



## **BERLIN MAYOR AND COUNCIL Meeting Agenda**

**Berlin Town Hall  
10 William Street  
Monday, June 26, 2017**

### **6:00 PM EXECUTIVE SESSION – Conference Room**

- a. Pursuant to Section §3-305(b)(1) – To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- b. Pursuant to Section §3-305(b)(7) – To consult with counsel to obtain legal advice on a legal matter.
- c. Pursuant to Section §3-305(b)(14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

### **7:00 PM REGULAR SESSION – Council Chambers**

1. Approval of the Minutes for:
  - a. Executive Session of 06/12/17
  - b. Statement of Closure for Executive Session of 06/12/17
  - c. Regular Session of 06/12/17
2. Atlantic General Hospital Conduit Financing:
  - a. Public Hearing – Revenue Bonds for Atlantic General Hospital Corporation
  - b. Resolution No. 2017-05: Revenue Bonds for Atlantic General Hospital Corporation
  - c. Resolution No. 2017-06: Post-Issuance Tax Compliance Procedures for Conduit Tax-Exempt Obligations
3. Contract Awards:
  - a. Worcester Youth and Family Contract for Services – Steven Taylor
  - b. CARDS Technology
  - c. D3-Corp
  - d. William St. culvert stormwater project
  - e. West St. paving
4. Event Policy – Ivy Wells

5. Ordinance Introduction – Mary Bohlen:
  - a. 2017-03 – Amending Chapter 22, “Parks and Recreation”.
  - b. 2017-04 – Amending Chapter 32, “Vehicles and Traffic”, Article III, Division 2 “Bicycles”, Section 32-72.
6. Departmental Reports:
  - a. Finance Director – Natalie Saleh
  - b. Administrative Services Director – Mary Bohlen
  - c. Water Resources/Public Works – Jane Kreiter
  - d. Electric – Tim Lawrence
  - e. Chief – Arnold Downing
  - f. Planning – Dave Engelhart
  - g. Economic and Community Development – Ivy Wells
  - h. Managing Director – Jeff Fleetwood
7. Town Administrator's Report
8. Comments from the Mayor
9. Comments from the Council
10. Comments from the Public
11. Comments from the Press
12. Adjournment

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Laura Allen, Town Administrator at (410) 641-4144. Written materials in alternate formats for persons with disabilities are made available upon request.

*TTY users dial 7-1-1 in the State of Maryland.  
TTY users outside Maryland dial 1-800-735-2258*



**BERLIN MAYOR AND COUNCIL**  
**Meeting Minutes**  
**Monday, May 22, 2017**

**7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers**

**Present:** Mayor Gee Williams, Vice-President Elroy Brittingham, Councilmembers Thom Gulyas, Zackery Tyndall, Dean Burrell, and Troy Purnell.

**Staff Present:** Town Administrator Laura Allen, Managing Director Jeff Fleetwood, Administrative Services Director Mary Bohlen, Water Resources/Public Works Director Jane Kreiter, Finance Director Natalie Saleh, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Town Attorney David Gaskill, and Administrative Assistant Kelsey Jensen.

Following the Lord's Prayer and Pledge of Allegiance, Mayor Williams called the meeting to order at approximately 7:05 PM.

1. Approval of the Minutes for:

a. Executive Session of 05/22/17:

On the motion of Councilmember Gulyas, the Executive Session minutes of May 22, 2017 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

b. Statement of Closure for Executive Session of 05/22/17:

Mayor Williams read the Statement of Closure.

c. Regular Session of 05/22/17:

On the motion of Councilmember Gulyas, the Regular Session Minutes of May 22, 2017 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

2. Presentation: BIS Students – Liz Vanderclute

Liz Vanderclute and BIS students presented information on the offline wetland plantings. They then presented the Town with a Certificate of Appreciation as a Gold Star Partner from the

Maryland Coastal Bays. The Mayor and Council thanked them for their hard work and for coming to present tonight.

3. Special Event Request: Believe in Tomorrow – Donna Compher & Wayne Littleton  
 Donna Compher and Wayne Littleton explained their event request in detail and that alcohol will not be in the streets. Councilmember Burrell asked for them to share their schedule for the Believe in Tomorrow event. Ms. Compher stated that the event will go from 6pm-9pm and cleanup will be from 9pm-11pm. Councilmember Burrell asked if they would need Town Staff, and how many people they can expect at the event. Mr. Littleton said they are hoping to have 500 people. Town Administrator Laura Allen asked if they can close at Pitt and William instead of Pitt and Church; Chief Downing stated that they will be closing at William instead of Church. Councilmember Tyndall asked if this event will fall in line with Ms. Wells trying to use less town services; Ms. Allen stated that they have not brought the new event policy forward yet, and with the nature of this event they have decided to let them come forward tonight.  
 On the motion of Councilmember Brittingham, Special Event Believe in Tomorrow was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

4. Stormwater Management Inspection and Maintenance Agreement – Town Administrator, Laura Allen  
 Ms. Allen explained the agreement and that this document is required by the State. On the motion of Councilmember Burrell, the Stormwater Management Inspection and Maintenance Agreement was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

5. Contract Approval for the Police Facility: Absolute Security \$58,447.44 – Police Chief, Arnold Downing  
 Chief Downing explained the contract. On the motion of Councilmember Brittingham, the Absolute Security Contract for the Police Facility was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				

Zackery Tyndall	X				
<i>Voting Tally</i>	5				

6. PKS Fire Company Compilation – Managing Partner John Stern & Manager Leslie Michalik  
 Managing Partner John Stern and Manager Leslie Michalik explained the Fire Company’s compilation. Councilmember Burrell asked them to explain the difference between a compilation and an audit; Mr. Stern and Ms. Michalik explained the difference.
  
7. Berlin Fire Company Budget Request – President, David Fitzgerald  
 Fire Company President David Fitzgerald, Fire Chief Jim Corron, and EMS Captain Duane Phillips presented information on the Fire Company’s budget request. Councilmember Tyndall asked if they finance any equipment; Mr. Fitzgerald stated they do not because if they lost funding they would have no way to pay for it, and they do not want to pay interest. Councilmember Tyndall asked PKS Managing Partner John Stern if there is any benefit to financing; he stated that the Fire Company could gain more than 1% interest on the accounts if the money was better managed. Councilmember Tyndall asked if the payroll amount was correct, Mr. Fitzgerald stated in the last pay run for four employees with benefits is in the amount of \$1,115,706.88. Mayor Williams asked if the numbers reflected in the paperwork the Fire Company provided had the same figures we had in our budget. Mr. Fitzgerald stated that it is, but they took out \$150,000 for a study. Mayor Williams stated that the study may not cost the full \$150,000 and it is to see if we are using the Fire Services for the Town in the best way possible. Mr. Phillips stated that the designated funds must be used for their intended purpose because some of the funds are donated for a specific purpose. Councilmember Gulyas asked why they needed another facility just a few miles away, he wants to be able to explain it to the tax payers. Councilmember Burrell asked if we can get year-to-date funds for each line item; Mr. Fitzgerald said he would get those to the Town. Councilmember Burrell said he thinks the study will help to explain to the staff and citizens if they are utilizing the funds appropriately, and any leftover funds from the \$150,000 study will be given to the Fire Company. Councilmember Tyndall thanked the Fire Company and said he would love to see the funds go into our current Fire Station. Mr. Corron asked if they will have a lot of input on the study. Mayor Williams and Councilmember Burrell stated that they want the Fire Company’s input but ultimately it will be the Town’s decision.
  
8. Public Hearing: Ordinance 2017-02- FY18 Budget Adoption – Finance Director, Natalie Saleh  
 Finance Director Natalie Saleh went over changes from when the budget was first introduced versus what is presented today. Ms. Saleh said it is a 1% decrease. Mayor Williams opened the public hearing on the budget at 8:51pm; there were no comments. The public hearing closed at 8:52pm. Councilmember Burrell asked for clarification on why there was a change in the Stephen Decatur tennis court funds. Administrative Services Director Mary Bohlen explained that they were not awarded the grant, so they cannot budget for it. Town Administrator Laura Allen stated that the Community Parks and Playground Playground said they already had two grants open and needed to wait until those were closed to award more grant funds. Councilmember Burrell said he was disappointed that we could not find the funds to do the restrooms in Stephan Decatur Park.  
 On the motion of Councilmember Purnell, Ordinance 2017-02 as presented tonight was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				

Zackery Tyndall	X				
<i>Voting Tally</i>	5				

Councilmember Tyndall said it would be helpful if non-profits could get their budget requests and financial information in by January; Ms. Saleh said if she could have it by March. Ms. Allen said they will advise the non-profits to have their information in by March.

9. Revenue Bonds for Atlantic General Hospital Corporation – First Reading: Resolution 2017-05 – Town Administrator, Laura Allen

Cheryl Nottingham present on behalf of AGH and thanked the Town of Berlin. Town Administrator Laura Allen explained the Resolution and asked Town Attorney Mr. Gaskill if she needed to read the Resolution; he said it was not necessary. Ms. Allen said the public hearing for this Resolution would be held on June 26, 2017.

10. Departmental Reports:

a. Finance Director – Natalie Saleh

Ms. Saleh said the budget work is over and they are now preparing for the audit. She stated she is proud of her staff, Melissa Coffey took the lead on this project for budget billing to have a fixed bill; they will either owe or be owed money at the end of the 11 months.

b. Administrative Services Director – Mary Bohlen

Ms. Bohlen reported that the summer issue of the Berlin Community News was sent out last week. And she will be sending out a CodeRed on Thursday for the closure on Seahawk Road. Saturday will be the first outdoor movie night, showing Tuck Everlasting on Jefferson Street.

c. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter stated that there will be two road closures this week for water tie ins at Seahawk Road for Ocean's East and on Harrison Avenue for the Library. She said the "No Truck Sign" was posted today on Baker Street. Councilmember Tyndall asked if we can take down the "No Outlet" sign on Harrison Avenue; Chief Downing stated that he has contacted SHA and they will, he said there is one more that SHA will take down on Main Street too.

d. Electric Utility Director – Tim Lawrence

Mr. Lawrence reported that they have provided two temporary services at the library. At Intrepid Lane, they have terminated the primary. At 624 William Street, they repaired an outage. They will be installing electric at the new police facility next week. They are waiting on a permit from SHA to install the primary at the new AGH cancer center. Touch-A-Truck will take place Saturday. Lastly, peak shaving began today through possibly Wednesday.

e. Police Chief – Arnold Downing

Chief Downing reported that they will notify and post signage about the street closures on Seahawk and Harrison, but they are planning to be open at night. They are working on a pedestrian traffic campaign and will work with Ms. Bohlen to put information on the website, Facebook, and on the television.

f. Planning and Zoning Director – David Engelhart

Mr. Engelhart stated that permits are up and violations are down; they issued five single-family home permits last week. Historic District Commission met last week and approved some signage, a façade, and a roof. Planning Commission will meet this Wednesday.

g. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood stated that he is working with ADP to simplify the general ledger interface. Seasonal hires will be coming in tomorrow and they will be in full swing by July 5<sup>th</sup>. Councilmember Tyndall asked how many there are; Mr. Fleetwood replied 12.

11. Town Administrator’s Report – Laura Allen  
Ms. Allen had nothing to report.

12. Comments from the Mayor:  
Mayor Williams had no comments.

13. Comments from the Council:  
Councilmember Gulyas had no comments.

Councilmember Tyndall had no comments.

Vice-President Brittingham had no comments.

Councilmember Burrell had no comments.

Councilmember Purnell had no comments.

14. Comments from the Audience

15. Comments from the Press – none

16. Adjournment:

On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 9:20 PM.

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

Respectfully Submitted,

Kelsey Jensen  
Administrative Assistant

## Town of Berlin **Downtown** Event Application Policy

*FORM MUST BE COMPLETED IN FULL AND INCLUDE CERTIFICATE OF INSURANCE AND DETAILED DESCRIPTION OF EVENT.*

- All downtown events for the following year must be submitted between July 1-September 1. (Example: Submit by September 1, 2017 for event taking place in 2018).
- Only 1 event that requires Town services will be scheduled per day. Event organizers are encouraged to check the Town calendar and coordinate with Economic Development staff in advance of submitting their application.
- Events will be reviewed by staff for compliance with this policy:
  - Organizers are required to meet with staff to discuss the event in detail prior to application approval and 2-3 weeks before the event.
  - Town Administrator may authorize non-alcohol events that have a good track record with the Town.
- New events and events that include alcohol will be submitted to the Mayor and Council for their approval in September for events to be held in the following calendar year.

### **Restrictions:**

- Loud generators will not be permitted. Generators can be no louder than 58dB.
- Vendors must be out of the road by the end of event time that's approved by the Mayor and Council.
- Vendors must remove their own trash.
- Food vendors will not be allowed to empty grease or food waste onto road.

Approval of event will be determined by the Town of Berlin. We will notify you if you have been selected to present your event for approval by the Mayor and Council. Your appearance for approval by Mayor and Council is mandatory.





ORDINANCE NO. 2017-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN,  
MARYLAND, A MARYLAND MUNICIPAL CORPORATION, AMENDING CHAPTER  
22,"PARKS AND RECREATION".

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT Chapter 22, Parks and Recreation be amended as follows:

Chapter 22 - PARKS AND RECREATION

ARTICLE I. - IN GENERAL

Secs. 22-1—22-18. - Reserved.

ARTICLE II. - PARKS COMMISSION

Sec. 22-19. - Purpose.

The purpose of the parks commission shall be to:

- (1) Advise the Mayor and Council on the provision of quality recreational facilities for the citizens of the town without regard to age, physical ability or economic circumstance.
- (2) Assist in the provision of well-designed and maintained park facilities that will be utilized to improve the quality of life of citizens through the provision of a variety of recreational, educational, and cultural activities.
- (3) Develop and coordinate cooperative working relationships with town officials and staff, local and state public agencies and civic clubs with a common interest in the development of public recreational facilities.
- (4) Assist the Mayor and Council in the planning and provision of recreational facilities to meet current and projected needs through recommendations for land acquisition, facility development and funding sources.
- (5) Assist the town in maximizing the public use and appeal of existing public recreation facilities through the development of a comprehensive program of facility maintenance and management.

(Code 1977, § 18-1; Ord. No. 1992-1, 1-27-1992)

Sec. 22-20. - Establishment; membership; vacancies; quorum; meetings.

- (a) The Mayor and Council do hereby create a commission to be called the Berlin parks commission, hereinafter referred to as the parks commission.
- (b) The commission shall consist of five voting members appointed by the mayor with the consent of the council and such other ex officio members as shall be deemed necessary by the commission itself from time to time for the ad hoc purposes of obtaining expert advice or volunteer services for individual projects or programs. Of the five voting members, three shall be appointed for two-year terms and two shall be appointed for a one-year term. Thereafter, all members of the commission shall be appointed for terms of two years. Members of the commission are eligible for reappointment.
- (c) No less than three of the voting members of the commission shall reside within the corporate limits of the town, as those corporate boundaries shall exist at the time of the members' appointments. Ad hoc or ex officio members may be residents of any area, so long as, in the

discretion of the commission, they demonstrate a commitment to the best interest of the parks within the town.

- (d) Any vacancy on the commission shall be filled by appointment by the mayor with the consent of the council for the unexpired term of the particular position. It is the express intent of the Mayor and Council to have a majority of voting members representative of residents of the town at all times; thus appointments to fill vacancies must maintain at least three residents.
- (e) The members of the commission shall serve without monetary compensation, except for the reimbursement of bona fide personal expenses that may be incurred in the course of conducting officially sanctioned business.
- (f) Three voting members of the commission shall constitute a quorum for the transaction of business, and a vote of three voting members shall control the action of the commission.
- (g) The commission shall meet at least six times per calendar year, with additional meetings as necessary in the discretion of a majority of the voting members. The absence for three meetings of any member of the commission during the calendar year without excuse shall create a vacancy on the commission.

(Code 1977, § 18-2; Ord. No. 1992-1, 1-27-1992)

Sec. 22-21. - Bylaws; officers.

(a) Bylaws.

- (1) This article shall serve as the bylaws for the parks commission.
- (2) The commission shall establish its own rules of order and procedures, subject to the approval of the Mayor and Council, and not otherwise inconsistent with the terms of this article.
- (3) A copy of the bylaws shall be kept on file with the town administrator, and any amendment proposed thereto shall be presented to the Mayor and Council for approval prior to its adoption and effectiveness.

- (b) ~~The officers of the commission shall consist, at a minimum, of a chairperson, secretary and safety director.~~ At a regular meeting of the commission following the appointment or re-appointment of members by the Mayor and Council, the members of the commission shall nominate one member as chair of the commission and shall approve the nomination by affirmative vote of at least three members, excluding the nominee. Such other offices and standing or ad hoc committees may be created by the commission at its discretion for the purposes of carrying out its duties and responsibilities under the provisions of this article.

(Code 1977, § 18-3; Ord. No. 1992-1, 1-27-1992)

Sec. 22-22. - Powers and duties.

- (a) The parks commission shall be advisory in nature, and all plans, programs and funding applications shall be submitted to the Mayor and Council for approval prior to implementation or submission to any funding agency.
- (b) The commission ~~will~~ may consider, evaluate, advise and recommend to the Mayor and Council on any matter relating to the following:
  - (1) Recreation and parks policies, rules, regulations, programs and finances.
  - (2) The acquisition and disposal of lands and properties related to the community recreation, educational and cultural programs occurring on those lands and properties.
  - (3) The improvement and expansion of public recreational, educational and cultural facilities under the jurisdiction of the Mayor and Council.

- (4) The maintenance of parks and facilities.
- (5) The future plan for recreation and parks development needs outlined in the town comprehensive plan, chapter 108, zoning, or other applicable sections of the Berlin Code relating to recreation and parks.
- (6) The coordination of publicly sponsored activities and events held in or involving public park facilities or privately sponsored activities which are open to the public.
- (7) The seeking of funds, through public and private sources, to establish, develop or improve public parks and recreation facilities within the corporate limits of the town as those boundaries may be amended from time to time.
- ~~(c) The commission will establish, through its own procedures, monthly safety inspections of existing parks facilities and report its findings to the town administrator for corrective action needed to ensure public safety in the public parks.~~
- (cd) The commission will develop and submit to the Mayor and Council an annual park improvement plan prior to the adoption of the annual budget on July 1 of each year.
- (de) The commission may hold such public hearings meetings and solicit public input as may be necessary to develop an adequate representation of all Berlin citizens in the planning and development of parks and recreational facilities.
- (ef) The authority for any final approval, direction to staff or policy decision shall rest with the Mayor and Council or, at the Mayor and Council's direction, with the town administrator or other officially designated representative of the Mayor and Council.  
(Code 1977, § 18-4; Ord. No. 1992-1, 1-27-1992)

Secs. 22-23—22-4647. - Reserved.

### ARTICLE III. - PARKS

#### Sec. 22-47. Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Controlled parking area* means a land surface or building structure owned, leased or rented by the town, designated for public parking.

*Motor vehicle* means any vehicle commonly known as a car or truck as well as any motorized minibikes, motorized bikes, motor scooters, go-carts or other mechanically propelled vehicles of a similar nature, except bicycles as defined herein or in Md. Transportation Code Ann. § 11-104.

*Park or Parks* means those areas of Town-owned property designated as such by the Mayor and Council.

*Special Event* means any social occasion or activity occurring on the grounds of a Town park, having more than 50 persons in attendance, including, but not limited to fairs, bazaars and outdoor shows or exhibitions, parades and concerts. For the purposes of this chapter, Special Event shall be further defined as requiring services of the Town of Berlin, including, but not necessarily limited to the provision of additional trash cans, traffic equipment, trash collection and the like. The Town of Berlin

reserves the right to designate an event or activity as a Special Event requiring additional services at its discretion.

Sec. 22-48. - Hours.

The public parks in the town shall not be occupied, except as hereinafter set forth, between the hours of one-half hour after sundown to one-half hour before sunrise in each day.

The lighted tennis courts and handball courts located in the Stephen Decatur Park shall be permitted to be used after sunset up to and including the hour of 11:00 p.m. Any play on said courts after the hour of 11:00 p.m. and prior to sunrise shall be prohibited.

(Code 1977, § 71-1; Ord. No. 80-2, 10-6-1980; Ord. No. 84-5, 6-18-1984)

Sec. 22-49. - Rules and regulations.

The rules and regulations for the use of the parks are as set forth herein:

- (1) The washing, waxing, cleaning or repairing of any type of motor vehicle shall be prohibited in the parks.
- (2) The operation and/or parking of unauthorized motor vehicles as defined herein in any area of the parks not designated as a parking area or otherwise authorized by the police department of the town or its authorized agent shall be prohibited.
- (3) All applicable provisions of chapter 4, animals, shall apply.
- ~~(4) No bicycles or other pedal-operated vehicles shall be allowed in the parks except in the parking lots or in areas designated for the riding of said vehicles.~~
- ~~(45) No motor vehicle shall be parked in the parks, whether in the parking areas or otherwise, overnight.~~
- ~~(56) No mobile home or any other type of structure shall be used for sleeping in the parks, including the parking areas thereof, without permission being obtained from the Mayor and Council.~~
- ~~(67) No open container of alcoholic beverages shall be possessed in any of the parks, unless explicitly approved in advance by the Mayor and Council as part of during an organized Special Event. The organizer of said event shall be responsible for obtaining any additional permitting required by Worcester County or the State of Maryland regarding the possession, distribution/sale, and/or consumption of alcohol.~~
- ~~(8) The lighted tennis courts and handball courts located in the Stephen Decatur Park shall be permitted to be used after sunset up to and including the hour of 11:00 p.m. Any play on said courts after the hour of 11:00 p.m. and prior to sunrise shall be prohibited.~~
- ~~(9) The lighted tennis courts and handball courts located in the Stephen Decatur Park shall be permitted to be used after sunset up to and including the hour of 11:00 p.m. upon the prior reservation request's being granted by the police department. Any play on said courts after the hour of 11:00 p.m. and prior to sunrise shall be prohibited.~~
- (7) The following parks facilities are available for reservation upon completion of a Park Reservation Form and by payment of associated fees as established by the Mayor and Council and detailed on the Park Reservation Form:
  - (a) The pavilion at Stephen Decatur Park during regular park hours.
  - (b) One or more of the tennis courts at Stephen Decatur Park during the hours as set forth in Section 22-48.
  - (c) The pavilion at Dr. William Henry Park during regular park hours.
  - (d) One or more of the basketball courts at Dr. William Henry Park during regular park hours.

Individuals or organizations desiring to reserve these facilities must complete a reservation form as provided by the Town of Berlin and make payment of associated fees, which shall be established by the Mayor and Council and set forth on the reservation form. Fees shall be waived only by the express permission of the Mayor and Council.

Reservation of the above facilities takes precedence over any other use. If no prior reservation of any of the above named facilities exists, all facilities are available on a first-come-first-served basis.

(8) Organizers of Special Events shall file a Special Event Application and any associated documents as appropriate a minimum of sixty (60) days prior to the scheduled event. Such application shall be subject to review and approval by the Mayor and Council.

(9) Special Events must be free to all attendees unless a Business Use of Park form, along with all other appropriate documentation, has been submitted and explicitly authorized by the Mayor and Council.

(Code 1977, § 71-2; Ord. No. 80-2, 10-6-1980; Ord. No. 84-5, 6-18-1984; Ord. No. 2013-06 , 11-25-2013; Ord. No. 2016-06 , 7-11-2016)

Sec. 22-50. - Violations and penalties.

Any violations of the provisions of this chapter shall be punishable, upon conviction, as a municipal infraction as set forth in article IV of chapter 2 of this Code.

Any vehicle violating any rules or regulations as herein set forth shall be removed and towed at the expense of the owner or operator.

(Code 1977, § 71-3; Ord. No. 80-2, 10-6-1980; Ord. No. 84-5, 6-18-1984; Ord. No. 2013-06 , 11-25-2013)

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and thereafter a statement of the substance of the Ordinance was published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of \_\_\_\_\_ in favor to \_\_\_\_\_ opposed, with \_\_\_\_\_ abstaining.

\_\_\_\_\_  
Elroy Brittingham, Vice President

THIS ORDINANCE was approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar days later on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Wm. G. Williams, III, Mayor



ORDINANCE NO. 2017-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND, A MARYLAND MUNICIPAL CORPORATION, AMENDING CHAPTER 32, "VEHICLES AND TRAFFIC", ARTICLE III, DIVISION 2 "BICYCLES", SECTION 32-72.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT Chapter 32, Vehicles and Traffic, Article III, Division 2, Section 32-72 Bicycles be amended as follows:

Sec. 32-72. - Riding in parks and playgrounds.

~~It shall be unlawful for any person, operator or group of persons to ride or operate a bicycle or motor vehicle as defined in this division in any park or playground owned, operated and maintained by the town, except in those areas designated by the parks commission as "riding areas" or except in such areas as are public ways or public highways or roads, and commonly used as such in said park or playground areas.~~ The rider or operator of a bicycle in the parks and playgrounds owned and operated by the Town of Berlin shall have said vehicle under proper control at all times and shall not operate or propel the bicycle recklessly or at a rate of speed greater than is reasonable and proper and shall not operate the bicycle so as to endanger the well-being or property of any person or the facilities, equipment and property of the Town of Berlin.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and thereafter a statement of the substance of the Ordinance was published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of \_\_\_\_\_ in favor to \_\_\_\_\_ opposed, with \_\_\_\_\_ abstaining.

\_\_\_\_\_  
Elroy Brittingham, Vice President

THIS ORDINANCE was approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar days later on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Wm. G. Williams, III, Mayor

ATTEST:

\_\_\_\_\_  
Laura Allen, Town Administrator