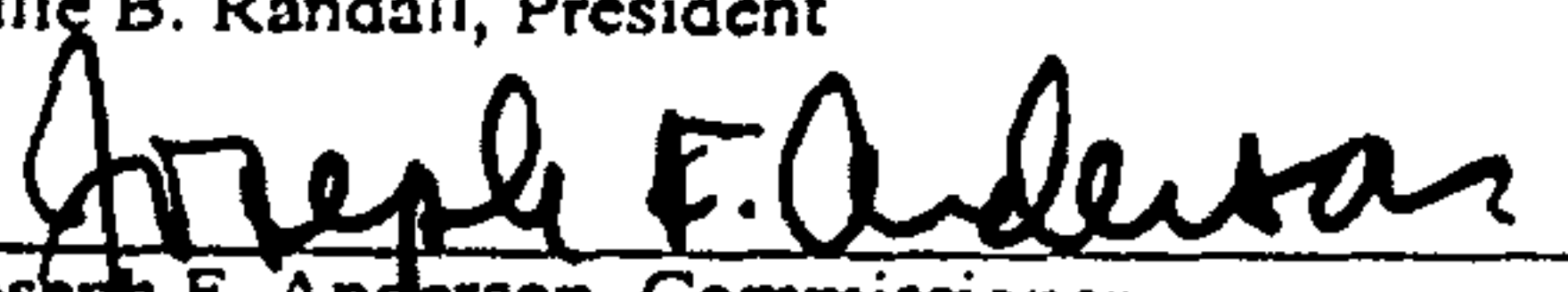
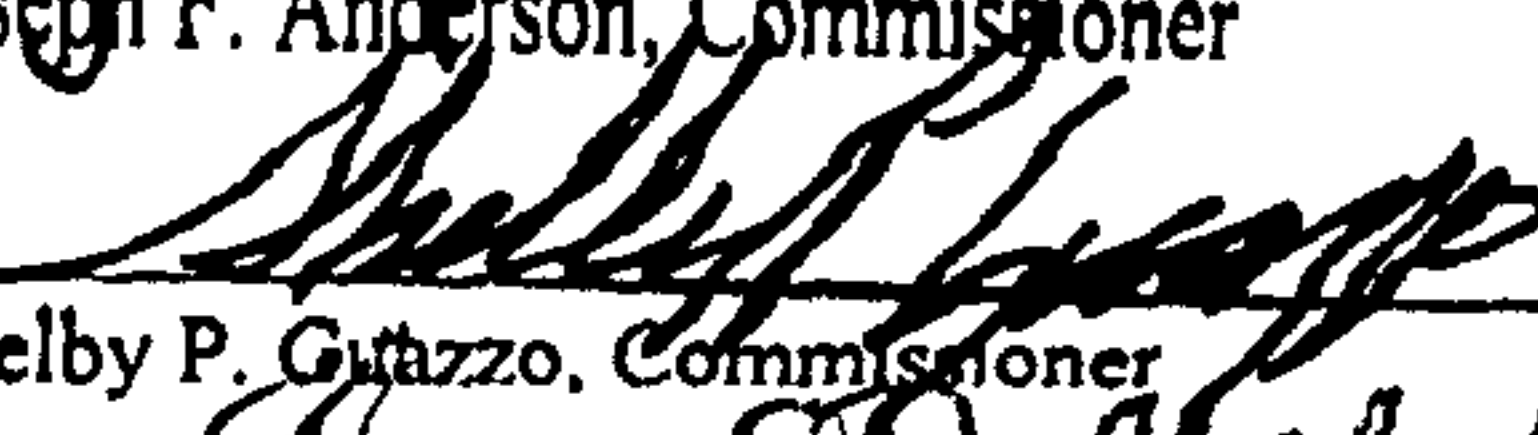
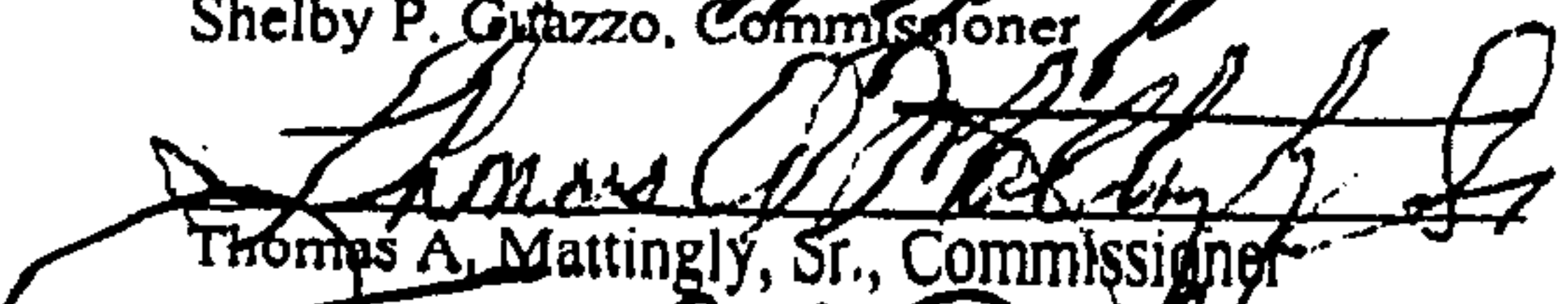

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersections of King James Road, County Route 31341, and Three Notch Road (MD Route 235); King James Road, County Route 31341, and King James Parkway; Cornwallis Court, County Route 31343, and King James Parkway; Provincial Drive, County Route 31344, and King James Parkway; Provincial Drive, County Route 3144, and Mattapany Road; Hamlet Court, County Route 31345, and King James Parkway; and Tidewater Court, County Route 31346, and King James Parkway; and in the interest of public safety and to eliminate a hazardous condition, King James Road, County Route 31341, Cornwallis Court, County Route 31343, Provincial Drive, County Route 31344, Hamlet Court, County Route 31345, and Tidewater Court, County Route 31346, further identified as being located in the St. James Subdivision, Sections 1 and 2, First (1st) Election District, St. Mary's County, Maryland (Plat Reference: EWA 46, Page 78, and EWA 48, Page 94) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically stop signs on King James Road, County Route 31341, at the intersection with Three Notch Road (MD Route 235); King James Road, County Route 31341, at the intersection with King James Parkway; Cornwallis Court, County Route 31343, at the intersection with King James Parkway; Provincial Drive, County Route 31344, at the intersection with King James Parkway; Provincial Drive, County Route 3144, at the intersection with Mattapany Road; Hamlet Court, County Route 31345, at the intersection with King James Parkway; and Tidewater Court, County Route 31346, at the intersection with King James Parkway.

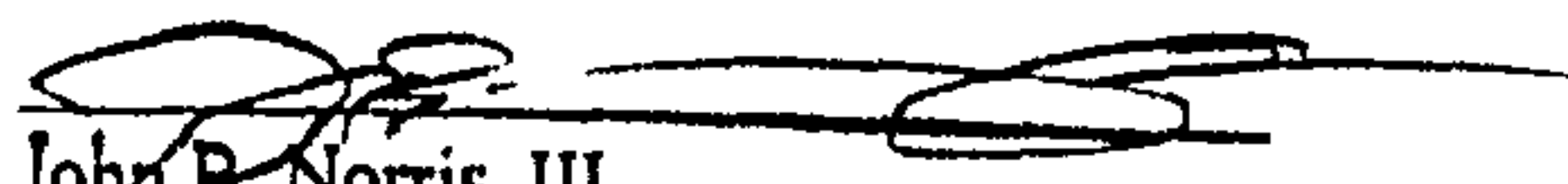
Those voting aye: all
 Those voting nay: _____
 Those abstaining or absent: _____
 Date of Adoption: 7/23/02
 Effective Date: 7/23/02

RECORDING FEE 0.00
 TOTAL 0.00
 RECORDED 08/13/02
 EWA KAE 01412310
 JUL 23 2002 12:04 PM

ATTEST:

 Alfred A. Lacer
 County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
 ST. MARY'S COUNTY, MARYLAND

 Julie B. Randall, President

 Joseph F. Anderson, Commissioner

 Shelby P. Guizzo, Commissioner

 Thomas A. Mattingly, Sr., Commissioner

 Daniel H. Raley, Commissioner

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY:


 John B. Norris, III
 County Attorney

NO.: 02- 28
 SUBJECT: King James Road, King James Parkway,
 Cornwallis Court, Provincial Drive, Hamlet
 Court and Tidewater Court
 Speed Limit
 St. James Subdivision, Sections 1 and 2

LINEN 0022 PAGE 66

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-1 of *Article 25* of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the *Transportation Article* of the Maryland Annotated Code for King James Road, County Route 31341, King James Parkway, County Route 31342, Cornwallis Court, County Route 31343, Provincial Drive, County Route 31344, Hamlet Court, County Route 31345, and Tidewater Court, County Route 31346, located in the St. James Subdivision, Sections 1 and 2, First (1st) Election District, St. Mary's County, Maryland, as per Record Plans recorded at EWA 46, Page 78, and EWA 48, Page 94, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

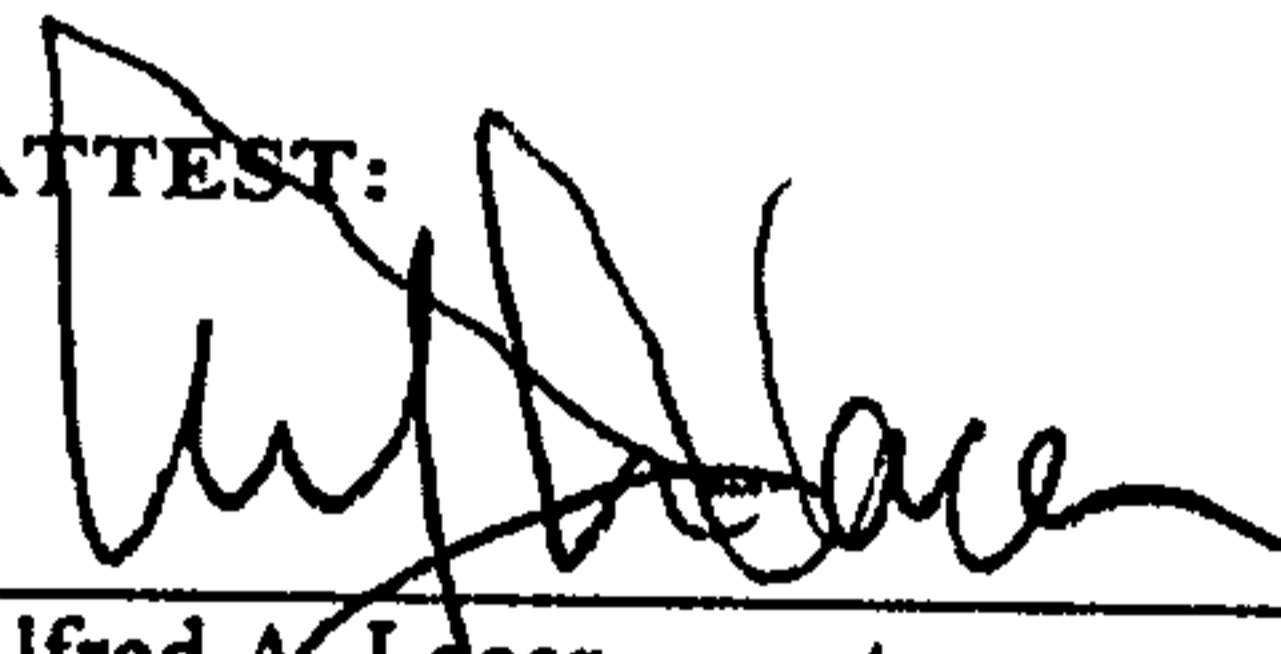
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for King James Road, County Route 31341, King James Parkway, County Route 31342, Cornwallis Court, County Route 31343, Provincial Drive, County Route 31344, Hamlet Court, County Route 31345, and Tidewater Court, County Route 31346.

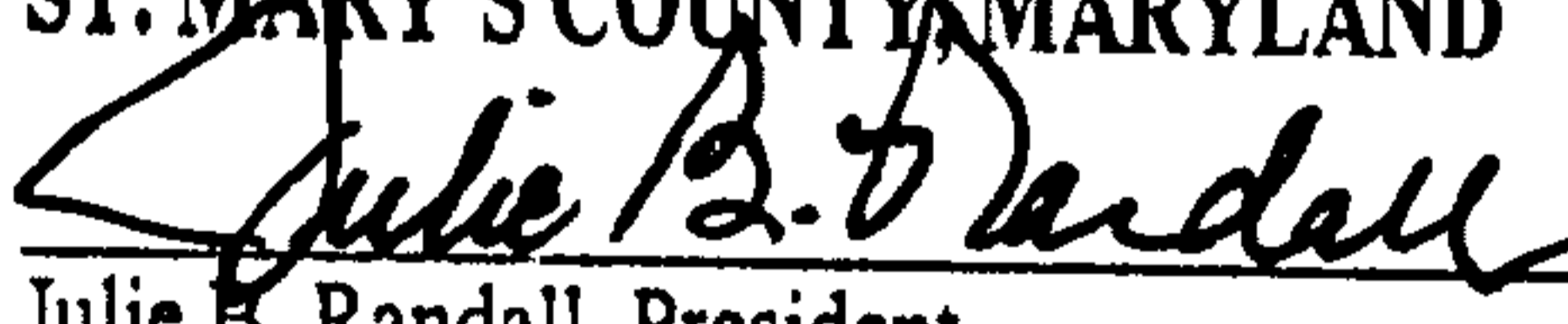
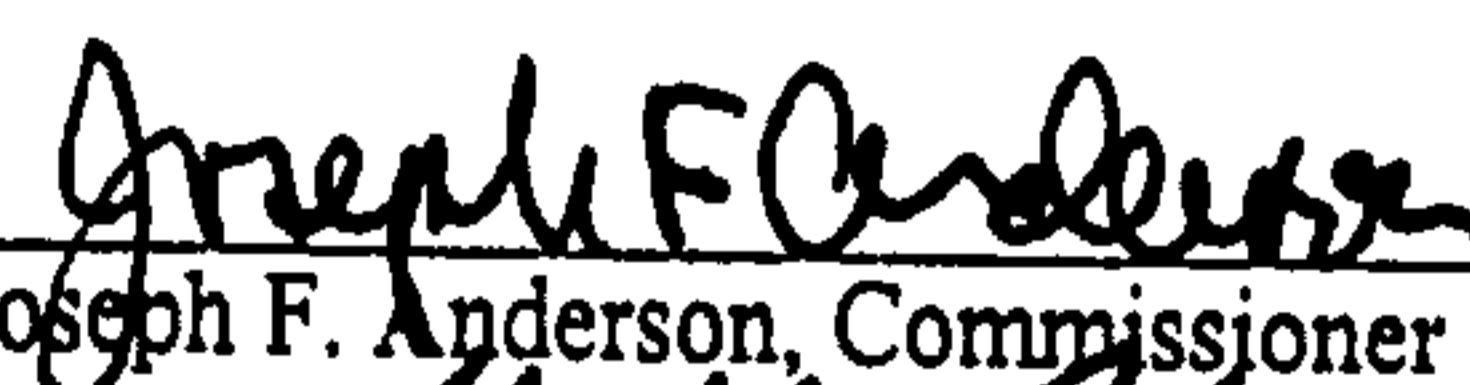

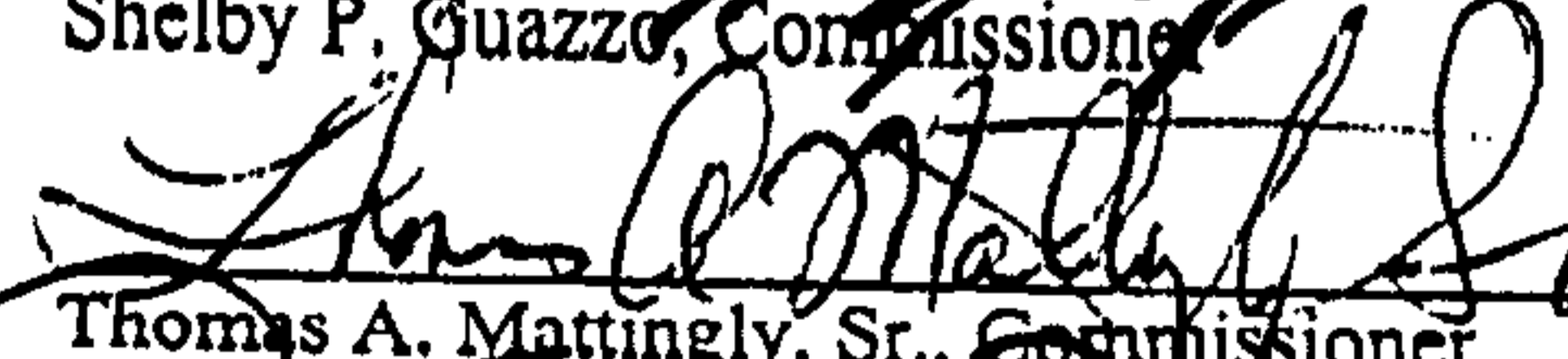
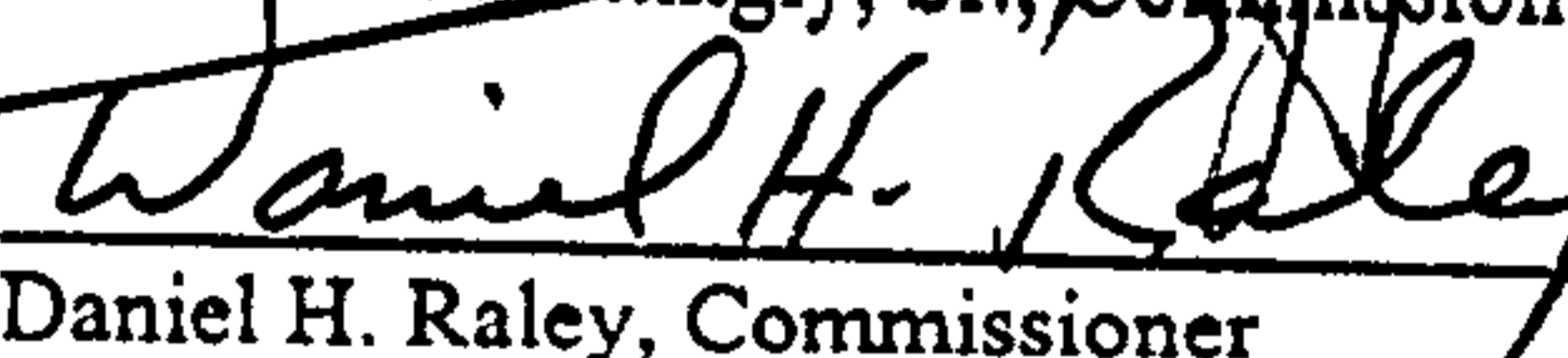
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of King James Road, King James Parkway, Cornwallis Court, Provincial Drive, Hamlet Court, and Tidewater Court, is greater than reasonable or safe, and that King James Road, County Route 31341, King James Parkway, County Route 31342, Cornwallis Court, County Route 31343, Provincial Drive, County Route 31344, Hamlet Court, County Route 31345, and Tidewater Court, County Route 31346, located in the St. James Subdivision, Sections 1 and 2, First (1st) Election District, St. Mary's County, Maryland (Plat References: EWA 46, Page 78, and EWA 48, Page 94) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.


BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

Those voting aye: All
 Those voting nay: _____
 Those abstaining or absent: _____
 Date of Adoption: 7-23-02
 Effective Date: 7-23-02

RECORDING FEE 0.00
 TOTAL 0.00
 RESUME: RCPT999999
 EWA KAE BIK#2010
 Jul 23, 2002 12:05 PM

ATTEST:

 Alfred A. Lacer
 County Administrator

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND

 Julie B. Randall, President

 Joseph F. Anderson, Commissioner

 Shelby P. Guazzo, Commissioner

 Thomas A. Mattingly, Sr., Commissioner

 Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

 John B. Norris, III
 County Attorney

LIBERO 022 PAGE 67

ORDINANCE

**AN ORDINANCE FOR THE PURPOSE OF REPEALING
THE ST. MARY'S COUNTY LIVABILITY CODE AND
ADOPTING A REVISED ST. MARY'S COUNTY
LIVABILITY CODE**

Recitals

WHEREAS, the 1986 Session of the Maryland General Assembly approved legislation codified at Maryland Annotated Code, Article 83B, Section 6-103 that requires each county to adopt minimum property maintenance standards that substantially conform to the State's Minimum Livability Code; and

WHEREAS, on July 9, 2002, for which due public notice was published in the June 26 and July 3, 2002 editions of The Enterprise, a newspaper of general circulation in St. Mary's County, the Board of County Commissioners for St. Mary's County, Maryland accepted public comment on the proposed amendments to the St. Mary's County Livability Code; and

WHEREAS, upon due consideration of the comments of the public and staff; and in furtherance of the public health, safety and welfare, it is in the best interest of the public health, safety and welfare of the citizens of St. Mary's County, Maryland, to adopt amendments to the St. Mary's County Livability Code; and

WHEREAS, all procedural requirements regarding due public notice and subsequent action of the Board of County Commissioners for St. Mary's County, Maryland have been met.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Livability Code, adopted on December 13, 1988 by Ordinance 88-33, is hereby repealed.

BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Livability Code, Exhibit "A" hereto, is hereby adopted.

BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the St. Mary's County Livability Code, Exhibit "A" hereto, shall be effective upon the date written below.

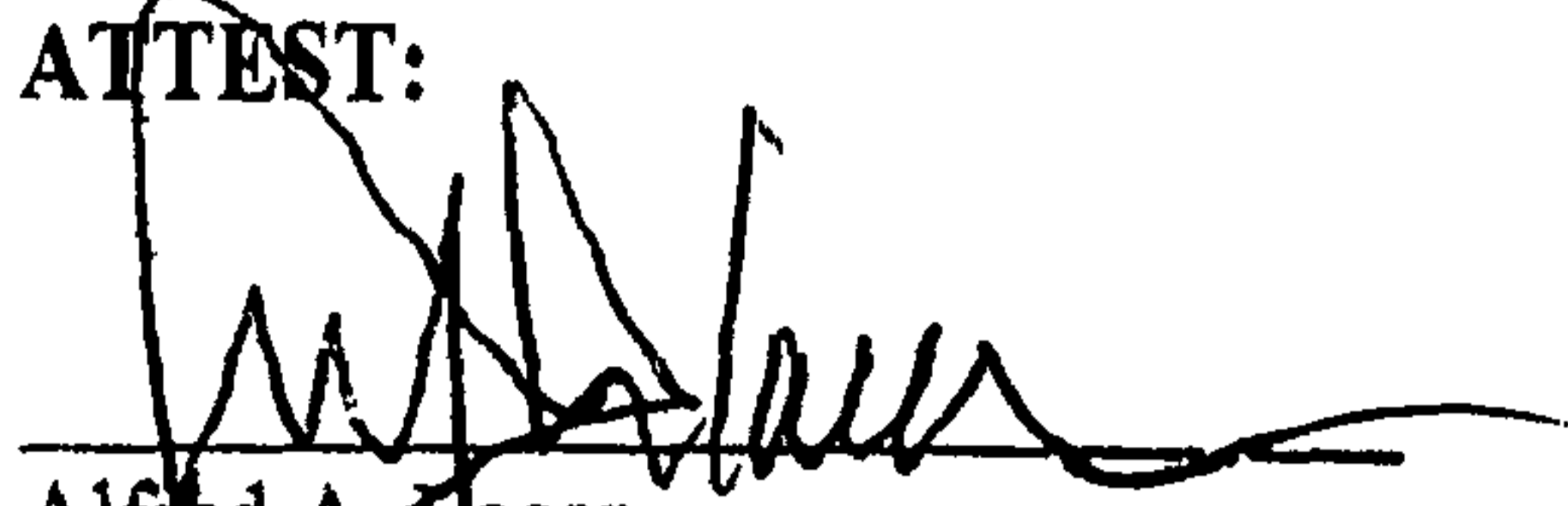
BE IT FURTHER ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

Those voting Aye:	<u>Commissioners Randall, Anderson, Guazzo, Mattingly and Raley</u>	
Those voting Nay:	<u>None</u>	
Date of Adoption:	<u>July 23, 2002</u>	RECEIVED ALL 0.00
Effective Date:	<u>July 23, 2002</u>	TOTAL 0.00


RECEIVED REPT 08/08/02
CNS COS 5/14/02
AUG 02 2002 09:25 AM

(SIGNATURES ON FOLLOWING PAGE)

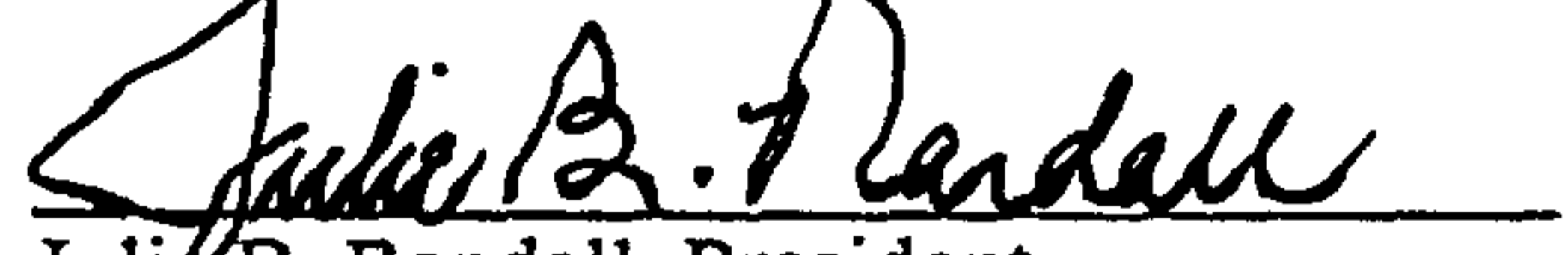
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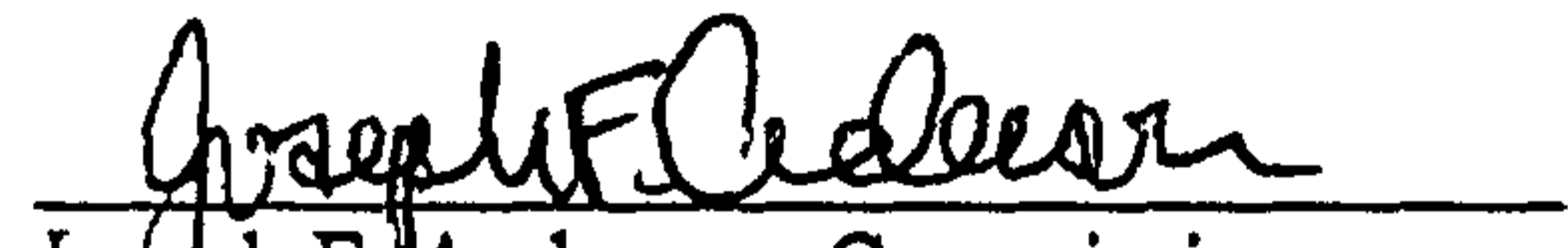

Alfred A. Lacer,
County Administrator


Approved as to form and legal
sufficiency:


John B. Norris, III
County Attorney

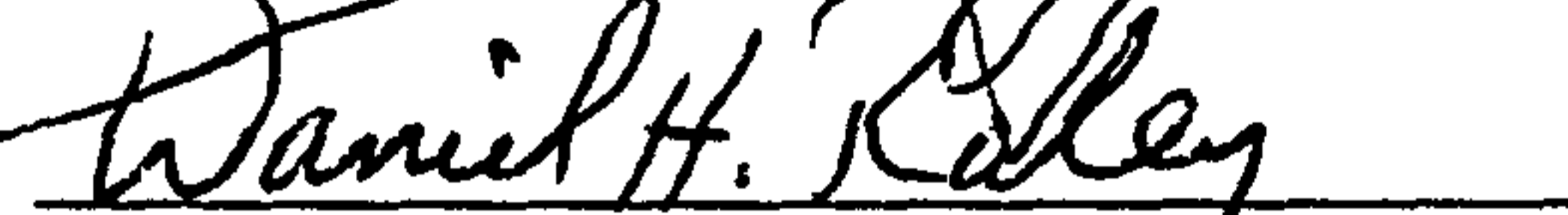
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

St. Mary's County Minimum Livability Code

- §236-1. Title.
- §236-2. Scope.
- §236-3. Construal of provisions.
- §236-4. Word usage and definitions.
- §236-5. Applicability and interpretation.
- §236-6. Enforcement.
- §236-7. Powers and duties of Code Official; access to premises by owner and operator; credentials of Code Official.
- §236-8. Condemnation.
- §236-9. Notices and orders.
- §236-10. Appeals.
- §236-11. Board of Appeals.
- §236-12. Environmental requirements.
- §236-13. Light and ventilation requirements.
- §236-14. Plumbing facility and fixture requirements.
- §236-15. Mechanical and electrical requirements.
- §236-16. Fire safety requirements.
- §236-17. Responsibilities of owners and operators and tenants.

§236-1. Title.

These regulations shall be known as the "Minimum Livability Code" or "this code."

§236-2. Scope.

This code is created to protect the public health, safety and welfare in residential structures and premises by:

- A. Establishing minimum property maintenance standards for basic equipment and facilities used for light, ventilation, heating and sanitation for residential structures and premises and for safe and sanitary maintenance of residential structures and premises.
- B. Establishing minimum requirements for residential structures and premises for means of egress, fire protection systems and other equipment and devices necessary for safety from fire.
- C. Fixing the responsibilities of property owners, operators and tenants of residential structures and premises.
- D. Providing for administration, enforcement and penalties.

§236-3. Construal of provisions.

This code shall be construed to effectively and justly protect public health, safety and welfare insofar as they are affected by the continued use and maintenance of residential structures and premises.

§236-4. Word usage and definitions.**A. Rules of interpretation.**

1. Unless otherwise expressly stated, the terms defined in Subsection B shall have the meanings indicated for purposes of this code.
2. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural the singular.
3. Where terms are not defined, through the methods authorized by this section, they shall have their ordinarily accepted meanings such as the context may imply.

B. Terms defined.

ACT - Section 6-103 of Article 83B of the Annotated Code of Maryland.

BASEMENT - That portion of a structure which is partly or completely below grade, meaning it is at least fifty percent (50%) below grade.

BUILDING CODE - The building code now or hereafter adopted by the Board of County Commissioners of St. Mary's County, or such other code as may be designated by the Board of County Commissioners for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy or maintenance of residential premises and structures

CODE - The St. Mary's County Minimum Livability Code.

CODE OFFICIAL - The Director of Permits and Inspections, his agents and designees.

CONDEMN - To declare a structure or part thereof, premises or equipment, unsafe or unfit for use or occupation.

DEPARTMENT - Locally, the St. Mary's County Department of Permits and Inspections. At the state level, it pertains to the Department of Housing and Community Development.

EXTERMINATION - The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poison spraying, fumigating, trapping or by any other pest elimination methods which have received all necessary and legally required approvals.

GARBAGE - The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

HABITABLE AREA - The space in a structure used for living, sleeping, eating or cooking including bathrooms and toilet compartments. Closets, halls, storage or utility space and similar areas are not considered "habitable areas."

HEATING - The heating system installed and adjusted so as to provide for the distribution of heat to all habitable areas.

HOUSING UNIT - A single unit of a structure providing or intended to provide complete living and sleeping facilities for one (1) or more persons.

INFESTATION - The presence, within a structure or premises of insects, rodents, vermin or other pests.

MAINTENANCE - The repair and other acts intended to prevent a decline in the condition of a structure, premises or equipment below the standards established by this code and other applicable statutes, codes and ordinances.

OCCUPANT - Any individual having possession of a space within a housing unit.

OPERATOR - Any person who has charge, care or control of a structure or premises which is offered for residential occupancy.

OWNER - The person or persons who own a structure or premises which is offered for residential occupancy.

PERSON - Includes an individual, partnership, limited partnership, trust, estate, association or corporation. For the purposes of determining common ownership for the applicability of registration requirements, any non-natural person consisting of natural person or persons that have either: (i) a controlling interest in more than one non-natural person that also owns or operates own a structure or premises which is offered for residential occupancy; or (ii) own or operate a structure or premises which is offered for residential occupancy, all rental dwelling units shall be treated as owned or operated by one person.

PLUMBING - The practice, materials, facilities and fixtures used in the installation, maintenance, extension or alteration of all piping, fixtures, appliances and appurtenances within the scope of the applicable Plumbing Code.

PLUMBING FIXTURE - A receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises and demands a supply of water therefrom; or discharges used water, liquid-borne waste materials or sewage either directly or indirectly to the drainage system of the premises; or which requires both a water supply connection and a discharge to the drainage system of the premises.

PREMISES - A lot, plot or parcel of land, including the structures thereon.

PROPERTY OWNER - Any person having a legal or equitable interest in the premises, including the guardian of the estate of any such person, or the executor or administrator of the estate of such person if ordered to take possession of the premises by a court.

RUBBISH - Paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust, appliances or other discarded materials as well as the residue from the burning of, wood, coal, coke or other combustible materials.

SECRETARY - The Secretary of the Department of Housing and Community Development.

STRUCTURE - A residential structure used or intended for human habitation.

TENANT - An occupant other than a property owner.

VENTILATION - The process of supplying and removing air by natural or mechanical means to or from any space.

1. **MECHANICAL** - Ventilation by power-driven devices.
2. **NATURAL** - Ventilation by opening to outer air through windows, skylights, doors, louvers or stacks without power-driven devices.

§236-5. Applicability and interpretation.

- A. The Minimum Livability Code shall apply to residential structures and premises used for human habitation except:
 1. Owner-occupied single-family housing units.
 2. Any housing exempted by the Department of Housing and Community Development.
 3. Any housing exempted under the authority of §236-6B of this code.
- B. Any repairs or alterations to a structure, or changes of use therein, which may be caused directly or indirectly by the enforcement of this code shall be done in accordance with the procedures and provisions of any applicable local building code, plumbing code, mechanical code and electrical code, or any other code or standard applicable to housing.
- C. The provisions in this code shall not abolish or impair any remedies available to the Board of County Commissioners or its officers, departments or agencies relating to the removal or demolition of any structures which are deemed to be dangerous, unsafe and unsanitary.
- D. All repairs, maintenance, alterations or installations which are required for compliance with this code shall be executed and installed in accordance with Code Official's determination so as to secure the results intended by this code.
- E. Local Waiver.

1. The Code Official may waive applicability of this code, in whole or part, to a housing unit or units on application of the property owner and operator if:
 - (a) Adequate prior written notice is afforded to at least one (1) adult tenant of the unit;
 - (b) The tenant is afforded an opportunity to comment on the application either in writing or in person; and
 - (c) The waiver would not threaten the property, health and/or safety of any tenant.
2. The Code Official may also waive applicability of this code on the basis of the religious practices of the occupant of the housing unit or where residency is a condition based on an employment relationship with the property owner and operator.

§236-6. Enforcement.

Local enforcement shall be the duty and responsibility of the Director of Permits and Inspections, his agents and designees to enforce the provisions of this code as herein provided. In addition to those violations that may be noted by staff of the Department of Permits and Inspections, the Code Official shall investigate those complaints made to him and his designees that are received in writing, phone, fax or e-mail or by any other acceptable source and contain the identity of the complainant. If a violation is noted, the Code Official shall re-inspect the dwelling unit found in violation annually for the following three (3) years.

A. Local enforcement. The Director of Permits and Inspections shall use his discretion in assigning penalties hereunder, considering the seriousness of the violation, the threat to life and property due to the nature of the violation(s) and the quantity of violations. Criminal penalties may be assessed, at the sole and absolute discretion of the Director of Permits and Inspections, only upon the finding of either: (1) an egregious violation threatening the life or safety of an occupant or the general public; or (2) a pattern of disregard for the requirements of this Livability Code, (i.e., twenty (20) or more violations within a 12 month period), is established. Any of the following penalties ordered under this Code shall be in addition to and not a substitute for any other penalty authorized under a federal, state or local law:

1. If the owner does not comply with an order of the Code Official to correct a violation under the provisions of this code within the time specified, and the violation threatens life or safety of the occupant(s) or the public, the Code Official may have the violation corrected. Upon completion of the corrective work, the Director of Finance shall bill the owner for the costs of the work. The owner shall pay the bill for the work within 30 days of billing. If not paid within the 30 days, the cost of the work shall be a lien against the property and shall be enforced and in every respect be treated as County real estate taxes.
2. In addition to any remedies and penalties otherwise prescribed by law, the Department of Permits and Inspections may enforce this subtitle by

an application to the Circuit Court of St. Mary's County for an injunction.

3. Criminal Penalties. (Authorized by *Article 83B, §6-103(e)*).
 - (a) A person who violates any provision of this code is guilty of a misdemeanor and, upon conviction, is subject to a fine of not more than \$500 for each day that the violation continues, imprisonment for up to 3 months, or both.
 - (b) The imposition of civil and/or criminal penalties shall not substitute for other remedial procedures or methods of legal redress. Criminal conviction shall in no manner relieve a person of other penalties or the necessity of compliance with other applicable rules, and laws.
4. Civil Penalties. (Authorized by *Article 23A, §3*).
 - (a) The Code Official may serve a citation noting a Municipal Civil Infraction to a person believed to be committing or permitting a violation of this Code or the Owner(s) of record of the property where the violation occurs. A copy of the citation shall be retained by the Code Official and shall bear a certification attesting to the truth of the matters set forth therein. The citation shall contain:
 - (1) The name and address of the person charged;
 - (2) The nature of the violation;
 - (3) The place and time of the violation;
 - (4) The amount of the fine assessed;
 - (5) The manner, location, and time in which the fine may be paid; and
 - (6) The person's right to elect to stand trial in the District Court of St. Mary's County for the violation.
 - (b) A person who receives a citation may elect to stand trial in the District Court of St. Mary's County, for the offense, by filing with the P&I Director, a Notice of Intent to Stand Trial. The Notice shall be given at least 5 days before the date of payment as set forth in the citation. On receipt of the Notice of Intention to Stand Trial, the P&I Director shall forward to the District Court a copy of the citation and the Notice of Intention to Stand Trial. On receipt of the citation, the District Court shall schedule the case for trial and notify the defendant of the trial date. All fines, penalties, or forfeitures collected by the District Court for violations shall be remitted to St. Mary's County.
 - (c) If a person who receives a citation for a violation fails to pay the fine by the date of payment set forth on the citation and fails to file a notice of intention to stand trial, a formal notice of the violation shall be sent to the person's last known address. If the citation is not satisfied within 15 days from the date of the notice, the person is liable for an additional fine not to exceed twice the original fine. If, after 35 days from the date of the citation, the citation is not satisfied, the Code Official may request adjudication of the case

through the District Court. The District Court shall schedule the case for trial and summon the cited person to appear.

- (d) In a proceeding before the District Court, the violation shall be prosecuted in the same manner and to the same extent as set forth for municipal infractions in *Article 23A*, §3(b)(8) through (15) of the Annotated Code of Maryland.
 - (e) If a person is found by the District Court to have committed a violation, that person shall be liable for the costs of the proceedings in the District Court in addition to the fine(s) levied.
 - (f) Adjudication of a violation under this subpart 4 is not a criminal conviction, nor does it impose any of the civil disabilities ordinarily imposed by a criminal conviction.
5. Retaliatory Eviction. No property owner or operator shall evict an occupant of any rental housing unit solely because the occupant or another has filed a written complaint or complaints with the Department. Nothing contained herein is intended to supersede the application or provisions of §8-208.1 of the *Real Property Article* of the Maryland Annotated Code.
6. Amount of Fines. The following schedule shall be used as a guide in assessing fines, however the Director of Permits and Inspections may use discretion in establishing the amount of a fine in a particular case, depending on the circumstances. Each day a violation continues shall constitute a new violation and shall be assessed without further citation.
- (a) Violations of §236-12, Environmental Requirements: up to \$100 per day that the violation exists.
 - (b) Violations of §236-13, Light and Ventilation Requirements: up to \$50 per day that the violation exists.
 - (c) Violations of §236-14, Plumbing and Fixture Requirements: up to \$50 per day that the violation exists.
 - (d) Violations of §235-15, Mechanical and Electrical Requirements: up to \$100 per day that the violation exists.
 - (e) Violations of §236-16, Fire Safety Requirements: up to \$250 per day that the violation exists.

In instances where a single violation could be cited under different sections of this Code, the fine shall be imposed and the citation shall only reference the section resulting in the larger fine.

- B. Displacement. Enforcement of the Minimum Livability Code shall not displace a person unless the Code Official determines that alternate housing of comparable affordability is available within the neighborhood of the vacated premises or necessary employment. Where displacement is ordered by the Code Official, no housing unit shall be rented and/or subsequently occupied by a tenant without determination by the Code Official that the dwelling unit complies with this code. However, if the cause of the displacement is deemed by the Code Official to be the responsibility of the tenant, this section shall not be applicable for such displacement.

- §236-7. Powers and duties of Code Official; access to premises by owner and operator; credentials of Code Official.**
- A. General. The Code Official shall enforce the provisions of this Code except as may otherwise be specifically provided by these regulations.
 - B. Notices and orders. The Code Official shall issue all notices and orders necessary to insure compliance with this code.
 - C. Inspections. The Code Official is authorized to enter any structure or premises at any reasonable time; upon providing reasonable notice to the property owner and operator and tenant, for the purpose of making inspections and performing duties under this Code.
 - D. Alterations and repairs.
 - 1. The Code Official has the authority to require and approve any alterations or repairs necessary to bring a structure or premises into compliance with this code. The determination of what may be necessary to bring such premises into compliance shall take into consideration state and local standards and practices together with use of other practical alternatives and equivalent approaches.
 - 2. As provided for in this code, the Code Official shall have the authority to approve changes in any alterations or repairs in the field when conditions are encountered which make the originally approved work impractical, provided that such changes in approved work can be readily determined to be in compliance with this code and are requested by the property owner and operator prior to such changes. Such changes shall be specifically documented by the property owner and operator or by his agent, describing the change in work and the reasons and justification for the change, and shall be filed with the permit for the project
 - E. Right of entry. If any property owner, operator or tenant of a structure refuses, impedes, inhibits, interferes with, restricts or obstructs entry and free access to any part of the structure or premises where inspection authorized by this code is sought, the Code Official may seek, in a court of competent jurisdiction, an order that such property owner, operator or tenant cease and desist from such interference.
 - F. Access by property owner and operator. A tenant of a structure or premises shall give the property owner and operator thereof access to any part of such structure or its premises at reasonable times upon being given reasonable notice for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this code. This reasonable notice shall depend on exigencies of life, health and safety together with the preservation of property.
 - G. Credentials. The Code Official shall disclose his credentials for the purpose of inspecting any structure or premises.
 - H. Coordination of enforcement. The inspection of structures and premises, the issuance of notices and orders and enforcement of them shall be the responsibility of the Code Official. Whenever the Code Official initiating an inspection of a premises under this code becomes aware that an inspection of

the same premises is to be made by any other governmental official or agency, the Code Official shall make a reasonable effort to arrange for the coordination of the inspections so as to minimize the number of visits by inspectors. The Code Official shall confer with the other governmental official or agency for the purpose of eliminating conflicting orders before any are issued. The Code Official shall not, however, cause the delay of the issuance of any emergency orders by any governmental official or agency which the governmental official or agency determines must be issued.

§236-8. Condemnation.

- A. General. When a structure or part thereof is found by the Code Official to be unsafe or unfit for human occupancy or use, the Code Official may condemn the structure or part thereof and may order the structure or part thereof to be placarded and vacated pursuant to the provisions of this code. The structure or part thereof shall not be reoccupied without approval of the Code Official. Unsafe equipment may be condemned, placarded and placed out of service pursuant the provisions of this code.
- B. Unsafe structure. An unsafe structure is one which all or part thereof is found by the Code Official to be dangerous to life, health, property or the safety of its tenants by not providing minimum protection from fire or because it is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that it is likely to partially or completely collapse.
- C. Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, cooking equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that it is found by the Code Official to be a hazard to life, health, property or safety of the tenants of the premises or structure. Unsafe equipment may contribute to the finding that the structure is unsafe or unfit for human occupancy or use.
- D. Structure unfit for human occupancy. A structure is unfit for human occupancy or use whenever the Code Official finds that it is unsanitary, vermin- or rodent-infested, contains filth or contamination or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code.
- E. Closing of vacant structures. Upon failure of a property owner and operator to close or vacate a premises within the time specified in an order, the Code Official may cause the premises to be closed through any available public agency or by contract or arrangement with private persons, and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate which may, in addition to other remedies, be charged and collected in the same manner as real property taxes.

§236-9. Notices and orders.

- A. General. Whenever the Code Official determines that there has been a violation of this code or has reasonable grounds to believe that a violation has occurred, or whenever the Code Official has determined to condemn any structure or part thereof or equipment under the provisions of §236-8, notice shall be given to the property owner and operator and to the tenant in the manner prescribed in this code. If the Code Official has condemned the structure or part thereof or equipment, the Code Official shall serve prior notice to the property owner and operator and to the tenants of the intent to:
 - 1. Order the structure or part thereof placarded or vacated; or
 - 2. Order the equipment placed out of service.
- B. Service of notice. Notice shall be deemed to be properly served upon a property owner and operator or tenant by one (1) of the following methods:
 - 1. By delivering to the person to be served or his agent a copy of the notice and all other necessary papers; or
 - 2. Either:
 - (a) By mailing to the person to be served at his last known address or to his agent by certified or registered mail, with return receipt requested, a copy of the notice and all other necessary papers; or
 - (b) If the certified or registered letter is returned with receipt showing that it has not been delivered, by posting a copy thereof in a conspicuous place in or about the structure affected by such notice.
- C. Notice to vacate. When a condemnation order is served on a tenant, the tenant shall be given a reasonable time to vacate the structure in accordance with state or local law.
- D. Transfer of ownership. A property owner and operator who has received a compliance order or upon whom a notice of violation has been served shall not sell, transfer, mortgage, lease or otherwise dispose of the premises until the provisions of the compliance order or notice of violation have been complied with, or until the property owner and operator shall first furnish the grantee, transferee, mortgagee or lessee a true copy of the compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, in which he acknowledges the receipt of the compliance order or notice of violation and states that he fully accepts and assumes the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation. All code violation citation notices will immediately be placed in the county land records.
- E. Removal of placard. A property owner and operator shall not cause a condemnation placard to be defaced or removed without the approval of the Code Official.

§236-10. Appeals.

Any person aggrieved by a decision of the Code Official which has been made in connection with the enforcement of any provision of this code or of a regulation adopted pursuant to this code may request, in writing, and may be granted a hearing before the

Board of Appeals in the manner prescribed in §236-12 below. Any such appeal shall be taken no later than thirty (30) calendar days following the final decision of the Code Official.

§236-11. Board of Appeals.

- A. The St. Mary's County Building Code Board of Appeals shall serve as the St. Mary's County Livability Code Board of Appeals.
- B. The Board shall be responsible for hearing and deciding any appeal taken from any decision of the Code Official concerning the enforcement of any provision of this code or of a regulation adopted pursuant to this code.
- C. In any appeal filed with the Board of Appeals, it shall hold a public hearing. In the conduct of such hearing:
 - 1. All testimony at appeal hearings shall be given under oath. The Chairperson of the Board of Appeals or, if absent, the Acting or Vice Chairperson, is authorized to administer oaths. The parties or their counsel shall present to the Board all evidence collected with reference to the appeal. Parties may present testimony and cross-examine witnesses. The parties may be represented by counsel, and the proceeding shall be conducted in accordance with regulations governing such hearings as adopted by the Board.
 - 2. A final order resulting from the hearing shall include findings of fact and conclusions of law.
 - 3. If aggrieved by a final order of the Board of Appeals, a party to the appeal may request judicial review in accordance with the provisions of Rule 7-201, *et seq.* of the Maryland Rules of Procedure. If a timely appeal for judicial review is filed, the final order shall not be stayed pending final disposition by the reviewing court.
 - 4. In carrying out the provisions of this code, the Board may issue subpoenas in aid of investigations, to compel attendance and testimony of witnesses at hearings and for the production of books, papers, records, documents or other tangible objects. Such subpoenas may be judicially enforced.
- D. The Board of Appeals may adopt rules and regulations in order to carry out the provisions of this section.

§236-12. Environmental requirement.

- A. Scope. The provisions of this regulation shall establish the minimum standards for maintenance of premises and structures.
- B. Premises conditions.
 - 1. Sanitation. All premises shall be maintained in a clean, safe and sanitary condition free from any accumulation of rubbish or garbage.
 - 2. Insect and rodent control. The premises shall be free from infestation of insects, rodents, vermin or other pests.
- C. Exterior structure.
 - 1. General. The exterior of a structure shall be maintained in good repair and shall be structurally sound and maintained in a sanitary condition

so as not to pose a threat to the health, safety or welfare of the occupants.

2. Structural members. All supporting structural members of a structure shall be kept structurally sound, free of deterioration and maintained capable of safely bearing the dead and live loads imposed upon them.
3. Exterior surfaces. Every foundation, exterior wall, roof and all other exterior surfaces shall be maintained in good repair and shall be kept in such condition as to exclude rodent and other pests.
4. Foundation walls. All foundation walls shall be structurally sound and shall be maintained free from open cracks and breaks.
5. Exterior walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or the occupied areas of the structure. All exterior surface materials, including wood, composition or metal siding, shall be maintained weatherproof and shall be properly surface-coated when required to prevent deterioration.
6. Roofs and drainage. The roof shall be structurally sound and shall not have defects which might admit rain. Roof drainage shall be adequate to prevent rainwater from causing dampness or deterioration in the walls or interior portion of the structure.
7. Decorative features. All cornices, entablatures, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in a safe condition.
8. Signs, marquees and awnings. All canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair, be properly anchored and kept in a safe and sound condition. They shall be protected from the elements and against decay and rust by the periodic application of a weather-coating material such as paint or other protective treatment.
9. Chimneys. All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally sound, safe and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather, coating materials, such a paint or similar surface treatment.
10. Stairs and porches. Every exterior stair, porch, fire escape, balcony and all appurtenances attached thereto shall be safe in use and capable of supporting the anticipated loads and shall be maintained in a safe and sound condition and good repair.
11. Windows, doors and frames. Every window, door and frame shall be maintained so as to exclude rain and rodents as completely as possible and to substantially exclude wind from entering the structure.
12. Weathertight. Every window and exterior door shall be fitted reasonably in its frame and be weathertight Every window shall be free of cracks and holes.

13. Openable windows. Every window used for ventilation or emergency escape shall be capable of being easily opened from the inside and shall be held in position by window hardware.
14. Insect screens.
 - (a) During the period from April 1 to December 1, every door and window or other outside opening used for ventilation purposes shall be supplied with tight-fitting insect screens.
 - (b) Exception. Upon the prior approval of the Code Official, screens shall not be required for exterior doors or other types of openings which make screening impractical, such as openings equipped with air-conditioning units or openings above the fourth floor. The Code Official may require alternatives to screens.
15. Door hardware. Every exterior door and its hardware shall be maintained in good condition. Door locks on all interior and exterior doors entering housing units shall be in good repair and capable of tightly securing the door.

D. Interior structure.

1. General. The interior of a structure and its equipment and facilities shall be maintained in good repair, structurally sound and in a sanitary condition so as not to pose a threat to the health, safety or welfare of the occupants.
2. Structural members. The supporting structural members of a structure shall be maintained structurally sound, free of deterioration and maintained capable of safely carrying the imposed loads.
3. Interior surfaces. Floors, walls (including windows and doors), ceilings and other interior surfaces shall be maintained in good repair and in a clean, safe and sanitary condition.
4. Bathroom and kitchen floors. Every toilet, bathroom and kitchen floor surface shall be maintained so as to be substantially impervious to water to permit such floor to be easily kept in a clean and sanitary condition.
5. Sanitation.
 - (a) The interior of a structure shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. Rubbish or garbage shall be properly kept inside temporary storage facilities. Rubbish or garbage shall not be allowed to accumulate or be stored in public halls or stairways.
 - (b) A structure shall be kept free from infestation, and where infestation is found, the area shall be promptly exterminated by processes which will not be injurious to human health. Continuing or repeated incidents of infestation, as determined by the Code Official, shall require the installation of rodent- and vermin proof walls. The rodent- and vermin proof walls shall be installed in accordance with the, applicable local Building Code.
6. Exit doors. Every door available as an exit shall be capable of being opened easily from the inside.

7. Exit facilities. An interior stairs and railings and other exit facilities of a structure shall be maintained in sound condition and good repair. Every interior stair used for exit shall be maintained so as to be safe to use and capable of supporting the anticipated loads.

§236-13. Light and ventilation requirements

A. General.

1. Scope. The provisions of this regulation shall govern the minimum standards for basic equipment and facilities used for light and ventilation of a structure.
2. Alternative methods and devices. In place of the means for natural light and ventilation herein prescribed, alternative arrangement of windows, louvers or other devices or methods that will provide the equivalent minimum performance requirements shall be permitted in order to comply with the applicable local Building Code.

B. Light.

1. General. All areas in a structure shall be provided sufficient light as not to endanger health and safety. All areas in a structure shall be provided with natural light or equipment to accommodate artificial light of sufficient intensity and distributed so as to permit the maintenance of sanitary conditions and the safe use of the area and the appliances, equipment and fixtures.
2. Common halls and stairways. Every common hall and stairway in a structure, other than one and two-family structures, shall be adequately lighted at all times with an illumination equivalent to the foot candles provided by at least a sixty-watt standard incandescent light bulb for each two hundred (200) square feet of floor area, provided that the spacing between lights shall not be greater than thirty (30) feet. Every exterior stairway shall be illuminated.

C. Ventilation.

1. General. All areas in a structure shall be provided sufficient ventilation so as not to endanger health and safety.
2. Mechanical ventilation. Where mechanical ventilation is provided in lieu of natural ventilation, such mechanical ventilating system shall be maintained in operation during the occupancy of the structure or portion thereof. When part of the air provided by a mechanical ventilation system is recirculated, the portion or volume of air recirculated shall not be recirculated to a different habitable area.

§236-14. Plumbing facility and fixture requirements.

- A. Scope. The provisions of this regulation shall govern the minimum standards for plumbing facilities and fixtures.
- B. Required plumbing facilities. Every housing unit shall include, its own plumbing facilities which shall be maintained in proper operating condition, can be used in privacy and are adequate for personal cleanliness and the

disposal of human waste. The following minimum plumbing facilities shall be supplied and maintained in a sanitary and safe working condition.

1. Water closet and lavatory. Every housing unit shall contain within its walls, a room separate from other habitable areas, which provides a water closet supplied with cold running water and which affords privacy. A lavatory shall be placed in the same room as the water closet or located in another room, in close proximity to the door leading directly into the room in which said water closet is located. The lavatory shall be supplied with hot and cold running water.
 2. Bathtub or shower. Every housing unit shall contain a room which is equipped with a bathtub or shower supplied with hot and cold running water and which affords privacy.
 3. Kitchen sink. Every housing unit shall contain a kitchen sink apart from the lavatory required under Subsection B(1), and such sink shall be supplied with hot and cold running water.
- C. Alternative plumbing. Alternative plumbing facilities and fixtures for use in housing units may be allowed as approved on a case-by-case basis by those local applicable authorities/ boards.
- D. Plumbing fixtures.
1. General. All plumbing fixtures shall be maintained in a safe and usable condition. All plumbing fixtures shall be of nonabsorbent material and shall have received all necessary and legally required approvals.
 2. Connections. Water supply lines, plumbing fixtures, vents and drains shall be properly installed, connected and maintained in working order and shall be kept free from obstructions, leaks and defects and shall be capable of performing the function for which they are designed. All repairs and installations shall be made in accordance with the provisions of the applicable local Building Code or applicable local Plumbing Code.
 3. Maintenance. All plumbing fixtures shall be maintained in a clean and sanitary condition so as not to breed insects and rodent, or produce dangerous or offensive gases or odors.
 4. Access for cleaning. Plumbing fixtures shall be installed to permit easy access for cleaning both the fixture and the area around it.
- E. Water system.
1. General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing facility shall be properly connected to either a public water system or to a private water system which has received all necessary and legally required approvals.
 2. Contamination. The water supply system shall be maintained free from contamination. All water inlets for plumbing fixtures shall be located above the overflow rim of the fixture.
 3. Water supply. The water supply system shall be installed and maintained to provide at all times a supply of water to plumbing facilities, fixtures, devices and appurtenances in sufficient volume and at pressures adequate enable them to function satisfactorily.

4. Water-heating facilities. Water-heating facilities shall be installed in a manner which has received all necessary and legally required approvals, properly maintained and properly connected with hot-water line to the fixtures required to be supplied with the hot water. Water-heating facilities shall be capable of heating water to such a temperature so as to permit an adequate amount of water to be drawn at every kitchen sink, lavatory basin, bathtub, shower and laundry facility or other similar facilities, at a temperature of not less than one hundred ten degrees Fahrenheit (110° F).
5. Alternative water systems. Alternative water systems may be allowed as approved on a case-by-case basis by the local Health Department.

F. Sewage System.

1. General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing facility shall be properly connected to either a public sewer system or private sewage disposal system which has received all necessary and legally required approvals.
2. Maintenance. Every plumbing stack, waste and sewer line shall be installed and maintained so as to function properly and shall be kept free from obstructions, leaks and defects to prevent structural deterioration or health hazards. A repairs and installations shall be made in accordance with the provisions of the applicable local building code or applicable local plumbing code.

§236-15. Mechanical and electrical requirements.

- A. Scope. The provisions of this regulation shall govern the minimum standards for mechanical and electrical facilities and equipment.
- B. Heating facilities.
 1. Residential structures.
 - (a) Every housing unit shall be supplied with sufficient heat or heating equipment capable of supplying sufficient heat during the period from October 1 to May 15 to maintain a room temperature of not less than sixty-five degrees Fahrenheit (65° F.) in all habitable areas during the hours between 6:30 a.m. and 10:30 p.m. of each day and maintain a temperature of not less than sixty degrees Fahrenheit (60° F.) during other hours. The temperature shall be measured at a point three (3) feet above the floor and three (3) feet from exterior walls.
 - (b) Exception. When the exterior temperature falls below zero degrees Fahrenheit (0° F) and the heating system is operating at its full capacity, a minimum room temperature of sixty degrees Fahrenheit (60° F) shall be maintained at all times.
 2. Cooking and heating equipment. All cooking and heating equipment, components and accessories in every heating, cooking and water-heating device shall be maintained free from leaks and water flow obstructions and kept functioning properly so as to be free from fire, health and safety hazards. All installations and repairs shall be made in

accordance with the provisions of the applicable local building code or other applicable laws or ordinances thereto. Portable cooking equipment employing flame is prohibited, except for residential-type food trays or salvers which are heated by a candle or alcohol lamp and which have received all necessary and legally required approvals.

3. Installation. All mechanical equipment used for heating and cooking shall be properly installed and safely maintained in good working condition and shall be capable of performing the function for which it was designed and intended.
4. Fuel-burning equipment. All fuel-burning equipment, shall be connected to a chimney, flue or vent in accordance with applicable local or state codes or per manufacturer's instructions in cases where no local or state codes apply.
5. Clearances. All necessary and legally required clearances to combustible materials shall be maintained.
6. Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation in accordance with applicable local or state codes as per manufacturer's instructions in cases where no local or state codes apply.
7. Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space shall be provided the fuel-burning equipment.
8. Unauthorized devices. Devices purporting to reduce gas consumption by attachment to a gas appliance, the gas supply line thereto or the vent outlet or vent piping therefrom shall not be used unless labeled for such use and the installation has specifically received all necessary and legally required approvals.
9. Fireplaces. Fireplaces and other construction and devices intended for use similar to a fireplace shall be stable and, structurally safe and connected to chimneys which have, received all necessary and legally required approvals.
10. Climate control. When facilities for interior climate control (heating, cooling and humidity) are integral functions of housing units, such facilities shall be maintained and operated in accordance with the designed capacity.

C. Electrical facilities.

1. Facilities required. Provided that there is usable electric service available from a power line not more than three hundred (300) feet away, a structure shall be adequately and safely provided with an electrical system in compliance with the requirements of this section.
2. Receptacles. Every habitable area in a housing unit shall contain at least one (1) receptacle outlet. Every laundry area and bathroom shall contain at least one (1) grounded type receptacle. Every kitchen shall contain at least two (2) receptacles.

3. Lighting fixtures. Every public hall, interior stairway, water closet compartment, bathroom, laundry room and furnace room shall contain at least one (1) electrical lighting fixture.
4. Service. When the electrical system requires modification to correct a violation of this section, the service shall be corrected to a minimum of sixty-ampere three-wire service.
5. Installation. All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws. All electrical equipment shall be of a type which has received all necessary and legally required approvals.

§236-16. Fire safety requirements.

- A. Scope. The provisions of this regulation shall govern the minimum standards for fire safety facilities and equipment. All structures shall be constructed and maintained to prevent and avoid fire hazards and in a manner conducive to fire safety.
- B. Means of egress.
 1. General. A safe, continuous and unobstructed means of egress shall be provided from the interior of a structure to the exterior at a street, yard, court or passageway leading to a public open area at grade.
 2. Direct exit. Every housing unit shall have access directly to the or to a common area that leads directly to the outside.
 3. Doors. All doors in the required means of egress shall be, easily opened from the inner side.
 4. Fire escapes. All fire escapes shall be maintained in working condition and structurally sound.
 5. Exit signs. All exit signs shall be illuminated and visible.
 6. Emergency escape. Every sleeping room located in a basement shall have at least one (1) openable window or exterior door for emergency egress or rescue which has received all necessary and legally required approvals or shall have access to two (2) separate exits which have received all necessary and legally required approvals.
- C. Accumulations and storage.
 1. General. Garbage or rubbish shall not be allowed to accumulate in stairways, passageways, doors, windows, fire escapes or other means of egress.
 2. Flammable matter. Highly flammable or explosive matter, such as paints, volatile oils and cleaning fluids or combustible rubbish, such as waste paper, boxes and rags, shall not be accumulated or stored on premises except in reasonable quantities consistent with normal usage.
 3. Residential unit. A housing unit shall not be located within a structure containing an establishment handling, dispensing or storing flammable liquids with a flash point of one hundred degrees Fahrenheit (100° F.) or lower, except as provided for in the applicable local Building Code.
- D. Fire-resistance ratings. Floors, walls, ceilings and other elements and components which are required by the applicable fire code to comply with a

fire-resistance rating shall be maintained so that the respective fire-resistance rating of the enclosure, separation or construction is preserved.

E. Fire protection systems.

1. General. All fire protection systems and equipment shall be maintained in proper operating condition at all times.
2. Smoke detectors. All housing units shall be provided with a minimum of one (1) single-station smoke detector in the vicinity of each sleeping area. The smoke detectors shall be installed and maintained in accordance with the state fire laws, Annotated Code of Maryland, Article 38A, §12A. Smoke detection systems. When actuated, the smoke detector shall provide an alarm suitable to warn the occupants within the unit, which shall include the appropriate warning for the visual, hearing or otherwise impaired tenant of the unit.
3. Fire suppression system. Fire suppression systems in housing units so equipped shall be maintained in good condition, free from mechanical defect. Sprinkler heads shall be kept clean and free of corrosion and paint and shall not be bent or damaged.
4. Fire extinguishers. All portable fire extinguishers in housing units so equipped shall be visible and accessible and maintained in an efficient and safe operating condition.

F. Fire doors. All necessary and legally required fire-resistance rated doors or smoke barriers shall be maintained in good working order, including all hardware necessary for the proper operation thereof. The use of door stops, wedges and other hold open devices which have not received all necessary and legal approvals or which have been denied approval is prohibited.

§236-17. Responsibilities of owners and operators and tenant.

- A. Scope. Only the property owner or operator and the tenant shall be responsible for compliance with the provisions of this code and may be cited for violations thereof, except as provided in this Code. No property owner or operator shall permit a tenant to occupy a structure or premise which is not in compliance with provisions of this code unless waiver approval is obtained under §236-6B of this code. After the tenant takes possession of the housing unit, the tenant is responsible for promptly reporting discrepancies regarding the housing unit (in writing) to the property owner and operator that occur after occupancy. This written notice to the property owner and operator must occur first and record of such notice presented to the Code Official before enforcement of this code under §236-6 occurs, unless enforcement is deemed necessary for safety by the Code Official.
- B. General. A property owner and operator may not be cited for a violation of this code that is caused by the negligent, wrongful or malicious acts or omissions of a tenant, provided that the property owner's and operator's acts and omissions have not materially contributed in any way to cause such violation.
- C. Sanitary condition.

1. Cleanliness. The tenant shall be responsible for keeping that part of the structure or premises which the tenant occupies, controls or uses in a clean and sanitary condition. Every property owner and operator of a structure containing two (2) or more housing units shall maintain, in a clean and sanitary condition, the common areas of the structure and premises.
2. Disposal and storage of rubbish and garbage. The tenant shall be responsible for the storage and disposal of rubbish and garbage in a clean and sanitary manner as may be required by applicable laws or ordinances.
3. Supplied fixtures and equipment. The tenant shall be responsible for keeping owner-supplied equipment and fixtures clean and sanitary and for the exercise of reasonable care in their proper use and operation. The property owner and operator shall be responsible for maintaining such equipment and fixtures in good and proper operating condition.
4. Furnished by tenant. The tenant shall be responsible for the maintenance of equipment and fixtures furnished by the tenant. Such equipment and fixtures shall be properly installed and shall be maintained in good working condition, kept clean and sanitary and free of defects, leaks or obstructions.

D. Extermination.

1. All structures. If necessary, the property owner and operator shall be responsible for extermination within the structure and on the premises prior to renting or leasing the structure.
2. Single occupancy. The tenant of a structure containing a single housing unit shall be responsible for the extermination of any insects rodents or other pests in the structure or the premises.
3. Multiple occupancy. Every property owner and operator of a structure containing two (2) or more housing units shall be responsible for the extermination of any insects, rodents or other pests in the structure or on the premises except where infestation within a housing unit is caused by a failure of the tenant to take reasonable action to prevent such infestation within the housing unit.

- E. Fire safety. Responsibility for installing and maintaining in, good working order any smoke detector installed pursuant to this code shall be in accordance with the state fire laws, Annotated Code of Maryland, Article 38A, §12A, Smoke detection systems.

NO.: 02- 29
SUBJECT: FDR Boulevard and First Colony Boulevard
Speed Limit
First Colony Subdivision

LIBERO 0 2 2 PAGE 0 8 9 RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-1 of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit for road classifications as set forth in Transportation Article 21-801.1(b)(1)(4) of the Maryland Annotated Code for FDR Boulevard, County Route 31335, and First Colony Boulevard, County Route 31336, located in the First Colony Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland, and shown on the Record Plat recorded at EWA 48, Page 28, is less than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

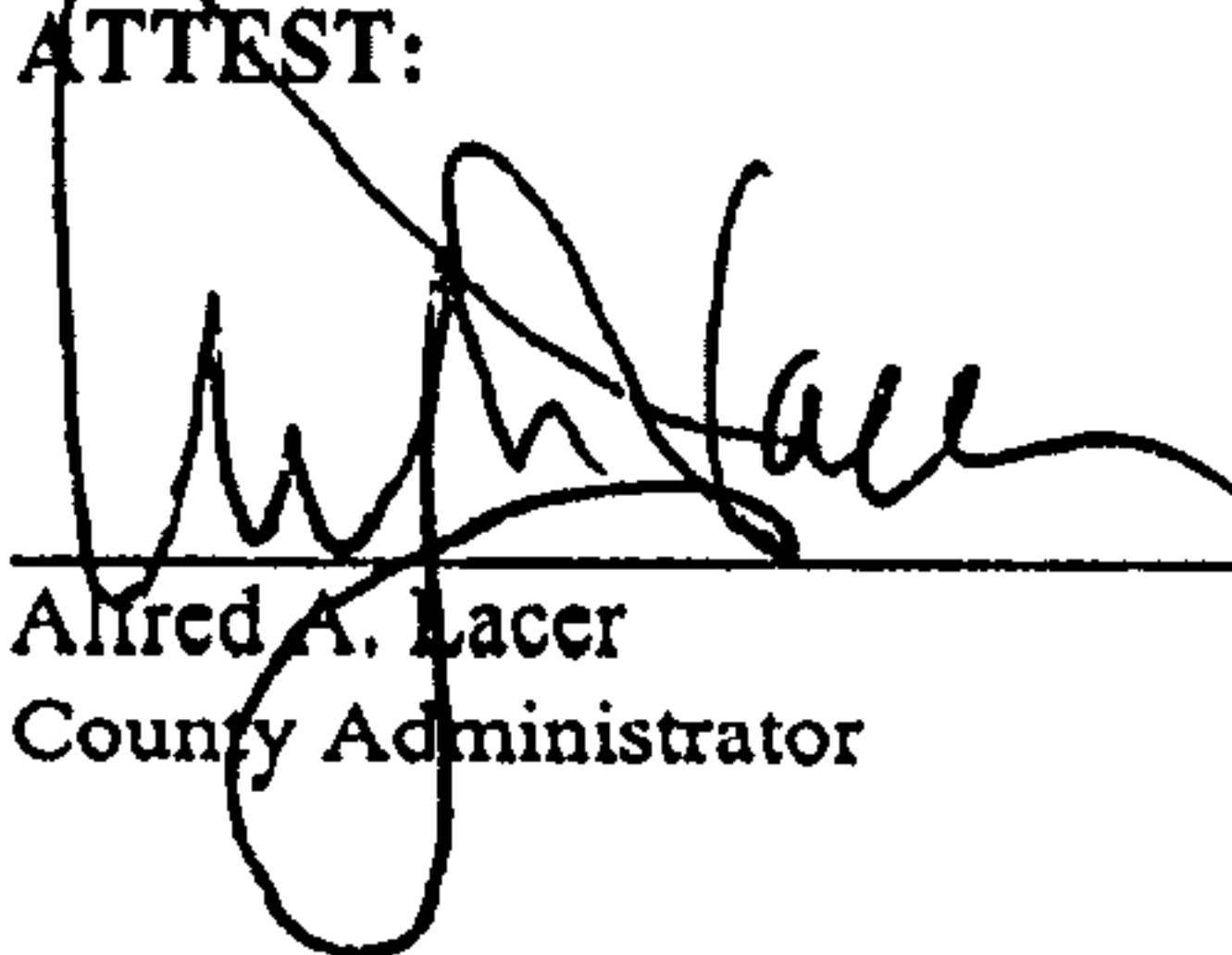
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has recommended that 35 miles per hour is a reasonable and safe maximum speed for FDR Boulevard, County Route 31335, and First Colony Boulevard, County Route 31336, in accordance with Transportation Article 21-803(a)(1)(ii) of the Maryland Annotated Code.

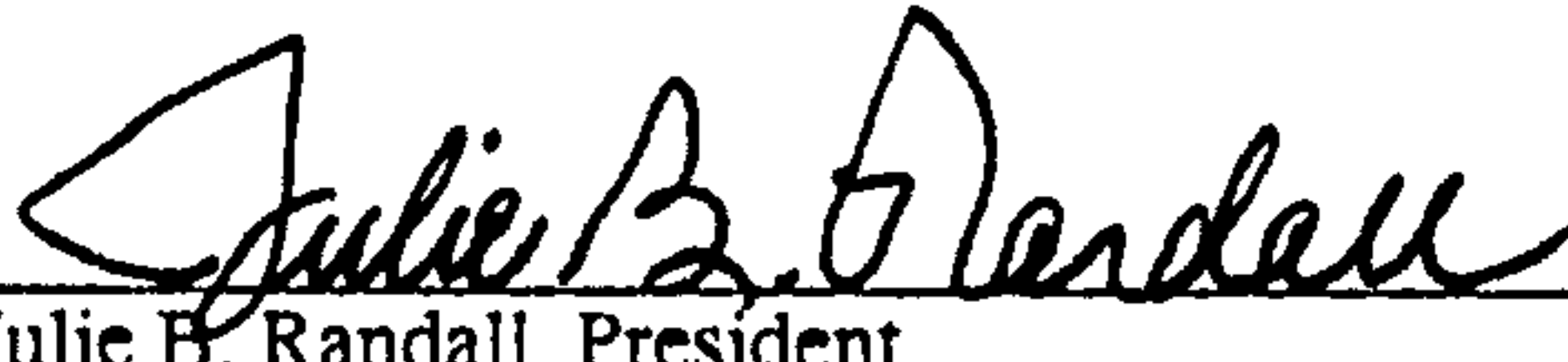


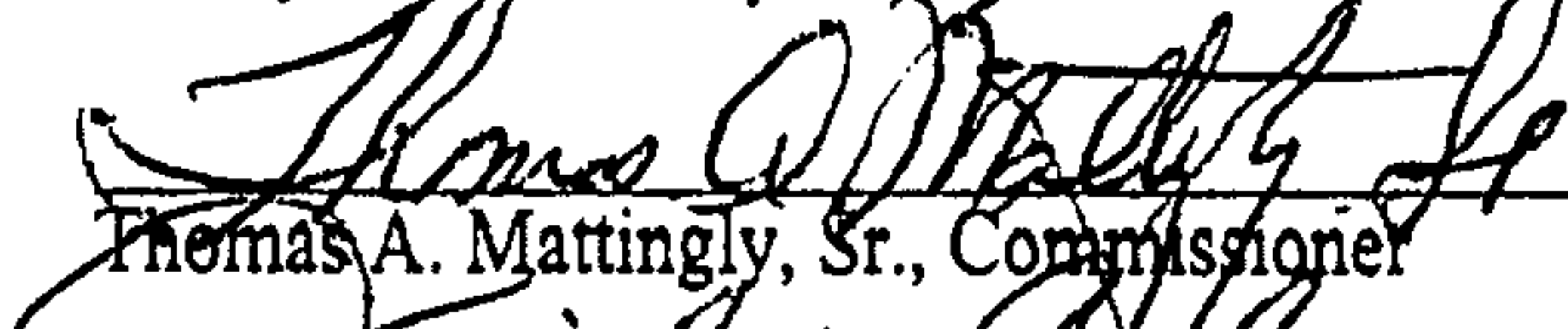
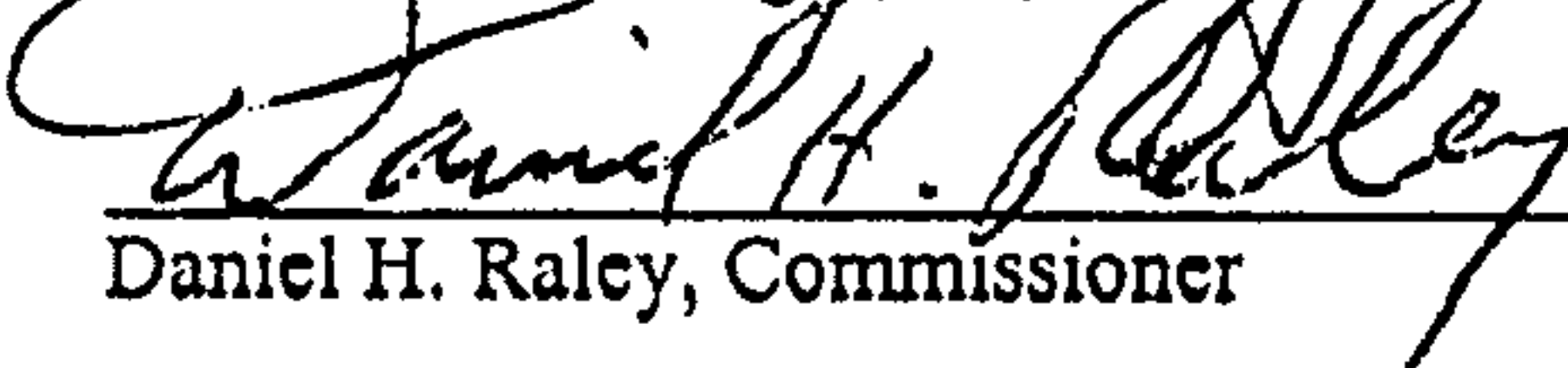
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of FDR Boulevard and First Colony Boulevard is greater than reasonable or safe, and that FDR Boulevard, County Route 31335, and First Colony Boulevard, County Route 31336, located in the First Colony Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 48, Page 28) be posted at 35 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.


BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

Those voting aye: all
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 7/30/02
Effective Date: 7/30/02

RECORDING FEE 0.00
TOTAL 0.00
RECEIVED REC-1000000
LMA CSS 11K7144
AUG 02, 2002 09:30 am

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall, President

Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:

John B. Norris, III
County Attorney

RESOLUTION

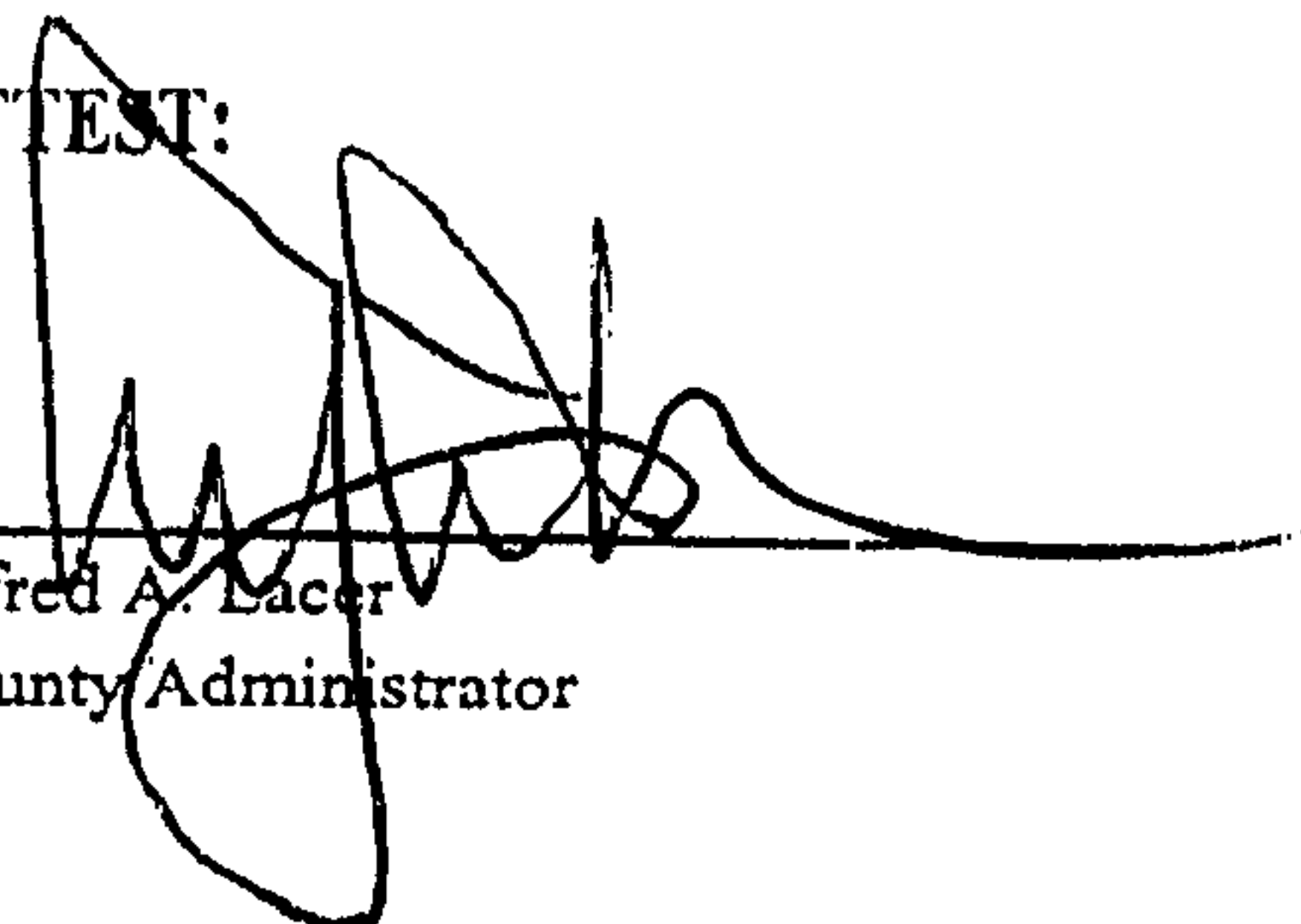
WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

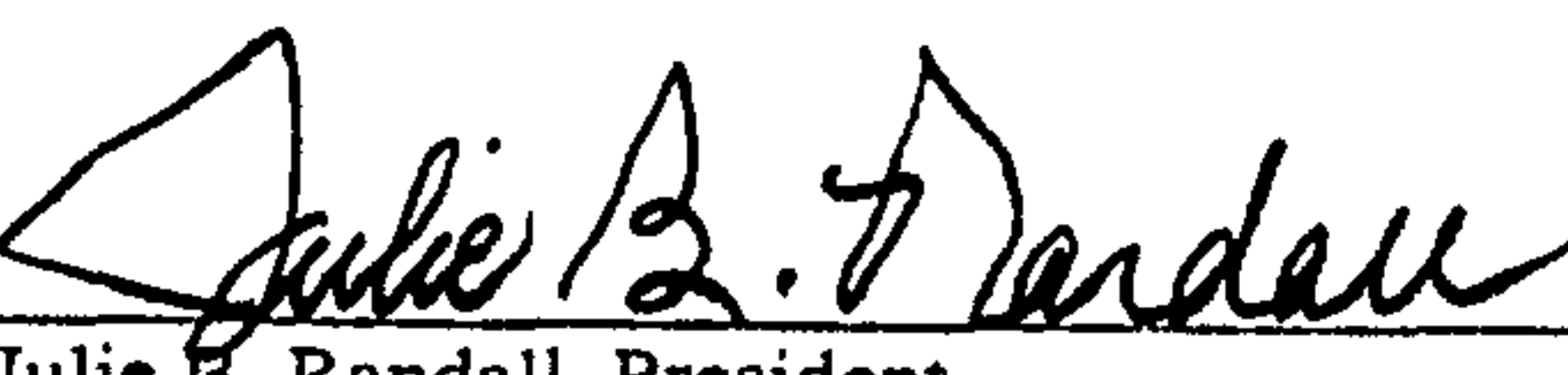
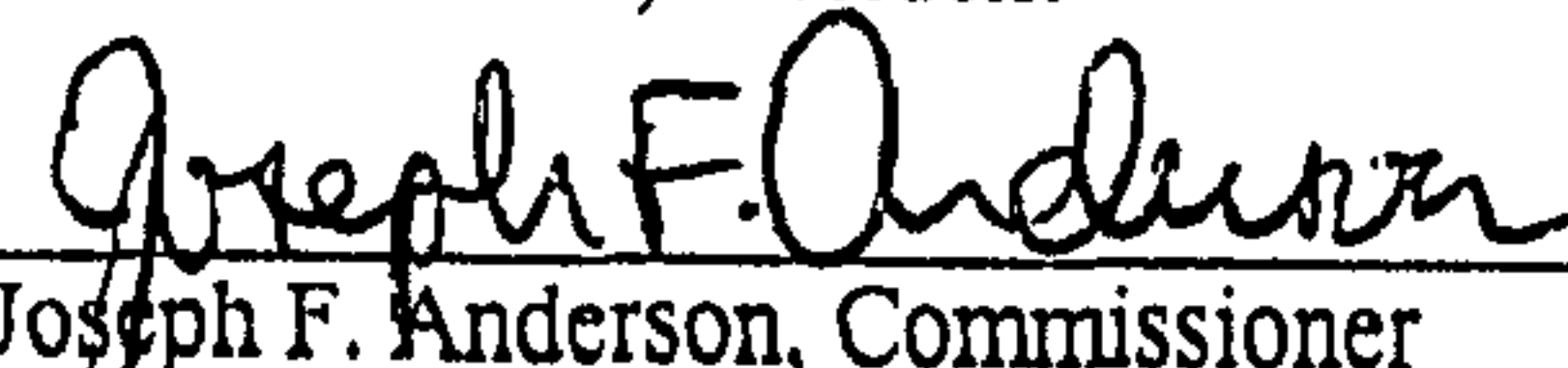
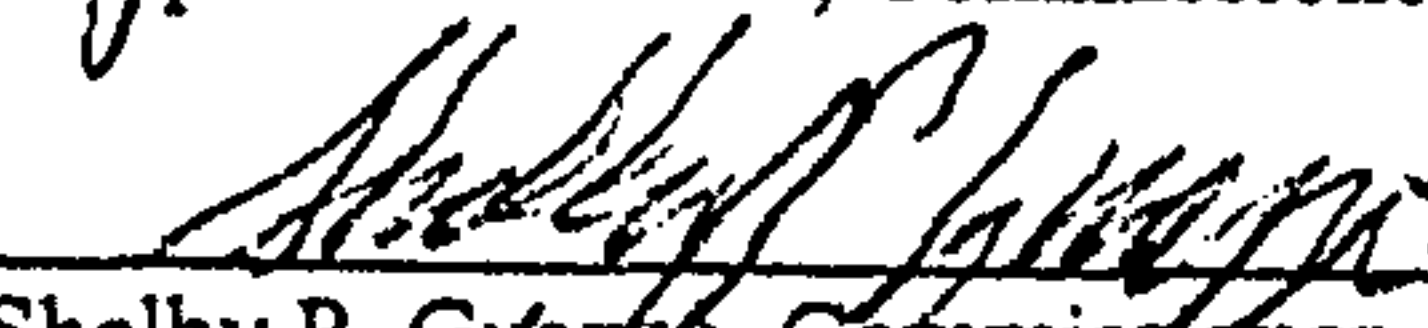
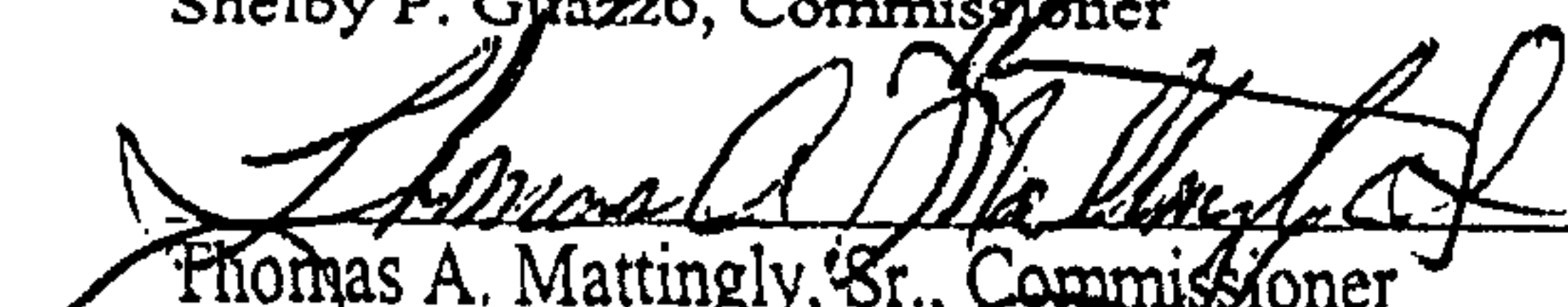
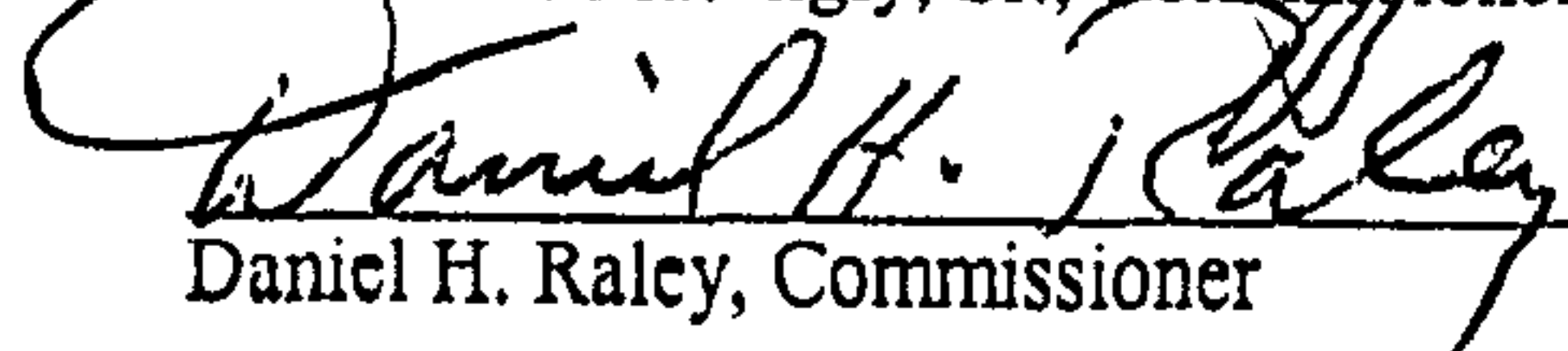
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated August 2, 2001, and Record Plat recorded at EWA 52, Page 122, for Dean Forest Court, County Route 31340.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that Dean Forest Court, County Route 31340, located in the Dean Forest Subdivision, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 52, Page 122) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Dean Forest Court, County Route 31340, into the County's Highway Maintenance System.

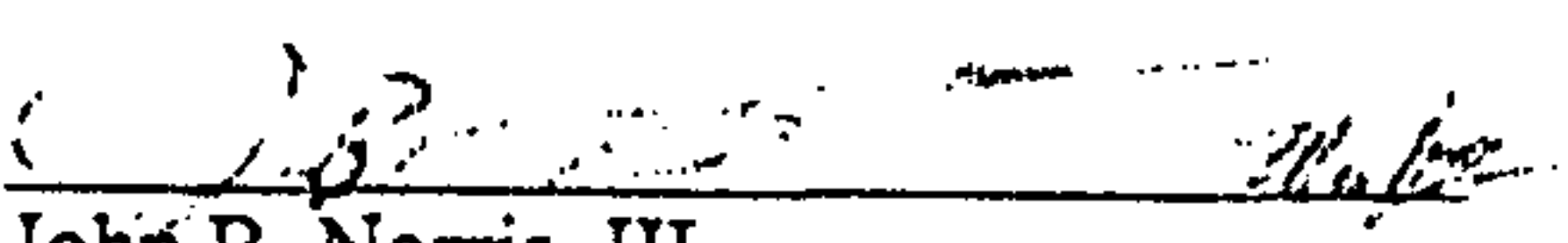
Those voting aye: all
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 7/30/02
Effective Date: 7/30/02

RECORDING FEE 0.00
TOTAL 0.00
REGISTRATION FEE 999999
LHA 035 814144
AUG 02 1002 09:31 AM

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall, President

Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

NO.: 02-31
SUBJECT: Dean Forest Court
Stop Sign
Dean Forest Subdivision

LIBERO 022 PAGE 91

RESOLUTION

WHEREAS, pursuant to Section 1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersection of Dean Forest Court, County Route 31340, located in the Dean Forest Subdivision, Third (3rd) Election District, St. Mary's County, Maryland, pursuant to Record Plat recorded at EWA 52, Page 122, as a threat to public safety and a hazardous condition due to the absence of a traffic control device at this intersection; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at this intersection by means of a traffic control device, specifically, a stop sign on Dean Forest Court, County Route 31340, at the intersection with Medley's Neck Road (MD Route 244).

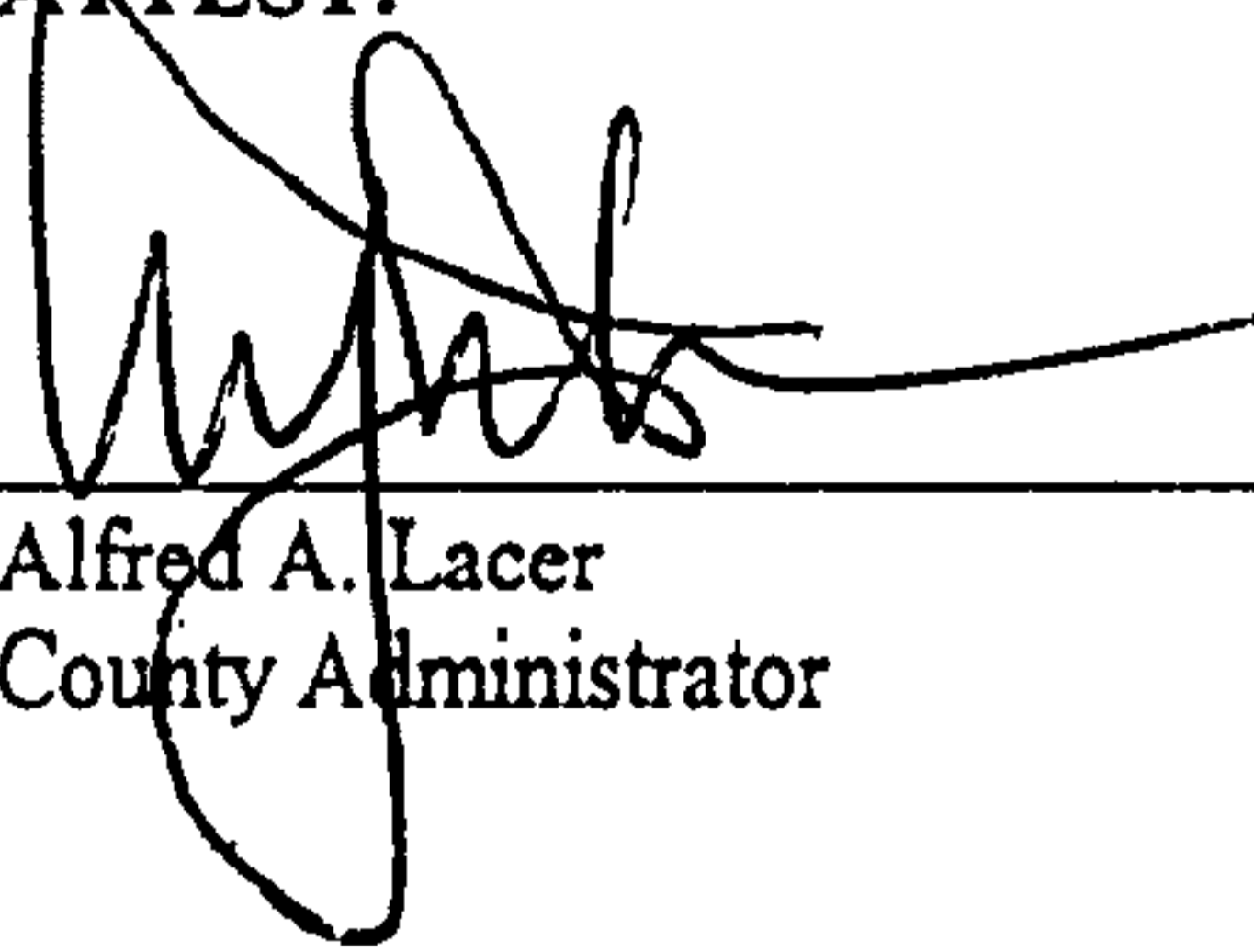
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Dean Forest Court, County Route 31340, and Medley's Neck Road (MD Route 244); and in the interest of public safety and to eliminate a hazardous condition, Dean Forest Court, County Route 31340, further identified as being located in the Dean Forest Subdivision, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 52, Page 122) shall be designated as a Stop Street, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically a stop sign on Dean Forest Court, County Route 31340, at the intersection with Medley's Neck Road (MD Route 244).

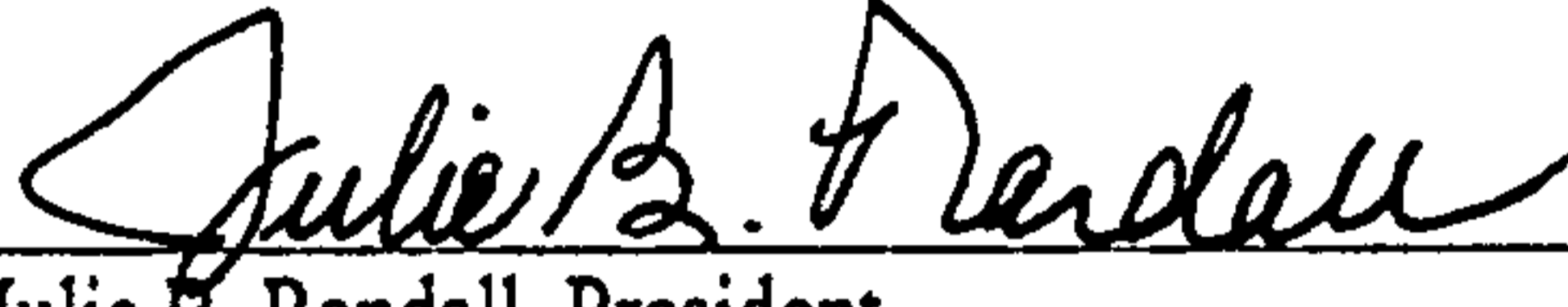


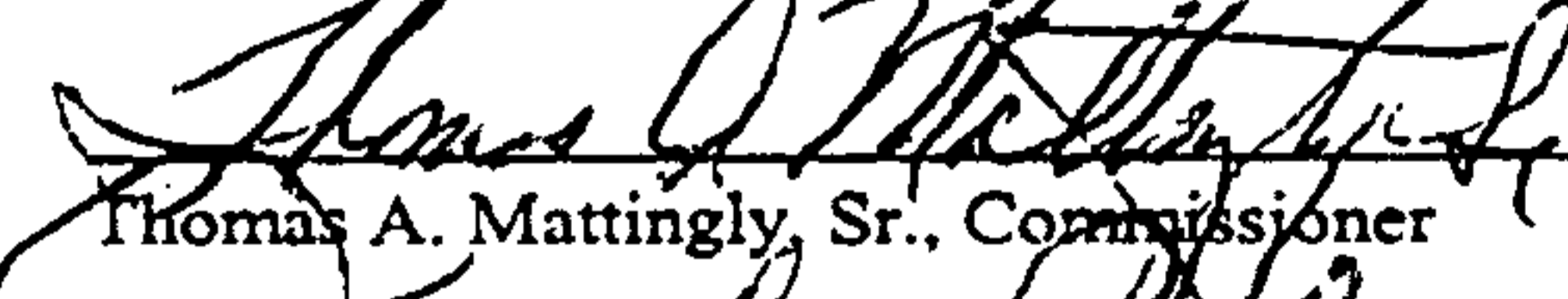
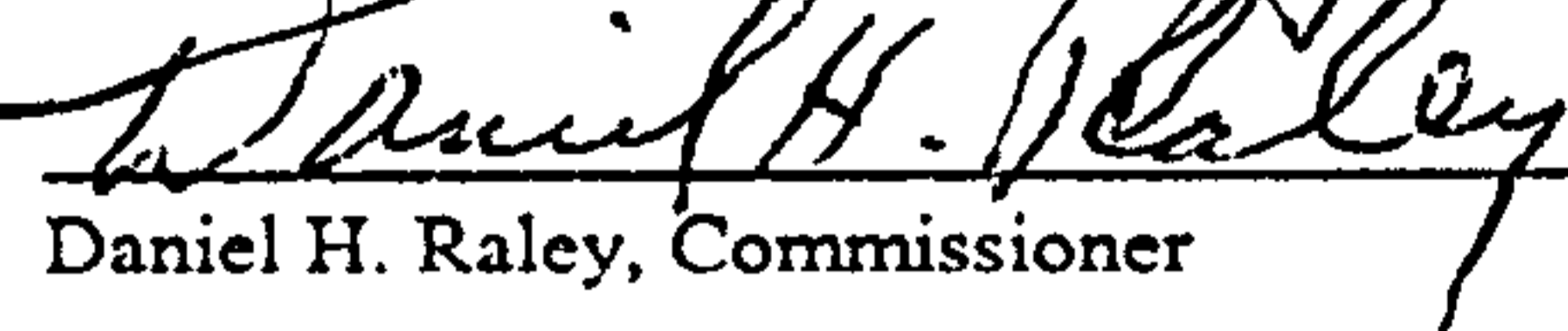
Those voting aye: all
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 7/30/02
Effective Date: 7/30/02

RECORDING FEE 0.00
TOTAL 0.00
RESOLUTION R024700000
EWA 033 31X3144
AUG 02 1052 09:31 AM

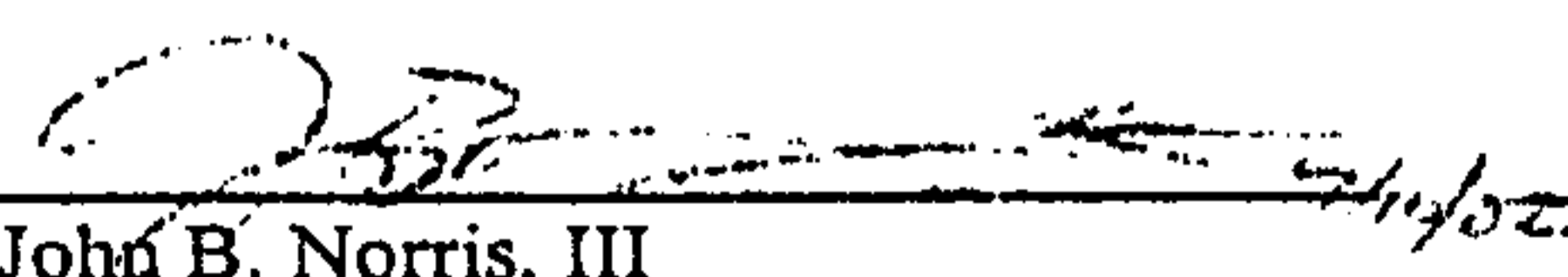
ATTEST:


Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President

Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

NO.: 02- 32
SUBJECT: Dean Forest Court
Speed Limit
Dean Forest Subdivision

LIBERO 022 PAGE 92 RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-I of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Dean Forest Court, County Route 31340, located in the Dean Forest Subdivision, Third (3rd) Election District, St. Mary's County, Maryland, pursuant to Record Plat recorded at EWA 52, Page 122, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

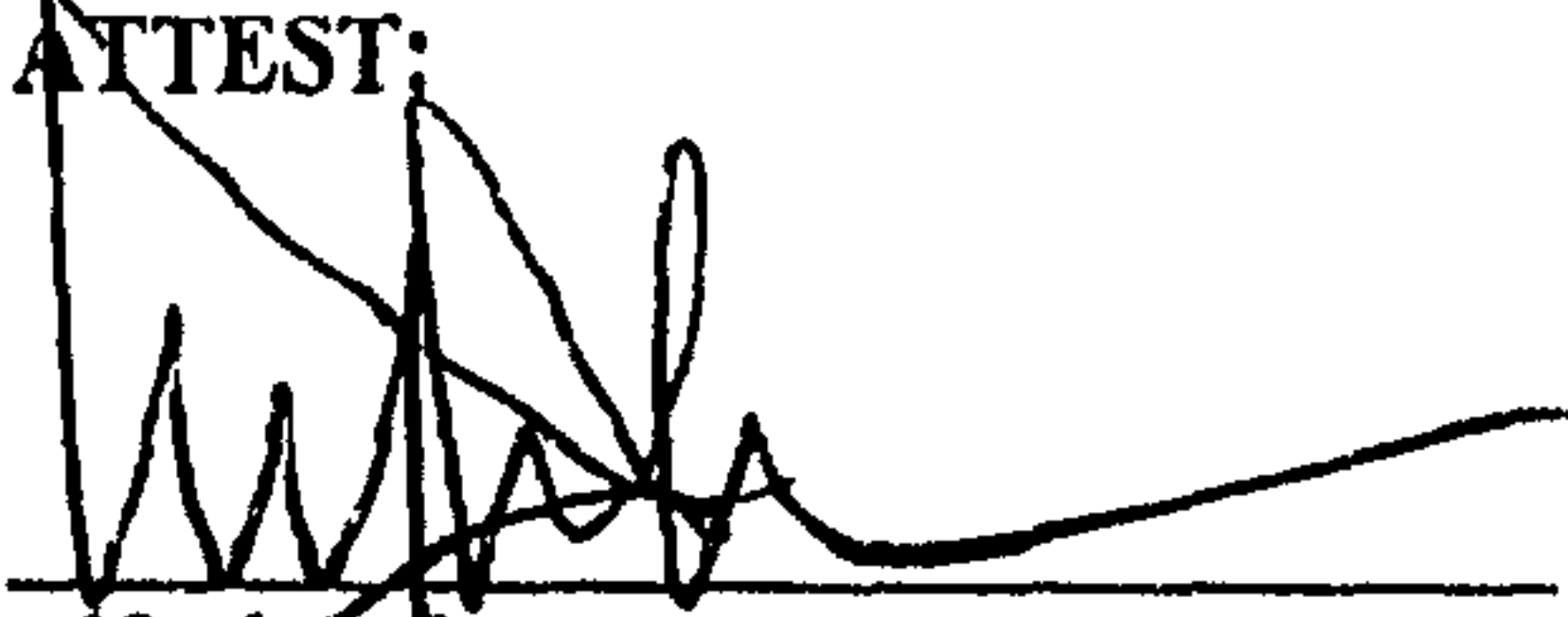
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Dean Forest Court, County Route 31340.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Dean Forest Court is greater than reasonable or safe, and that Dean Forest Court, County Route 31340, located in the Dean Forest Subdivision, Third (3rd) Election District, St. Mary's County, Maryland (Plat Reference: EWA 52, Page 122) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.


BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.


Those voting aye: all
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 7/30/02
Effective Date: 7/30/02


RECORDING FEE 0.00
TOTAL 0.00
RESOLUTION No. 02-000000
EWA 52, Page 122
AUG 02, 2002 09:32 am

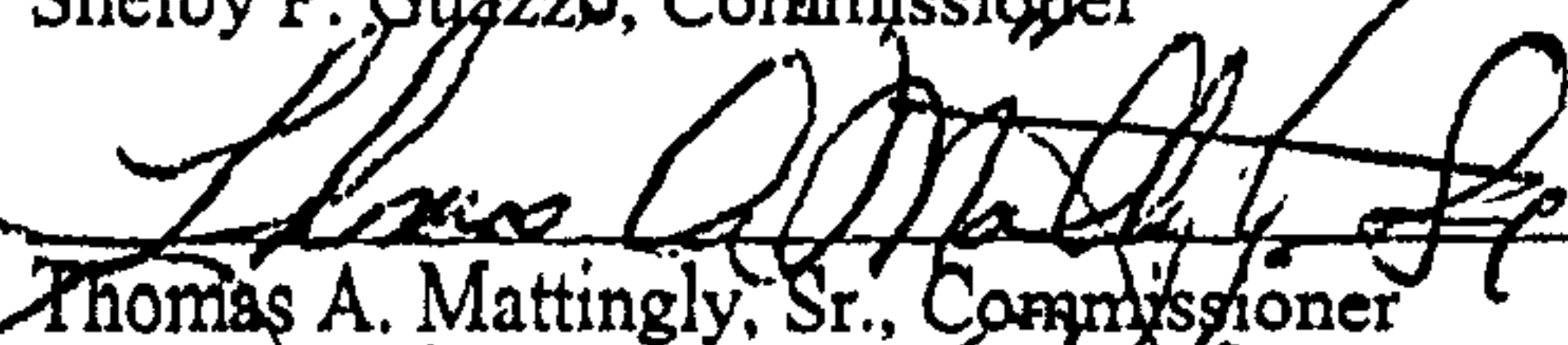
ATTEST:


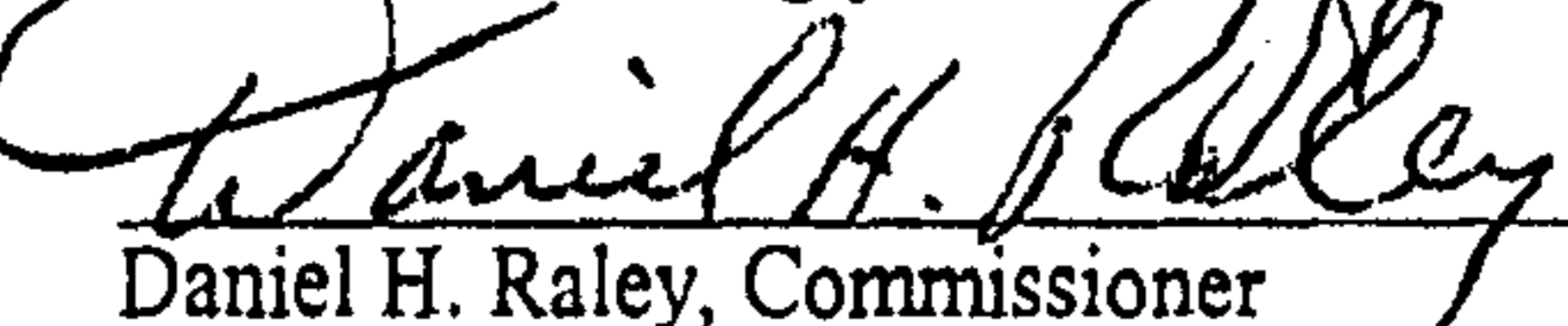
Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND


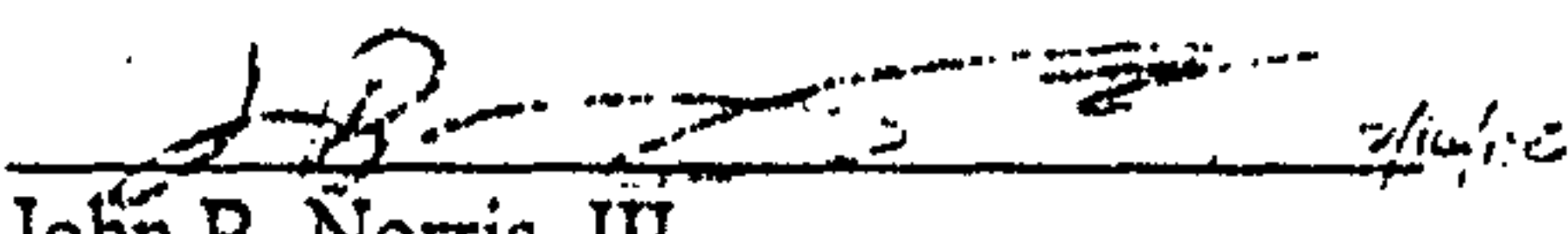
Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
County Attorney

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated May 27, 1999, and Record Plat recorded at Liber EWA 48, folio 40, for Woody Court, County Route 31347.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that Woody Court, County Route 31347, located in the Woods Subdivision, Section 3, Fifth (5th) Election District, St. Mary's County, Maryland (Plat References: Liber EWA 48, folio 40) meets the applicable requirements of the St. Mary's County Subdivision Ordinance, as amended, and hereby accepts Woody Court, County Route 31347, into the County's Highway Maintenance System.

RECORDING FEE 0.00
TOTAL 0.00
Res#502 Rpt#999999
EWA KAE 31347
Sep 03, 2002 09:47 am

Those voting aye: 5 _____

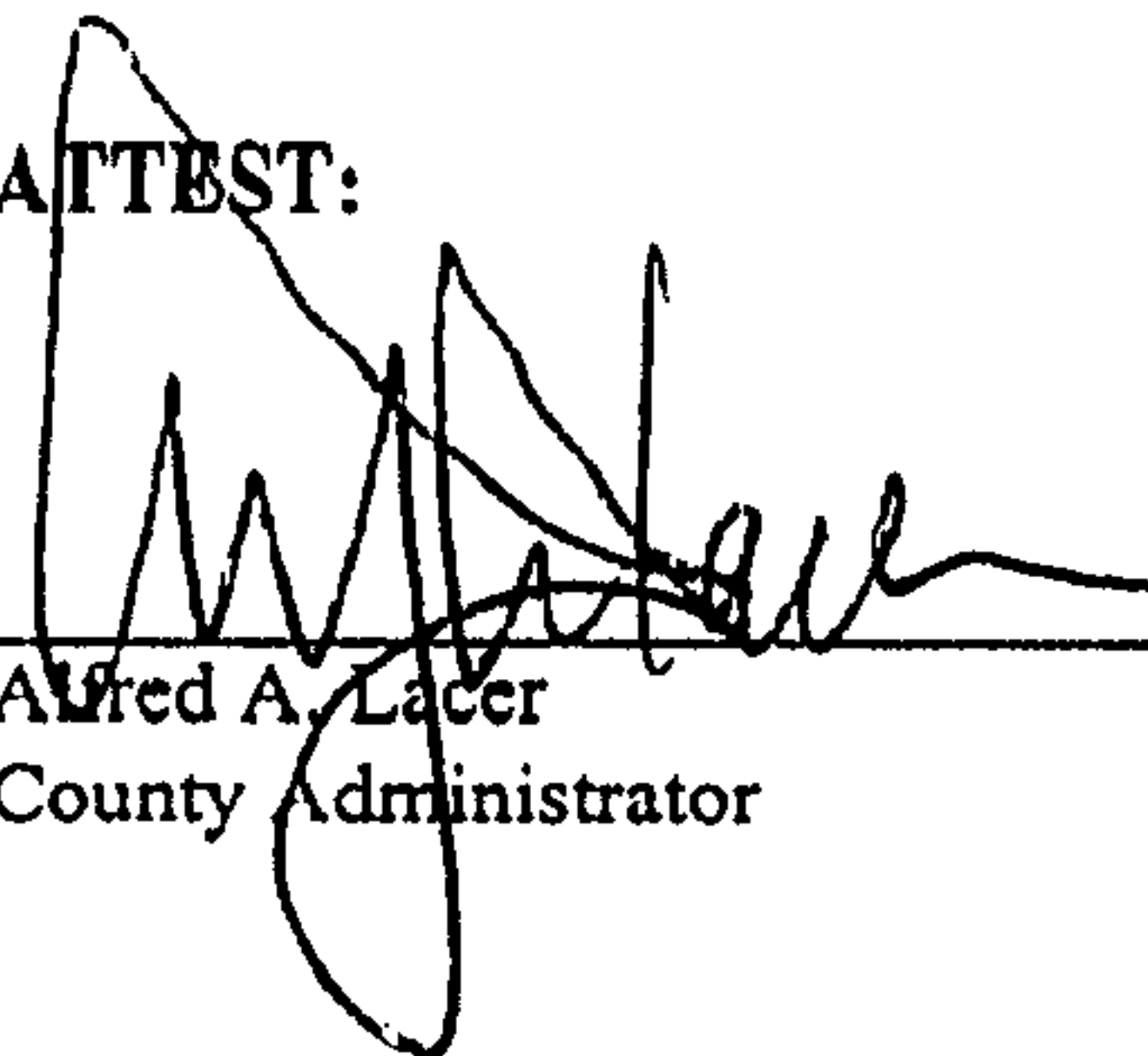
Those voting nay: 0 _____

Those abstaining or absent: 0 _____

Date of Adoption: 8-27-02 _____

Effective Date: _____

ATTEST:



Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President



Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
County Attorney

RESOLUTION

LIBER 0022 PAGED 94

WHEREAS, pursuant to Section 1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersection of Woody Court, County Route 31347, located in the Woods Subdivision, Section 3, Fifth (5th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at Liber EWA 48, folio 40, as a threat to public safety and a hazardous condition due to the absence of a traffic control device at this intersection; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at this intersection by means of a traffic control device, specifically, a stop sign on Woody Court, County Route 31347, at the intersection with Virginia Court.

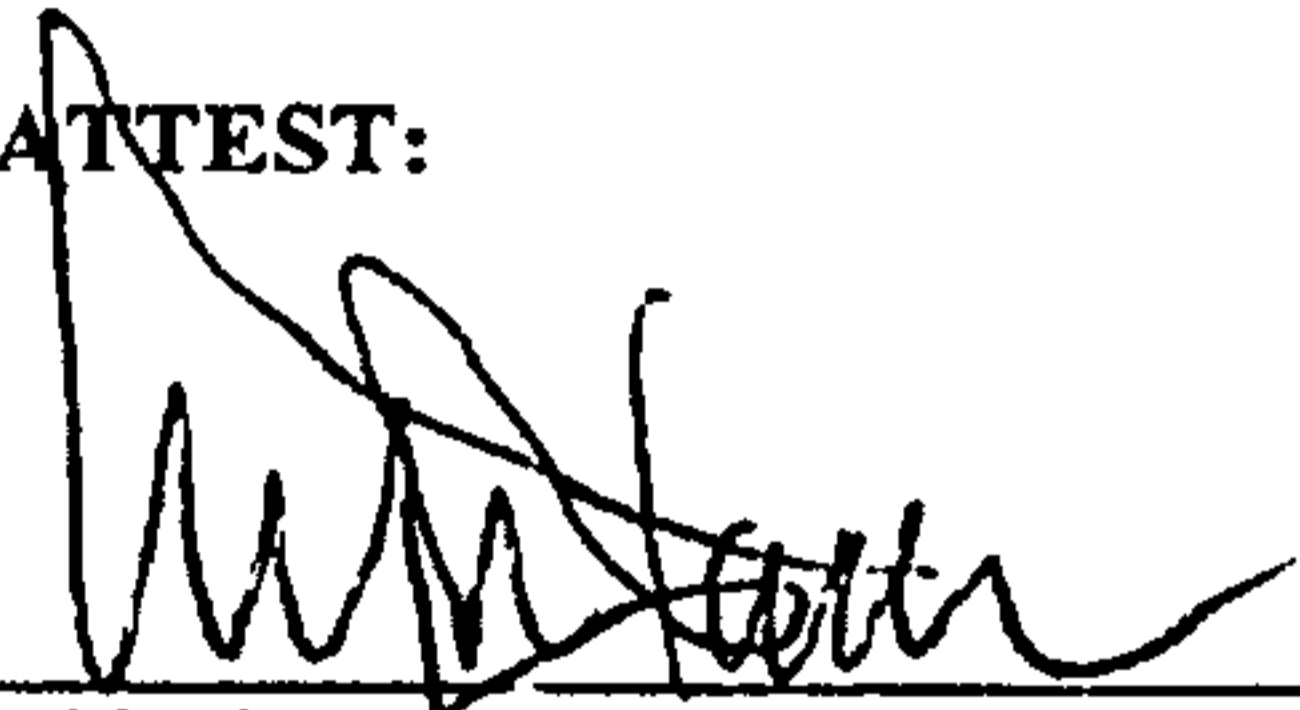
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Woody Court, County Route 31347, and in the interest of public safety and to eliminate a hazardous condition, Woody Court, County Route 31347, further identified as being located in the Woods Subdivision, Section 3, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: Liber EWA 48, folio 40) shall be designated as a Stop Street, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically a stop sign on Woody Court, County Route 31347, at the intersection with Virginia Court.

Those voting aye: 5
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 2/22/02
Effective Date: _____

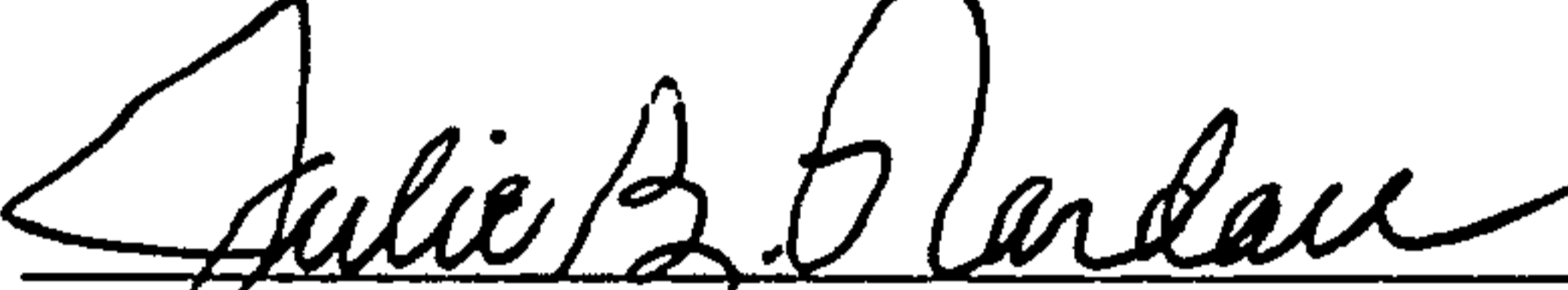
RECORDING FEE 0.00
TOTAL 0.00
RESTSME2 RCP#999999
EWA KFE BIK#3
Sep 03 2002 09:48 am

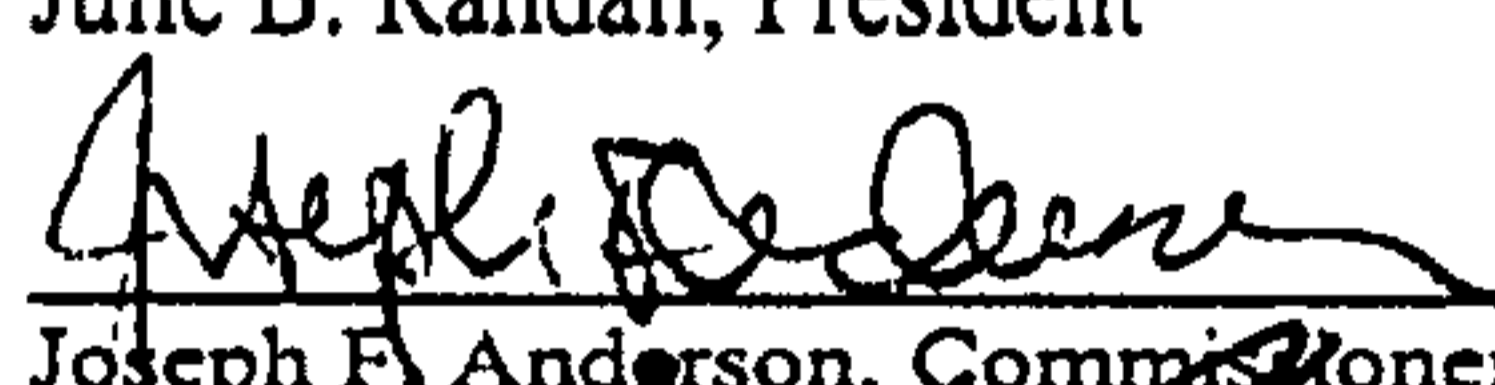
ATTEST:





Alfred A. Lacey
County Administrator

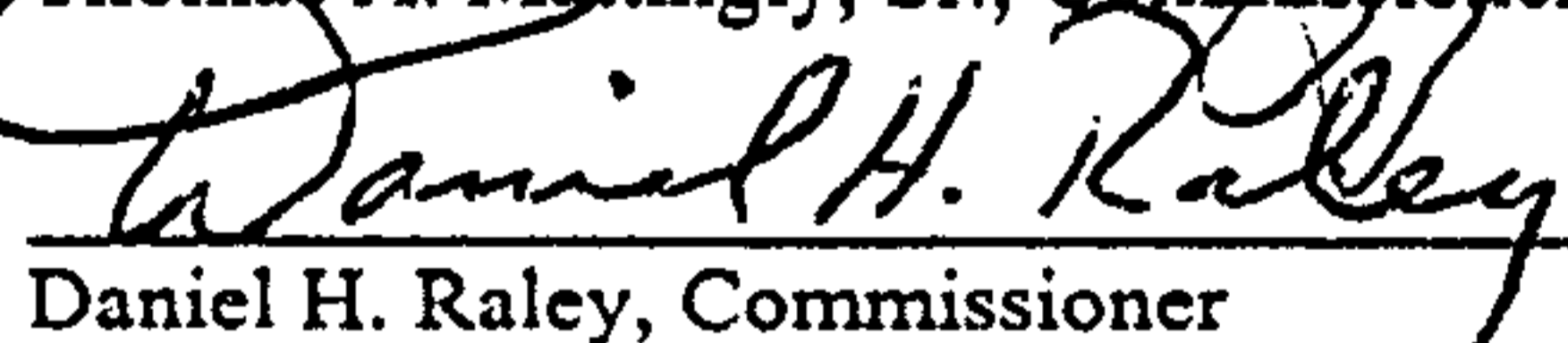
BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND



Julie B. Randall, President



Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



John B. Norris, III
County Attorney

NO.: 02- 35
SUBJECT: Woody Court
Woods Subdivision, Section 3
Speed Limit

LIBERO 022 PAGE 95 RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-I of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Woody Court, County Route 31347, located in Section 3 of the Woods Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at Liber EWA 48, folio 40, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Woody Court, County Route 31347.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Woody Court is greater than reasonable or safe, and that Woody Court, County Route 31347, located in Section 3 of the Woods Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: Liber EWA 48, folio 40) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

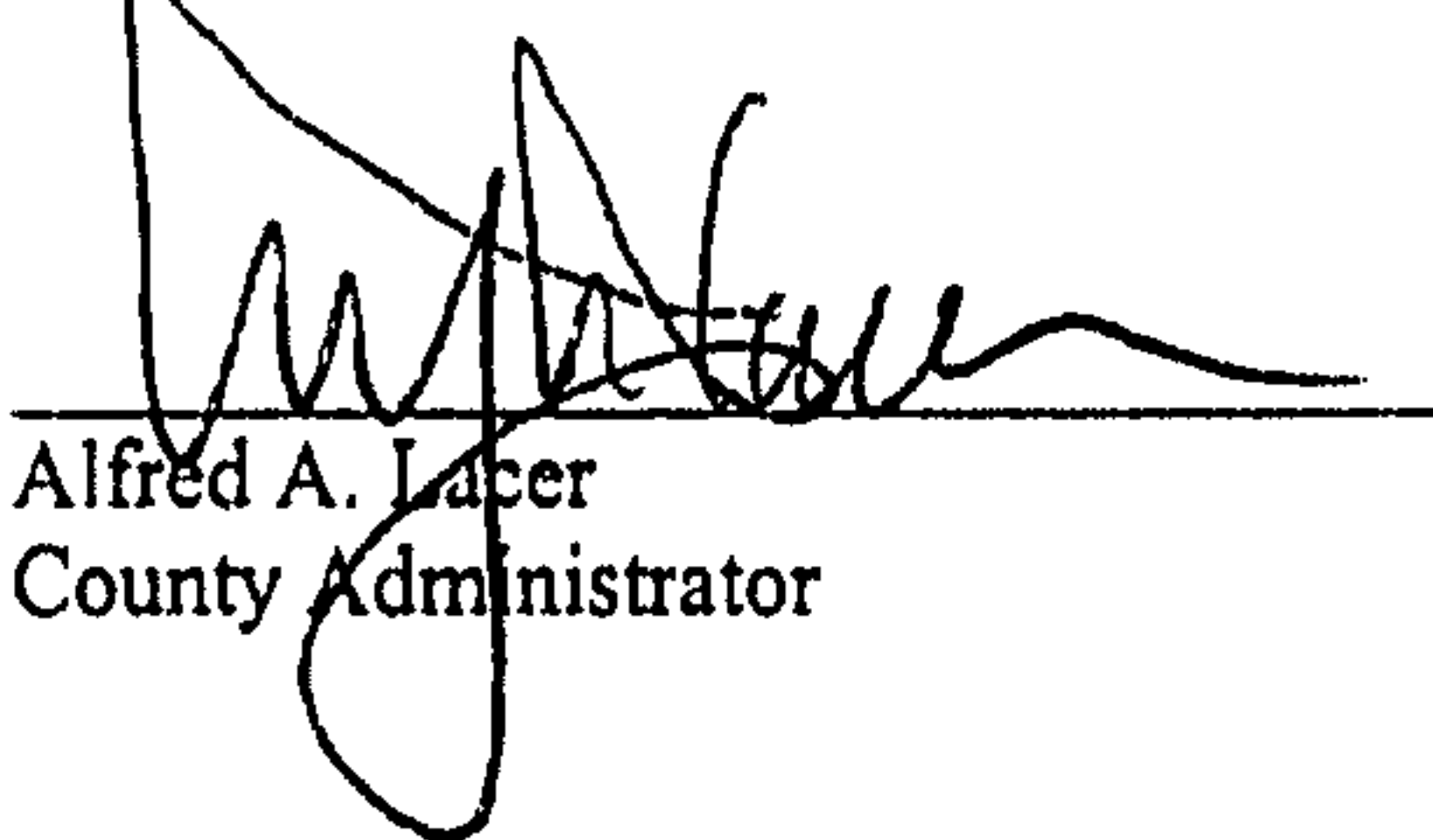
Those voting aye: 5
Those voting nay: 0
Those abstaining or absent: _____

RECORDING FEE 0.00
TOTAL 0.00
RESERVED: RPT#399999
EWA KAE 814#3
Sep 03, 2002 09:48 am

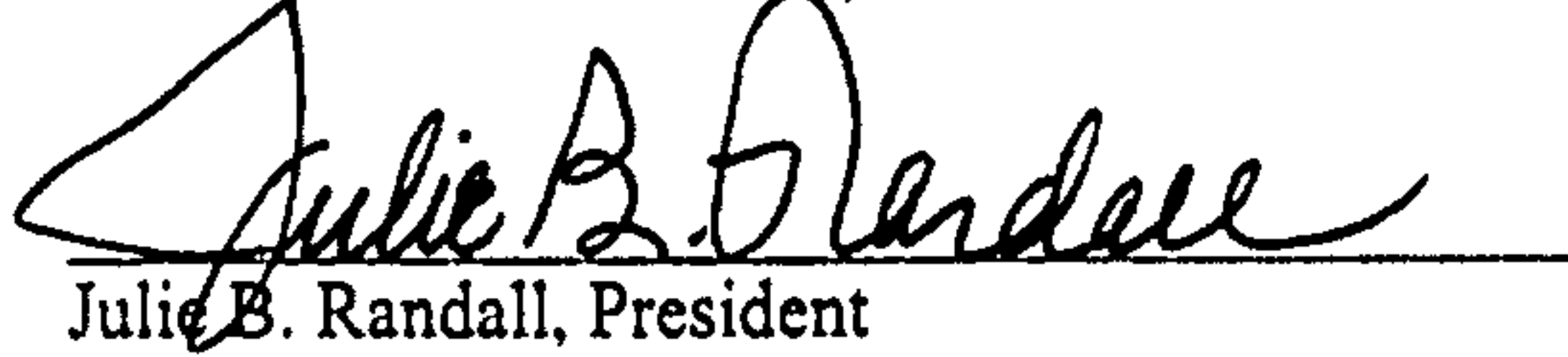
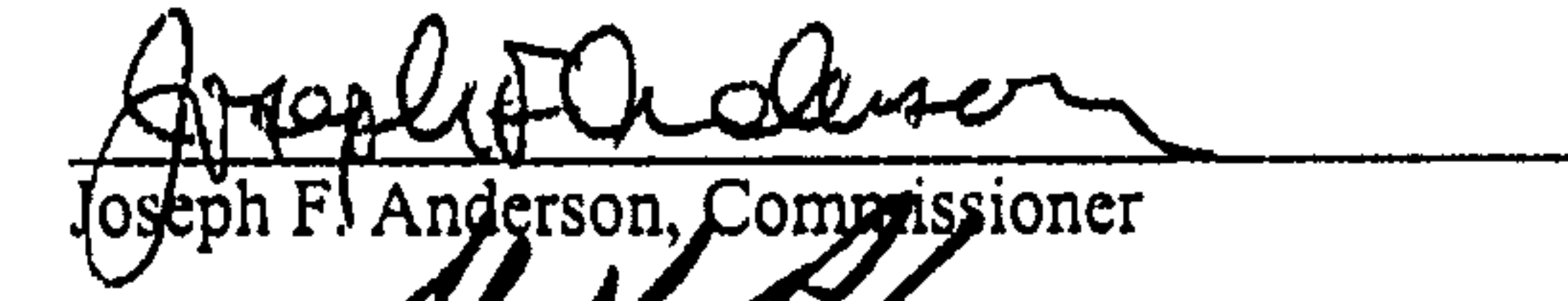

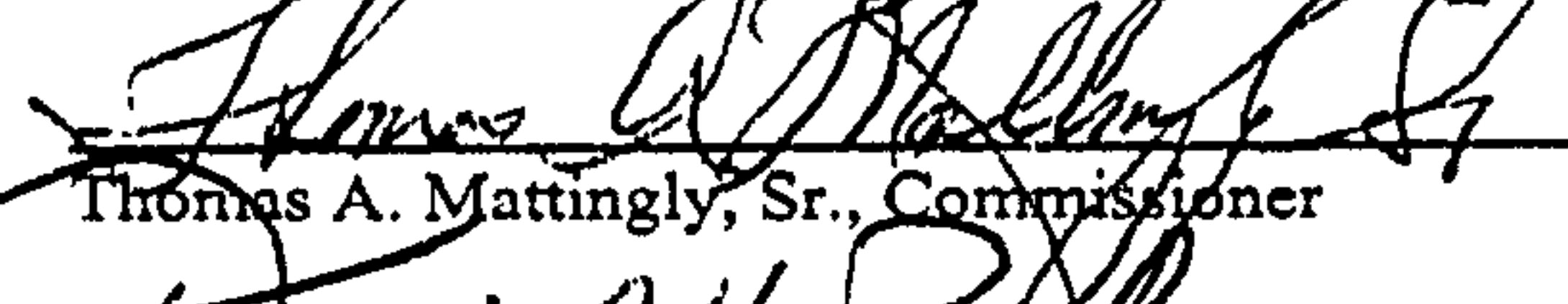

Date of Adoption: 9-27-02

Effective Date: _____

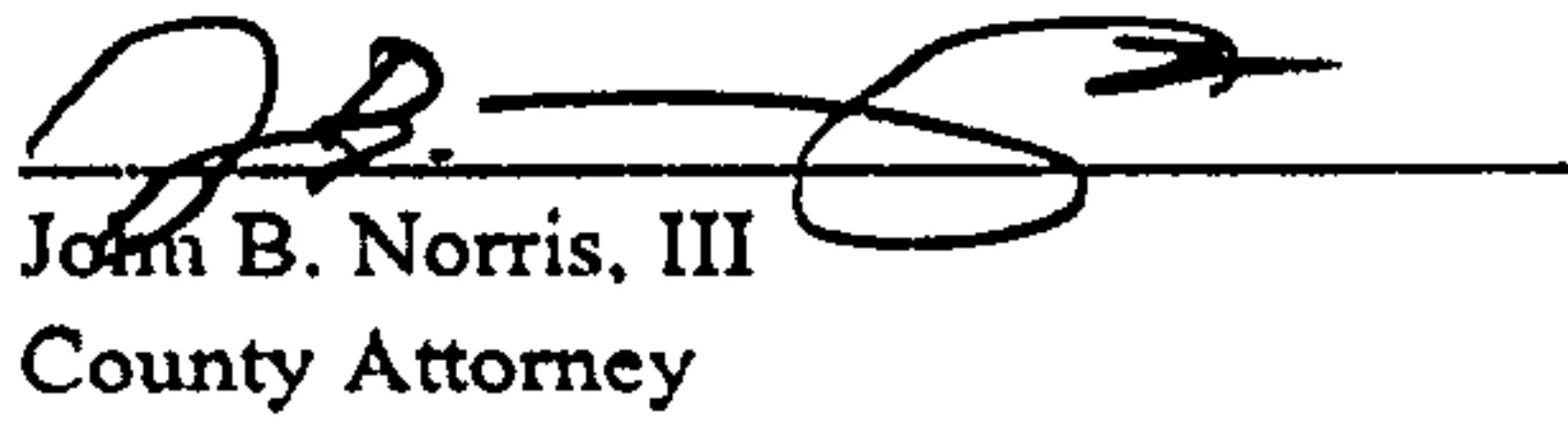
ATTEST:


Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President

Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
County Attorney

LIBERO 022 PAGE 96

Subject: Lexington Park Revitalization District
Community Legacy Grant Application.

Page: 1 of 2

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND**

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA CES BIK:004
Sep 09, 2002 10:17 am

PURPOSE

To support and authorize the application of the Office of the Lexington Park Plan to seek Community Legacy designation and funding from the Maryland Department of Housing and Community Development for the Lexington Park Revitalization District within the Lexington Park area of St. Mary's County commonly referred to as the "Wedge".

WHEREAS, the St. Mary's County Commissioners seeks to encourage redevelopment within the Lexington Park Revitalization District;

WHEREAS, the District is identified in the County's Comprehensive Land Use Plan as the "Wedge" and is bounded by Pegg Road on the north, Hermanville Road on the south and at Great Mills High School on the west; and

WHEREAS, the Maryland Department of Housing and Community (the "Department") designates Community Legacy Areas for the purpose of assisting urban neighborhoods, suburban communities and small towns that are experiencing decline and disinvestment, but that have the potential, with private and public investment, to be vibrant places to live and work; and

WHEREAS, the Department provides flexible capital and operating resources to assist local governments and their non profit partners in planning and realizing comprehensive community revitalization initiatives; and

WHEREAS, the Department, either through *Community Legacy* or through other Programs of the Department, or in cooperation with other state departments or agencies, may provide some or all of the financing for the Project in order to assist in making it financially feasible; and

WHEREAS, the County has identified four projects suitable for Community Legacy funding; and

WHEREAS, the four projects, in order of priority, include the Patuxent and Nicolet Revitalization Project, the Great Mills Road Parking and Improved Access Project, the South Shangri-La and South Essex *Pathways to Schools* Street Lighting Project, and the Cummings Electric Building Acquisition, Demolition and New Construction Project, collectively, the "Projects;" and

WHEREAS, the County wishes to partner with the St. Mary's County Community Development Corporation (CDC) for the purpose of seeking Community Legacy Designation and funding for the Cummings Electric Building Acquisition, Demolition and New Construction Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County that:

1. It is in the best interest of the health, safety and welfare of the citizens of St. Mary's County, Maryland that the Projects commence.

LIBERO 022 PAGE 97 Subject: Lexington Park Revitalization District
Community Legacy Grant Application.

2. The Office of the Lexington Park Plan is authorized to seek Community Legacy designation and funding, the terms and conditions of which remain subject to the subsequent approval of the County Commissioners, for the Projects in the Lexington Park Revitalization District within the Lexington Park area commonly referred to as the "Wedge;" and

3. This Resolution shall take effect from the date set forth below as the "Effective Date"; and

4. The foregoing recitals are hereby adopted as if fully set forth herein.

Aye: 5

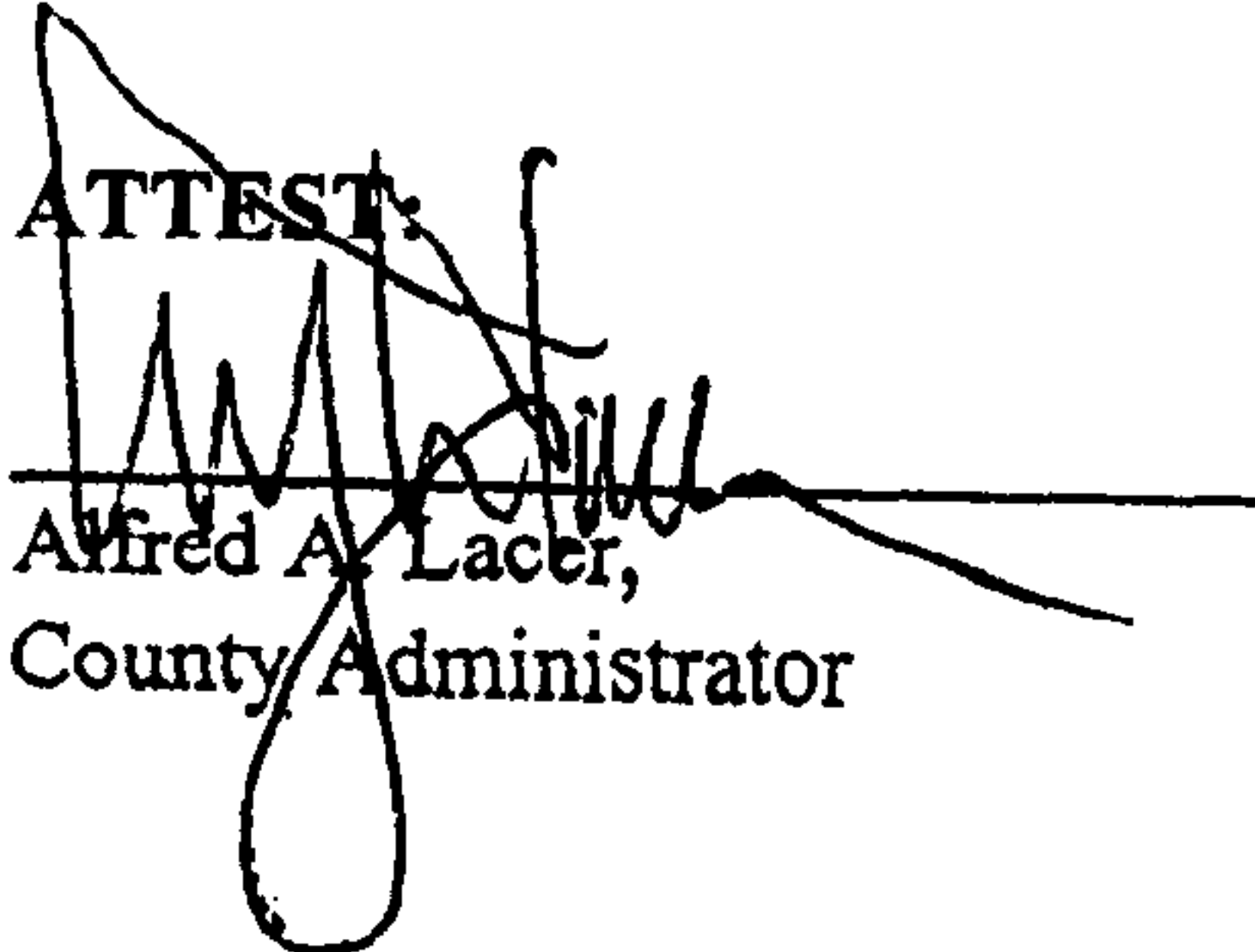
Nay: 0

Absent: _____


Adopted: 9/3/02

Effective Date: 9/3/02

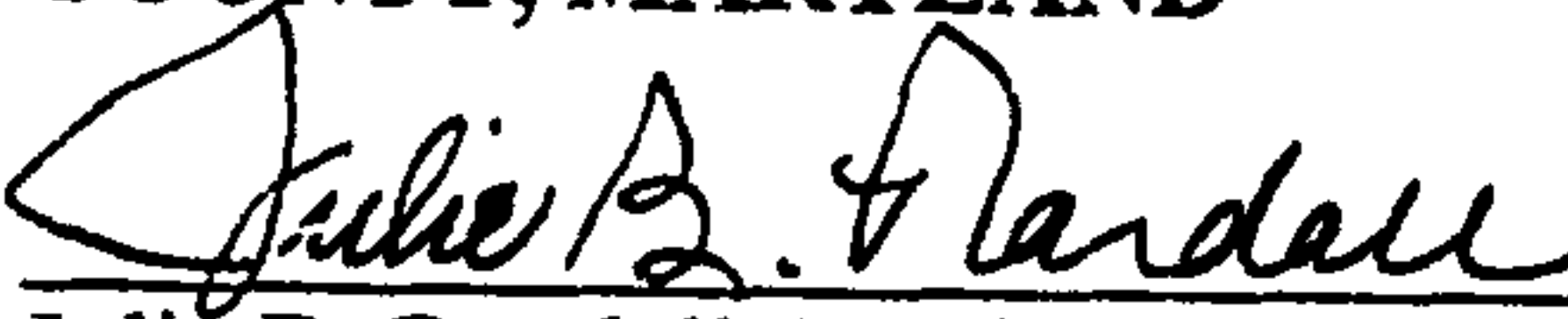
ATTEST:



Alfred A. Lacer,
County Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

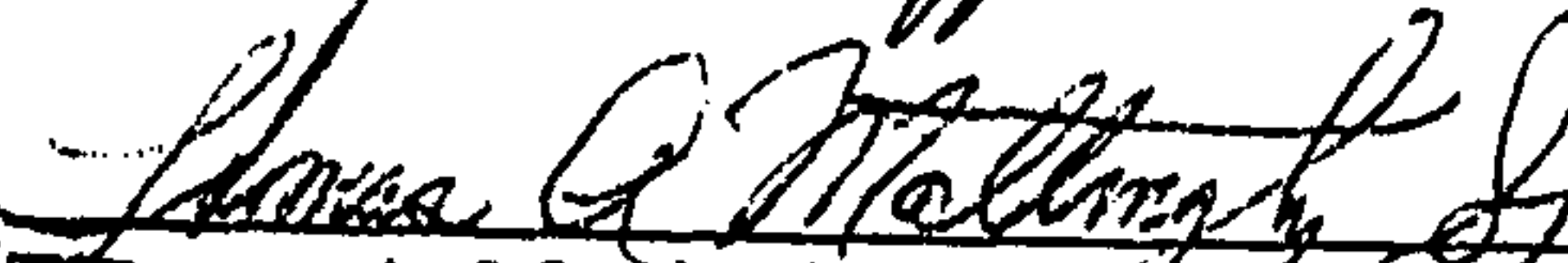

John B. Norris, III
County Attorney

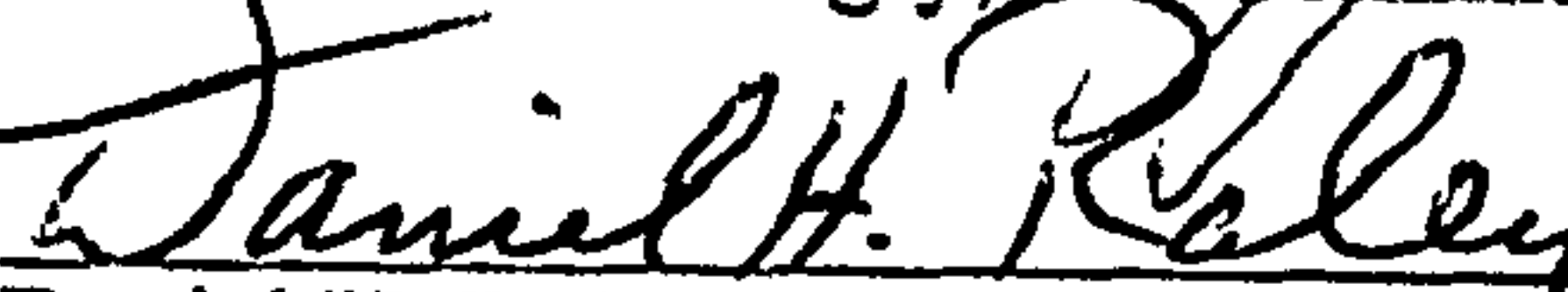
BOARD OF COUNTY
COMMISSIONERS FOR ST. MARY'S
COUNTY, MARYLAND


Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

SUBJ: Change Name of HDC to Historic Preservation Commission

RESOLUTION

WHEREAS, the County Commissioners for St. Mary's County, Maryland established a Historic District Commission in 1975, for the purpose of safeguarding the heritage of the county by preserving sites, structures, or districts therein which reflect elements of cultural, social, economic, political, archaeological or architectural history of St. Mary's County; to foster civic beauty; to strengthen the local economy; to promote preservation and appreciation of the sites, structures and districts for the education and welfare of the residents of the County; and

WHEREAS, in 1995 the Maryland General Assembly enacted legislation authorizing counties to create a commission called "the historic district commission" or "the historic preservation commission;" and

WHEREAS, on December 13, 1994 the St. Mary's County Commissioners voted unanimously to change the name of the St. Mary's County Historic District Commission to the St. Mary's County Historic Preservation Commission

NOW THEREFORE, BE IT RESOLVED by the County Commissioners for St. Mary's County, Maryland, that from December 13, 1994 forward, the official name of the of this commission shall be the Historic Preservation Commission.

BE IT FURTHER RESOLVED by the County Commissions for St. Mary's County that the foregoing recitals are hereby adopted as if fully set forth herein.

DATE OF ADOPTION: 9/24/02
EFFECTIVE DATE: 9/24/02

BOARD OF COUNTY COMMISSIONERS ST. MARY'S COUNTY, MARYLAND

Julie B. Randall
Julie B. Randall, President

absent
Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr. Commissioner

Daniel H. Raley, Commissioner

ATTEST:

Alfred Lacer
County Administrator

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

Linda J Springrose
Assistant County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#5402 Rcpt#999999
EWA CSS 01:4130
Oct 01, 2002 02:15 PM

LIBERO 0 2 2 PAGE 9 9

Resolution No. 2002-38
Subj: Board of Recreation & Parks
Recommendation on the
Elms Management Plan

RECORDING FEE 0.00
TOTAL 0.00
Rest#503 Rcpt#999999
EWA CSS BIK#359
Oct 09, 2002 03:33 PM

RESOLUTION

WHEREAS, in 1975 the State of Maryland Department of Natural Resources purchased approximately 1,020 acres of land located on the Chesapeake Bay in southern St. Mary's County, known as "The Elms Property," as a potential location for an electrical generating power plant; and

WHEREAS, due to the availability of other sites closer to major markets and electricity transmission corridors, use of the property for a power plant is considered unlikely in the short term; and

WHEREAS, on October 1, 1978, the St. Mary's Board of County Commissioners entered into an Agreement with the State of Maryland Department of Natural Resources leasing approximately eighty (80) acres of this property for interim use as a beach-related recreational area; and

WHEREAS, the St. Mary's Board of County Commissioners also entered into an Agreement with the State of Maryland Department of Natural Resources leasing approximately 20 acres of the property for interim use as a public, non-profit environmental education center; and

WHEREAS, subsequent to the County's lease of the property, the State of Maryland and the Board of County Commissioners appointed an Elms Advisory Committee, consisting of representatives from the Maryland Department of Natural Resources Power Plan Siting Program, the St. Mary's County Department of Planning and Zoning, the St. Mary's County Board of Education, the St. Mary's County Department of Recreation and Parks, the St. Mary's County Department of Public Works & Transportation, the Maryland Department of Environmental Health, the Maryland Forestry Service and the Maryland Wildlife Heritage Division, the Soil Conservation Service, Point Lookout State Park, and St. Mary's College; and

WHEREAS, in 1998, a Power Plant Research Oversight Committee was established to oversee the preparation of a management plan for the interim use and protection of the property; and

WHEREAS, an Elms Management Plan was prepared by the consulting firm of ERM, Inc., under the auspices of the Oversight Committee, and presented to members of the Oversight Committee, the Elms Advisory Committee, the Board of Education, the Department of Recreation and Parks, and the St. Mary's County Planning Commission on September 19, 2002; and

LIBERO 022 PAGE 1 00

Resolution No. 2002-38
Subj: Board of Recreation and Parks
Recommendation on the
Elms Management Plan

Page 2

WHEREAS, after review, the St. Mary's County Board of Recreation and Parks finds that the proposed Plan successfully provides for the interim educational and recreational uses of the property, while protecting the future power plant site and the fragile ecosystem and wildlife habitat existing on the site;

NOW, THEREFORE, BE IT RESOLVED, that the St. Mary's County Board of Recreation and Parks hereby recommends approval of the Elms Management Plan, as proposed.

Date: October 3, 2002


ST. MARY'S COUNTY
BOARD OF RECREATION AND PARKS



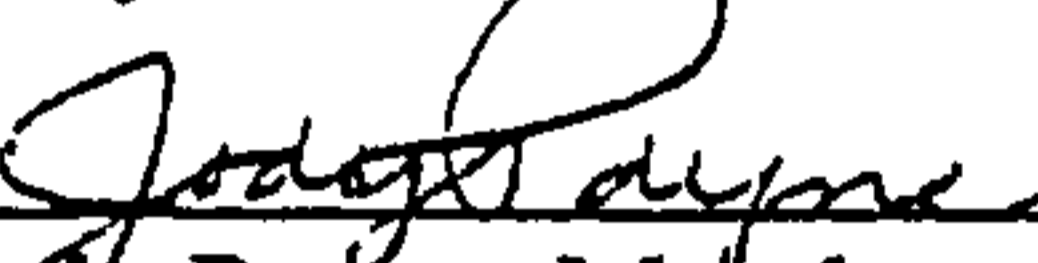
Robert E. Harper, Chairperson




Cheryl C. Blazer, Vice Chairperson




Gary S. Bell, Member




Jody Payne, Member



Dr. Andrew Roper, Member



Coleman Hillman, Member



Edward J. Bergin, Member



Robert Richardson, Member

Attest: 

Phil Rollins, Director
Department of Recreation and Parks