



Town of Capitol Heights

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**MAYOR & COUNCIL
Work Session
FEBRUARY 16, 2021
7:00 PM**

Zoom Meeting

<https://zoom.us/j/96012003975?pwd=ZTZwL3JvZWZicWJ0L1p1VXdwWUt6Zz09>

Meeting ID: 960 1200 3975 - Passcode: 487704

By Phone (301) 715-8592 - Passcode: 487704

WORK SESSION AGENDA

- I. Call to Order:** Mayor Pro Tem – Renita A. Cason
- II. Roll Call:** Robin Bailey-Walls, Town Clerk
- III. Grant Reimbursement Status** – ATA Miller / Bev Habada
- IV. London Woods MOU with Police Department** – CM Cason
- V. Virtual Tutoring**– CM Akers
- VI. Annexation** – ATA Miller
- VII. CARES Reimbursement Status** – ATA Miller
- VIII. Status of Town Projects / * Davey Street added to the discussion/Budget** – ATA Miller
- IX. Status of Property Taxes** – ATA Miller
- X. Status of Citibot** – ATA Miller
- XI. Personnel Handbook Update** – CM Akers/Town Clerk
- XII. Short Term Rental Ordinance** – CM Cason/Town Clerk
- XIII. Protocol to ensure information delivery when email is down-** ATA Miller/Town Clerk
- XIV. Council Announcements** - Mayor & Council
- XI. Adjournment**

Council expected to adjourn the Work Session Meeting to Convene Executive Session to discuss Personnel and Legal Issues

Please Note: Pursuant to the Annotated Code of Maryland, State Government Article Section 10-508(a), the Council by majority vote may retire to executive or closed session at any time during the meeting. Should the Council retire to executive or closed session the chair will announce the reasons and a report will be issued at a future meeting disclosing the reasons for such closed session.



Town of Capitol Heights

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CLOSED SESSION
FEBRUARY 16, 2021
10:35 PM

- I.** Call to Order
- II.** Roll Call
- III.** Executive Session – Personnel and Legal Issues
- IV.** Adjournment

DR-4
Signed Copy

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2018 Legislative Session

Bill No. CB-11-2018
Chapter No. 84
Proposed and Presented by The Chair (by request – County Executive)
Introduced by Council Members Davis, Glaros, Turner, Taveras, Franklin and Patterson
Co-Sponsors _____
Date of Introduction September 25, 2018

BILL

1 AN ACT concerning

2 Short-Term Rentals

3 For the purpose of establishing permitting and licensing requirements, fees and applicable
4 standards for short-term rentals and generally related to short-term rentals.

5 BY adding:

6 SUBTITLE 5. BUSINESSES AND LICENSES.
7 Sections 7A-101, 7A-102, 7A-103, 7A-104, 7A-105,
8 7A-106, 7A-107, 7A-108, 7A-109, 7A-110, 7A-111,
9 and 7A-112,
10 The Prince George's County Code
11 (2015 Edition; 2017 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Sections 7A-101, 7A-102, 7A-103, 7A-104, 7A-105, 7A-106, 7A-107, 7A-108,
14 7A-109, 7A-110, 7A-111, and 7A-112 of the Prince George's County Code be and the same are
15 hereby added with the following amendments:

16 SUBTITLE 5. BUSINESSES AND LICENSES.
17 DIVISION 7A. SHORT-TERM RENTALS.

18 Sec. 7A-101. Purpose & Findings.

19 (a) This Division is to establish the licensing requirements for short-term rentals within
20 Prince George's County, Maryland. It also establishes the rules, regulations, fees, penalties and
21 enforcement provisions for short-term rentals. In the shared economy, hosting platforms enable

1 people to utilize and rent his or her home on a short-term basis. Short-term rentals are not
 2 regulated to the same standards as a hotel or motel, however, individuals utilizing short-term
 3 rentals and the associated hosting platforms acknowledge, understand and accept these
 4 differences in standards.* Rental licenses are different from short-term rental licenses and cannot
 5 be used interchangeably. Rental licenses are regulated pursuant to Subtitle 13 Division 4. Short-
 6 term rental licenses are regulated pursuant to Subtitle 5 Division 7A.* Each license must be
 7 applied for separately, adhering to and satisfying the applicable standards for each license.

8 **Sec. 7A-102. Definitions.**

9 In this Subtitle, the following words shall have the meaning indicated.

10 (a) **Booking service** means a reservation and/ or payment service provided by a person or
 11 entity that facilitates a short-term rental transaction between a host and a prospective short-term
 12 rental guest for which the person or entity collects fees in connection with the reservation, or
 13 facilitates payment services between the host and guest.

14 (b) **Days** means calendar days.

15 (c) **Department** means the Department of Permitting, Inspections, and Enforcement.

16 (d) **Director** means the Director of the Department of Permitting, Inspections, and
 17 Enforcement.

18 (e) **Dwelling unit** means one or more bedrooms providing permanent provisions for
 19 sleeping.

20 (f) **Host** means a legal owner of a residential dwelling unit and who provides or offers to
 21 provide all or part of a residential dwelling unit for short-term rental and has obtained a short-
 22 term rental license from Prince George's County. The host must provide proof of ownership
 23 with a copy of his or her Homestead Tax Credit filing.

24 (g) **Hosting platform ("Platform")** means a person or entity that facilitates a short-term
 25 rental by providing booking services through which a licensed host may lawfully provide a
 26 residential dwelling unit for short-term rental use.

27 (h) **Nuisance** means the following:

28 (1) **An act or condition knowingly created, performed, or maintained on private**
 29 property that constitutes a local code violation and that:

30 (A) **Significantly affects other residents of the neighborhood;**

31 (B) **Diminishes the value of neighboring property; and is injurious to public**

1 health, safety, or welfare of neighboring residents; or obstructs the reasonable use of other
 2 property in the neighborhood;

3 (2) A property where the tenant, owner, or other occupant has been convicted of
 4 violations of § 10-201 or § 10-202 of the Criminal Law Article for conduct occurring on, in, or in
 5 relation to the property; or

6 (3) A property to which police or other law enforcement agencies have responded to
 7 complaints or calls for service three (3) or more times within any 30 day period.

8 (i) **Owner Occupied** means the host and legal owner of a residential dwelling unit who is
 9 present during the entire time of the short-term rental. Owner Occupied short-term rentals shall
 10 not be utilized by a short-term rental guest for more than 180 days per calendar year.

11 (j) **Permanent resident** means an individual who is domiciled in Prince George's County,
 12 Maryland, maintains a place of abode in Prince George's County for 180 or more days during the
 13 year and is the individual who owns the property and obtains the homestead tax credit at that
 14 address. For purposes of this Subtitle, a host may have only one (1) permanent address, which is
 15 the address the host uses to obtain the homestead credit.

16 (k) **Short-term rental** means a residential dwelling unit occupied by a short-term rental
 17 guest, other than a permanent occupant, for fewer than 31 consecutive days and no more than 90
 18 days per calendar year, where a host receives monetary compensation for such occupancy, if the
 19 owner is not present during the rental. A short-term rental may be occupied by a short-term
 20 rental guest for no more than 180 days per calendar year, if the host is present during the short-
 21 term rental. A short-term rental provider shall not combine time limits for short-term rentals.
 22 The maximum allowable days for a short-term rental are 180 calendar days, provided all
 23 requirements are met for that time frame. A short-term rental is a tourist home that is an
 24 accessory use to a dwelling, but does not include a hotel, motel, inn, boarding house, group
 25 residential facility, and fraternity or sorority house.

26 (l) **Short-term rental guest** means a transient who occupies, or has the right to occupy, a
 27 lawfully licensed short-term rental for a period of 30 days or less during any one continuous stay.
 28 This does not include a hotel, motel, inn, boarding house, group residential facility, fraternity or
 29 sorority house.

30 (m) **Short-term rental provider** means a licensed host who lawfully offers for rent a
 31 short-term residential rental and does not include a hotel, motel, inn, boarding house, group

1 residential facility, and fraternity or sorority house.

2 **Sec. 7A-103. Standards for Short-Term Rentals.**

3 (a) Except as provide in 7A-103 (b), a short-term rental license shall be obtained prior to
4 operation and the short-term licensee shall comply with all applicable license requirements
5 pursuant to this Division and the Prince George's County Code.

6 (b) A person who has filed a complete application with the Department for a short-term
7 rental license may operate a short-term rental for no more than 90 calendar days while the
8 application is being assessed and evaluated by the Department. A person who has filed a
9 complete application with the Department shall follow all of the requirements of a short-term
10 rental provider during the 90 day operation of the short-term rental. The Department shall
11 provide a 90 calendar day certificate upon determining that the property is the applicant's
12 primary residence. The certificate shall state the start and end date of the 90 calendar days and
13 there is a pending application for a short-term rental license. The issuance of a certificate while
14 an application is pending does not guarantee that an applicant will be approved for a short-term
15 rental license.

16 1. If an applicant has been previously denied a license or his or her license has
17 been suspended or revoked, the Department shall not issue a certificate for the 90 calendar day
18 operation of a short-term rental.

19 2. The provisions of this 7A-103(b) may not be used to circumvent the provisions
20 and intent of this Division.

21 (c) No person shall advertise or host a short-term rental unless the person maintains a
22 short-term rental license for the specific address issued by the Department, or pursuant to section
23 7A-103 (b) there is a complete and a filed application is being assessed during the 90 calendar
24 day period.

25 (d) The maximum allowable days are 180 calendar days. A short-term rental licensee or
26 applicant with a certificate from the Department shall not combine days to exceed beyond the
27 maximum 180 calendar days. All applicable time frames shall be followed as outlined in this
28 Division.

29 1. An owner occupied short-term rental shall not combine the 180 calendar days with
30 any other days or time frames for short-term rentals.

31 2. A short-term rental that is not occupied by the owner shall not combine days with

90 Day
Temp License

1 any other time frames to exceed the maximum allowable days.

- 2 3. A person who has filed a complete application with the Department and has been
3 issued a certificate shall not combine days to exceed beyond the maximum
4 allowable days. Every day that the person who has filed a complete application
5 with the Department and received a certificate, rents his or her short term rental, it is
6 counted towards the maximum allowable days.

7 (e) Short-term rental licenses shall only be issued to hosts that utilize platforms licensed by
8 Prince George's County, Maryland.

9 (f) There shall be a completed application filed with the Department. Once the completed
10 application has been filed, the Department will assess the application for compliance with all of
11 the requirements for a short-term rental license. After the assessment of the application, the
12 Department may approve the application and issue a short-term rental license.

13 (g) The Department will maintain a database for all short-term rental licensees, which will
14 include, but is not limited to emergency contact information for the licensed host and the person
15 designated as the emergency contact. Prince George's County Government and Municipal
16 Officials will have the ability to gain access to the host and emergency contact information in the
17 short-term rental database.

18 **Sec. 7A-104. License Application for Short-Term Rentals; Hosts.**

19 (a) The Department may issue an annual short-term rental license to an eligible applicant.

20 (b) Each short-term rental license expires annually on the anniversary of its issuance.

21 (c) Fraud, misrepresentation, false statement and inaccuracies in the application or
22 supporting documents shall be grounds for immediate revocation or denial of the short-term
23 rental license. All the requirements of this Subtitle shall be continuously maintained throughout
24 the duration of the license. Failure to do so shall be grounds for immediate revocation or denial
25 of the short-term rental license.

26 (d) Shall pay all applicable fees associated with the application and approval of the license,
27 including the initial \$150 licensing fee, thereafter there will be an annual fee of \$150;

28 1) The fees are subject to change; any change in the licensing fee shall be prescribed
29 in the Table of Fees.

30 (e) An applicant for a short-term rental license shall:

31 (1) Obtain liability insurance of at least \$1,000,000.

1 a. May utilize a platform's liability insurance if the liability insurance is at least
 * 2 \$1,000,000 and is approved by the Department.

* 3 (2) Provide a copy of current and valid liability insurance of at least \$1,000,000;

4 (3) Attest and ensure that each short-term rental unit has a working smoke detector
 * 5 and carbon monoxide detector in every bedroom, sleeping area and on all habitable floors;

6 (4) Provide a picture to the Department as proof of the required smoke detectors and
 7 carbon monoxide detectors;

8 (5) Attest and ensure that each short-term rental unit has properly maintained and
 9 charged fire extinguishers in every bedroom, sleeping area and on all habitable floors;

10 (6) Provide a picture to the Department as proof of the required fire extinguishers;

11 (7) Attest and ensure that each short-term rental has a posting of emergency contact
 12 information on the interior of the rental, a floor plan that indicates fire exits and escape routes
 13 that is conspicuously placed on the interior portion of the main entrance and in each room where
 14 there are sleeping quarters in the short-term rental;

15 (8) Provide a picture to the Department as proof of the conspicuously placed posting
 16 of the emergency contact information on the interior of the rental, a floor plan that indicates fire
 17 exits and escape routes;

18 (9) Attest and ensure the short-term rental is in compliance with all applicable laws
 19 and codes including but not limited to Subtitle 4 of the Prince George's County Code, all
 20 applicable property maintenance, electrical, plumbing and building codes;

21 (10) Attest and ensure that notification has been provided to homeowner associations,
 22 condominium associations, common ownership communities, cooperatives, and, where
 23 applicable, municipalities where the short-term rental is located;

24 (11) Attest and ensure compliance with the requirements of homeowner associations,
 25 condominium associations, common ownership communities, and cooperatives where the short-
 26 term rental is located;

27 (12) Attest and ensure that the short-term rental has provided at least one (1) off street
 28 parking space for every three (3) overnight guests;

29 (13) Provide proof of availability of off street parking for the short-term rental;

30 (14) Provide proof of intent to apply for the short-term rental license has been
 31 provided to the following neighbors and/or individuals in the adjacent homes including but

1 limited to:

2 (A) The neighbors that are to the immediate left, of the short-term rental
3 property;

4 (B) The neighbors that are to the immediate right, of the short-term rental
5 property;

6 (C) The neighbors that are in front of the short-term rental property;

7 (D) The neighbors that are behind the short-term rental property;

8 (E) The Department shall provide the approved notification letter for short-term
9 license applicants;

10 (15) Attest and ensure that the short-term rental is the permanent residence of the host;

11 (16) Attest and ensure the short-term rental has two (2) outdoor trash and one (1)
12 recycling receptacles with tight fitting lids;

13 (17) Provide proof of ownership of the short-term rental property; a copy of the host's
14 homestead property tax credit for the location of the short-term rental;

15 (18) Attest and ensure that the property has no outstanding taxes or liens and the
16 property has no code violations;

17 (19) Attest and ensure that accurate and current contact information of the owner of
18 the short-term rental is provided on the application; the contact information shall include the
19 following:

20 (A) The host's primary physical mailing address;

21 (B) The host's cell phone number;

22 (C) The host's email address;

23 (20) Attest and ensure that accurate and current information of an individual that will
24 serve as the emergency contact, other than the host, who resides within Prince George's County
25 or within 25 miles if the emergency contact resides outside of Prince George's County. The
26 emergency contact and is responsible for responding to the short-term rental for any issues that
27 require immediate attention. This information shall be provided on the application; the contact
28 information shall include the following:

29 (A) The individual's primary physical mailing address;

30 (B) The individual's cell phone number;

31 (C) The individual's email address;

1 (21) Provide, within five (5) business days, updates to the contact information
 2 immediately or risk having the license revoked or denied;

3 (22) Provide a list of all the licensed platforms the applicant intends to utilize;

4 (23) Attest and ensure that the rules, as approved by the Department per Section 7A-
 5 109(a) regarding short-term rental guests are posted on or by the main entrance used by the
 6 transients pursuant to Section 7A-109 of this Division.

7 (f) The Department may require evidence of any of the above requirements in any form or
 8 manner it directs.

9 **Sec. 7A-105. Short-Term Rentals Licenses; Issuance and Renewal of Licenses for Hosts.**

10 (a) No license for a short-term rental shall be issued to a host until the application has been
 11 successfully and satisfactorily completed. All documentation shall be submitted and all
 12 requirements shall be adhered to prior to a determination being made about the issuance of a
 13 short-term license to the applicant.

14 (b) Each short-term rental license expires annually on the anniversary of its issuance. The
 15 host must apply to renew the license thirty (30) days before the current license expires. Upon
 16 approval of the renewal license, the host shall submit the applicable licensing fee.

17 1. The fees are subject to change; any change in the licensing fee shall be prescribed in
 18 the Table of Fees.

19 (c) In addition to complying with all of the application requirements set forth in Section
 20 7A-104, the renewal applicant shall provide a copy of short-term rental guest log required by
 21 Sec. 7A-106.

22 **Sec. 7A-106. Short-Term Rentals Licenses; Host Requirements.**

23 (a) No one shall engage in the business of the short-term rentals without having obtained a
 24 license under this Division.

25 (b) A person who has filed a complete application with the Department for a short-term
 26 rental license may operate a short-term rental for no more than 90 calendar days while
 27 the application is being assessed and evaluated by the Department. A person who has
 28 filed a complete application with the Department shall follow all of the requirements of
 29 a short-term rental provider during the 90 day operation of the short-term rental as
 30 prescribed in this Division and section 7A-103.

31 (c) No one shall utilize or list on a hosting platform without a short-term rental license.

1 except as prescribed in section 7A-103 (b).

2 (d) Anyone issued a short-term rental license shall do the following:

3 1. Shall collect and remit all applicable hotel taxes through the platform;

4 2. Shall display conspicuously on interior of the short-term rental, the license with
5 contact information of the licensed host, the Prince George's County, Maryland based emergency
6 contact pursuant to Section 7A-104(c)(19) and the contact information for the Department;

7 3. Shall not rent the short-term rental for more than 30 consecutive days;

8 4. Shall not rent the short-term rental more than 90 days per calendar year if the short-
9 term rental is unoccupied by the owner;

10 5. Shall not rent the short-term rental more than 180 days per calendar year if the short-
11 term rental is owner occupied;

12 6. Shall not combine allowable time frames to exceed the permissible calendar days for
13 short-term rentals;

14 7. Shall not permit more than a total of eight (8) guests at any one time and there shall
15 not be more than three (3) guests per bedroom;

16 8. Shall not permit any other individuals to utilize the short-term rental other than
17 registered short-term rental guests;

18 (e) Maintain a log of all short-term rental guests that have rented the short-term rental
19 when applying to renew the short-term rental license that shall be provided when applying for
20 renewal of the short-term license;

21 (1) The log shall contain the following information:

22 (A) The total number of short-term rental guests that stay in the short term rental
23 for the calendar year beginning the first day of January of each year and ending the last day of
24 December;

25 (B) The total number of short-term rental guests that stay during each individual
26 rental;

27 (C) The dates the short-rental is rented by a short-term rental guest;

28 (D) The number of days and dates the short-term rental was owner occupied; and

29 (E) The total number of days and dates when the short-term rental was not owner
30 occupied.

31 Sec. 7A-107. Short-Term Rental Hosting Platform License; Requirements.

1 (a) Short-term rental hosting platforms shall be registered with the Department.

2 (b) Platforms shall pay an annual licensing fee of \$2,500 to lawfully operate in Prince
3 George's County, Maryland.

4 (1) The fees are subject to change; any change to the annual \$2,500 licensing fee
5 shall be prescribed in the Table of Fees.

6 (c) Platforms shall require any short-term rental host to submit a copy of the host's rental
7 license or 90 day pending application certificate to the platform, prior to the rental being listed
8 on the platform.

9 (d) Platforms shall provide the following information to the Department on an annual
10 basis. The information shall be submitted to the Department by January 1. The required
11 information is as follows:

12 (1) The total number of short-term rentals listed on the platform during the applicable
13 reporting period;

14 (2) A complete listing of all Prince George's County properties listed in the platform
15 for the current and upcoming reporting periods;

16 (3) The total number of nights that each listing on the platform was rented to
17 transients during the applicable reporting period.

18 (e) All platforms shall remit all hotel taxes, including but not limited to those collected by
19 the short-term rental provider or applicant, as outlined in this section and Subtitle 10 Division 8
20 of the Prince George's County Code and:

21 (1) Such quarterly payments shall be made on or before the last days of April, July, October
22 and January in each year. They shall cover the amounts collected during the three (3) months
23 immediately preceding the months in which reports and remittances are required. Such quarterly
24 payments shall be made on or before the last days of April, July, October and January in each
25 year. They shall cover the amounts collected during the three (3) months immediately preceding
26 the months in which reports and remittances are required. The payments shall be made to the
27 Department of Finance

28 (2) Prince George's County, with approval of the governing body, may agree to an
29 alternative method of tax collection with the Platform. However, if after the expiration of the
30 term of the agreement, Prince George's County may require remittance of hotel taxes as outlined
31 in Subtitle 10 Division 8 of the Prince George's County Code and Section 7A-107 (e) (1).

1 Sec. 7A-108. Department Responsibilities and Reporting.

2 (a) The Department shall:

3 1. Promulgate rules and regulations that every properly licensed short-term rental
4 shall display in the main entrance used by short-term rental guests;

5 2. Enforce any violation under this Division;

6 3. Maintain records on licensed short-term rentals and short-term rental platforms;

7 4. Provide reports on short-term rentals at the request of the County Executive and
8 County Council;

9 5. Monitor short-term rentals for compliance with this Division, building code,
10 zoning regulations and the Prince George's County Code;

11 6. Investigate suspected violations of this Division by platform hosts;

12 7. Issue any penalties, citations, and revocations consistent with the enforcement and
13 penalty provisions of this Division.

14 8. Provide an annual report on short-term rentals. The report shall include the
15 following information for the prior calendar year: a summary of activities for short-term rentals,
16 the number of licenses issued, suspended, revoked, complaints regarding short-term rentals,
17 revenue raised from the short-term rental licenses, staffing assigned in part or in full to ensure
18 compliance with this section and other relevant information. The report shall be submitted to the
19 County Executive by February 1. The County Executive shall transmit the report to the County
20 Council by March 15.

21 (b) The Department shall provide on a monthly basis to lawfully licensed platforms the
22 following information:

23 (1) The license number for all lawfully registered hosts;

24 (2) The license number for all hosts who have an expired license;

25 (3) The license number for all hosts who have a suspended license;

26 (4) The license number of all hosts whose license has been revoked;

27 (5) The name of individuals who have applied for a short-term rental license but were
28 denied;

29 (6) The certificate number for all the applicants that have filed a complete application
30 and were issued a 90 day operation certificate.

31 Sec. 7A-109. Prohibited Acts, Enforcement and Penalties; Platforms.

1 (a) It shall be unlawful for a platform to list a short-term rental or for any person engaged
 2 in the business of short-term rentals to list on any platform when the following occurs:

3 (1) Short-term rentals that rent, or offers to rent that unit or any portion thereof, by
 4 the hour or for any period of fewer than 24 consecutive hours;

5 (2) Short-term rentals that rent, or offers to rent that unit or any portion thereof, more
 6 than once within any consecutive 24-hour period measured from the commencement of one
 7 rental to the commencement of the next;

8 (3) Advertise an hourly rate or any rate for any short-term rental period of fewer than
 9 24 consecutive hours;

10 (4) Short-term rentals that rents, offers to rent that unit or any portion thereof, for
 11 multiple bookings or rentals for the same or overlapping time periods;

12 (b) If any of the acts prohibited by this section occurs, the short-term license shall be
 13 revoked.

14 (c) If a platform collects a fee for booking services in connection with an unlicensed host,
 15 the platform shall be liable and subject to civil fines of \$1000.

16 (d) If a platform collects a fee for booking services in connection with someone who does
 17 not have a 90 day certificate from the Department regarding a filed and complete application, the
 18 platform shall be liable and subject to civil fines of not less than \$1000.

19 **Sec. 7A-110. Enforcement and Penalties; Hosts.**

20 (a) The short-term rental license for a host is a privilege and not a right. A short-term
 21 rental license may be suspended or revoked at any time or not renewed based upon non-
 22 compliance with the requirements of this Division and the Prince George's County Code.

23 (b) A short-term rental license may be suspended or revoked due to a citation, corrective
 24 order, or violation notice citing violations of the Prince George's County Code, including but not
 25 limited to violations of the building, electrical, plumbing or zoning codes.

26 (c) The Department has the right to enter and inspect the short-term rental with reasonable
 27 notice to the host. Failure to provide timely access may serve as a basis to suspend or revoke a
 28 license.

29 (d) The Department may immediately suspend or revoke a short-term rental license if it
 30 constitutes a nuisance as defined in Section 7A-102 or because of any adverse effect to public
 31 health, safety, and the general welfare, including excessive noise, traffic, physical activity, public

1 safety, or other good cause.

2 (e) The Department may immediately suspend or revoke a license if under the Building
3 Code a stop work or stop use order has been issued to the address.

4 (f) All enforcement actions and penalties are at the Director's discretion, based upon the
5 requirements of this Division.

6 (g) If a short-term rental host license is suspended or revoked, Department shall notify in
7 writing the host and all platforms on which the host currently lists.

8 (h) In addition to any other penalty provided by law, any individual who violates this
9 Division shall be subject to a civil fine of not less than \$1000.

10 **Sec. 7A-111. Appeals from determinations of Director.**

11 Any person aggrieved by an act or determination of the Director pursuant to this Division,
12 including, but not limited to, suspension or revocation of any license, may appeal such act or
13 determination to the Prince George's County Board of Administrative Appeals within ten (10)
14 calendar days after receipt of notice of the act or determination of the Director. The Board may
15 reverse, modify or remand the decision of the Director only if the decision of the Director is
16 clearly erroneous, or arbitrary and capricious, or unsupported by any substantial evidence.

17 **Sec. 7A-112. Appeals from the Board of Administrative Appeals.**

18 Any party aggrieved by a decision of the Board of Appeals pursuant to this Division may
19 appeal that decision to the Circuit Court for Prince George's County, Maryland. The appeal shall
20 proceed in accordance with the provisions of Title 7 Maryland Rules of Procedure.

21 * * * * *

22 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
23 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
24 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
25 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words,
26 phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since
27 the same would have been enacted without the incorporation in this Act of any such invalid or
28 unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

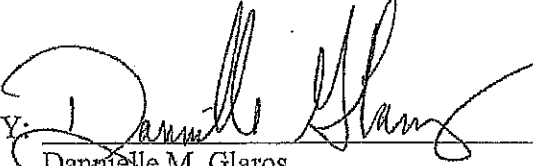
29 SECTION 3. BE IT FURTHER ENACTED that at least 50% of the projected revenue
30 generated by the fees or penalties authorized under this Act shall be reserved in the annual County
31 budget process for permitting, inspections, or enforcement personnel costs of the Department of

1 Permitting, Inspections, and Enforcement.

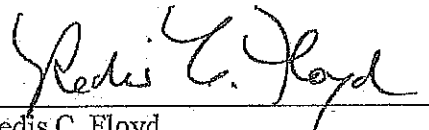
2 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on October 1,
3 2019.

Adopted this 23rd day of October, 2018.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

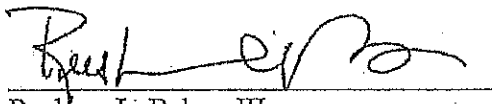
BY: 
Danielle M. Glaros
Chair

ATTEST:


Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: 11/21/2018

BY: 
Rushern L. Baker, III
County Executive

Suggested - Internal Candidate Policy Statement

The Town of Capitol Heights recognizes the distinct advantage of talented employees seeking job and career advancement. Therefore, every job opening in Town will be posted for at least seven (7) workdays through a variety of media such as bulletin board postings and distribution via email. All staff employees who are seeking job advancement or considering a job change are encouraged to use the job posting system as a method for seeking a suitable position.

Employees who wish to pursue an internal employment opportunity must

1. Respond to the job posting by providing all appropriate documentation in a timely manner; and
2. Maintain a performance level of Meets Expectations or better on their most recent Annual Performance Review; and
3. Perform their current job for a minimum of twelve (12) months. If the vacant position is within the same department, this requires a minimum of six (6) months, and
4. Be in good standing (i.e. not have been placed in Positive Corrective Action within the last year); and
5. Notify their current supervisor if mutual interest continues after an initial interview.

Suggested Process (can be formalized using the process template) - Hiring Manager must

1. Consider all qualified internal external candidates; and
2. Review and screen eligibility for internal candidates; and.
3. Interview all qualified internal candidates; and.
4. Notify unqualified candidates the opportunity is not appropriate; and.
5. Select the best candidate who satisfies all the relevant hiring issues related to qualifications, compensation, timing, affirmative action commitments, and equal opportunity. Notify current Manager, Town Manager and Council of hiring decision before an offer is made.
6. Should no internal candidate meet the requirements or be suitable for the position; recruitment for external candidates may begin.

Action Item Tracker
February 16, 2021
Work Session

#	Date Opened	Description/Issue	Status –Work, Public or Closed Session	Requires Council Action on Mgt Report / Disposition	Assigned to	Target Date
42.	01/07/19	HOA Draft waiting for a response from the HOA; follow-up – Jason to send a second letter, CM Cason to investigate why it was not passed on to the HOA Board	Work Session		ATA Miller	03/01/21
57.	07/06/20 01/22/19	Annexation of Metro City, Petzena Woods and Highmount- ATA Miller will follow through and provide a status	Work Session Public Session Work Session Work Session	Status Update Had not heard from POC Will follow through again; CM Cason provided additional information	ATA Miller TA Jason Small	02/16 21 01/11/21 12/07/20 11/16/20 11/02/20 09/21/20
67.	02/04/19	3 rd Monday (Quarterly) designated for training –	Work Session	Ethics Training - Legit in attendance How to get ahead of the legislative process was resolved with the approval of hiring a lobbyist	Mayor and Council	TBD 02/08/21
112.	04/15/19	Multiple Services Home Rehab; sent final draft to Town Attorney and Home Rehab team for review; What other companies are interested?	Work Session		ATA Miller	TBD
136.	06/019	Greenhouse - Status of the building/construction Greenhouse Greenhouse Town Garden; Investigate in Town locations. Visit the location and research the type and what will be produced	Work Session Work Session Work Session Work Session Work Session Special Session Work Session	Dependent on weather Building materials have been delivered; waiting for favorable weather to begin construction Pending delivery and start-up this week. Submitted as a CARES Item Resolution to be provided Bring back Green House quote; Is an RFP required ATA Follow-up about sub-committee meeting on 12/01/20 Town Garden	ATA Miller ATA Miller ATA Miller ATA Miller ATA Miller/ CM Williams CM Williams	TBD 01/11/21 01/04/21 12/21/20 12/07/20 12/01/20 11/30/20 10/19/2 09/21/20

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138.	06/03/19	Combined Flyer Process; Robin and CM Brown to review and update what Jason wrote	Work Session		CM Brown Robin Bailey-Walls	TBD
154.	07/01/19	Do a feasibility study to use the Police building as an incubator site; Community Center or for local businesses	Work Session		ATA Miller TA Jason Small	03/15/21
159.	07/10/19	Ethics Commission; Candidate discussion in Closed Session	Closed Session	To be discussed in Closed Session Suggestion by CM Brown to open the search for candidates CM Cason – Determine from current candidates who will be the alternative member Ran out of time Ran out of time	Council CM Brown Mayor and Council	TBD 02/08/21 10/26/20 10/19/20 07/20/20
165.	07/22/19	Responsibility transferred to Town Clerk along with ATA Miller Codification; Pat Webster working on the documentation; Combined with # 240 – Code Updates	Work Session Work Session Work Session Work Session Work Session		ATA Miller	03/15/21 12/07/20 11/16/20 11/02/20 09/21/20
177.	09/09/19	Retirement Plan; Mayor requests a presentation by the State Contractor	Work Session	Status of Retirement committee ATA Miller reported that a Retirement Committee has been formed (Deputy Morgan, Charles Simpson, Michael Coleman, James Greene, Robin Bailey-Walls (asked to be a member) and ATA Miller)	ATA Miller ATA Miller	03/15/21 01/11/21 TBD
181.	09/09/19	Owens School letter of support decision; CMs Brown & Williams provide the information	Work Session Work Session	Follow through with CM Brown and CM Williams for additional information for regarding contents of the letter of support. regarding details for letter of support; Write letter of support CM Williams indicated a letter is now required; follow through is needed	ATA Miller/ CMs Williams and Brown ATA Miller/ CM Williams CM Brown	03/01/21 02/01/21 01/04/21

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183.	09/13/19	Email migration Status /Quality level of services provided NTI Server Discussion/Approval to Upgrade Town Server; Update in ATA Miller’s memo 05/22/20; Installation began on 07/13/20	Work Session Work Session Public Session Work Session	Status of problems Outcome of Email migration; encountered various problems; Not all Council have email access Email migration is set to begin this Friday/ATA Miller discussed concerns with NTI regarding the Level of Service that has been provided File Server Complete; Email Server in Progress	ATA Miller	03/01/21 02/16/21 02/01/21 01/11/21 12/07/20 11/16/20 11/02/20
189.	10/15/19	Folders & Scanning Procedures (ShoreScan); Project Folders Suggested and Approved by Council	Work Session		CM Brown Robin Bailey-Walls	TBD
203.	11/12/19	Lighting on Parking Lot next to D&V Beauty Salon Building; Waiting on Venus for a response from Pepco	Work Session		ATA Miller CM Chew	03/15/21
204.	11/12/19	Mural PEDC (Hair Salon)	Work Session		Mayor Maldon	TBD
213.	12/09/19	Status Update – Creation of a Project Tracker; Included in Status update 05/15/20	Work Session		CM Brown	TBD
214.	12/09/20	Charter Review; Updates and additions	Special Session		Mayor and Council	Ongoing
216.	12/09/19	Vacant Properties and Lots / Process to obtain information	Work Session		ATA Miller	03/15/21
217.	12/09/19	Creating a park like feel; Capitol Heights Blvd to new development	Work Session		Mayor Maldon	03/15/21
219.	02/03/20	Capitol Heights Day Plan for 2021	Work Session		ATA Miller	03/15/21
222.	02/03/20	Mediation	Work Session		ATA Miller	03/15/21
225.	02/03/20	Status – Vendor RFPs	Work Session Public Session Public Session	Will update in February ATA Miller provided an update on Moved to next Public Session	ATA Miller ATA Miller	03/01/21 01/11/21 12/28/20 12/14/20

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235.	02/24/20	Status – Obtaining Properties	Work Session		ATA Miller	03/15/21 12/07/20
242.	03/02/20	CGI Update; Edited video	Work Session Public Session Public Session Work Session Work Session Public Session	Send photos to CM Brown Some footage not reflective of Town; Provide CM Brown with additional photos of residents and Town events to be incorporated in to the video	CM Brown CM Akers/ ATA Miller CM Akers/ATA Miller CM Akers ATA Miller	TBD 01/11/21 12/14/20 11/02/20 09/14/20
248.	04/13/20	Status of Grant Files Centralized at Town Hall Recommendation was to have ATA Miller manage the grants during Budget Hearings	Work Session Public Session Work Session Work Session Public Session Public Session	Status Update NTI working on Creating Mirror Drive – Ran out of time Ran out of time	ATA Miller ATA Miller ATA Miller	03/01/21 01/11/21 12/07/20 11/09/20 11/02/20 09/14/20
279.	05/11/20	Status of Grants/Develop a Tracking System	Work Session Work Session Work Session Public Session Public Session	Ran out of time Ran out of time Status Update No Update No Update	CM Brown ATA Miller ATA Miller	TBD 11/09/20 11/02/20 09/14/20 05/18/20
310.	07/03/20	Status of CARES Reimbursements; Documentation requested; Spreadsheet requested to include what was purchased, cost, what was submitted and what was reimbursed	Work Session Work Session Work Session Public Session Work Session Public Session Public Session	List of items sent and status reimbursement; specifics requested for gift cards - # purchased and monetary breakdown; how many are left No funds reimbursed; will follow through and provide a list of what was submitted. Update provided ATA Miller requested to discuss Reviewed at Public Session - Council requested a document to review of expenditures and reimbursement Update Provided Ran out of time	ATA Miller CM Chew/ CM Akers	02/16/21 02/01/21 01/04/21 12/21/20 12/14/20 11/23/20 11/09/20 11/02/20

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311.	07/13/20	Status Updates on Town Projects (Monthly)	Work Session Public Session Public Session Public Session Work Session	Moved to next Public Session Provided in Report Ran out of time	ATA Miller	02/16/21 01/11/21 12/14/20 11/09/20 11/02/20
314.	07/13/20	Status Update of Grant Reimbursements	Work Session Public Session Public Session Work Session - Monthly	Grant Status Update Bev assisting in gathering documentation Miller provided an update	Bev Habada /ATA Miller ATA Miller ATA Miller ATA Miller/ CM Cason	02/16/21 01/11/21 12/07/20 10/19/20
315.	07/13/20	Parliamentarian; Contact MML and other resources to provide a free resource	Work Session Work Session Work Session	ATA Miller to follow through	ATA Miller ATA Miller ATA Miller	03/15/21 11/02/20 10/19/20
327.	09/14/20	Property Tax – Status Miller to follow through with County to correct the error Property Tax Discussion Miller to follow through with County	Work Session Work Session Public Session Work Session Public Session Public Session Work Session Public/Work Session Work Session	Status of letters- Completed? Letters being sent Working on submitting the spreadsheet the County requested No response - follow-up with County Follow-up with County Ran out of time ATA Miller to follow through	ATA Miller CM Cason/ ATA Miller	02/16/21 02/01/21 01/11/21 12/21/20 12/14/20 11/09/20 11/02/20 10/05/20 10/19/20
329.	09/10/20	Legislative Policy for Rental and Business Owners Impacted by COVID	Work Session Work Session	Town Clerk explained the intent to be discussed at a later time.	ATA Miller	03/15/21 12/07/20

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336.	10/05/20	Virtual Tutoring Proposal	Work Session Public Session Work Session Work Session Public Session Work Session Public Session Work Session Work Session Public Session	Payment of tutors/MOU Payment of Tutors – MOU – Ran out of time Moved to next Work Session Ran out of time Payment of Tutors Decision by Council to delay program; assist with bringing it back after fully advertised; all Council agreed to assists MOU signed; W2’s; Have enough students signed up for tutoring; last meeting there were 3 students; Deadline for a decision was Friday? Council to meet with potential partners – KC Youth Empowerment, Inc and Beulah Community Center Council Approved Program; funding and scheduling changes to be discussed	CM Akers CM Akers ATA Miller CM Cason Partner Discussion CM Cason	02/16/21 02/01/21 01/19/21 01/11/21 12/21/20 12/07/20 11/23/20 11/16/20 11/09/20 11/02/20 (#342) 10/19/20 10/13/20
338.	10/13/20	To Do Lists	Work Session Work Session	Requested Feedback	CM Brown	TBD 10/19/20
341.	10/19/20	Status of Newsletter Mailer to residents with information on COVID, budget; not to exceed page limit; post on website	Work Session Public Session Work Session Work Session Work Session Public Session Work Session Public Session Public Session	ATA Miller stated the Newsletters had been sent; requested information for the next publication Miller to send draft to Council ATA will get to M&C by 12/09/20	ATA Miller	03/15/21 02/01/21 01/11/21 01/04/21 12/21/20 12/07/20 11/16/20 11/09/20 11/02/20 10/26/20

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345.	10/26/20	Status - Davey Street – Grant application Is it possible to get paved? Possible partnering with the County	Work Session	Follow-up on Grant Status Bev Habada provided information on the pending grant Follow-up A grant was applied for to facilitate this; Will talk with Bev to get information. No transition with NSD Director; will have to investigate	ATA Miller Bev Habada ATA Miller	03/15/21 12/21/20 12/07/20
346.	10/26/20	Status of Citibot Operational - start date Citibot; CARES item Citibot- follow through with trail period	Work Session Work Session Work Session Work Session Work Session Public Session	ATA Miller reported the start date is February Miller anticipates start up soon ATA Miller discussed cost after trial period; to get up and running Previously approved for Trial period	ATA Miller ATA Miller ATA Miller	02/16/21 01/11/21 01/04/21 12/21/20 12/07/20 09/14/20
351.	12/07/20 10/29/20	Council Concerns	Special Session Work Session Work Session	Council voted to hold special meeting(s) to work out issues; no date established	CM Williams	TBD 11/09/20
352.	10/29/20	Meeting Minutes – Attendance (Sept 14 th , 21 st and 28 th)	Work Session Work Session		CM Akers CM Akers	TBD 12/07/20
353.	12/21/20 12/14/20 12/07/20	COVID-19 and Emergency Plans COVID-19 and Emergency Plans COVID -19 Plan	Work Session Public Session Work Session Work Session	ATA Miller requested an extension Requested to see the documentation; Town Clerk requested the Protocol be disseminated to the staff also ATA Miller stated the Town will follow the State/County; Emergency plans are in place CM Ford requested the Plans for Council review	CM Ford/ATA Miller CM Ford/ ATA Miller Town Clerk ATA Miller ATA Miller ATA Miller	03/01/21 02/01/21 01/11/21 12/21/20

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354.	12/17/20	Provide the documented process to submit Property Tax forms to the County Response to PIA request for documentation on submitting Property Tax requirements to the County	Work Session Public Session Work Session	Provide documentation specific to the property tax submission process ATA Miller provided Constant Yield Tax submission documentation which included the property tax form; The requestor felt his request wasn't satisfied ATA Miller will respond with documentation to PIA – Mr. Brown requested by January 8, 2021	ATA Miller ATA Miller ATA Miller	03/15/21 1/11/21 01/04/21
356.	01/04/21	London Woods MOU with Police Department	Work Session Work Session	Review and discuss Ran out of time. CM Cason requested this be discussed at the next Work Session Ran out of Time	CM Cason	02/16/21 02/01/21 01/19/21
358.	01/11/21	Update Personnel Handbook and Protocol to state internal employees that meet the position requirements are able to apply when positions become available before an outside employment search begins	Work Session	Approval of statement to be added	CM Akers/ Town Clerk	02/16/21
359.	01/11/21	Short term rental Ordinance is needed	Work Session	Determine Council Direction/ Author Ordinance	CM Cason/ Town Clerk	02/16/21
362.	02/04/21	Resolution 2021-14 A Resolution Appointing Kevin J Best as Town Attorney	Public Session	Pending Council Approval to walk on the agenda	ATA Miller /CM?	02/08/21
363.	02/04/21	Resolution 2021-15 A Resolution Approving the Appointment of a Resident Agent	Public Session	Pending Council Approval to walk on the agenda -	ATA Miller	02/08/21
354.	02/08/21	Resolution 2021-16 A Resolution Appointing Carrington and Associates as Lobbyist	Public Session	Pending Council Approval to walk on the agenda -	ATA Miller	02/08/21
355.	02/08/21	Create a protocol to ensure delivery to Council when email system is down	Work Session		ATA Miller/ Town Clerk	02/16/21

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356.	02/08/21	Request that Management Reports be received in writing as opposed to oral reports	Public Session	Reports to be in writing	ATA Miller	02/22/21
357.	02/08/21	Meeting with Argos – Legal matters	Closed Session	Schedule a time along with Town Attorney	ATA Miller	TBD
358.	02/08/21	Grant management	Work Session	Devise a plan to manage grants	CM Williams/ ATA Miller	TBD
359.	02/08/21	Protocol for Virtual Meetings	Work Session	Document the protocol for virtual meetings	CM Williams/ ATA Miller	TBD
360.						