Town Council
Regular Meeting
June 23, 2026, 6:00 PM
Council Chambers, La Plata Town Hall
305 Queen Anne St.
La Plata MD

Agenda

1. Call to Order

    1.1. Meeting Attendance and Decorum

    Attendees, please use meeting courtesy. Virtual attendees are asked to mute microphones when joining the meeting. Participants may be muted by the Town Clerk and meetings will be recorded.

    In accordance with the Open Meetings Act, the public has the right to view/listen to the discussion only. At their discretion, the Town Council may allow participants to voice questions or provide comments on the topics under discussion. Written comments may be submitted via email to Legislative@townoflaplata.org. Individuals wishing to address the Town Council may sign up in advance on the Town's website (Public Communications) or on the meeting sign-up sheet.

    Join on your computer, mobile app, or room device.
    Join the meeting now
    Meeting ID: 271 095 028 035 62
    Passcode: vp3Sh6j2
    (Calendar Year 2026)

    1.2. Roll Call

    1.3. Pledge of Allegiance

    1.4. Approval of the Meeting Agenda

2. Disclosure of Closed Session

    2.1. Disclosure of Closed Session on June 23, 2026

3. Public Hearing - Adequate Public Facilities Ordinance - Roads

3.1. Call to Order (Presiding Officer)

3.2. Review of Public Notices (Town Clerk)

3.3. Summary of Town Staff Report and Recommendation

3.4. Questions by the Town Council to Town Staff

3.5. Written Documents Entered into the Record (Town Clerk)

3.6. Speakers from the Public

3.7. Additional Questions by the Town Council

3.8. Closing of Public Hearing

4. Consent Agenda

4.1. Approval of Minutes from Regular Meetings on May 12, 2026, and May 26, 2026

4.2. Adoption of Resolution 26-36 La Plata Police Department Fiscal Year 2027 Vehicle Purchase

4.3. Adoption of Resolution 26-38, Charles County Public Library - Amendment to Ground Lease

5. Petitions, Communications, Appearances and Public Comment

5.1. Public Comment

5.2. Chesapeake Insurance Trust Presentation

6. Matters of Council Discussion

6.1. Policy on Requests for Letters of Support or Recommendation

6.2. Letter of Support - Maryland Department of Transportation/State Highway Administration

7. Legislation

7.1. Ordinance 26-14 Revision of Employee Handbook (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Revision of Employee Handbook

FOR the purpose of amending certain personnel rules and regulations regarding policies on Civility in the Workplace, Gift Acceptance, Workplace Communication, Vacation Accrual, Sale of Leave, and Heat-Related Illness Prevention and Management in the Town's Employee Handbook; and all matters generally relating thereto.

7.2. Ordinance 26-03 Resign to Run (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Resign to Run

FOR the purpose of amending Chapter 17 – Elections, requiring incumbent elected officials of the Town of La Plata seeking candidacy through any Board of Elections for a position other than re-election to the Council of the Town of La Plata, to resign from their current position with the Town; and all matters generally relating thereto.

7.3. Ordinance 26-15 Chapter 191 - Zoning Ordinance for the Town of La Plata, Maryland - Roads (First Reading; For Introduction)

AN ORDINANCE concerning

Chapter 191 – Zoning Ordinance for the Town of La Plata, Maryland - Roads

FOR the purpose of amending Article X of the Zoning Ordinance of the Town of La Plata to include processes for creating, managing, and maintaining adequate public road facilities in the Town of La Plata; and all matters generally relating thereto.

7.4. Resolution 26-37 Town of La Plata Policy on Letters of Support or Recommendation (For Introduction and Consideration of Adoption)

A RESOLUTION concerning

Town of La Plata Policy on Requests for Letters of Support or Recommendation

FOR the purpose of defining an administrative framework for processing requests for Letters of Support or Letters of Recommendation from the Town of La Plata; and all matters relating thereto.

7.5. Resolution 26-38 Maryland State Highway Administration – Letter of Support (For Introduction and Consideration of Adoption)

A RESOLUTION concerning

Maryland State Highway Administration – Letter of Support

FOR the purpose of authorizing the Mayor to execute a Letter of Support to the Maryland State Highway Administration relating to the Maryland State Highway Administration MD Route 6 Streetscape Improvement Project; and all matters generally relating thereto.

8. New Business

8.1. Reports from the Town Council

9. Adjourn

9.1. Adjournment

Town Council Public Hearing Procedures

The June 23, 2026, public hearing by the Council of the Town of La Plata on the subject of Adequate Public Facilities will be conducted in the following manner:

1. Call to Order
2. Review of Public Notices
3. Summary of Town Staff report and recommendation
4. Questions by the Town Council to Town staff
5. Written documents are entered into the record
    - Written testimony may be submitted in advance via email to legislative@townoflaplata.org or postal mail to Legislative Services Department, Town of La Plata, 305 Queen Anne St Box 2268, La Plata MD 20646, and must be received no later than 12:00 PM on Monday, June 22, 2026.
    - Written documents for the record will be presented to the presiding officer prior to the opening of the public hearing.
6. Speakers (signed up) are called on by the Mayor or presiding officer.
    - Those wishing to provide in-person testimony may sign up in advance no later than 3:00 PM on Tuesday, June 23, 2026, via the town webpage: https://www.townoflaplata.org/209/Public-Communications , or upon arrival at the Council Chambers via sign-up sheet.
    - Speakers who register in advance will be recognized prior to speakers who register upon arrival at the public hearing.
    - In-person registration to speak will end when the relevant public hearing is opened.
    - At the discretion of the Mayor or presiding officer, time may be limited to 3 minutes and may not be yielded.
7. Additional questions by Town Council
8. Closing of Public Hearing
    - When the hearing is concluded, the Town Council will not hear further comments or questions during the meeting.

APG Media of Chesapeake, LLC

29088 Airpark Drive
Easton, MD 21601

06/04/26
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CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Charles County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "NOTICE - TC-PH-ZTA-02-2026 ..." **was published in the:**

Southern Maryland News 05/29/26
Southern Maryland News 06/05/26

NOTICE OF PUBLIC HEARING
COUNCIL OF THE TOWN OF LA PLATA
June 23, 2026

Notice is hereby given that the Council of the Town of La Plata will hold a public hearing on Tuesday, June 23, 2026, at 6:00 PM, or as soon thereafter as possible, in La Plata Town Hall, 305 Queen Anne Street, La Plata, Maryland, for the purpose of hearing public comment on the following:

Adequate Public Facilities Ordinance - Roads

At the public hearing, all parties in interest and citizens will have an opportunity to be heard. Special accommodation for persons with disabilities will be made upon request. Members of the public wishing to observe the meeting remotely may join via Microsoft Teams meeting as follows:

Join on your computer or mobile app
https://tinyurl.com/TCPublicHearings

Copies of the proposed ordinance are available for review at the La Plata Town Hall during normal business hours, 9:00 AM to 4:00 PM or on the Town's website, townoflaplata.org

Questions regarding this public hearing may be forwarded to Kelly Phipps, Director of Legislative Services, at legislative@townoflaplata.org or by phone at 301-934-8421

3105257 IN 5/29,6/5/2026

Orestes Baez
President & Publisher

FOR LEGISLATIVE USE ONLY

Item Number: 2026-0754

Date of Meeting: June 23, 2026

Agenda Item Summary

MEETING GROUP:	Town Council
STAFF RESOURCE:	Chuck Stevens, Town Manager Don Dooley, Planning Director
DEPARTMENT:	Planning
TYPE:	Ordinance
SUBJECT:	Zoning Text Amendment (ZTA) 02-2026. To amend Article X (Adequate Public Facilities Requirements) in Chapter 191 (Zoning) of the La Plata Municipal Code for the purpose of creating, managing, and maintaining adequate public road facilities in the Town of La Plata.

BACKGROUND:

The La Plata Town Council aims to ensure that new development does not strain public infrastructure, focusing on standards for roads, water, sewage, and school capacity. In April 2026, the Planning Commission recommended approval of Zoning Text Amendment (ZTA) 01-2026 which created Adequate Public Facility Ordinance (APFO) regulations for water, sewage, and school seating capacity. The Council subsequently adopted the APFO provisions in ZTA 01-2026 for codification into the Town's Municipal Code. However, APFO regulations for "Roads" were delayed for inclusion into the Municipal Code pending the development of technical standards. Working with a professional traffic consultant from Brudis and Associates (BAI), staff developed draft APFO provisions for the Planning Commission's consideration under Zoning Text Amendment (ZTA) 02-2026 on May 5, 2026. The draft provisions are proposed to be incorporated in Article "X" of Chapter 191 of the Town's Municipal Code alongside the previously adopted APFO regulations for water and sewer. The Commission expressed support for the draft ordinance provisions subject to minor adjustments. These modifications include a provision to require an annual update to the Town's *"Official Street Map of the Town of La Plata"* and to facilitate interjurisdictional, government, coordination with the County and SHA when traffic mitigation measures for development in La Plata identify the need to mitigate project impacts to existing roadways outside of the Town's jurisdictional control.

On June 2, 2026, the Planning Commission held a public hearing on ZTA 02-2026. During the meeting, there were no public speakers. However, staff did receive written public comments on ZTA 02-2026 that are included with this staff report in Attachments Nos. 11, 12, and 13. In general, the tenor of the written comments support the purpose of the AFPO for Roads while also providing feedback for consideration to ensure the proposed APFO regulations

are appropriate and effective. Both staff and the Town's traffic consultant (BAI, Inc.) believe the proposed draft ordinance, in combination with the development of a traffic impact study implementation manual codified in Section 191.96(B)(5) (Standards, criteria and procedures for adequate public facilitates studies), will ensure appropriate provisions are in place to address future road capacity matters in conjunction with proposed development.

After consideration of the entire public record, the Commission voted unanimously to recommend approval of the draft APFO text under ZTA 02-2026 to the Town Council (see Attachment No. 2).

Zoning Text Amendment (ZTA) 02-2026 is now before the Town Council as a public hearing for consideration and adoption. As of this writing, no new public comments have been received concerning ZTA 02-2026. In staff's opinion, the proposed text provides the appropriate regulatory balance to ensure that reasonable development continues to occur without burdening the Town's road infrastructure to support it.

FISCAL IMPACT:

The proposed amendments have no direct fiscal impact on the Town's operating budget. The changes affect development review processes and do not require additional staffing, equipment, or operational expenditures.

Zoning Text Amendment (ZTA) 02-2026 supports the Town's long-term fiscal sustainability by ensuring that Town growth is matched by infrastructure capacity, reducing the risk of costs associated with overextended public road facilities.

STRATEGIC PLAN ALIGNMENT:

These amendments align with the Town's 2022 Strategic Plan:

Goal #1 – Good Governance

The proposed APFO for roads provides clear standards to ensure consistent application for the regulation of new development in Town without overburdening the Town's roadways. In doing so, it enhances transparency and accountability in the Town's development review process to reflect the Town's commitment to serving as a responsible steward of community trust.

Goal #2 – Operational Excellence

Adopting standardized APFO provisions for roads will enable the Town to process development applications more efficiently and consistently, reducing disputes and streamlining development and coordination with the development community and outside governmental agencies like Charles County Government and the State Highway Administration.

Goal #3 – Economic Prosperity

The adequacy of the Town's road system is imperative to ensure reliable transportation networks throughout the Town for attracting and retaining residents and businesses. The AFPO provisions for Roads protect that infrastructure while providing developers with clear and predictable regulations to support the Town's roadway infrastructure to facilitate sustainable economic growth.

Goal #5 – Public Service Readiness

The ordinance provisions contained in Zoning Text Amendment (ZTA) 02-2026 directly address infrastructure planning by ensuring new development aligns with the Town's ability to provide sufficient road capacity to support it.

The draft APFO ordinance also supports the Town's Comprehensive Plan by promoting managed growth and aligning development with the Town's Capital Improvement Plan. It does this by creating a process for factoring anticipated development into annual capital investment decisions.

SUSTAINABILITY CONSIDERATIONS:

The draft APFO regulations support community sustainability across social, economic, and environmental dimensions. In doing so, it ensures that public road infrastructure capacity keeps pace with new development to protect the quality of life for town residents and businesses. Providing clear and predictable development regulations supports long-term economic stability through managed growth. Managing the pace of new growth to align with road infrastructure capacity also reduces pressure on existing systems and encourages efficient, well-planned, development patterns.

ADA CONSIDERATIONS:

These amendments establish administrative procedures and do not involve physical facilities, programs, or services that would trigger ADA compliance requirements. All Town meetings at which these amendments are discussed are held in ADA-accessible facilities, with accommodations available upon request in accordance with Town policy.

RECOMMENDED ACTION:

Adopt via ordinance the proposed amendments under Zoning Text Amendment (ZTA) 02-2026, for Article "X," Chapter 191 (Zoning), of the La Plata Zoning Code as recommended by the Planning Commission.

ATTACHMENTS:

1) Draft Planning Commission Resolution for Zoning Text Amendment 02-2026
2) Revised Draft (Redline) Text Amendments to Chapter 191 (Article X. - Adequate Public Facilities Requirements) for "Roads."
3) William Zeid, Kimley-Horn Comments Dated January 28, 2026
4) Charles County Government Comments
5) Scott Law Group Comments Dated February 6, 2026
6) Chair Banks Comments (undated)
7) Council Liaison Guttenberg Comments Dated December 19, 2025
8) Vice-Chair Hudnell Comments (Undated)
9) Commissioner Miller Comments December 7, 2025
10) Planning Commission Staff Report for May 5, 2026
11) E-mail Letter of Support for ZTA 02-2026 from Kha Nguyen dated May 28, 2026
12) E-mail Comments from Renata Rhodes dated June 2, 2026
13) E-mail Comments from Maryland Building Industrial Association (MBIA) on ZTA 02-2026 Received on June 1, 2026
14) Planning Commission Staff Report for June 2, 2026

ADOPTED
TOWN OF LA PLATA, MARYLAND
PLANNING COMMISSION RESOLUTION NO. 2026-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LA PLATA, MARYLAND, RECOMMENDING TOWN COUNCIL APPROVAL OF ZONING TEXT AMENDMENT (ZTA) 02-2026 TO AMEND ARTICLE X (ADEQUATE PUBLIC FACILITIES REQUIREMENTS) IN CHAPTER 191 (ZONING) OF THE LA PLATA MUNICIPAL CODE FOR THE PURPOSE OF CREATING, MANAGING, AND MAINTAINING ADEQUATE PUBLIC ROAD FACILITIES IN THE TOWN OF LA PLATA, MARYLAND.

WHEREAS, at the direction of the Town Council in 2025, an application for Zoning Text Amendment 02-2026 was initiated by the Town of La Plata, Maryland, for the purpose of amending Article X (Adequate Public Facilities Requirements) of Chapter 191 (Zoning) of the La Plata Municipal Code to create, manage, and maintain adequate public road facilities within the Town of La Plata;

WHEREAS, the proposed text changes within the Zoning Text Amendment will be applied Town-wide; and

WHEREAS, the Planning Commission held a public meeting on May 5, 2026, to review and discuss Zoning Text Amendment (ZTA) 02-2026, and subsequently held a duly noticed public hearing on June 2, 2026, at which time the Commission received all public testimony and reviewed all documents and information concerning the proposed amendment before closing the public hearing; and

WHEREAS, after reviewing and considering the entire public record concerning proposed Zoning Text Amendment (ZTA) 02-2026, the Commission makes the following Comprehensive Plan findings:

1) **GOAL #2: *New development will reflect the principles of walkability, sustainability, and environmental protection in that,*** Zoning Text Amendment 02-2026 supports sustainability and environmental protection by promoting smart-growth policies that allow development to proceed only when adequate public facilities and resources are available to support new development or growth.

2) **GOAL #5: Improve intergovernmental coordination related to annexation, development processes, and public *facilities in that,*** the draft text in Zoning Text Amendment 02-2026 advances this goal by promoting coordinated efforts among the Town of La Plata, Charles County Government, and the Maryland State Highway Administration to jointly address traffic and roadway mitigation measures that support new development in La Plata.

NOW, THEREFORE, BE IT RESOLVED, that the La Plata Planning Commission hereby recommends Town Council approval of the draft text amendments to Chapter 191, Article X, as contained in Zoning Text Amendment 02-2026 and incorporated into this Resolution by reference and attachment.

PASSED AND ADOPTED BY THE LA PLATA PLANNING COMMISSION on June 2, 2026, by the following vote:

Yes: Commissioners Miller, Whale, Ford, Council Liaison Guttenberg, and Chair Banks
No: None
Abstain: None
Absent: Vice-Chair Hudnell

_____
Dawn Banks, Planning Commission Chair

ATTEST:

_____
Don Dooley, Director of Planning

Attachments:
1) Draft (Redline) Text Amendments to Chapter 191 (Article X - Adequate Public Facilities Requirements) for Roads.

Chapter 191 - Zoning Regulations

Article X. - Adequate Public Facilities Requirements

§ 191.86. Purpose.

The purpose of the adequate public facilities review is to:

A. Require developers to provide new, additional, or upgraded public facilities for water, sewage, roads and school seating capacity, when necessary, to ensure the Town's ability to provide adequate public facility levels to serve new developments without impacting the existing community.

B. Ensure that all proposed development will not adversely affect the public's health, safety, and welfare; and,

C. Encourage new development to occur in areas of the Town where public facilities are being provided.

§ 191.87. Adequate public facilities required.

A. Unless stated otherwise within this Ordinance, no preliminary plat maps or site plans shall be approved by the Town unless it can be demonstrated that the development will not impact the adequacy of the Town's public facilities to provide adequate water, sewage, roads and school seating capacity to serve the development, as specified in this Ordinance.

B. This Ordinance does not apply to minor residential subdivisions, minor site plans, and non-residential developments containing less than 1,200 square feet of gross floor area unless determined necessary by the Planning Director due to unique or unusual circumstances associated with the development and/or the surrounding environs of the development.

C. Unless exempted within this Ordinance, all preliminary plat maps and site plans submitted to the Town for approval shall be accompanied by an Adequate Public Facilities Study (APFS) pursuant to Section 191.93. The vehicular trip generation threshold for requiring a traffic study shall be 50 or more peak-hour vehicular trips during any of the peak study periods.

§191.88. Roads. ~~(Reserved)~~

A. The traffic generated by a proposed development shall not reduce the level of service (LOS) at intersections or along roads below the standards established in this section.

B. This section does not apply to any proposed development project that generates fewer than 50 peak-hour vehicular trips during any of the study peak periods.

C. Roads shall be considered adequate to accommodate the projected vehicular traffic generated by a proposed development if:

(1) All existing traffic, the traffic expected from a proposed development, and the cumulative traffic from previously approved developments within the traffic study area must either meet, or be capable of being adequately mitigated to meet, the minimum Level of Service (LOS) required for the roadways affected by the proposed new development. Traffic service levels at all intersections within the traffic study area defined in §191.93(F) shall be evaluated using the following methodology:

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(a) Primary Analysis Methodology. All Traffic Impact Studies (TIS) shall use the most current edition of the Highway Capacity Manual (HCM), published by the Transportation Research Board, as the sole primary method of traffic analysis. HCM-based analysis shall be performed by the project developer using traffic analysis software capable of producing HCM-based measures of effectiveness for signalized and unsignalized intersections, including overall intersection, average control delay, approach delay, individual movement delay, volume-to-capacity ratios, and 95th percentile queue lengths. The Critical Lane Volume (CLV) method shall not be used as a substitute for, or screening alternative to, HCM-based analysis.

(b) Level of Service (LOS) Determination. Level of Service shall be determined using HCM delay-based measures of effectiveness. For signalized intersections, the LOS shall be based on the overall intersection average control delay using a weighted average across all approaches. For unsignalized intersections, the LOS shall be based on the worst minor-street movement or approach delay, as specified by the HCM. The 95th percentile queue lengths from traffic simulation analysis shall be reported for all study intersections.

(c) Signal Timing Baseline. All traffic analysis models for roads shall use the existing signal timing data obtained from the controlling jurisdiction (i.e., Town of La Plata, Charles County, or State Highway Administration) as the baseline. Developer-assumed signal timing shall not be used. Where the controlling jurisdiction for a road has developed and made available calibrated traffic model files for study intersections, project developers shall use those files as the basis to start their analysis.

(d) Trip Generation Standard. All trip generation calculations shall use the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. Trip generation shall be based on new net trips, which is defined as vehicular trips generated by a proposed development minus vehicular trips generated by any existing or previously approved development on the same site for which APFO approval has been granted by the Town.

(e) Adequacy Standards: The adequacy of roadway operations shall be evaluated using the following impact-based thresholds, applied separately to each study intersection under opening-year total traffic conditions for a proposed new development:

(i) If the proposed development's opening-year background Level of Service (LOS), excluding site-generated traffic, is LOS "D" or better, then the overall intersection LOS with total traffic, including the proposed development's traffic, must also remain at LOS "D" or better. If the opening-year background LOS is LOS "E" or worse, then the overall average control delay per vehicle under total traffic conditions may not exceed the average control delay under background conditions. The proposed development may not increase traffic delays at any intersection that is already operating below acceptable standards.

(ii) Individual Movement Floor. Regardless of the overall intersection result under subsection (i), no individual turning movement or approach at a signalized intersection shall operate at LOS "F" under total traffic conditions where the movement operated at LOS "E" or better under background conditions. At unsignalized intersections, the worst minor-street movement or approach shall serve as the basis for the adequacy determination, using the same background-versus-total comparison framework as referenced in subsection (i).

(iii) The Traffic Impact Study (TIS) for a proposed development must report the following for each study intersection: peak AM and PM traffic levels, plus any additional periods required under §191.96(B)(3); the opening-year background LOS and average control delay; the opening-year total traffic LOS and average control delay; the change in delay attributable to the proposed development; and the 95th-percentile queue lengths for all movements based on traffic simulation analysis.

(f) Model File Submission. All traffic analysis model files used in a TIS must be submitted

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electronically to the Town as part of the APFS submittal, in a format that is readable by the Town.

(g) Peer Review: The Town of La Plata reserves the right to retain a qualified, independent, traffic engineer to review all TIS submittals to the Town for their input and recommendations. The total cost of all reviews shall be borne by the project developer.

(2) Infrastructure Priority Hierarchy. In evaluating CIP programmed improvements for developer credit under this subsection, and in programming new transportation CIP projects funded in whole or in part through Escrow Fund contributions under §191.94(F), the Town shall apply the following priority hierarchy. Higher-priority improvements shall be advanced ahead of lower-priority improvements when Escrow Fund balances or CIP capacity require sequencing decisions:

Priority 1 — Multimodal Traffic Safety: Improvements that demonstrably reduce crash frequency or severity for all road users, including vehicle-vehicle, vehicle-pedestrian, and vehicle-bicycle conflicts. This includes intersection geometry corrections, sight distance improvements, speed management measures, signal safety upgrades, and projects identified in any Town or State Highway Administration Road Safety Audit or Pedestrian Safety Action Plan. Consistent with Maryland's Vision Zero goal and MDOT's Complete Streets Policy, safety improvements shall be the first call on available Escrow Fund balances.

Priority 2 — Emergency Vehicle Access: Improvements that enhance the reliability and speed of emergency vehicle response within the Town, including intersection modifications to facilitate emergency preemption, turning radius corrections at constrained intersections, and roadway geometry improvements to reduce response times to residential and commercial areas. The Town shall certify that proposed improvements satisfy emergency access standards prior to CIP programming.

Priority 3 — Pedestrian and Bicycle Accessibility and Complete Streets Conformance: Improvements that expand or close gaps in the Town's pedestrian and bicycle network, bring existing facilities into conformance with the Town's adopted Complete Streets standards, improve ADA accessibility, enhance Safe Routes to Schools connections, and provide protected or separated facilities for non-motorized users on high-volume corridors. Consistent with Maryland Department of Transportation's Complete Streets Policy, which requires APFOs to ensure Complete Streets design features are provided, this priority shall apply to all Escrow Fund-eligible improvements involving the reconstruction or significant modification of existing roadway cross-sections.

Priority 4 — Vehicle Capacity and Operations: Improvements primarily intended to increase vehicle throughput or reduce vehicle delay, including intersection turn lane additions, signal coordination, and roadway widening for vehicular capacity. Such improvements remain eligible for Escrow Fund programming but shall be sequenced after Priorities 1 through 3 have been adequately addressed in the affected corridor or study area.

(3) A sufficient public right-of-way width is provided to serve the volume of pedestrian and vehicular traffic to accommodate the proposed development, including adequate road widths to facilitate vehicular mobility, maneuverability, and on-street parking, when applicable to the roadway type and context.

D. Levels of Service.

(1) The established minimum level of service (LOS) standards shall be tiered based on roadway jurisdiction and context, as follows:

(a) Town of La Plata Controlled Roads: LOS "C" for all Town-owned and maintained roads.

(b) Charles County-Controlled Roads: LOS "D" for all Charles County-owned and maintained roads

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within the La Plata Town limits, consistent with the "Charles County Adequate Public Facilities Manual." The Town shall defer to the County's adopted adequacy standards for County-controlled roads.

(c) State Highway Administration (SHA) Controlled Roads: LOS "E," or no worse than the background (pre-development) LOS where existing conditions already exceed LOS "E," for all SHA-controlled and maintained highways in the Town. The Town shall defer to SHA's adopted "Traffic Impact Study Guidelines" for its facilities. Any mitigation requirement involving the SHA right-of-way shall be expressly subject to SHA review and approval. If SHA declines to approve proposed mitigation, the Town of La Plata shall consider alternative mitigation strategies, including but not limited to pro-rata contributions toward SHA-programmed improvements.

(2) When a TIS is conducted pursuant to §191.88(C)(1) and it determines that a study intersection fails the adequacy standards established in §191.88(C)(1)(e), the following mitigation framework shall apply. All adequacy determinations and mitigation calculations under this section shall use opening-year background conditions (existing traffic plus approved-but-unbuilt development traffic) as the baseline, consistent with §191.88(C)(1)(e).

(a) At Functioning Intersections (opening-year background LOS "D" or better) under the applicable tiered standard in §191.88(D)(1)). Mitigation is required where the proposed new development causes the overall intersection LOS under total traffic conditions to fall below LOS "D," or causes any individual movement that operated at LOS "E" or better under background conditions to fall to LOS "F." The project developer shall mitigate the proposed development's impact to restore the intersection to its existing background LOS or better.

(b) At Deficient Intersections (opening-year background LOS "E" or worse). Mitigation is required where the proposed new development increases the average control delay per vehicle under total traffic conditions above the average control delay per vehicle under the proposed new development's opening-year background conditions (i.e., where the proposed development measurably worsens delay at an already-deficient intersection). The project developer shall adequately mitigate impacts to restore total traffic delay to no worse than the opening-year background delay. Mitigation may consist of one or more of the following, as approved by the Town:

(i) Proportional Impact Mitigation. At the discretion of the Town, the project developer may contribute toward the cost of the improvement in proportion to the proposed development's share of the total traffic delay increase calculated as: (Proposed Development-Attributable Delay Increase ÷ Total Delay Under Total Traffic Conditions) × Total Improvement Cost, based on a third-party engineering estimate.

(ii) Pro-Rata Escrow Contribution. At the discretion of the Town, the developer may contribute to the Town's Transportation Improvement Escrow Fund pursuant to §191.94(F) in lieu of direct construction, where the improvement is programmed in the Town's CIP or is a shared improvement benefiting multiple developments.

(iii) Alternative Improvements. At the Town's discretion, a project developer may propose alternative improvements that clearly restore total traffic delay to a level no worse than the proposed development's opening-year background delay without the project. Any such proposal shall be reviewed and approval by the Town and, when applicable, by SHA or the County. When evaluating alternative improvements, the Town shall apply the Infrastructure Priority Hierarchy established in §191.88(C)(2).

(c) Denial. The Planning Commission shall deny a proposed development if the developer fails to demonstrate a feasible, secured, mitigation pathway under subsections (a) or (b) above. The Planning Commission shall not deny a project solely because an intersection operates below the applicable LOS standard under background conditions unrelated to the proposed development.

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E. The determination of the Level of Service for a road shall consider the effects of existing traffic and traffic projected to be generated from proposed new developments in the traffic study area, as determined by the Town, for which final subdivision plats and site plans have been approved as well as increases in through traffic and all traffic projected to be generated from the proposed development for a specified development completion year.

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F. Unless exempted within this Ordinance, the project developer shall submit with their preliminary plat map or site plan, a preliminary Adequate Public Facilities Study (APFS) which indicates the proposed development's anticipated vehicular trip generation rates, a list of existing roads and intersections that will be impacted by traffic to and from the proposed development, and the anticipated completion date of the proposed development. The Planning Director shall review the APFS to determine whether it satisfies the standards adopted herein for the proposed development and shall add or remove roads or intersections as necessary to evaluate the impact of the proposed development.

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§191.89. Schools.

See Section 173-92 under Article IX (School Seat Allocation Policy) of the La Plata Subdivision and Land Development Ordinance.

§191.90. Sewage system.

A. Pursuant to Title 9 of the Annotated Code of Maryland, new development can only be approved if there are adequate wastewater systems and supporting infrastructure. Therefore, no site plan or subdivision plat shall be approved for any new or expanded development in La Plata unless the Town's wastewater treatment plant and infrastructure has or will have sufficient capacity to support new development prior to its commencement. It is the intent of this Chapter to ensure that sewer infrastructure capacity serving existing residential and non-residential users are not adversely affected by the sewage capacity and infrastructure needs from new development.

B. Standard for Adequacy. The Town's sewage system shall be considered inadequate and the development deemed to create an adverse impact on the Town's wastewater treatment plant and its infrastructure when a development causes it to operate at or above eighty percent (80%) of the plant's maximum capacity. This limitation is to ensure the Town maintains sufficient reserve capacity to account for system inefficiencies and short-term spikes in treatment demand. Eighty percent (80%) of sewage capacity shall be determined by multiplying the Town's treatment plant's design flow (MGD) by 0.80, then comparing that value to the facility's average daily wastewater flow.. If this standard is exceeded, the project shall not be approved unless adequate mitigation is provided in accordance with §191.94 (Mitigation).

C. The Town of La Plata shall publish on its website every six (6) months a sewage capacity report identifying the Town's current wastewater treatment plant capacity level and its remaining availability to serve new development. The most current wastewater capacity report shall be used as the authoritative reference source for determining a development's impact on the Town's wastewater capacity limit as part of any Adequate Public Facilities Study submitted to the Town.

§191.91. Water supply system.

A. Pursuant to Title 9 of the Annotated Code of Maryland, new development can only be approved if there is an adequate water supply and infrastructure to support it. Therefore, no preliminary plat map or site plan for any new or expanded development requiring water allocation from the Town of La Plata shall be approved unless there is or will be sufficient water supply to support the development prior to its commencement. It is the intent of this chapter that water supplies serving existing residential and non-residential users are not adversely affected by the water usage from new development.

B. Standard for Adequacy. The Town's water supply system is considered inadequate and a proposed development is considered to have an adverse impact on the Town's ability to provide sufficient water when the projected water demand from new development will cause the Town to reach or exceed eighty percent (80%) of its maximum water appropriation permit for annual average daily withdrawal, as issued by the Maryland Department of the Environment. The 80% threshold is intended to ensure the Town maintains sufficient reserve capacity to account for water loss, system inefficiencies, and short-term spikes in water usage. Eighty percent (80%) of the Town's water allocation is calculated by multiplying the permitted annual average daily withdrawal limit by 0.80 and comparing that value to the Town's actual annual average daily water use. If the projected demand from a development causes this threshold to be exceeded, the development may not be approved unless adequate mitigation is provided in accordance with §191.94 (Mitigation).

C. The Town of La Plata shall publish on its website every six (6) months a water capacity report of the Town's water allocation usage for determining the remaining water availability to serve new development against its maximum water appropriations permit limit for average daily withdrawal. The most current water capacity report shall be used as the authoritative reference source for determining a development's impact on the Town's water supply as part of any Adequate Public Facilities Study submitted to the Town.

§ 191.92. Water, sewage, and school capacity allocations

A. Water and sewer capacity allocation shall be guaranteed to any approved preliminary plat map or site plan requiring such allocation for a period of six (6) years after its original approval by the Town. Failure, for any reason, to obtain a building permit within six (6) years to begin construction for a new building(s) under an approved site plan or preliminary plat map or for a new development shall render the water and sewer allocation void.

B. For preliminary plat maps and site plans that have been previously approved without water and sewer allocations prior to the adoption of this Ordinance, water and sewer allocations shall be based on the following allocation methodology:

(1) All preliminary plat maps and site plans that have been approved and are still valid as of the date of the adoption of this Ordinance shall be exempt from Section 191.92(A) unless the approved preliminary plat map or site plan is allowed to expire for any reason. Water and sewer allocations for previously approved and legally valid preliminary plat maps and site plans shall have priority over any preliminary plat maps and site plans not approved by the Town as of the date of the adoption of this Ordinance. Water and sewer allocations for unexpired preliminary plat maps and site plans under this code provision shall be allocated as follows:

(a) Each year, the Town of La Plata shall identify the maximum water and sewer capacity allocations to be devoted to previously approved preliminary plat maps and site plans that are valid.
(b) Water and sewer allocations shall be distributed by the Town to each previously approved

preliminary plat map or site plan beginning with the oldest to the most recent until all such water and sewer allocations have been distributed by the Town of La Plata for each calendar year.

(c) Failure to begin using authorized water and sewer allocations within six years shall render the water and sewer allocations under this provision of the Ordinance null and void.

C. Once all previously approved preliminary plat maps and site plans have received their necessary water and sewer allocations under Section 191.92(B), water and sewer allocations required for the approval of new preliminary plat maps and site plans may be granted by the Town as provided in this Ordinance.

D. School capacity allocations shall be granted pursuant to Article IX (School Seat Allocation Policy) of the La Plata Municipal Code.

§ 191.93. Adequate public facilities study.

A. An Adequate Public Facilities Study (APFS) shall be prepared by qualified, independent, third parties, in conformance with the requirements of this Ordinance, and submitted as part of any preliminary plat map or site plan submittal to the Town for approval.

B. An APFS shall contain the following information:

(1) Background information describing the proposed development, its location, and the most current conditions of all public facilities that are regulated by this Ordinance.

(2) Analyses and identification of all anticipated project impacts and facility needs for water, sewer, roads and school seating capacity to serve the proposed development.

(3) As necessary, a proposed mitigation program to eliminate all anticipated environmental impacts caused by the development to enable the Town to provide sufficient water, sewage, roads and school seating capacity to serve the proposed development.

(4) Any other additional information deemed necessary by the Planning Director to adequately evaluate a project's impact(s) on the Town's water, sewage, and school seating capacity.

C. An APFS must address the incremental and cumulative impacts of a project that is to be developed in phases, including all incremental mitigation measures.

D. The Planning Commission shall review the APFS and other information submitted by the project developer to determine if the level of public infrastructure exists or will exist to meet the standards of this Ordinance and whether the approval of the proposed development will be in the public interest.

E. The project developer ~~applicant~~ shall pay all ~~the~~ ~~o~~costs associated with the Town's review of an APFS in addition to all other applicable development fees in the Town's current fee schedule.

F. Traffic Study Area Definition. The Traffic Impact Study shall analyze, at a minimum, the following baseline study area:

(1) All signalized intersections providing direct access to the proposed development site;
(2) The nearest two principal arterial intersections in each direction from the primary vehicular street entrance(s) to the proposed development;
(3) All intersections within 1.5 miles of the primary site entrance(s) that receive 50 or more peak-hour trips generated by the proposed development;
(4) The Planning Director may expand the required study area based on: (i) the proposed development generating more than 250 peak-hour vehicular trips; (ii) known traffic distribution patterns affecting more distant facilities; (iii) proximity to sensitive uses such as schools or hospitals; or (iv) reasonable justification demonstrating a project nexus for the expanded scope of the study.

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G. Piecemeal Development. Circumventing the trip threshold by submitting piecemeal development applications is not permitted. If a project developer submits a new preliminary plat map or site plan for proposed development at the same property location where a previous preliminary plat map or site plan was approved within the preceding five (5) years, the Traffic Impact Study shall include all trips generated by both the proposed and previous development approvals when determining whether the 50 peak-hour trip threshold is met or exceeded.

H. For public reference, the Town shall update its "*Official Street Map of the Town of La Plata, Maryland" each year* to identify all new roads and road extensions in La Plata pursuant to the updating processes and procedures contained in Section 170-7 of the La Plata Municipal Code. The *"Official Street Map of the Town of La Plata, Maryland"* shall include the minimum Level of Service (LOS) for all Town, County and State Highway Administration roadways in La Plata.

~~E.~~

§ 191.94. Mitigation.

Creative development design measures are encouraged within each new development to reduce or eliminate impacts to the Town's water, sewage, roads and school seating capacity limits whenever possible. However, if the Planning Commission determines that one or more public facilities associated with water, sewage, roads, or school seating capacity are not adequate, the Planning Commission shall deny the project or require sufficient development mitigation measures as follows:

A. Mitigation by the project developer is required to avoid exceeding water, sewer, roads and school seating capacity limits to enable the Town to provide sufficient public facilitates to support the developer's project and comply with all applicable provisions of the Town's Municipal Code and Maryland Department of the Environment permitting requirements, conditions, and regulations placed upon the Town. If the mitigation measures are considered infeasible to implement for a new development, the Town may accept an in-lieu fee equal to the developer's pro-rata share of the total estimated cost of their required mitigation measures for their project, as determined by the Chief Executive Officer of the Town.

B. If one or more mitigation measures are required for an approved development to comply with this Ordinance and those mitigation measures will be fully completed through a Town of La Plata, Charles County, or State Highway Adminisration approved capital improvement project before all Town issued development permits are finalized, the Town shall consider the required development mitigation measures necessary to comply with this Ordinance satisfied. However, if a Town of La Plata, Charles County, or State Highway Adminstration approved capital improvement project does not fully satisfy all mitigation measures required for an approved development to comply with this Ordinance, the developer shall be responsible for completing their pro-rata share of the remaining mitigation measures. Otherwise, the developer shall provide the Town an in-lieu fee equal to their pro-rata share of the total estimated cost for the remaining mitigation measures required for their project development, as determined by the Chief Executive Officer ~~f~~of the Town.

C. The Planning Commission shall review and have final approval of the proposed mitigation program for a proposed subdivision or site plan. A mitigation program shall include the type(s) of mitigation, the methods of mitigation, and time schedules, including project phasing, if applicable, for the successful implementation of the mitigation program.

D. A mitigation program shall be contained in a legally binding, adequate public facilities agreement between the project developer and the Town of La Plata, in a legal form approved by the Town Attorney.

~~E.~~E. A mitigation program shall run with the land. The deed or title for a property shall contain references to the mitigation program and be recorded with the Charles County Clerk to the satisfaction of the Planning Director.

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F. Transportation Improvement Escrow Fund.

(1) Establishment. The Town of La Plata shall establish and maintain a "Transportation Improvement Escrow Fund" ("Escrow Fund") for the purpose of collecting pro-rata share contributions from developers toward the cost of transportation improvements that exceed any single developer's proportional impact or that require coordination across multiple developments or jurisdictions.

(2) Applicability. The Town may require pro-rata Escrow Fund contributions through an in-lieu fee and/or direct mitigation construction by the project developer pursuant to Section 191.94.

(3) Calculation. The developer's pro-rata contribution shall equal: (Proposed Development Peak Hour Trips ÷ Total Peak Hour Capacity Added by the Improvement) × Total Improvement Cost, based on an indepdenent third-party engineering cost estimate reviewed and approved by the Chief Executive Officer of the Town.

(4) Fund Administration. All Escrow Fund contributions shall be deposited in a dedicated, interest-bearing account, separately maintained by the Town. Funds shall be used solely for the construction of the identified transportation improvement(s). Unexpended funds shall be returned to contributing developers on a pro-rata basis if a project is canceled or if alternative funding sources fully finance the improvement.

(5) Construction Trigger. For Town-controlled roads, the Town shall initiate construction of funded road improvement(s) when:

(i) Sufficient pro-rata contributions have been collected to fund at least fifty percent (50%) of the project cost; or

(ii) Alternative public and/or private funding sources are secured by the Town to complete the project road improvement(s).

(6) CIP Alignment and Investment Priorities. The Escrow Fund shall be reviewed annually in connection with the Town's CIP process. The Chief Executive Officer shall recommend to the Town Council allocation of Escrow Fund balances to advance programmed improvements in coordination with Charles County and the State Highway Administration. In making such recommendations, the Chief Executive Officer shall apply the Infrastructure Priority Hierarchy established in §191.88(C)(2), advancing safety improvements ahead of capacity improvements, pedestrian and bicycle accessibility improvements ahead of vehicle throughput improvements, and preserving emergency vehicle access as a non-negotiable baseline condition. Any deviation from the recommended priority ranking shall be documented with written findings explaining why a lower-priority improvement better serves the public interest in specific circumstances. For mitigation projects along State or County roads and intersections, the Town may provide a funding contribution from the pro rata Escrow fund.

(7) Payment. The required pro-rata Escrow Fund contribution by a project developer shall be made prior to the issuance of any building permits for their project.

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§ 191.95. Bonding or surety.

A. The Planning Commission shall require bonding or surety as appropriate to cover the costs of the facilities and lands not under the project developer's ownership that are part of a mitigation program.

B. Upon default, the Town of La Plata has the authority to redeem the bonds or surety in addition to any other remedy provided by law.

§ 191.96. Standards, criteria and procedures for adequate public facilities studies.

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A. Except as may be stated elsewhere in this Ordinance, the Charles County Adequate Public Facilities Implementation Manual may be referenced for guidance to help support the successful implementation of this Ordinance. In no case shall the Charles County APFO Manual supersede any requirements of this Ordinance unless stated otherwise in this Ordinance.

B. Standards for Traffic Studies. All Traffic Impact Studies (TIS) submitted as part of an Adequate Public Facilities Study (APFS) shall be conducted in accordance with the following methodology:

(1) Methodology Alignment: The tiered HCM methodology described in §191.88(C)(1) shall be used as the primary standard for all TIS analyses. The Charles County Adequate Public Facilities Manual may be referenced for supplemental guidance on County-controlled roads, provided it does not conflict with the standards established in this Article. In the event of conflict, this Article shall govern.

(2) Standardized Data: All TIS submissions shall use the most current traffic count data, obtained from Town-approved traffic counts, rather than applicant-generated proprietary data unless approved by the Town. Traffic counts shall be no older than two years at the time of submission.

(3) Special Conditions: For retail, food service, entertainment, and religious uses, the TIS shall include an appropriate Saturday or Sunday peak-hour analysis in addition to peak weekday AM and PM traffic volumes. For uses with significant school-hour traffic, an analysis of the afternoon peak traffic shall also be identified. The Planning Director may specify additional conditions at the TIS scoping stage.

(4) The scope of work for all TIS'shall be approved in advance by the Planning Director prior to execution and satisfactorily completed at the discretion of the Planning Director.

(5) The Town of La Plata shall create and utilize an administrative Traffic Impact Study Implementation Manual that sets forth the procedural standards, forms, contact directories, and interagency coordination protocols with Charles County Government and the Maryland State Highway Administration for the preparation, scoping, submittal, and review of Traffic Impact Studies and for the implementation of recommended road and traffic mitigation measures when deemed necessary to mitigate impacts caused by new development approved in the Town of La Plata.

~~A.~~

~~B.~~ C. Upon recommendation by the Planning Commission, the Town Council shall consider approving any revisions to the adopted standards, criteria, and procedures for adequate public facilities.

~~C.~~ D. The Town of La Plata shall be the sole provider of all water and sewer facilities for new and existing developments in Town. The Town will require developers to fund, construct, and provide bonding for all new or upgraded facilities deemed necessary for mitigation under this Ordinance. All new water and sewer facilities shall be dedicated by the project developer to the Town of La Plata, consistent with all applicable provisions of the Town's Municipal Code as determined by the Director of Public Works.

§ 191.97. Exemptions to Adequate Public Facilities Requirements

A. The provisions of this APFO Ordinance shall not apply to any development that, as of the effective date of this Ordinance, satisfies all of the following criteria:

(1) The property was subject to an Annexation Agreement executed on or before December 31, 1998, and recorded among the Land Records of Charles County, Maryland, regardless of any amendments to such agreement occurring after that date; and

(2) A preliminary plat map or site plan for the development has received Town approval and remains valid under applicable law.

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(3) A development that satisfies both of the criteria in the above Sections A(1) and A(2) as of the effective date of this Ordinance shall be deemed vested for purposes of this Article and shall remain exempt from the requirements of Chapter 173, Article IX (School Seat Allocation Policy) and Chapter 191, Article X (Adequate Public Facilities Requirements) provided that such development proceeds in accordance with the approved preliminary plat map or site plan as well as any applicable vesting or expiration provisions of this Code.

B. Notwithstanding the foregoing in Section "A," above, any significant modification to an approved preliminary plat or site plan that results in an increase in residential density, non-residential square footage, or overall development intensity shall not be eligible for this exemption unless such modification independently satisfies the requirements of Chapter 173, Article IX (School Seating Allocation Policy) and Chapter 191, Article X (Adequate Public Facilities Requirements).

-End-

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01/28/26

Don,

Below is the information shared that I had prepared. I hope this is helpful as the Town continues to develop your new APF. I understand that the Town's location within Maryland, priorities and vision for development may substantially differ in some aspects from other jurisdictions, so I offer the following for your general consideration and look forward to seeing what the Town ultimately passes for APF. I would be happy to talk more or participate further if at all needed/desired. Feel free to reach out any time.

A few examples around Maryland that have policies you may want to review:

- Howard County - regarding LOS thresholds and having different requirements for different facilities:
  - https://www.howardcountymd.gov/public-works/resource/howard-county-design-manual-volume-iii
    - Section 4.2
      - Level of Service The intersection level of service (LOS) standard for this evaluation for County-controlled intersections is LOS D and the standard for State-controlled intersections is LOS E. The LOS evaluation shall be for the overall intersection.
- Montgomery County - regarding LOS thresholds and having context sensitive requirements in different areas:
  - Breaks the county out into policy areas with different LOS thresholds for adequacy
    - More urban dense areas allow higher levels of congestions
      - In these areas, walkability and lower reliance on vehicles is desired
      - Infrastructure goals focus on pedestrian bike and transit, not adding lanes to reduce vehicle delay
      - https://apps.montgomerycountymd.gov/ccllims/DownloadFilePage?FileName=12341_1_25989_Resolution_20-651_Adopted_20241112.pdf#page=12
        - More rural policy areas, delays limited to as low as 41 seconds per vehicle
          - Vehicle travel is primary and likely only option with long travel distances – delays should stay low
        - More urban areas, delays allowed up to 80 seconds per vehicle (LOS F)
          - Alternative modes available, trips are generally shorter too. Delays may be allowed at higher levels.

        - Transit areas - no vehicle test. It is acknowledged that intersections currently fail and there is not a desire to widen roads for more capacity, nor could development realistically pay to do so.
- Frederick County - regarding mitigation
    - When larger improvements are identified, you determine how much of the capacity the improvement creates is used by the development. If it's a small portion, then the development pays their pro-rata share based on an analysis. Then every development that comes through in that area pays their share until it reaches a certain level and then gets triggered for construction. Even developments that don't trigger a traffic study still have to contribute their share.
        - This could be a good way of establishing large improvements on the books that are needed but not necessarily feasible for one specific development.
        - It also ensures that when you have a lot of small pad uses that may not trigger studies, they are all contributing based on their incremental impact to traffic. You may need multiple properties to develop to realistically fix a corridor, but you will have a hard time getting any single development to move forward if the first developer is on the hook for it all.

Review of ZTA Text: ZTA 01-2026

General clarifications & recommendations

- The APF should detail if changes in use of an existing building are also considered development and subject to the requirements. Typically it is treated the same. A change in use that results in an increase in trips would be evaluated for APF.
- The APF should specify that the trip threshold is based on new trips, which is the trip generation for the proposed development minus the trip generation for the existing development or approved development for which APF has been satisfied (think modification to an existing development that wants to change Phase 2 or 3, etc.)
- Will any trip reduction factors be allowed when determining new trips to determine if study is required?
    - Typically the answer is no, although some jurisdictions do allow for pass-by trip reductions at the scoping stage.
- Define how the study area will be established
    - Some jurisdictions do tiered system:
        - Montgomery County: <250 new peak hour trips = 1 tier = go out 1 significant intersection in each direction. 250-749 new peak hour = 2 tier = go out 1 in each direction, then go out from each of those 1 in each direction. And so on
        - City of Frederick: Study area goes out to any intersection where 50 trips travel through to the development, limited to 1 mile

        - Calvert County: Go out to the first intersection of an arterial with a collector or higher in each direction, limited to 2 road miles in each direction
- Clarify when Saturday or other conditions will be required
    - Retail sites typically subject to Saturday conditions
        - Recommend limiting this when the weekday traffic is higher than Saturday to reduce unnecessary analyses
    - Schools typically need to study the afternoon school peak between 2-4pm
- Many jurisdictions require evaluations of driveway and on-site queueing requirements
    - Even when a site is below threshold for a study, the driveway may need to be reviewed for adequacy
    - On-site queueing can be a critical element impacting roads that wont show up in an LOS based review
        - Examples are schools, drive-thru restaurants, carwashes
        - School pick-up/drop-off management
- Mitigation should be different when an intersection is already over capacity
    - It is not the developments responsibility to mitigate other developments' traffic, only their own. If requirements are disproportionate to a developments impact, then the Town risks facing legal challenges and stifling development where it is desired. When alternatively, impact based mitigation may promote a volume of multiple developments that can cumulatively provide funds to complete necessary improvements.
    - City of Rockville allows developments to increase the v/c at an intersection by up to 0.10 (10%) if it's not failing already. This prevents one development from using up all road capacity without having to provide improvements.
        - If the intersection is already failing, the development can only increase by 0.01 (1%) before mitigation is required. They are then required to mitigate a certain percentage of their impact only, or mitigate to get back to where it was without the development.
            - This allows a very small portion of traffic to go through a failing intersection without mitigation as the impact is ultimately negligible.
    - Any mitigation requirement involving MD SHA ROW should be caveated with, "Subject to SHA Approval". Otherwise, improvement requirements may not be feasible and stall a development where SHA will not approve the required construction.

Section 191.88: LOS C or Better is required – D is failing

- The code should clarify if LOS is based on movement, approach or intersection
    - For signalized intersections:
        - If based on Overall Intersection, then mainline traffic can be prioritized over low volume side streets. Rather than adding more average delay for say 1,000 vehicles just to get to LOS C for a side

street with say 10 vehicles, you allow the side street to be above the threshold but require the overall intersection (weighted average of all approaches) to need to be adequate.

- Since the APF will set a requirement for all intersection in the Town, regardless of who controls the intersection (County, Town or SHA), you should identify different thresholds or default to the County or SHA for adequacy for their facilities.
    - If you have a blanket LOS C requirement, that would mean the Town could not approve a development if a study intersection on Crain Highway were at LOS D, even though you do not control the ROW itself.
- Exempt if 35 or fewer peak hour trips per day
    - This should be clarified as Peak hour or daily
        - 35 trips per hour is a fairly standard requirement, with 50 being the most common in my experience
        - 35 trips per day is not unheard of as a trigger, but it would be extremely harsh and nearly all development would require a traffic study

Section 191.87

- (B): 1,200 SF exempt
    - Uses such as small fast food restaurants and drive-thru coffee shops may fall into this category but be above 35 peak hour trips. The clause leaving it to the Town to still require in some cases would take care of this, but it is nice for applicants to have predictability during the due diligence stage where we might not yet be able to approach the Town to confirm.

- (C) Clarification needed, is it 35 peak hour trips or 35 daily trips?
    - Same as described previously. 35 peak hour trips would be a fair requirement. 35 daily trips would be very harsh and trigger for nearly all development.

- (C)(1): CLV or HCM
    - Specify which is to be used.
        - HCM is industry standard and CLV is being phased out in Maryland.
        - You could require HCM for adequacy and CLVs for informational purposes as SHA does currently still want to see CLVs.

- (C)(3): Add language, "When applicable"
    - Not all components will be desired for all locations. For example, you will not always need on-street parking.

- (D)(2)(a): There should be other options for mitigating. Otherwise, the Town may be forced to deny development that is in its best interest and could pay its fair share but not fix a problem that is well beyond its proportional impact.

- Pro-Rata share contributions to improvement projects can provide option for mitigating impact and moving development forward where constraints exist that are not caused by the development itself.
- Pay based on impact, other developers do the same. Town, County or SHA could use funds to construct the improvements
    - See Frederick County for example of Escrow Account mitigation method
        - Even developments generating less than 35 trips and exempt from study still have to pay pro-rata share for impact at nearby intersections where improvements have previously been identified

Section 191.93

- (D): Recommend calling out piecemeal development
    - Some jurisdictions specifically call out that project trips at the same development constructed recently, within say 5 to 6 years, must also be accounted for.
        - This prevents smaller additions via separate applications that cumulatively have a larger impact but are never studied for adequacy.
        - City of Rockville has the following provision within their transportation guidelines: “Circumventing the threshold by submitting piecemeal development applications is not permitted. If the applicant submits a new Site Plan Application, at the same location, within a five-year period, the applicant will be required to include all trips generated by both applications in a new study.”

Will Zeid, PE **(MD, DC, VA, DE)**
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Celebrating 18 years as one of FORTUNE’s 100 Best Companies to Work For

GOVERNMENTCHARLES COUNTY GOVERNMENTY FEEDBACK ON DRAFT TOWN OF LA PLATA APFO

From: Jason R. Groth <GrothJ@charlescountymd.gov>
Sent: Sunday, February 1, 2026 8:55 PM
To: Chuck Stevens <cstevens@townoflaplata.org>
Cc: Melissa Hively <HivelyM@charlescountymd.gov>; Heather N. Kelley <KelleyH@charlescountymd.gov>; Hunter Zinn <ZinnH@charlescountymd.gov>; Charles R. Rice <RiceC@charlescountymd.gov>
Subject: Re: Town Of La Plata Code Chapter 173 Section 9 Redlines: School Seat Allocations

CAUTION: This email originated from OUTSIDE of the Town of La Plata email system. If the senders name displayed is a Town user, it is NOT legitimate and should be deleted immediately. Do not click links or open attachments unless you are certain this is a legitimate message.

Chuck,

I had forgotten to pass along the following comments from our team, as I had them lingering in my "drafts" folder. I do apologize. They provided the following:

Chapter 173 Notes:

- 173-92A says “ten percent (6%)”
- We have some concern with the Town utilizing the available county-wide capacity within the school system rather than just the schools serving La Plata. This creates a potential challenge in adequately addressing capacity in the La Plata area, where there are currently significant capacity issues. We recognize that the Town is limiting its apportionment to 6%. The question is if the approach is proportional to the impact to the affected school area.
- For clarity, does this presuppose that the County will reserve 6% of the total available before the County *completes its* allocation process? The concern is that there may be double dipping into the available capacity.
- Please clarify if 173-96B is how the Town proposes to address multifamily residential development allocations? In our practice, we address allocation at Site Development Plan and/or Development Services Permit. The building permit stage seems pretty far into the process for a multifamily development. Can you clarify when the multifamily projects go on your “priority list”?
- There doesn’t appear to be a bulk allocation policy, or something equivalent for small lot developments (like our minor subdivisions). We see the Town adopted our exemptions for APF, but the policy doesn’t include what happens with those developments. Can you clarify?

Chapter 191 Notes:

- LOS C for all roads and intersections in the Town is conservative; especially for roads of higher congestion such US 301, MD 6, MD 225, and Rosewick Road, etc. The County

utilizes a "transportation district" that allows LOS D in areas where higher congestion is considered reasonable. That seems appropriate for US 301 and MD 6 as an example.

- I'm glad they're including pedestrian traffic in their APFS. I do wonder how they'll measure that (we don't even have standards for pedestrian APF).
- This section states: "the APFS shall propose, as necessary, all traffic mitigation improvements that will achieve the required level of service for all roadways impacted by the proposed development." We note that it may be very difficult for projects to be able to bring some of their intersections *up* to a C. Due to this challenge, the County focuses on mitigating *the project's impact* versus bringing the intersection up to the desired LOS.
- Also, the proposed language requires the mitigation to "eliminate" impacts, or else the Planning Commission *shall* deny the project. This may not be feasible for a single project to achieve unless it is of considerable scale.

Again, my apologies for the lateness of these comments, but please feel free to reach out to us with any questions.

Best Regards,

Jason

MEMORANDUM

February 6, 2026

VIA EMAIL

Chuck Stevens, Town Manager
Don Dooley, Planning Director
CC: Sue Greer, Esq.

Re: Proposed Adequate Public Facilities Ordinance ("APFO")

Chuck and Don,

This will follow up our meeting of January 28, 2026, regarding the proposed APFO being considered for adoption by the Town. Please note the following comments and or questions from Sue and I:

1. Transition Provision: We discussed a Transition Provision for the applicability of the APFO, with the intent that the ordinance will be "forward looking", rather than applied retroactively to certain projects/situations. The question is, what is the milestone for "grandfathering" a project out of the APFO? We discussed three projects that are subject to executed and recorded Annexation Agreements, on which performance has occurred on the Annexation Agreements, and on which substantial planning, development and infrastructure has either been designed or in the case of two of the projects developed and constructed. These three projects are Pinegrove (formerly Heritage Green), Stagecoach, and Steeplechase. In this regard, we propose the following transition language: Those developments which are: (i) subject to an Annexation Agreement executed on or before December 31, 1998 (notwithstanding that amendment(s) may have been made at a later date) and recorded among the Land Records of Charles County, Maryland, and (ii) are the subject of the approved preliminary plan of subdivision as of the date of this Ordinance, shall be exempt from the application of Article XI, Adequate Public Facilities Requirements, and the application of Article IX, School Seat Allocation Policy. This Transition Provision recognizes that these developments have already been programmed into the Town's development processes, have already performed either all or a material part of their applicable Annexation Agreements and have been programmed into the Town's School Seat Allocation Policy and will receive School Seat Allocations in phases consistent with the phasing of the approved final plats of subdivision for the respective developments.

2. School Allocations: We discussed that the Town is a "Development District" under the County's Comprehensive Land Use Plan. The Charles County Comprehensive Land Use Plan identifies only three Development Districts, which are the Waldorf area, the Incorporated Town of Indian Head, and the Incorporated Town of La Plata. Further, the Town of La Plata is deemed a Priority Funding Area, and therefore, under the principals of "Smart Growth", is deemed an area where growth is targeted within Charles County. Accordingly, we believe that a six percent (6.0%) cap on School Allocations would not be appropriate, and would not be consistent with the Charles County Comprehensive Plan. We also believe that the School Allocation Policy of the Town, while being respectful and responsible as to school capacity, should also contain a "Fail Safe" which allows a project to proceed after a certain time period regardless of available allocations. In this regard, the County Government and the County Board of Education should plan to accommodate growth, rather than the Town planning to accommodate school capacity, particularly when the County may choose not to fund additional school capacity and/or the Board of Education may choose not to redistrict enrollment lines to accommodate the growth within the Town. We recommend as follows with respect to School Allocations: (i) Allocation of school seats shall be at final plats, as opposed to building permit. In this fashion, there will not be recorded but unbuildable lots within the Town. This also provides additional certainty to Developers and their lenders. (ii) Developments should be able to obtain phased final plats. This will allow for orderly and predictable growth within the Town, the County and for the citizens, the School Board and the Developer. (iii) The Town School Allocation Policy should have a "Sunset Provision" similar to Charles County. That is, if the project is placed on the School Allocation waiting list, after a term of a certain number of years, if the development still does not have School Allocations, a development should be permitted to proceed. In Charles County this is six (6) years. We would suggest a similar amount of time in the Town. (iv) We would suggest that the Town allow Developers Rights and Responsibilities Agreements, between the County, the Town and a Developer.
3. Water and Sewer: Water and Sewer of course is a fairly straightforward prong of the APFO. We recommend removing the cap at eighty percent (80%) of capacity, for a number of reasons, including that, that provision may result in an instant moratorium with regard to sewer capacity. Further, as we discussed, the 80% capacity measure is more of an internal planning milestone for the Town, as to when the Town should start planning for an expansion of its facilities. Any possible moratorium, based upon capacity, should only occur at full capacity, as in the case of the current public water moratorium in the Town. Also, if the Town has approved and budgeted a Capital

Improvement Project, the pace of development should take into account the timing and scope of additional capacity which will be provided by the CIP.

4. Traffic: As we discussed, you have received some comments from Jackie Plott and perhaps other traffic engineers regarding the elements of the APFO dealing with traffic. That said, we will offer a few comments: (i) Most jurisdictions' APFO's allow for a peak hour level of service of D within their development districts. (ii) There should be incorporated into the APFO and ability to pay a fee in lieu of improvements as mitigation, for the Town to make future road and/or traffic control improvements in and around the Town.

Once you have the opportunity to review this Memorandum, please let us know if you have any questions or comments. We are happy to provide further suggestions and feedback.

Y:Aliya/Memorandums/MEMORANDUM (Stevens - Dooley).docx

Happy Saturday All - Providing some thoughts on the two proposed draft chapters (173 and 191):

Chapter 173 - ...School Seat Allocations...

Overall:

- It appears to give the Town leverage it otherwise would not have, but it may come with administrative complexity that can slow development when school capacity is tight.
- From a planning standpoint, it is a **strong but restrictive tool** to be used carefully and reviewed periodically to ensure it still reflects town/community priorities and school realities.

Pros:

- Protects schools from overcrowding
- Treats developers fairly through a transparent allocation system
- Prevents theoretical approves without infrastructure
- Gives smaller projects a chance through reserved pools
- Strong legal appeal
- Encourages orderly, phased growth

Cons:

- Can slow development (housing)
- Adds complexity and administrative burden
- May frustrate property owners waiting years for allocation
- Requires constant coordination with County school data
- Could limit redevelopment if seats are scarce

Chapter 191 - Zoning Regulations

Overall: APFO appears to be generally strong and protective of Town services.

Pros:

- Provides clear and enforceable capacity thresholds (LOS D, 80% water/sewer standards)
- Requires independent studies improving reliability of analysis
- Strong mitigation and bonding provisions protects the town financially
- Ensures development occurs in areas with adequate public services
- Prioritizes previously approved projects

Cons:

- The strict LOS requirement may be difficult to achieve in older or constrained road networks and amy unintentionally inhibit redevelopment
- Water and sewer capacity limits could unintentionally create a de facto development moratorium if the town's available capacity declines without planned improvements
- Three-year allocation expiration may be short for multi-phase or complex projects
- APFO may benefit from guidance on alternative mitigation (e.g., different modes improvements, fee-in-lieu)

Wishing everyone happy and safe holidays!
Dawn

Councilman Guttenberg's Draft APFO Feedback for Infrastructure Capacity: Water, Sewer, Traffic, and School Seats

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Water Infrastructure Capacity

1. Defining the Water Capacity Standard (Clarity of § 191.91)

Technical precision and future proofing of the “80% adequacy threshold” established in the proposed ordinance.

1.1. Clarifying the Adequate Water Capacity Measurement Metric Contained in (§ 191.91(B))

Issue: The proposed limit is based on *“eighty percent (80%) of its maximum permitted water authorization granted by the State of Maryland."* My opinion is this phrasing may lack necessary time based context (i.e. monthly volume). This will be an especially important distinction when the Town has more than 1 water source. Today “*permitted water authorization*” works because our single source of water capacity is regulated by the states MDE permit, in the future the Town will likely have other sources not subjected to the MDE groundwater permit monthly limits.

Recommendation for Updated Language: Amend §191.91(B) to more explicitly define and state the water delivery system metric. The language should be changed to: "...will cause the Town to exceed eighty percent (80%) of its water delivery systems reported maximum monthly capacity." *(also see my recommendation in 1.3 below which refines the definition of “systems reported maximum monthly capacity)*

In my opinion: This would prevent inconsistent interpretation and ensures the standard is durable regardless of the Town's future water system source mix.

1.2. Requiring Technical Justification for the 80% Water System Capacity Threshold

Issue: The origin of the 80% threshold lacks a technical basis within the draft code, making it vulnerable to challenge if viewed as arbitrary. My concern is the 80% reference *“...maximum permitted water authorization granted by the State of Maryland."* refers to the calculated aquafer depth management trigger used by Maryland Department of the Environment (MDE) for regulating permitted groundwater withdrawals by the Town of La Plata’s wells.

Recommendation for Staff Action: The Town Manager/Public Works should document in the proposed code the justification for the 80% APFO water adequacy threshold. This justification should link the chosen reserve margin operational requirements, such as expected peak to low usage swings (i.e. monthly 10% or 15% seasonal variances), system wide “Real Loss” estimates or measures for leakage from distribution mains and service connections or other necessary technical capacity reserves to protect the system during maintenance and other emergencies as staff determines appropriate.

In my opinion: Linking the water system capacity adequacy threshold to defined operational needs strengthens the legal defensibility of the entire ordinance, given the core purpose of the APFO is to serve as an enforceable adequacy checkpoint by planners to protect existing water service levels and ensure appropriate drinking water infrastructure readiness for growth.

1.3. Formalizing Total Water System Capacity Calculation in Consideration of Likely Future System Resources

Issue: The ordinance must pre-emptively define how water system capacity will be calculated if/when the Town incorporates external water sources (e.g., a potential Charles County water system interconnection).

Recommendation for Inclusion: The ordinance must include a formula defining how Total System Capacity is determined for the purpose of the "80%" adequacy threshold calculation, explicitly stating that it equals the systems combination of all secure, quantifiable drinking water sources:

> Simplified version is essentially (groundwater monthly capacity + interconnect pipe monthly capacity) = total system monthly capacity

In my opinion: This establishes a clear, objective view for applicants regarding the expansion capacity relative to drinking water available for new Adequate Public Facilities Study (APFS) reviews.

2. Water Capacity Operational Transparency and Process Integrity

Enhancement to transparency and formalize the use of objective data reducing potential confusion and unnecessary administrative complexity.

2.1. Mandate For Town to Publish a Water Capacity Report

Issue: The proposed process currently requires the applicant to prove adequacy, but the necessary data (current capacity usage and committed capacity) is opaque. Town water system capacity is not well understood by residents, applicants, nor policy makers and stakeholders at the Town, County and State levels.

Recommendation for Update: Mandate the Town's Chief Executive Officer (CEO) to regularly publish (i.e. bi-annually) a Water System Capacity Report. This report is needed in my view as the single authoritative source for APFS evaluations. This is in addition to, or aligned with, other regulatory reporting requirements for municipal water systems the Town may be subjected to by State and Federal regulations.

Required "Water System Capacity Report" Content: Must clearly detail all components necessary to assess the current adequacy status against the total water system APFO adequacy threshold (i.e. 80%):

- Total System Capacity: Baseline of water System Infrastructure Capacity. This is the baseline number the § 191.91(B) percentage APFO water adequacy threshold is applied against.
- Assigned Water Capacity: Monthly draw allocations for all existing residential and commercial structures.
- Reserved Water Capacity: Monthly draw allocations recorded for all approved plats or permitted structures prior to construction (explicitly including the expiration date as per the three-year guarantee period under § 191.92.
- Available Unassigned Water Capacity: The remaining monthly draw allocation available for new APFS approvals.
- Water Capacity Performance Metrics: Aggregate metrics for actual water system delivery (actual usage vs. permitted draw). Inclusive of standardized formats for regular reporting of the operational elements used to justify the water adequacy threshold.

2.2. Formalizing the Use of Water Capacity Data for APFO Compliance Approvals

Issue: To reduce ambiguity and by building on the recommendation to regularly publish a standardized Town Water Capacity Report it should be clear what data is to be used to assess adequacy of public water facilities.

Recommendation for Ordinance Mandate: The ordinance should explicitly mandate that the most recently published Water System Capacity Report shall serve as the exclusive and authoritative basis for Town Staff, Planning Commission or relevant approving body when evaluating whether an applicant's proposed development complies with the adequacy standard defined in § 191.91 (B).

2.3. Reinforcing Water System User Protection While Ensuring Capacity for Approved Growth

Issue: The primary policy intent § 191.91is to ensure water supplies serving existing residential and business users are not adversely affected in service of the towns growth needs in alignment with the Towns Comprehensive Plan goals

Recommendation for Reinforcement: Recommend explicitly incorporating language within the Standard for Adequacy § 191.91(B) that frames the adequacy threshold (i.e. 80%) as the mechanism designed to safeguard the Town's ability to provide service to its existing user base (residential and commercial) before new demand for growth is approved. Large development applicants subject to this ordinance and the requirement for an APFS is intended to ensure the Town and property owners/developers enter into agreements that are supported with clear

capital improvement plans to reduce risk to all parties, residents, businesses, the Town, and applicants who are all making significant investments in our community.

In my opinion: It is important for future Town staff, Planning Commissions, and Town Councils to be compelled by code to address needs for infrastructure planning and investments to best serve the public good.

3. Water Policy Alignment and Mitigation Mandates

Alignment to the Charles County Adequate Public Facilities Manual

3.1. Clarifying the Mitigation Mandate for Physical Capacity

Issue: If the water capacity limit is exceeded, § 191.94 mandates denial or mitigation via a legally binding agreement.

The proposed ordinance language focuses exclusively on supply side mitigations which *"fund, construct, and provide bonding for all new or upgraded facilities."* The current language prevents a large site developer from proposing potentially superior, on-site, "demand-side" solutions that conserve water and effectively reduce the necessary APFO capacity allocation for that applicants' project.

Recommendation To Discuss Merits of Demand Side Innovations to Allowable Mitigations Section of Code: The rigid mitigation language of §191.96 (C) defining mitigation solely as the construction or upgrading of Town dedicated physical facilities may create an unintended disincentive for innovative water conservation designs in future large developments.

I also acknowledge this could put the Towns capacity at risk if an applicants innovation for reduced allocations does not perform as expected or is not maintained in practice following construction.

This recommendation also assumes the MDE would allow for assessment or these proposed demand side mitigations and allow changes to the State permitted allowable allotments by housing unit type (i.e. 250gal/day for a single family home). Our APFO could, for large project plans, recognize demand side capacity mitigation solutions like advanced greywater recycling, rainwater harvesting, or other low impact development techniques that demonstrably and verifiably reduce a project's required water capacity allocation. The ordinance would need to explicitly clarify that verifiable, permanent capacity reduction achieved through onsite, engineered conservation is an equally valid and desirable form of mitigation, subject to technical review by Public Works, the Planning Department and gain concurrence by State agencies regarding adjusted drinking water capacity allocations for a specific project and housing type.

3.2. Water Policy Alignment Between the County APFM and La Plata's APFO

Issue: The proposed APFO explicitly states "*The Town of La Plata shall be the sole provider of all water and sewer facilities for new and existing developments".* The Charles County Adequate Public Facilities Manual contains requirements for addressing water supply to developments in the county creating a potential for misunderstanding and unnecessary complexity for applicants and planning commissions and other governing bodies when evaluating proposed development.

Recommendation for Clarity on Policy Alignment with Charles County: Since the Town is established as the "sole provider" of all water facilities, clarify in the ordinance that the Charles County Adequate Public Facilities Manual section on water does not apply to applicants within the Towns municipal boundaries. Furthermore, it should be made clear in the Town ordinance that the La Plata APFO prevails as the sole public facilities adequacy compliance regulation that is applicable within the boundaries of the Town regarding water capacity. I recommend we gain the Counties concurrence including language updates that align to this recommendation within a future County APF-Manual update.

4. Addressing APFO Adoption Gaps and Legacy Projects

(New APFO Section, With "Sunsetting" Feature)

4.1. Create, In Code, A Temporary Mitigation Pathway for Pre-Existing Plat Approvals

Issue: Projects, in La Plata, that received Preliminary Plat or Site Plan Approval prior to the effective date of this APFO would be exempt from the new adequacy review process, yet they are simultaneously blocked from final permits due to the very water capacity shortfall that necessitates this ordinance. Without a specific mechanism, these "legacy" projects are effectively halted, risking litigation and hindering approved planned growth, which will eventually if not addressed result in a variety of negative impacts to the Town, its residents, and it's businesses.

Recommendation for Inclusion: Add a temporary, dedicated section to the APFO (§191.99, or similar) to create an "Application For Mitigation Only" (AFMO) process for these legacy projects. This section would be governed by a Sunset Clause to ensure it expires once the current capacity crisis is resolved or the transition period for legacy projects ends.

Proposed Language for Staff to Consider as a Concept for §191.99 – APFO Transitional Provisions for Pre-Existing Capacity Shortfalls:

A. Eligibility and Term: This transitional section should apply exclusively to project applicants that have received a valid Preliminary Plat or Site Plan Approval from La Plata's Planning Commission prior to the adoption date of Towns APFO. This section shall automatically be repealed and removed from the Town Code one (1) year after the effective date of this Ordinance, or upon the Town Manager's determination that the water capacity shortfall for legacy projects as identified in the required APFO Water System Capacity Report has been fully resolved, whichever is later.

B. Application For Mitigation Only (AFMO): Eligible applicants may submit an AFMO for capacity assignment. The AFMO shall not require a full Adequate Public Facilities Study (APFS) but must demonstrate that the applicant will work with the Town to mitigate 100% of the currently lacking capacity allocation needed to unblock their final plat or construction permits.

C. Mitigation Requirements and Fees: The AFMO shall propose a mitigation strategy (Supply-Side or Demand-Side) consistent with the standards defined in §191.96 (C) and §191.94. The AFMO shall be subject to a special, one-time Mitigation Only Application Review Fee, which shall cover the administrative and technical review costs incurred by the Town.

D. Capacity Assignment and Sequencing: Upon approval of the AFMO and the applicant securing a legally binding Adequate Public Facilities Agreement (APFA) and required bonding, the necessary capacity shall be permanently assigned to the project and guaranteed for three years, consistent with §191.92. All funds collected via the AFMO process (including Fee-in-Lieu payments) shall be segregated and dedicated solely to priority water capacity projects to resolve the current system shortfall.

Sewage Treatment Infrastructure Capacity

1. Defining the Sewer Capacity Standard (Clarity of § 191.90)

This section focuses on ensuring the core adequacy standard for the sewage system is clear and technically precise.

1.1. Clarifying the Adequate Sewage Capacity Measurement Metric Contained in (§ 191.90(B))

Issue: The core regulatory standard relies on *"eighty percent (80%) of the plant's maximum currently permitted capacity"* (§ 191.90(B)). As I have come to understand it wastewater treatment capacity is typically defined by system

throughput flow. If there are other capacity throughput metrics that are decision points for staff and policy makers those should be identified.

Recommendation for Updated Language: I recommend amending § 191.90(B) to specify the primary metric of measurement for "maximum currently permitted capacity" as the maximum permitted flow (measured in Million Gallons per Day or MGD), as defined by the State of Maryland. Defining the 80% benchmark by the most common limiting factor (MGD flow capacity) removes technical ambiguity, preventing misunderstanding over the adequacy determination.

In my opinion: Relying solely on the generic term "capacity" introduces technical ambiguity regarding the actual capacity standard being used to assess and regulate the adequacy determination of the Towns wastewater treatment plant.

1.2. Requiring Technical Justification for the 80% Sewer System Capacity Threshold

Issue: The origin of the 80% sewer capacity threshold standard lacks a technical basis within the draft code, making it vulnerable to challenge if viewed as arbitrary. My understanding from previous briefings on the sewage plant is the 80% threshold is sound. My belief is we should codify that basis in code as I recommended within the water system capacity APFO section.

Recommendation for Staff Action: The Town Manager/Public Works should document the technical justification for the 80% APFO sewage treatment capacity for adequacy threshold. This justification should link the chosen reserve margin to documented industry best practices and take into account issues like I&I or other capacity risk factors to protect the system during maintenance or other emergencies.

In my opinion: Linking the sewer system capacity adequacy threshold to objective operational data strengthens the legal defensibility of the entire ordinance, given the core purpose of the APFO is to serve as an enforceable adequacy checkpoint to protect existing sewer service levels and ensure appropriate wastewater infrastructure readiness for growth.

2. Sewer Capacity Operational Transparency and Process Integrity

This section addresses the need to increase transparency to reduce administrative complexity.

2.1. Mandate For Town to Publish a Sewage Capacity Report

Issue: The lack of a transparent, shared data source for sewage treatment plant capacity forces residents, applicants, town staff, and policy makers to rely on assumptions or other nonstandard information to make adequacy assessments.

Recommendation for Amendment: Mandate the Town's Chief Executive Officer (CEO) to regularly publish (i.e. bi-annually) a sewage treatment System Capacity Report.

Required Report Content: This report must clearly detail all components necessary to assess the current adequacy status against the total sewage treatment system APFO adequacy threshold (i.e. 80%):

- Total maximum capacity: As a monthly or daily metric as deemed appropriate by staff.
- Assigned: Sewage treatment capacity for existing structures
- Reserved: Capacity for approved projects including the three-year allocation guarantee expiration date as per § 191.92 (A).
- Available: Unassigned capacity calculated against the 80% threshold.

2.2. Formalizing the Use of Sewage Treatment Infrastructure Capacity Data for APFO Compliance Approvals

Issue: To ensure fair and consistent capacity analysis, the Town must explicitly define which metrics are authoritative for all planning decisions and specifically the APFS reqquirment. To reduce ambiguity and by building on the recommendation to regularly publish a standardized Town Sewage System Capacity Report it should be clear what data is to be used to assess adequacy of sewage treatment facilities.

Recommendation for Ordinance Mandate: The ordinance should explicitly mandate that the most recently published Sewage System Capacity Report shall serve as the sole, authoritative basis for approving Adequate Public Facilities Studies (APFS). It may be practical for the CEO to consolidate the Capacity Reports for water and sewage systems because of the strong linkage of requirements for these municipal service systems.

3. Sewer Policy Alignment and Mitigation Mandates

3.1. Clarifying the Mitigation Mandate for Physical Capacity

Issue: The rigidity of §191.96 (C), which mandates that developers must construct mitigation facilities, could compromise the Town's ability to use public financing (State/Federal loans/grants) for major capital projects in the future, because those funding paths often requires the Town to manage construction under strict public procurement protocols.

Recommendation for Flexibility: Amend §191.96 (C) to provide the Town with the flexibility to accept mitigations from applicants via one of two methods, with the choice resting solely with the Town Manager/Planning Department Director:

1. Developer Construction and Dedication (as currently defined): For smaller, localized capacity upgrades. *(i.e. a neighborhood return pump station)*
2. Fee-in-Lieu of Mitigation: For major, system-wide mitigation projects, the Town shall have the option to accept a payment equivalent to the applicant's pro-rata share of the total estimated cost of the required mitigation project.

Fee-in-Lieu Requirements: This fee should be based on a third party engineer's estimate, deposited into a dedicated segregated fund, and strictly used by the Town for the construction of the specific mitigation project. This gives the Town flexibility to be compliant with State and Federal funding requirements if the applicants fee in lieu is being used as a proportional contribution to a larger infrastructure capital improvement project where outside funding is being sought. Upon payment, the developer's required capacity will be assigned and guaranteed.

In my view: Providing the Town with this Fee in Lieu of Mitigation option is critical for effective capital project management and ensures that major sewer capacity improvements are executed through the most compliant and fiscally responsible mechanism available.

Traffic Infrastructure Capacity *(Town Streets)*

1. Defining the Traffic Adequacy Standard (Clarity of § 191.88)

Technical precision and administrative predictability regarding the required Traffic Impact Study (TIS) methodology and scope.

1.1. Clarifying and Aligning the Required Traffic Study Methodology with County Standards (§ 191.96 (A))

Issue: The proposed Town APFO code creates a conflict/ambiguity by listing the Critical Lane Volume (CLV) "or" the Highway Capacity Manual (HCM) as acceptable standards for use by applicants. Additionally, this is not aligned with the Charles County Adequate Public Facilities Manual (APFM) which mandates a specific tiered approach.

In the County APFM, CLV is used as an initial screening tool and HCM is only required and adopted as the main analysis method when CLV thresholds are exceeded. Because in previous public testimony during my tenure on the Planning Commission applicants have indicated to me they have to use the County manual even inside La Plata's incorporated boundaries, to me it seems that without

adopting the County's specific application hierarchy, the Town's code invites inconsistent analysis and potential applicant challenges regarding which method is authoritative within the Town.

My understanding of the County APFM Standard for Traffic Studies: The County APFM dictates a two tiered analytical process for intersections:

1. Initial Screen: All intersections subject to the County APFM must be analyzed using the Critical Lane Volume (CLV) analysis.
2. Main Analysis Trigger: For intersections with signals, the analysis must escalate to the latest edition of the Highway Capacity Manual (HCM) if the CLV exceeds 1,300 VPH (Vehicles Per Hour). Once the HCM analysis is triggered, it becomes the main method of analysis for the County APFM required traffic study.
    - Trip Generation Standard: All trip generation must use the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

Recommendation for Update to Proposed La Plata APFO: In order to reduce complexity for applicants and interjurisdictional coordination on road impacts between the Town, County, and State I believe we must align our standards for traffic studies. The Town's proposed APFO should abandon the "CLV *or* HCM" language in favor of standards that are aligned to the county APFM related to Traffic.

a. Use of CLV as a Screening Tool: Specify that all intersections must first be analyzed using CLV to determine if the Traffic Impact Study (TIS) requires a deeper HCM analysis.
b. Mandatory HCM Trigger: Adopt the County's specific threshold: "If the Critical Lane Volume (CLV) exceeds 1,300 VPH, or for all unsignalized intersections, the analysis must be performed using the latest edition of the Highway Capacity Manual (HCM), which shall serve as the main method of analysis for the Traffic Impact Study (TIS) included in the Adequate Public Facilities Study (APFS)."
c. Mandatory ITE Trip Generation: Explicitly require all trip generation figures to be derived from the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual for consistency with the County.

In my view: Direct adoption of the County's precise methodology strengthens the legal defensibility of the Town's APFO, ensures full compatibility with the County's data and enforcement practices, and eliminates the conflicting methodology interpretations present in the current draft APFO. This creates a single, predictable, and technically rigorous standard for all applicants and I believe will help plan mitigation strategies that may involve coordination between

an applicant, the Town, County, and State SHA to understand an identified impact within their current analysis and engineering processes.

1.2. Defining the Traffic Study Area "Environs" for Predictability

Issue: The adequacy determination and the Traffic Impact Study (TIS) requirements in the proposed APFO frequently use the term "environs" to define the required study area. However, without a firm definition (e.g., a specific radius or zone list), the developer is forced to rely entirely on the Planning Director's initial determination. In my experience to date as the Council Liaison to the Planning Commission questions about the scope of traffic studies has come up several times. Within the proposed APFO the absence of an explicit traffic baseline study scope undermines my impression of this being a clear, predictable APFO requirement and in my opinion could lead to misalignment of expectations, scope creep or unexpected administrative burden causing delays, undue costs, and overall frustration with the process.

Recommendation for Inclusion: As a recommendation for staff our ordinance could include language defining a minimum, predictable scope for the TIS that must accompany the APFS. This scope should require the study to include all adjacent signalized intersections and the next two principal arterial connections from the site entrance, while explicitly reserving the Planning Director's right to expand the scope based on the project's demonstrated trip generation or unique circumstances.

In my view: Establishing a clear baseline for the study area provides a needed element of understanding for policy makers and predictability for applicants in their cost and time estimates, which I hope ultimately strengthens the integrity and consistency of the Adequate Public Facility Study process.

1.3. Streamlining Mitigation Mandate Language and Focus

Issue: Section 191.88 (D) (2) (a) presents the Planning Commission with two primary options if the LOS 'C' standard is not met: (1) Require developer mitigation OR (2) require the project to be "scaled back." The direct reference to "scaling back" introduces a subjective, discretionary element of denial that appears to contradict the objective, predictable framework established by the detailed mitigation procedures in § 191.94.

Recommendation for Amendment: Simplify language in § 191.88 (D) (2) (a) by removing the explicit reference to the "scaled back" option and instead solely direct the applicant to the detailed, legally binding mitigation procedures defined in § 191.94, which requires an Adequate Public Facilities Agreement and secure bonding for all necessary physical improvements. It is my assumption that because the standards for public facilities adequacy will be clearly defined, applicants won't propose to proceed seeking approval by the Planning

Commission or other appropriate body with projects that don't meet their own assessment of being able to meet the adequacy standard based on our clear assessment factors, therefore "scaling back" is an implied action they will make if their project is likely to not pass the adequacy test making language in the new code to that effect unnecessary.

In my opinion: A core purpose of the APFO is to compel future applicants to fund and or construct necessary public infrastructure to protect existing service levels as growth occurs. Focusing the language on a secured mitigation path in § 191.94 strengthens the policy's objective foundation and reduces the appearance of arbitrary denial criteria.

2. Process Transparency and Integrity

Enhancement to transparency and formalize the use of objective data reducing unnecessary administrative complexity.

2.1. Formalizing the Use of Data for APFO Compliance Approvals

Issue: To ensure fair and consistent traffic study results, Town staff should not have to verify proprietary or unverified traffic count data provided by an applicant. All adequacy evaluations must start from a common, sanctioned baseline identified in code.

Recommendation for Ordinance Mandate: The ordinance should explicitly mandate that all Traffic Impact Studies (TIS) submitted by an applicant for an APFS must use the standards and formats prescribed.

In my opinion: Requiring the use of standardized baseline data ensures process integrity, reduces the administrative burden of verifying input data from multiple sources, and prevents the risks to the town and the applicants expected processing timelines associated with traffic studies that rely on non-standard traffic count methodologies.

2.2. Reinforcing Financial Transparency and the Need for a Consolidated APFS Review Fee

Issue: While the existing Fee Schedule Ordinance (provides clear, tiered fees for the Traffic Impact Study (TIS) Review, it does not currently account for the staff review of the proposed Adequate Public Facilities Study (APFS). The APFS is a necessary, overarching report that requires Town Staff review across multiple domains (Traffic, Water, Sewer, and Schools). The lack of a defined fee for the APFS creates a gap and risks administrative complexity by requiring developers to pay for three or four separate review fees for what is fundamentally a single more comprehensive report.

Recommendation for Amendment/Inclusion: I recommend staff consider a new APFS Review Fee be designed as a single, consolidated fee that replaces the need for applicants to pay separate fees for Traffic TIS reviews and also avoids additional separate fees for Water, Sewer, and Schools technical reviews when an APFS is required.

Potential Language Concept for Inclusion (to be used by Staff in future Fee Schedule update): *In cases where a comprehensive Adequate Public Facilities Study (APFS) is required, the applicant shall pay a consolidated APFS Review Fee. This single fee shall cover all associated technical reviews for Traffic, Water, Sewer, and School Public Facility Adequacy, and shall expressly exempt the developer from paying the separate, individual review fees for Traffic Impact Studies (TIS), Water Adequacy Studies, and Sewer Adequacy Studies.*

In my view: This reinforces the Town's commitment to transparent and predictable administrative costs while avoiding unnecessarily complex fee schedules. Consolidating the review fees also ensures the cost structure is aligned with the required APFS document, simplifying compliance and administrative tracking.

3. Policy Alignment and Technical Inconsistency

Alignment of the Town's APFO with its status as a state designated Preferred Development Area (PDA) to reduce regulatory layering and conflicts in code.

3.1. Tiered Traffic Standards for System Wide Consistency & Avoidance of Unintended Regulatory Burden

Issue: The current draft code creates unnecessary requirement layering and potential rework cost due to two primary conflicts:

- **Methodology Conflict:** The Town's code is vague (CLV *OR* HCM), while the County APFM has a specific, tiered analysis structure.
- **Classification Conflict:** The County APFM effectively misclassifies in County APFM Appendix B, the Town of La Plata (a State designated PDA/growth area) under the, lower-threshold "rural" standard (1,150 VPH CLV), rather than the appropriate Urban/Sub-urban standard (1,300 VPH CLV) used in all other PDA growth areas in Charles County. My reading of the County APFM especially Appendix B forces a difference in the application of county standards on projects within the Town of La Plata when compared to other areas of the County with similar zoning and state priority funding designations. In my view this is potentially problematic because it conflicts with the Town's actual PDA designation that has been in place for several decades. It makes me wonder if there is an impact from this difference

in classification of how La Plata is evaluated for targeted funding of transportation projects at least at the county level.

Recommendation for Updated language: The Town's APFO should adopt an approach in § 191.96(A) to unify the methodology across all road types (Town, County, and State) while enforcing the correct (Urban/Sub-urban) classification for the TIS trigger. Additionally, we will need to establish an authoritative source for an index of Town Streets vs County or State Roads. *(for example counterintuitively to some, Washington Ave is a County road and our code should offer the authoritative source to applicants and stake holders of what those designations are as this code impacts how standards are applied based on common understanding of road type.)*

Proposed Ordinance Language Concept for Update to Proposed §191.96(A):

§ 191.96(A) Standards for Traffic Studies – Consistency and Authority.

"All Traffic Impact Studies (TIS) submitted as part of an Adequate Public Facilities Study (APFS) shall be conducted in accordance with the following criteria to ensure consistency across jurisdictions and prevent conflicting standards:

1. Methodology Alignment (County and State Roads): The methodology for TIS analysis affecting County roads and State Highways shall conform to the latest edition of the Charles County Adequate Public Facilities Manual and the ITE Trip Generation Manual.
2. Town Roads and Minimum LOS: For roads under the Town's sole jurisdiction, the standard for adequacy shall remain Level of Service (LOS) 'C' for all affected segments and intersections. The technical analysis for these Town roads shall utilize the ITE and HCM methodologies as described below in alignment with County APFM.
3. TIS Trigger Threshold (Corrected Classification): For the purpose of triggering a comprehensive Highway Capacity Manual (HCM) analysis on all affected road networks (Town, County, and State), the Town shall exclusively utilize the Urban/Sub-urban Critical Lane Volume (CLV) threshold of 1,300 VPH. This standard reflects the Town's status as a designated growth center and shall prevail over any conflicting tiered classifications within the Charles County Adequate Public Facilities Manual including Appendix B."

In my Opinion: This proposal resolves the inherent conflicts identified by creating a unified, predictable TIS process for applicants. Applicants conduct one

study using one common methodology (aligned to the County's), but they use the Urban/Sub-urban CLV threshold (1,300 VPH) as the trigger for complex analysis across the entire study area, thereby reducing the administrative and financial burden associated by multiple jurisdictional standards while preserving the Town's authority over its internal LOS standards. My hope and intent is that by using common standards applicants can engage with Town, County and State highway authorities to address mitigations at all levels of the complex road jurisdictions that converge within the municipal boundaries of La Plata.

County School Seats Capacity

1. Harmonizing Conflicting Regulatory Timelines for Allocations

This section addresses the inherent structural conflict between the expiration of utility allocations and the potential wait times for school capacity.

1.1. Resolving A Capacity Allocation Timing Trap (§ 191.92 vs. Chapter 173)

Issue: Current APFO language creates an administrative timing trap for some projects. Water and sewer allocations expire in 36 months, but mandatory school seat deferrals can legally block a project for up to 72 months.

EXAMPLE - The 30 Month Status Conflict:

Consider a project that secures its water/sewer allocations at preliminary plat (establishing a 36-month vesting window) but fails the school adequacy test prior to final plat and permits. Under Chapter 173, that project is placed on a mandatory deferral list for up to six years.

- At Month 30: The developer is legally prohibited from obtaining a building permit due to school seat constraints.
- At Month 36: The "Regulatory Cliff" hits. The utility allocations expire and are forfeited, even though the developer was legally barred from using them.

If school seats finally open in year four or five, the applicant is forced to restart the entire utility APF Study from scratch. This isn't a failure of the developer to progress; it is a synchronization failure between Town and County regulations. One clock runs out while another requirement stops the applicant's ability to act.

In my view: Our APFO must reconcile this mismatch. We cannot have a vicious cycle where an applicant is penalized by having to restart parts of the process for a delay mandated by the Town and County. This introduces severe financial risk for entities acting in good faith to meet La Plata's Comprehensive Plan goals and comply with the Maryland Land Use Article and Town Code.

A Note on State School Funding Priorities: We must also recognize that school construction funding in Maryland is not based solely on overcrowding. The state uses a complex set of State Rated Capacity (SRC) factors, including building condition, number of trailer classrooms, health and poverty levels. I believe if we adopt this into code, we must commit to coordinate closely with Charles County to ensure our local APFO doesn't unintentionally lower the funding priority for County schools that serve La Plata families.

An Example for Consideration, Annapolis: The City of Annapolis provides an interesting policy model for aligning APFO regulatory expectations with municipal government performance:

- Six-Year Achievability: Annapolis code states that APFO adequacy standards should be achievable within a six year timeframe.
- CIP Alignment: Annapolis City code requires the annual Capital Improvement Program (CIP) to be based on a plan that ensures deficiencies are corrected within that same six year timeframe.

In my view: La Plata over the past several decades has approved growth in line with its Comprehensive Plan but has at times failed to follow through with the infrastructure investments to support it.

I would like to see us consider the implications of using the "Annapolis Model" for CIP planning in La Plata. This places the accountability on the Towns elected leaders *(through budgets)* and municipal planners *(through engineering)* ensure our infrastructure supports our residents, businesses, and our Towns strategic goals.

Pros and Cons – Draft APFO and School Seat Allocation Amendments

PROS

- Strengthens protection of existing infrastructure by tying approvals to actual water, sewer, road, and school capacity.
- Improves transparency and defensibility by using standardized County student yield data instead of subjective calculations.
- Protects existing residents from overcrowded schools and degraded public services.
- Shifts infrastructure costs to developers through clear mitigation and bonding requirements.
- Creates predictable, formula-based decision-making that reduces disputes and appeals.
- Improves coordination with County capital improvement planning and school construction timelines.
- Supports long-term fiscal sustainability by preventing growth that outpaces infrastructure capacity.
- Provides a structured path for large developments (100+ units) through Development Agreements.

CONS / RISKS

- Elimination of the guaranteed minimum school seat allocations may significantly slow residential growth during constrained years.
- Zero-allocation years could disproportionately affect small builders and individual lot owners despite wait-list protections.
- The 6% proportional cap may be viewed as overly restrictive for a designated growth area.
- Increased developer costs may translate into higher housing prices or reduced housing supply.
- Heavy reliance on County data and CIP schedules limits Town flexibility if projects are delayed.
- Added administrative complexity requires consistent annual coordination and verification.
- Potential political and stakeholder pressure from the development community.

Dr. Jill A. Hudnell, DNP

Director Dooley,

Thank you for the opportunity to review.

1. Water & Sewer (The "Immediate Crisis" Risk)

- **The 80% Threshold:** The draft sets the standard for adequacy at 80% of permitted capacity, but the Town is arguably already operating near or at 90% of its water allocation. Does passing this ordinance place the Town in a legal moratorium on *all* new approvals because we are already in violation of the new 80% standard? Does the ordinance include a transition plan to manage this?

2. Roads & Street Design

- **Level of Service (LOS) "C" vs. Traffic Calming:** Can we add a "Performance Path" clause here? We should allow exceptions to LOS "C" if a developer demonstrates that a lower LOS supports pedestrian safety and traffic calming without compromising emergency access.

3. School Seat Allocation (Chapter 173)

- **The "6% Cap" Logic:** Limiting allocations to 6% of the *County's* total excess capacity. If La Plata schools have open seats, would this mean development would still be capped?

4. Process & Transparency

- **Defining "Significant Modification":** Should developers need one consistent standard (e.g., >10% unit increase) for when a grandfathered plan loses its status and triggers a new review.

Best,

Kyle J. Miller

TOWN OF LA PLATA
305 Queen Anne Street
Post Office Box 2268
La Plata, Maryland 20646

PLANNING COMMISSION STAFF REPORT

DATE: May 5, 2026

TO: Honorable Chair and Members of the Planning Commission

FROM: Don Dooley, Planning Director

PREPARED BY: Don Dooley, Planning Director

APPLICATON NO.: Zoning Text Amendment (ZTA) 02-2026 – Adequate Public Facilities for Roads

APPLICANT: Town of La Plata, Maryland

OWNER: N/A

PROJECT LOCATION: Town-wide

REQUEST: To amend Article X (Adequate Public Facilities Requirements) in Chapter 191 (Zoning) of the La Plata Municipal Code for the purpose of creating, managing, and maintaining adequate public road facilities in Town.

BACKGROUND

The La Plata Town Council expressed interest in creating requirements for new development to ensure adequate public infrastructure and services are in place to support new construction in Town so as not to diminish the quality of life for residents, businesses and visitors to La Plata. The Council is particularly interested in developing and retaining minimum public infrastructure standards pertaining to roads, water, sewage, and school seating capacity. This will ensure new development does not impact minimum infrastructure thresholds set by the Town

On April 7, 2026, the Planning Commission recommended Town Council approval of Zoning Text Amendment 01-2026, which developed adequate public facility regulations for water, sewage, and school seating capacity under proposed Article X in Chapter 191 of the La Plata Zoning Code. However, adequate public facility regulations pertaining to “Roads” were not included in Zoning Text Amendment 01-2026. The Commission will recall that staff needed additional time to further develop the technical regulations for roads and traffic in consultation with Brudis and Associates (BAI), a professional traffic engineering firm whom the Town hired as a consultant on this portion of the Town’s draft

APFO regulations. With the professional assistance of BAI, staff is ready to propose a comprehensive new set of provisions to manage and maintain the adequacy of the Town's public roads to accommodate existing and new development under Zoning Text Amendment (ZTA) 02-2026. As presented in Attachment No. 1, the draft provisions for Roads have been incorporated within Article X in conjunction with the AFPO regulations pertaining to water, sewage, and school seating capacity that the Commission recommended to the Town Council for approval on April 7, 2026.

Although there was insufficient time to notice a public hearing for Zoning Text Amendment 02-2026, for the Planning Commission Meeting of May 5, 2026, staff wanted to introduce the current draft, APFO provisions on "Roads" for Commission review and comment. It is the staff's intent to revise the proposed text, as directed by the Commission, and return Zoning Text Amendment 02-2026 back to the Commission on June 2, 2026, for public hearing before the Planning Commission.

DISCUSSION

Public Comments

For the Commission's reference, staff has included all public and Commission feedback received to date, concerning APFO provisions for "Roads," under Zoning Text Amendment 01-2026. Based on the proposed APFO standards for Roads, staff believes it has appropriately addressed Commission and public comments to create effective APFO provisions for "Roads."

Proposed APFO Provisions for Roads (Zoning Text Amendment 02-2026)

For ease of discussion, the staff has summarized the significant points contained in the draft Adequate Public Facilities Ordinance (APFO) pertaining to "Roads" under Chapter 191, Article X. As drafted, the provisions create modern transportation analysis standards, clarify study requirements, establish new improvement priorities, and ensure consistent and technically defensible evaluation of development impacts on roads and transportation infrastructure for the Town. As drafted by BAI and staff, they are grounded in the National Center for Smart Growth's 2025 Report on Adequate Public Facilities Ordinances in Maryland (prepared for the Maryland Department of Planning), the Charles County Adequate Public Facilities Manual (APFM), the Maryland State Highway Administration (SHA) Draft Traffic Impact Study Guidelines, and the current edition of the Highway Capacity Manual (HCM).

Comments on various provisions of the draft ordinance have also been provided by BAI (Town traffic consultant) and are included in the various summaries of the proposed ordinance measures discussed below.

§191.87(C) – Trip Generation Threshold Update

- The amendment provides a trigger for requiring a Traffic Impact Study (TIS). As

proposed, the trigger is for developments generating 50 or more peak-hour vehicle trips in any required study period. This establishes a clear threshold also used in other Maryland jurisdictions.

§191.88 – Roads

1. Basic Rule

- New development cannot cause roadway or intersection operations to fall below required Level of Service (LOS) standards.

2. Applicability

- Applies only to projects generating 50 or more peak-hour trips.

3. How Adequacy Is Determined

- A Traffic Impact Study (TIS) must analyze all intersections in the study area using HCM methodology only.
- LOS is based on delay, not volume counts or Critical Lane Volume (CLV).
- Official signal timing must be used, and new net trips must be calculated using ITE standards.

4. Impact-Based Adequacy Tests for Level of Service (LOS)1

- If background traffic is LOS “D” or better, total traffic must remain “D” or better.
- If the background is LOS “E” or worse, the project cannot increase the delay.
- No individual traffic movement may fall to LOS “F” if previously LOS “E” or better.

5. Required TIS Outputs

- Background LOS vs. total LOS.
- Delay changes caused by the development.
- AM/PM (and additional required study) peak periods.

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1. For the Commission’s reference, the various Level of Service (LOS) descriptions are identified below:
LOS A: Free-flow conditions. • Little to no delay; drivers experience complete freedom to choose speed and maneuver.• Very low density and minimal interaction with other vehicles.
LOS B: Still stable flow, but with slightly more interactions. • Speeds remain high, but maneuverability is modestly restricted. • Light delays may occur.
LOS C: Stable flow, but operations become more constrained. • Speeds are influenced by higher traffic volumes. • Maneuverability is noticeably limited, but acceptable.
LOS D: • High-density, approaching unstable flow. • Speeds decrease significantly; driver comfort declines. • Maneuverability is difficult; small increases in volume can cause major operational issues.
LOS E: Operations at or near capacity. • Very slow speeds, significant delays, and extremely limited maneuverability. • Flow is unstable, and disruptions or lane changes cause breakdowns.
LOS F: Breakdown or forced-flow conditions. • Stop-and-go traffic; heavy congestion and long delays. • Demand exceeds capacity, causing queues and unpredictable traffic behavior.

- 95th-percentile queues.

6. Submission and Peer Review

- All traffic model files must be submitted electronically to the Town.
- The Town requires independent peer review of TIS' at the developer's expense.

7. Infrastructure Priority Hierarchy

- When improvements are needed, road mitigation projects must prioritize:
  - Safety
  - Emergency access
  - Pedestrian/Bicycle/Complete Streets
  - Vehicle capacity (lowest priority)

8. Minimum LOS Standards by Roadway Jurisdiction

- La Plata controlled Town roads: LOS "C." New standard.
- Charles County controlled roads: LOS "D." Existing standard.
- State Highway Administration controlled roads: LOS "E" (or no worse than existing conditions). Existing standard.

9. Mitigation Requirements

- If a development worsens existing Level of Service (LOS) or traffic delay.
- Functioning intersections: restore Level of Service (LOS) to background traffic levels.
- Deficient intersections: restore Level of Service (LOS) delay to background traffic levels.
- Options include pro-rata cost-share, escrow contributions, or alternative improvements.

10. Denial Standard

- A project must be denied if it cannot provide feasible mitigation.

11. APFS Requirements

- Developers must submit a preliminary Adequate Public Facilities Study (APFS) showing expected trips, affected intersections, and project timeline(s); the Planning Director may expand or adjust what is studied.

BAI Comments: In §191.88(C)(1), the proposed language does not use Critical Lane Volume (CLV). Instead, it adopts Highway Capacity Manual (HCM) as the sole primary standard for all Traffic Impact Studies. This is because analysis must be performed using traffic analysis software capable of producing HCM-based measures of effectiveness,

including overall intersection average control delay, approach delay, movement delay, volume-to-capacity ratios, and 95th percentile queue lengths. Signal timing data must be obtained from the controlling jurisdictions (e.g., SHA or Charles County) to prevent applicant-favorable assumptions from distorting results. All traffic analysis model files must be submitted electronically to enable independent peer review, funded through the consolidated APFS review fee. Regarding LOS Adequacy Standards in draft §191.88(C)(1)(e), the proposed text uses an impact-based two condition adequacy test applied to each study intersection. Where opening-year background conditions (existing traffic plus approved-but-unbuilt development) operate at LOS "D" or better, total traffic conditions must remain at LOS "D" or better. Where background conditions are already at LOS "E" or worse, the development must not worsen the average intersection delay. An individual movement floor prevents an acceptable overall intersection average from masking a severely failing turning movement. For unsignalized intersections, the HCM worst-movement standard applies. This approach requires development to mitigate its own impact rather than fix pre-existing deficiencies and is more defensible than a fixed Level of Service threshold.

In §191.88(D)(1), the proposed amendment establishes tiered standards: LOS "C" for Town controlled roads, LOS "D" for Charles County controlled roads (consistent with the Charles County APFM), and LOS "E" for State Highways Administration facilities consistent with SHA Guidelines.

With regards to §191.88(D)(2), the proposed text creates a proportional framework aligned with an impact-based adequacy test. Section 191.88(D)(2) is expressly subordinate to the §191.88(C)(1)(e) adequacy determination, ensuring a single common analytical gate. At functioning intersections, mitigation is required only where the development causes the Level of Service (LOS) to fall below the applicable standard or drives a movement to LOS "F." At deficient intersections, mitigation is required only where the development measurably worsens the traffic delay. Three mitigation pathways are available: direct construction, pro-rata escrow contributions, or alternative improvements evaluated through the Infrastructure Priority Hierarchy. Denial is reserved for cases in which no feasible, secured mitigation pathway can be demonstrated.

In §191.88(C)(2) a four-tier Infrastructure "Priority Hierarchy" is established to govern the sequencing of both developer mitigation and Transportation Improvement Escrow Fund programming: (1) Multi-modal Traffic Safety; (2) Emergency Vehicle Access; (3) Pedestrian and Bicycle Accessibility and Complete Streets Conformance; and (4) Vehicle Capacity and Operations. This hierarchy is grounded in the Maryland Department of Transportation (MOT)'s *2024 Complete Streets Policy*, *Maryland's Vision Zero goal*, *NCSG Best Practice 4.4*, and the Federal Highway Administration (FHWA)'s *Complete Streets Report to Congress*. Higher-priority improvements must be advanced ahead of

lower-priority improvements when Escrow Fund balances or Capital Improvement Program (CIP) capacity require sequencing decisions.

§ 191.93(F). Adequate public facilities study

Traffic Study Area Definition

A Traffic Impact Study must evaluate a defined set of intersections around the development, including:

- All signalized access intersections.
- The nearest two principal arterial intersections in each direction from the principal driveway entry to the development.
- Any intersection within 1.5 miles that would receive 50 or more peak-hour vehicular trips from the project.
- Additional intersections if the Planning Director expands the study area due to high trip generation (250+ trips), traffic patterns affecting farther locations, proximity to sensitive uses (schools/hospitals), or other justified reasons.

Anti-Piecemealing

- Developers cannot avoid the 50-vehicular trip threshold by submitting multiple small projects.
- If a new application is filed for the same property within five years of an earlier approval, the TIS must include the combined trips from both the previous and current proposals when determining whether the 50-trip threshold is exceeded.

BAI Comments: A section is added to the draft ordinance that defines a baseline study area. Specifically, it is the nearest two principal arterial intersections in each direction from the principle vehicular driveway entry to a new development, and all intersections within 1.5 miles that receive 50 or more peak-hour vehicular trips during any of the peak AM/PM traffic study periods. The Planning Director retains expansion authority, subject to written justification.

§191.94(F) Transportation Improvement Escrow Fund.

- Creates a dedicated Town-managed escrow fund to collect proportional developer contributions for transportation improvements that serve multiple developments or exceed one project's impact.
- Contributions may be required either as an in-lieu fee or as part of required mitigation.
- Developer share is calculated proportionally using a formula based on the project's peak-hour trips relative to the total capacity added by the improvement.
- Funds are kept in a separate, interest-bearing account and must be used only for the specific transportation improvement. Unused funds may be refunded if a project is canceled or fully funded by other sources.

- Construction is triggered once 50% of the project cost is collected, or when other public/private funding is secured to complete the improvement.
- Annual CIP review is required, and investments must follow the Town's Infrastructure Priority Hierarchy—safety first, then emergency access, then pedestrian/bicycle access, and lastly vehicle capacity. Any deviation must be justified in writing.
- Developer in-lieu payment is due to Town before building permits are issued.

BAI Comments: A new "Transportation Improvement Escrow Fund" ("Fund") is established to collect pro-rata developer contributions toward improvements that exceed any single developer's proportional impact or require coordination across multiple developments or jurisdictions. The developer's contribution is calculated based on their proportional share of the total delay increase at the affected intersection. Funds are held in a dedicated interest-bearing account and restricted to the identified improvement. Construction is triggered when 50% of project costs are collected, or alternative public funding is secured. The Fund is reviewed annually through the CIP process and allocated consistently with the Infrastructure Priority Hierarchy.

§ 191.96(B) Standards, criteria, and procedures for adequate public facilities studies.

- All Traffic Impact Studies (TIS) for Adequate Public Facilities Studies must follow a defined methodology.
- The tiered HCM methodology in §191.88(C)(1) is the primary standard; supplemental guidance from the Charles County AFPO Manual may be used only if it does not conflict with this Article.
- Traffic data must use the most current Town-approved counts, not older than two years, unless the Town specifically allows alternative data.
- Certain land uses (e.g., retail, food service, entertainment, religious facilities) require weekend peak-hour analysis; uses with school-related traffic must include afternoon school-hour analysis.
- The Planning Director may require additional analysis during the TIS scoping process.
- The scope of work for every TIS must be approved in advance by the Planning Director.

CONCLUSION

Staff believes it has satisfactorily addressed the broad comments made by the body of the Commission based on public feedback and commissioner input. Should the Commission desire additional changes and/or revisions, staff will incorporate the revisions within the final draft of the AFPO revisions for "Roads."

RECOMMENDATION

Staff recommends the Planning Commission provide feedback to staff on the proposed draft AFPO language for “Roads.”

ATTACHMENTS

1) Draft (Redline) Text Amendments to Chapter 191 (Article X. - Adequate Public Facilities Requirements) for “Roads.”
2) William Zeid, Kimley-Horn Comments Dated January 28, 2026
3) Charles County Government Comments
4) Scott Law Group Comments Dated February 6, 2026
5) Chair Banks Comments (undated)
6) Council Liaison Guttenberg Comments Dated December 19, 2025
7) Vice-Chair Hudnell Comments (Undated)
8) Commissioner Miller Comments December 7, 2025

-End of Report-

Outlook

Public Comment in Support of Zoning Text Amendment 02-2026

From Kha Nguyen <trikha81@yahoo.com>
Date Thu 5/28/2026 8:28 AM
To Don Dooley <ddooley@townoflaplata.org>

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Dear Mr. Dooley and Members of the Planning Commission,

My name is Kha Nguyen. I am a resident of White Plains, Maryland

I am writing to express my strong support for Zoning Text Amendment (ZTA) 02-2026 regarding adequate public road facilities.

As someone who drives through La Plata daily for work, I have seen firsthand how traffic congestion on Route 301, Route 6, and Crain Highway has worsened over the past few years. New residential and commercial developments are being approved without sufficient road capacity, which creates unsafe conditions for drivers, delays for emergency services, and lost income for local workers like me who rely on timely deliveries.

ZTA 02-2026 is a common-sense measure. Requiring developers to prove that public roads can handle additional traffic before a project is approved will protect our community's quality of life and public safety. Growth is important, but it must be responsible growth that does not overwhelm the infrastructure our residents and workers depend on every day.

For these reasons, I respectfully urge the Planning Commission to recommend approval of ZTA 02-2026.

Thank you for the opportunity to comment and for your service to our community. I plan to attend the public hearing on June 2, 2026 if my work schedule permits.

Sincerely,
Kha Nguyen
4362 shakespeare cir
White Plains, MD 20695
Cell: 2023521291
Sent from my iPhone

From: Renata Rhodes
To: Legislative
Subject: Public Hearing: Zoning Text Amendments (ZTA) 02-2026 - Adequate Public Facilites Ordinance - Roads
Date: Tuesday, June 2, 2026 11:14:39 AM

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Good Day Legislative Representative,

As a Town of La Plata resident, I wanted to express my concerns regarding the APFO-Roads.

The traffic on the U.S. 301 corridor and at local intersections like MD 6 and Shining Willow Way has become a major safety and quality of life issue. I strongly encourage the Planning Commission maintain the "Level of Service C" standard for intersections. We should not accept failing traffic conditions. Just to accommodate more development.

I am concerned about the potential loopholes for phase developments or exemptions that may bypass these traffic tests. Every new car added to our roads impacts us all regarding traffic. A "Level of Service C" sounds good on paper, but we already have intersections that feel like an "F". I want to know how the Commission will ensure that traffic studies aren't just checked boxes for developers. I urge that we tighten these standards and ensure there are zero loopholes for developers until our roads are actually ready.

Thank you,
Renata Rhodes

Chapter 191 - Zoning Regulations

Article X. - Adequate Public Facilities Requirements

§ 191.86. Purpose.

Minor comment but reduce or lower can be confusing with LOS given that A comes before B but B is reduced from A... Suggest using Deteriorate in lieu of reduce and also "beyond (or exceed) the threshold" rather than below.

The purpose of the adequate public facilities review is to:

A. Require developers to provide new, additional, or upgraded public facilities and school seating capacity, when necessary, to ensure the Town's ability to facility levels to serve new developments without impacting the existing con

B. Ensure that all proposed development will not adversely affect the public's he and,

C. Encourage new development to occur in areas of the Town where public facilities are being provided.

§ 191.87. Adequate public facilities required.

Suggest using the "New Net Trips" term specifically that is defined later on.

A. Unless exempted within this Ordinance, no preliminary plat maps or site plans shall be approved unless it can be demonstrated that the development will not impact the Town's public facilities to provide adequate water, sewage, roads and school seating capacity to serve the development, as specified in this Ordinance.

B. This Ordinance does not apply to minor residential subdivisions, minor site plans, and non-residential developments containing less than 1,200 square feet of gross floor area unless determined necessary by the Planning Director due to unique or unusual circumstances associated with the development and/or the surrounding environs of the development.

C. Unless exempted within this Ordinance, all preliminary plat maps and site plans submitted to the Town for approval shall be accompanied by an Adequate Public Facilities Study (APFS) pursuant to Section 191.93. The vehicular trip generation threshold for requiring a traffic study shall be 50 or more peak-hour vehicular trips during any of the peak study periods.

§191.88. Roads. ~~(Reserved)~~

A. The traffic generated by a proposed development shall not reduce the level of service (LOS) at intersections or along roads below the standards established in this section.

B. This section does not apply to any proposed development project that generates fewer than 50 peak-hour vehicular trips during any of the study peak periods.

C. Roads shall be considered adequate to accommodate the projected vehicular traffic generated by a proposed development if:

(1) All existing traffic, the traffic expected from a proposed development, and the cumulative traffic from previously approved developments within the traffic study area must either meet, or be capable of being adequately mitigated to meet, the minimum Level of Service (LOS) required for the roadways affected by the proposed new development. Traffic service levels at all intersections within the traffic study area defined in §191.93(F) shall be evaluated using the following methodology:

(a) Primary Analysis Methodology. All Traffic Impact Studies (TIS) shall use the most current edition of the Highway Capacity Manual (HCM), published by the Transportation Research Board, as the sole primary method of traffic analysis. HCM-based analysis shall be performed by the project developer using traffic analysis software capable of producing measures of effectiveness for signalized and unsignalized intersections, including average control delay, approach delay, individual movement delay, volume-to-capacity ratio, and 95th percentile queue lengths. The Critical Lane Volume (CLV) method may not be used as a substitute for, or screening alternative to, HCM-based analysis.

(b) Level of Service (LOS) Determination. Level of Service shall be determined using delay-based measures of effectiveness. For signalized intersections, LOS shall be based on the overall intersection average control delay using a weighted average for all approaches. For unsignalized intersections, the LOS shall be based on the worst minor-street movement or approach delay, as specified by the HCM. The 95th percentile queue length from simulation analysis shall be reported for all study intersections.

(c) Signal Timing Baseline. All traffic analysis models for roads shall use existing signal timing data obtained from the controlling jurisdiction (i.e.,Town of La Plata, Charles County, State Highway Administration) as the baseline. Developer-assumed signal timing shall not be used. Where the controlling jurisdiction for a road has developed and made available calibrated traffic model files for study intersections, project developers shall use those files as the basis to start their analysis.

(d) Trip Generation Standard. All trip generation calculations shall use the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. Trip generation shall be based on new net trips, which is defined as vehicular trips generated by a proposed development minus vehicular trips generated by any existing development on the same site for which APFO approval has been granted.

(e) Adequacy Standards: The adequacy of transportation facilities shall be evaluated using the following impact-based thresholds, applied separately to each intersection under opening-year total traffic conditions for a proposed new development:

(i) If the proposed development's [illegible] Level of Service (LOS), excluding site-generated traffic, is LOS "D" or better, then the overall intersection LOS with total traffic, including the proposed development's traffic, must also remain at LOS "D" or better. If the opening-year background LOS is LOS "E" or worse, then the overall average control delay per vehicle under total traffic conditions may not exceed the average control delay under background conditions. The proposed development may not increase traffic delays at any intersection that is already operating below acceptable standards.

(ii) Individual Movement Floor. Regardless of the overall intersection result under subsection (i), no individual turning movement at a signalized intersection shall operate at LOS "F" under total traffic conditions if the movement operated at LOS "E" or better under background conditions. For unsignalized intersections, the worst minor-street movement or approach shall serve as the basis for this determination, using the same background-versus-total comparison described in subsection (i).

(iii) The Traffic Impact Study for a proposed development must report the following for each study intersection: peak-hour LOS and average control delay, plus any additional periods required under §191.96(B)(3); the opening-year background LOS and average control delay; the opening-year total traffic LOS and average control delay; the change in delay attributable to the proposed development; and the 95th-percentile queue lengths for all movements based on traffic simulation analysis.

(f) Model File Submission. All traffic analysis model files used in a TIS must be submitted

Can SimTraffic modeling be listed as at least a potential additional consideration for determining if the LOS standard is met, even if only on a case by case basis? Signal coordination along a corridor can often result in much better operations both in SimTraffic and the real world versus looking at each individual intersection with HCM that only has a small consideration for upstream and downstream intersections.

Also, traffic signals upstream of unsignalized intersections provide breaks in the traffic flow, or gaps, for side street movements to make their turns. SimTraffic takes this into account to give more realistic results when compared to HCM that more or less assumes a constant arrival rate as if the mainline never gets held upstream.

Recommend adding that, for intersections where future operational or geometric changes have been approved to be assumed in future analyses, reasonable signal timing changes or design may be assumed that follow Maryland SHA signal timing guidelines. All assumed signal timing changes under this scenario are subject to confirmation during the TIS review.

You may consider having some de minimis allowance. 0.01 v/c, 1 percent, 5 or fewer vehicles added, etc. You eventually run into a situation where 2 cars are added to an intersection by a very small development and it just tips it over the edge. However, since Escrow contributions on a prorata basis are being included, the mitigation would presumably reflect that small increase in traffic.

electronically to the Town as part of the APFS submittal, in a format that is readable by the Town.

(g) Peer Review: The Town of La Plata reserves the right to retain a qualified, independent, traffic engineer to review all TIS submittals to the Town for their input and recommendations. The total cost of all reviews shall be borne by the project developer.

(2) Infrastructure Priority Hierarchy. In evaluating CIP programmed improvements for developer credit under this subsection, and in programming new transportation CIP projects funded in whole or in part through Escrow Fund contributions under §191.94(F), the Town shall apply the following priority hierarchy. Higher-priority improvements shall be advanced ahead of lower-priority improvements when Escrow Fund balances or CIP capacity require sequencing decisions:

Priority 1 — Multimodal Traffic Safety: Improvements that demonstrably reduce crash frequency or oad users, including vehicle-vehicle, vehicle-pedestrian, and vehicle-bicycle ludes intersection geometry corrections, sight distance improvements, speed asures, signal safety upgrades, and projects identified in any Town or State ration Road Safety Audit or Pedestrian Safety Action Plan. Consistent with Zero goal and MDOT's Complete Streets Policy, safety improvements shall be ailable Escrow Fund balances.

rgency Vehicle Access: Improvements that enhance the reliability and speed of e response within the Town, including intersection modifications to facilitate ption, turning radius corrections at constrained intersections, and roadway ments to reduce response times to residential and commercial areas. The Town proposed improvements satisfy emergency access standards prior to CIP

edestrian and Bicycle Accessibility and Complete Streets Conformance: t expand or close gaps in the Town's pedestrian and bicycle network, bring nto conformance with the Town's adopted Complete Streets standards, improve , enhance Safe Routes to Schools connections, and provide protected or s for non-motorized users on high-volume corridors. Consistent with Maryland ransportation's Complete Streets Policy, which requires APFOs to ensure design features are provided, this priority shall apply to all Escrow Fund-eligible olving the reconstruction or significant modification of existing roadway cross-

le Capacity and Operations: Improvements primarily intended to increase vehicle uce vehicle delay, including intersection turn lane additions, signal coordination, ning for vehicular capacity. Such improvements remain eligible for Escrow Fund shall be sequenced after Priorities 1 through 3 have been adequately addressed ridor or study area.

If the intent of the prioritization is to allow for development impact to be mitigated through non-vehicular related improvements (which would be a great thing and in-line with current transportation planning policy in some other parts of the region), then the APFO needs to have some controlling language that supersedes the mandates to return intersection LOS to within the allowable thresholds.

Adding crosswalks, protected bike facilities and other multi-modal improvements very often come at the expense of vehicle delay. Crosswalks require green time, and added vehicle lanes increase crosswalks, speeds and other factors that reduce pedestrian safety. One major area where this will play out is along the signalized corridors where currently free-flow uncontrolled right turn movements will have to be controlled by the signal if pedestrian crossings are added in the future. Those crossings will directly reduce vehicular capacity, but at an arguably greater benefit to the public. There will certainly be cases where more vehicular capacity is needed and justified, but the Town should have the ability and discretion to make the decision as to whether they want to maintain LOS C/D or add multi modal improvements that may make C/D unattainable. There are cases where the Town may want have vehicle access be available but not fast or inviting vehicle access where pedestrians and bikes become the main focus of design and safety.

(3) A sufficient public right-of-way width is provided to serve the volume of pedestrian and vehicular traffic to accommodate the proposed development, including adequate road widths to facilitate vehicular mobility, maneuverability, and on-street parking, when applicable to the roadway type and context.

D. Levels of Service.

(1) The established minimum level of service (LOS) standards shall be tiered based on roadway jurisdiction and context, as follows:

(a) Town of La Plata Controlled Roads: LOS “C” for all Town-owned and maintained roads.

(b) C Roads: LOS “D” for all Charles County-owned and maintained roads

Recommend clarification: ...for all Town-owned and maintained roads and intersections of two Town-owned and maintained roads. This is assuming that the intent of a State/Count road intersection with a Town Road is to allow LOS "D" as being adequate.

within the La Plata Town limits, consistent with the "Charles County Adequate Public Facilities Manual." The Town shall defer to the County's adopted adequacy standards for County-controlled roads.

(c) State Highway Administration (SHA) Controlled Roads: LOS "E," or no worse than the background (pre-development) LOS where existing conditions already exceed LOS "E," for all SHA-controlled and maintained highways in the Town. The Town shall defer to SHA's adopted "Traffic Impact Study Guidelines" for its facilities. Any mitigation requirement involving the SHA right-of-way shall be expressly subject to SHA review and approval. If SHA declines to approve proposed mitigation, the Town of La Plata shall consider alternative mitigation strategies, including but not limited to pro-rata contributions toward SHA-programmed improvements.

(2) When a TIS is conducted pursuant to §191.88(C)(1) and it determines that a study intersection fails the adequacy standards established in §191.88(C)(1)(e), the following mitigation framework shall apply. All adequacy determinations and mitigation calculations under this section shall use opening-year background conditions (existing traffic plus approved-but-unbuilt development traffic) as the baseline, consistent with §191.88(C)(1)(e).

To avoid confusion with phased projects and allow for incremental improvements for each phase of development, consider additional language that "at opening year of each phase and total project buildout..."

ections (opening-year background LOS "D" or better) under the applicable 91.88(D)(1)). Mitigation is required where the proposed new development ersection LOS under total traffic conditions to fall below LOS "D," or causes nent that operated at LOS "E" or better under background conditions to fall ect developer shall mitigate the proposed development's impact to restore the intersection to its existing background LOS or better.

(b) At Deficient Intersections (opening-year background LOS "E" or worse). Mitigation is required where the proposed new development increases the average control delay per vehicle under total traffic conditions above the average control delay per vehicle under the proposed new development's opening-year background conditions (i.e., where the proposed development measurably worsens delay at an already-deficient intersection). The project developer shall adequately mitigate impacts to restore total traffic delay to no worse than the opening-year delay. Mitigation may consist of one or more

Recommend striking the word existing to maintain consistency

Recoimmend that "measurably" be defined to avoid future disagreements. See previous comment about 0.01 v/c increase, % increase, etc.

Recommend striking "clearly" to avoid issues with appeals, disagreements, etc.

Recommend changing text to: "that restore Total Traffic conditions delay to a level no worse than the proposed development's opening-year background delay without the project based on the applicable measure of effectiveness used for determining adequacy.

ved by the

nal Impact Mitigation. At the discretion of t eloper may toward the cost of the improvement in prop elopment's he total traffic delay increase calculated as: Attributable rease ÷ Total Delay Under Total Traffic Co ment Cost, based on a third-party engineering estimate.

(ii) Pro-Rata Escrow Contribution. At the discretion of the Town, the developer may contribute to the Town's Transportation Improvement Escrow Fund pursuant to §191.94(F) in lieu of direct construction, where the improvement is programmed in the Town's CIP or is a shared improvement benefiting multiple developments.

(iii) Alternative Improvements. At the Town's discretion, a project developer may propose ve improvements that clearly restore total traffic delay to a level no worse than the d development's opening-year background delay without the project. Any such l shall be reviewed and approval by the Town and, when applicable, by SHA or the When evaluating alternative improvements, the Town s Hierarchy established in §191.88(C)(2).

Is this also intended to allow for a new improvement to be identified but the development may only be responsible for a pro-rata share contribution? If so, suggest adding language on establishing new improvements.

Suggest the following if this is a desired option of the Town: (iv) At the Towns discretion, a project developer may propose alternative improvements related to pedestrian, bike, transit, ADA or other multi-modal element. Such improvements shall be considered as meeting the APF requirement for roads, regardless of the resulting vehicular level-of-service, if at the Towns discretion, the improvements provide a transportation system improvement proportional to the project's impact on the transportation system.

(c) Denial. The Planning Commission shall deny a proposed developm demonstrate a feasible, secured, mitigation pathway under subsec Planning Commission shall not deny a project solely because an inte applicable LOS standard under background conditions unrelated to t

E. The determination of the Level of Service for a road shall consider the effects of existing traffic and traffic projected to be generated from proposed new developments in the traffic study area, as determined by the Town, for which final subdivision plats and site plans have been approved as well as increases in through traffic and all traffic projected to be generated from the proposed development for a specified development completion year.

F. Unless exempted within this Ordinance, the project developer shall submit with their preliminary plat map or site plan, a preliminary Adequate Public Facilities Study (APFS) which indicates the proposed development's anticipated vehicular trip generation rates, a list of existing roads and intersections that will be impacted by traffic to and from the proposed development, and the anticipated completion date of the proposed development. The Planning Director shall review the APFS to determine whether it satisfies the standards adopted herein for the proposed development and shall add or remove roads or intersections as necessary to evaluate the impact of the proposed development.

§191.89. Schools.

See Section 173-92 under Article IX (School Seat Allocation Policy) of the La Plata Subdivision and Land Development Ordinance.

§191.90. Sewage system.

A. Pursuant to Title 9 of the Annotated Code of Maryland, new development can only be approved if there are adequate wastewater systems and supporting infrastructure. Therefore, no site plan or subdivision plat shall be approved for any new or expanded development in La Plata unless the Town's wastewater treatment plant and infrastructure has or will have sufficient capacity to support new development prior to its commencement. It is the intent of this Chapter to ensure that sewer infrastructure capacity serving existing residential and non-residential users are not adversely affected by the sewage capacity and infrastructure needs from new development.

B. Standard for Adequacy. The Town's sewage system shall be considered inadequate and the development deemed to create an adverse impact on the Town's wastewater treatment plant and its infrastructure when a development causes it to operate at or above eighty percent (80%) of the plant's maximum capacity. This limitation is to ensure the Town maintains sufficient reserve capacity to account for system inefficiencies and short-term spikes in treatment demand. Eighty percent (80%) of sewage capacity shall be determined by multiplying the Town's treatment plant's design flow (MGD) by 0.80, then comparing that value to the facility's average daily wastewater flow.. If this standard is exceeded, the project shall not be approved unless adequate mitigation is provided in accordance with §191.94 (Mitigation).

C. The Town of La Plata shall publish on its website every six (6) months a sewage capacity report identifying the Town's current wastewater treatment plant capacity level and its remaining availability to serve new development. The most current wastewater capacity report shall be used as the authoritative reference source for determining a development's impact on the Town's wastewater capacity limit as part of any Adequate Public Facilities Study submitted to the Town.

§191.91. Water supply system.

A. Pursuant to Title 9 of the Annotated Code of Maryland, new development can only be approved if there is an adequate water supply and infrastructure to support it. Therefore, no preliminary plat map or site plan for any new or expanded development requiring water allocation from the Town of La Plata shall be approved unless there is or will be sufficient water supply to support the development prior to its commencement. It is the intent of this chapter that water supplies serving existing residential and non-residential users are not adversely affected by the water usage from new development.

B. Standard for Adequacy. The Town's water supply system is considered inadequate and a proposed development is considered to have an adverse impact on the Town's ability to provide sufficient water when the projected water demand from new development will cause the Town to reach or exceed eighty percent (80%) of its maximum water appropriation permit for annual average daily withdrawal, as issued by the Maryland Department of the Environment. The 80% threshold is intended to ensure the Town maintains sufficient reserve capacity to account for water loss, system inefficiencies, and short-term spikes in water usage. Eighty percent (80%) of the Town's water allocation is calculated by multiplying the permitted annual average daily withdrawal limit by 0.80 and comparing that value to the Town's actual annual average daily water use. If the projected demand from a development causes this threshold to be exceeded, the development may not be approved unless adequate mitigation is provided in accordance with §191.94 (Mitigation).

C. The Town of La Plata shall publish on its website every six (6) months a water capacity report of the Town's water allocation usage for determining the remaining water availability to serve new development against its maximum water appropriations permit limit for average daily withdrawal. The most current water capacity report shall be used as the authoritative reference source for determining a development's impact on the Town's water supply as part of any Adequate Public Facilities Study submitted to the Town.

§ 191.92. Water, sewage, and school capacity allocations

A. Water and sewer capacity allocation shall be guaranteed to any approved preliminary plat map or site plan requiring such allocation for a period of six (6) years after its original approval by the Town. Failure, for any reason, to obtain a building permit within six (6) years to begin construction for a new building(s) under an approved site plan or preliminary plat map or for a new development shall render the water and sewer allocation void.

B. For preliminary plat maps and site plans that have been previously approved without water and sewer allocations prior to the adoption of this Ordinance, water and sewer allocations shall be based on the following allocation methodology:

(1) All preliminary plat maps and site plans that have been approved and are still valid as of the date of the adoption of this Ordinance shall be exempt from Section 191.92(A) unless the approved preliminary plat map or site plan is allowed to expire for any reason. Water and sewer allocations for previously approved and legally valid preliminary plat maps and site plans shall have priority over any preliminary plat maps and site plans not approved by the Town as of the date of the adoption of this Ordinance. Water and sewer allocations for unexpired preliminary plat maps and site plans under this code provision shall be allocated as follows:

(a) Each year, the Town of La Plata shall identify the maximum water and sewer capacity allocations to be devoted to previously approved preliminary plat maps and site plans that are valid.
(b) Water and sewer allocations shall be distributed by the Town to each previously approved

preliminary plat map or site plan beginning with the oldest to the most recent until all such water and sewer allocations have been distributed by the Town of La Plata for each calendar year.

(c) Failure to begin using authorized water and sewer allocations within six years shall render the water and sewer allocations under this provision of the Ordinance null and void.

C. Once all previously approved preliminary plat maps and site plans have received their necessary water and sewer allocations under Section 191.92(B), water and sewer allocations required for the approval of new preliminary plat maps and site plans may be granted by the Town as provided in this Ordinance.

D. School capacity allocations shall be granted pursuant to Article IX (School Seat Allocation Policy) of the La Plata Municipal Code.

§ 191.93. Adequate public facilities study.

A. An Adequate Public Facilities Study (APFS) shall be prepared by qualified, independent, third parties, in conformance with the requirements of this Ordinance, and submitted as part of any preliminary plat map or site plan submittal to the Town for approval.

B. An APFS shall contain the following information:

(1) Background information describing the proposed development, its location, and the most current conditions of all public facilities that are regulated by this Ordinance.

(2) Analyses and identification of all anticipated project impacts and facility needs for water, sewer, roads and school seating capacity to serve the proposed development.

(3) As necessary, a proposed mitigation program to eliminate all anticipated environmental impacts caused by the development to enable the Town to provide sufficient water, sewage, roads and school seating capacity to serve the proposed development.

(4) Any other additional information deemed necessary by the Planning Director to adequately evaluate a project's impact(s) on the Town's water, sewage, and school seating capacity.

C. An APFS must address the incremental and cumulative impacts of a project that is to be developed in phases, including all incremental mitigation measures.

D. The Planning Commission shall review the APFS and other information submitted by the project developer to determine if the level of public infrastructure exists or will exist to meet the standards of this Ordinance and whether the approval of the proposed development will be in the public interest.

E. The project developer ~~applicant~~ shall pay all ~~the~~ ~~o~~costs associated with the Town's review of an APFS in addition to all other applicable development fees in the Town's current fee schedule.

F. Traffic Study Area Definition. The Traffic Impact Study shall analyze, at a minimum, the following baseline study area:

(1) All signalized intersections providing [illegible] development site;
(2) The nearest two principal arterial i[illegible]on from the primary vehicular street entrance(s) to the proposed developmen[illegible]
(3) All intersections within 1.5 miles of th[illegible]at receive 50 or more peak-hour trips generated by the proposed development[illegible]
(4) The Planning Director may expand [illegible]ed on: (i) the proposed development generating more than 250 peak-hour ve[illegible]ic distribution patterns affecting more distant facilities; (iii) proximity to sensitive[illegible]ospitals; or (iv) reasonable justification demonstrating a project nexus for the ex[illegible]

There should be a reasonableness allowance here for the Planning Director to also reduce the study area when deemed applicable. This also allows some intersections to be excluded when it makes sense. There are cases where this section could result in a 52-trip development having a 20 intersection study or really even worse. Many APFs have very similar language to what is currently here and in practice it is not enforced and rather only "significant" intersections end up being required in studies. It is difficult as a traffic engineer to set expectations when relying on such deviation from the Code text.

G. Piecemeal Development. Circumventing the trip threshold by submitting piecemeal development applications is not permitted. If a project developer submits a new preliminary plat map or site plan for proposed development at the same property location where a previous preliminary plat map or site plan was approved within the preceding five (5) years, the Traffic Impact Study shall include all trips generated by both the proposed and previous development approvals when determining whether the 50 peak-hour trip threshold is met or exceeded.

H. For public reference, the Town shall update its "*Official Street Map of the Town of La Plata, Maryland" each year* to identify all new roads and road extensions in La Plata pursuant to the updating processes and procedures contained in Section 170-7 of the La Plata Municipal Code. The *"Official Street Map of the Town of La Plata, Maryland"* shall include the minimum Level of Service (LOS) for all Town, County and State Highway Administration roadways in La Plata.

~~E.~~

§ 191.94. Mitigation.

Creative development design measures are encouraged within each new development to reduce or eliminate impacts to the Town's water, sewage, roads and school seating capacity limits whenever possible. However, if the Planning Commission determines that one or more public facilities associated with water, sewage, roads, or school seating capacity are not adequate, the Planning Commission shall deny the project or require sufficient development mitigation measures as follows:

A. Mitigation by the project developer is required to avoid exceeding water, sewer, roads and school seating capacity limits to enable the Town to provide sufficient public facilitates to support the developer's project and comply with all applicable provisions of the Town's Municipal Code and Maryland Department of the Environment permitting requirements, conditions, and regulations placed upon the Town. If the mitigation measures are considered infeasible to implement for a new development, the Town may accept an in-lieu fee equal to the developer's pro-rata share of the total estimated cost of their required mitigation measures for their project, as determined by the Chief Executive Officer of the Town.

B. If one or more mitigation measures are required for an approved development to comply with this Ordinance and those mitigation measures will be fully completed through a Town of La Plata, Charles County, or State Highway Adminisration approved capital improvement project before all Town issued development permits are finalized, the Town shall consider the required development mitigation measures necessary to comply with this Ordinance satisfied. However, if a Town of La Plata, Charles County, or State Highway Adminstration approved capital improvement project does not fully satisfy all mitigation measures required for an approved development to comply with this Ordinance, the developer shall be responsible for completing their pro-rata share of the remaining mitigation measures. Otherwise, the developer shall provide the Town an in-lieu fee equal to their pro-rata share of the total estimated cost for the remaining mitigation measures required for their project development, as determined by the Chief Executive Officer ~~f~~of the Town.

C. The Planning Commission shall review and have final approval of the proposed mitigation program for a proposed subdivision or site plan. A mitigation program shall include the type(s) of mitigation, the methods of mitigation, and time schedules, including project phasing, if applicable, for the successful implementation of the mitigation program.

D. A mitigation program shall be contained in a legally binding, adequate public facilities agreement between the project developer and the Town of La Plata, in a legal form approved by the Town Attorney.

E.~~E.~~ A mitigation program shall run with the land. The deed or title for a property shall contain references to the mitigation program and be recorded with the Charles County Clerk to the satisfaction of the Planning Director.

F. Transportation Improvement Escrow Fund.

(1) Establishment. The Town of La Plata shall establish and maintain a “Transportation Improvement Escrow Fund” ("Escrow Fund") for the purpose of collecting pro-rata share contributions from developers toward the cost of transportation improvements that exceed any single developer's proportional impact or that require coordination across multiple developments or jurisdictions.

(2) Applicability. The Town may require pro-rata Escrow Fund contributions through an in-lieu fee and/or direct mitigation construction by the project developer pursuant to Section 191.94.

(3) Calculation. The developer's pro-rata contribution shall equal: (Proposed Development Peak Hour Trips ÷ Total Peak Hour Capacity Added by the Improvement) × Total Improvement Cost, based on an indepdenent third-party engineering cost estimate reviewed and approved by the Chief Executive Officer of the Town.

(4) Fund Administration. All Escrow Fund contributions shall be deposited in a dedicated, interest-bearing account, separately maintained by the Town. Funds shall be used solely for the construction of the identified transportation improvement(s). Unexpended funds shall be returned to contributing developers on a pro-rata basis if a project is canceled or if alternative funding sources fully finance the improvement.

(5) Construction Trigger. For Town-controlled roads, the Town shall initiate construction of funded road improvement(s) when:

(i) Sufficient pro-rata contributions have been collected to fund at least fifty percent (50%) of the project cost; or

(ii) Alternative public and/or private funding sources are secured by the Town to complete the project road improvement(s).

(6) CIP Alignment and Investment Priorities. The Escrow Fund shall be reviewed annually in connection with the Town's CIP process. The Chief Executive Officer shall recommend to the Town Council allocation of Escrow Fund balances to advance programmed improvements in coordination with Charles County and the State Highway Administration. In making such recommendations, the Chief Executive Officer shall apply the Infrastructure Priority Hierarchy established in §191.88(C)(2), advancing safety improvements ahead of capacity improvements, pedestrian and bicycle accessibility improvements ahead of vehicle throughput improvements, and preserving emergency vehicle access as a non-negotiable baseline condition. Any deviation from the recommended priority ranking shall be documented with written findings explaining why a lower-priority improvement better serves the public interest in specific circumstances. For mitigation projects along State or County roads and intersections, the Town may provide a funding contribution from the pro rata Escrow fund.

(7) Payment. The required pro-rata Escrow Fund contribution by a project developer shall be made prior to the issuance of any building permits for their project.

§ 191.95. Bonding or surety.

A. The Planning Commission shall require bonding or surety as appropriate to cover the costs of the facilities and lands not under the project developer’s ownership that are part of a mitigation program.

B. Upon default, the Town of La Plata has the authority to redeem the bonds or surety in addition to any other remedy provided by law.

§ 191.96. Standards, criteria and procedures for adequate public facilities studies.

A. Except as may be stated elsewhere in this Ordinance, the Charles County Adequate Public Facilities Implementation Manual may be referenced for guidance to help support the successful implementation of this Ordinance. In no case shall the Charles County APFO Manual supersede any requirements of this Ordinance unless stated otherwise in this Ordinance.

B. Standards for Traffic Studies. All Traffic Impact Studies (TIS) submitted as part of an Adequate Public Facilities Study (APFS) shall be conducted in accordance with the following methodology:

(1) Methodology Alignment: The tiered HCM methodology described in §191.88(C)(1) shall be used as the primary standard for all TIS analyses. The Charles County Adequate Public Facilities Manual may be referenced for supplemental guidance on County-controlled roads, provided it does not conflict with the standards established in this Article. In the event of conflict, this Article shall govern.

(2) Standardized Data: All TIS submissions shall use the most current traffic count data, obtained from Town-approved traffic counts, rather than applicant-generated proprietary data unless approved by the Town. Traffic counts shall be no older than two years at the time of submission.

(3) Special Conditions: For retail, food service, entertainment, and religious uses, the TIS shall include an appropriate Saturday or Sunday peak-hour analysis in addition to peak weekday AM and PM traffic volumes. For uses with significant school-hour traffic, an analysis of the afternoon peak traffic shall also be identified. The Planning Director may specify additional conditions at the TIS scoping stage.

(4) The scope of work for all TIS'shall be approved in advance by the Planning Director prior to execution and satisfactorily completed at the discretion of the Planning Director.

Can this be clarified? We hire subconsultant data collection firms to collect video traffic counts that are verifiable and delivered to us outside of our direct control. Is this referring to using something like Streetlight estimated counts?

La Plata shall create and utilize an administrative Traffic Impact Study ~~Manual~~ that sets forth the procedural standards, forms, contact directories, and ordination protocols with Charles County Government and the Maryland State istration for the preparation, scoping, submittal, and review of Traffic Impact Studies and for the implementation of recommended road and traffic mitigation measures when deemed necessary to mitigate impacts caused by new development approved in the Town of La Plata.

~~A.~~

~~B.~~ C. Upon recommendation by the Planning Commission, the Town Council shall consider approving any revisions to the adopted standards, criteria, and procedures for adequate public facilities.

~~C.~~ D. The Town of La Plata shall be the sole provider of all water and sewer facilities for new and existing developments in Town. The Town will require developers to fund, construct, and provide bonding for all new or upgraded facilities deemed necessary for mitigation under this Ordinance. All new water and sewer facilities shall be dedicated by the project developer to the Town of La Plata, consistent with all applicable provisions of the Town's Municipal Code as determined by the Director of Public Works.

§ 191.97. Exemptions to Adequate Public Facilities Requirements

A. The provisions of this APFO Ordinance shall not apply to any development that, as of the effective date of this Ordinance, satisfies all of the following criteria:

(1) The property was subject to an Annexation Agreement executed on or before December 31, 1998, and recorded among the Land Records of Charles County, Maryland, regardless of any amendments to such agreement occurring after that date; and

(2) A preliminary plat map or site plan for the development has received Town approval and remains valid under applicable law.

(3) A development that satisfies both of the criteria in the above Sections A(1) and A(2) as of the effective date of this Ordinance shall be deemed vested for purposes of this Article and shall remain exempt from the requirements of Chapter 173, Article IX (School Seat Allocation Policy) and Chapter 191, Article X (Adequate Public Facilities Requirements) provided that such development proceeds in accordance with the approved preliminary plat map or site plan as well as any applicable vesting or expiration provisions of this Code.

B. Notwithstanding the foregoing in Section "A," above, any significant modification to an approved preliminary plat or site plan that results in an increase in residential density, non-residential square footage, or overall development intensity shall not be eligible for this exemption unless such modification independently satisfies the requirements of Chapter 173, Article IX (School Seating Allocation Policy) and Chapter 191, Article X (Adequate Public Facilities Requirements).

-End-

DRAFT

TOWN OF LA PLATA
305 Queen Anne Street
Post Office Box 2268
La Plata, Maryland 20646

PLANNING COMMISSION STAFF REPORT

DATE: June 2, 2026

TO: Honorable Chair and Members of the Planning Commission

FROM: Don Dooley, Planning Director

PREPARED BY: Don Dooley, Planning Director

APPLICATON NO.: Zoning Text Amendment (ZTA) 02-2026 – Adequate Public Facilities for Roads

APPLICANT: Town of La Plata, Maryland

OWNER: N/A

PROJECT LOCATION: Town-wide

REQUEST: To amend Article X (Adequate Public Facilities Requirements) in Chapter 191 (Zoning) of the La Plata Municipal Code for the purpose of creating, managing, and maintaining adequate public road facilities in the Town of La Plata.

BACKGROUND

The La Plata Town Council expressed interest in creating requirements for new development to ensure adequate public infrastructure and services are in place to support new construction in Town so as not to diminish the quality of life for residents, businesses and visitors to La Plata. The Council is particularly interested in developing and retaining minimum public infrastructure standards pertaining to roads, water, sewage, and school seating capacity. This will ensure new development does not impact minimum infrastructure thresholds set by the Town

On April 7, 2026, the Planning Commission recommended Town Council approval of Zoning Text Amendment 01-2026, which developed adequate public facility regulations for water, sewage, and school seating capacity under proposed Article X in Chapter 191 of the La Plata Zoning Code. However, adequate public facility regulations pertaining to “Roads” were not included in Zoning Text Amendment 01-2026. The Commission will recall that staff needed additional time to further develop the technical regulations for roads and traffic in consultation with Brudis and Associates (BAI), a professional traffic

engineering firm whom the Town hired as a consultant on this portion of the Town's draft APFO regulations. With the professional assistance of BAI, staff is ready to propose a comprehensive new set of provisions to manage and maintain the adequacy of the Town's public roads to accommodate existing and new development under Zoning Text Amendment (ZTA) 02-2026. As presented in Attachment No. 1, the draft provisions for Roads have been incorporated within Article X in conjunction with the AFPO regulations pertaining to water, sewage, and school seating capacity that the Commission recommended to the Town Council for approval on April 7, 2026.

Although there was insufficient time to notice a public hearing for Zoning Text Amendment 02-2026, for the Planning Commission Meeting of May 5, 2026, staff introduced the draft APFO provisions concerning "Roads" for initial Commission review and comment.

Planning Commission Meeting of May 5, 2026

At the Planning Commission Meeting of May 5, 2026, the Commission, staff, and Brudis and Associates, Inc (BAI), the town's contracted traffic engineer for this project, discussed the proposed APFO text for "Roads." The Commission expressed support for the draft text and directed staff to make the following amendments to the draft ordinance:

1) Provide a provision requiring the Town to regularly update the Town's *"Official Street Map of the Town of La Plata."* The Map is to incorporate and identify all Local, County, and State Highway Administration (SHA) Roads in La Plata, including their respective minimum Levels of Service (LOS) established for each roadway.

2) Provide provisions in the draft ordinance requiring the Town to facilitate interjurisdictional, government, coordination and cooperation with the County and SHA when traffic mitigation measures for a proposed project in La Plata identify the need to mitigate development impacts to existing roadways outside of the Town's control to make such improvements.

3) Clarify in the draft ordinance the references to existing development and proposed (new) development for reader clarity.

In anticipation of incorporating of the above provisions, the Commission directed staff to advertise Zoning Text Amendment (ZTA) 02-2026 for public hearing during the regularly scheduled Planning Commission Meeting of June 2, 2026.

DISCUSSION

APFO Revisions to the Draft Ordinance for Roads

To address the directed revisions to the draft ordinance under Zoning Text Amendment 02-2026, staff has:

1) Added Subsection (H) to §191.93. (Adequate public facilities study) requiring an

annual update to the Town's *"Official Street Map of the Town of La Plata, Maryland"* following the processes and procedures outlined in Section 170-7 of the La Plata Municipal Code. As such, it will require Town Council approval for all future updates. Although last updated in 2024, there is no current requirement specifying when the Town's Official Street Map is to be updated. This provision will fill that gap.

2) Staff has clarified when the APFO provisions are referencing "proposed" development for reader clarity throughout the draft ordinance. Staff has identified "proposed" in blue text to highlight those clarifications.

3) With regard to facilitating County and SHA coordination with the Town concerning traffic and road mitigation measures resulting from proposed new development in Town, staff added Subsection B(5) to Section 191.96 (Standards, criteria and procedures for adequate public facilities studies), to provide broad public policy direction. Specifically, the subsection directs that the Town shall create and utilize a *"Traffic Impact Study Implementation Manual"* ("Implementation Manual"). The Implementation Manual will be prepared as a corollary document after the adoption and codification of the draft APFO provisions for Roads. As of this writing, staff is engaged in developing the scope of work and a professional services agreement for a contractor to assist staff in developing the Implementation Manual. This is consistent with how other government agencies, such as Charles County Government, handle the administrative implementation details for their APFO for Roads.

Public Comments

Subsequent to the May 5, 2026, Planning Commission Meeting, staff received e-mail correspondence supporting Zoning Text Amendment 02-2026 on May 28, 2026. In summary, the correspondence states that the writer is a daily commuter through La Plata and believes traffic congestion on Route 301, Route 6, and Crain Highway has significantly increased as new development outpaces road capacity. They believe this creates unsafe conditions, delays emergency services, and causes economic losses for workers. They support ZTA 02-2026, stating it is a practical requirement for developers to show that public roads can handle added traffic before projects are approved. They believe growth should continue, but only in a way that does not overwhelm existing infrastructure (see Attachment No. 11).

CONCLUSION

Staff believes it has satisfactorily addressed the broad comments made by the body of the Commission based on public feedback and commissioner input.

RECOMMENDATION

Staff recommends the Planning Commission adopt the attached, draft, Planning Commission Resolution recommending Town Council approval of Zoning Text Amendment 02-2026, as drafted.

ATTACHMENTS

1) Draft Planning Commission Resolution for Zoning Text Amendment 02-2026
2) Revised Draft (Redline) Text Amendments to Chapter 191 (Article X. - Adequate Public Facilities Requirements) for “Roads.”
3) William Zeid, Kimley-Horn Comments Dated January 28, 2026
4) Charles County Government Comments
5) Scott Law Group Comments Dated February 6, 2026
6) Chair Banks Comments (undated)
7) Council Liaison Guttenberg Comments Dated December 19, 2025
8) Vice-Chair Hudnell Comments (Undated)
9) Commissioner Miller Comments December 7, 2025
10) Planning Commission Staff Report for May 5, 2026
11) E-mail Letter of Support for ZTA 02-2026 from Kha Nguyen dated May 28, 2026

-End of Report-

TOWN OF LA PLATA
Town Council Minutes
May 12, 2026, 6:00 PM
Regular Meeting
Council Chambers, La Plata Town Hall
305 Queen Anne St.
La Plata MD

PRESENT: Mayor Jeannine James
Councilman Paul Guttenberg
Councilman Patrick McCormick
Councilman Gregory Sampson, Jr.
Councilman Tyjon Johnson

ABSENT:

TOWN STAFF: Chuck Stevens, Town Manager
Michelle Miner, Assistant Town Manager
Monica Kennedy, Director of Human Resources
Karina Larsen, Town Treasurer
Matt Norris, Chief of Police
Shelby Pritchett, Town Clerk

GUESTS: Anthony Olekson, COA Barrett LLC.
Brent Hutchinson, COA Barrett LLC.

1. Call to Order

1.1. Meeting Attendance and Decorum

Attendees, please use meeting courtesy. Virtual attendees are asked to mute microphones when joining the meeting. Participants may be muted by the Town Clerk and meetings will be recorded.

In accordance with the Open Meetings Act, the public has the right to view/listen to the discussion only. At their discretion, the Town Council may allow participants to voice questions or provide comments on the topics under discussion. Written comments may be submitted via email to Legislative@townoflaplata.org. Individuals wishing to address the Town Council may sign up in advance on the Town's website (Public Communications) or on the meeting sign-up sheet.

Join on your computer, mobile app, or room device.

Join the meeting now
Meeting ID: 271 095 028 035 62
Passcode: vp3Sh6j2
(Calendar Year 2026)

In accordance with the Code of Maryland, General Provisions, Section 3-302 (Open Meetings

Act), notice is hereby given that a portion of this meeting will be held in closed session.

Mayor James called the meeting to order at 6:00 PM.
No portion of this meeting was held in closed session.

1.2. Roll Call

The Town Clerk conducted Roll Call.

1.3. Pledge of Allegiance

Mayor James led all assembled in the Pledge of Allegiance.

1.4. Approval of the Meeting Agenda

Councilman Sampson moved to amend the agenda to include Resign to Run as item 4.7 and Ordinance 26-03 as item 5.11.
Moved By: Gregory Sampson, seconded by Patrick McCormick.
Ayes: Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: Mayor James, Councilman Guttenberg
Abstained: None
Absent:
Passed

2. Petitions, Communications, Appearances and Public Comment

2.1. Dorchester Community Center Presentation

Anthony Olekson and Brent Hutchison of COA Barrett, LLC, virtually presented the phased plan and projected costs for the Dorchester Community Center Project. The Town Manager and representatives from COA Barrett, LLC answered questions from the Town Council.

2.2. Proclamation: National Police Week (May 10-16, 2026)

Mayor James read the National Police Week Proclamation on behalf of the Town Council.

2.3. Proclamation: Bike to Work Day (May 15, 2026)

Councilman Guttenberg read the Bike to Work Day Proclamation on behalf of the Town Council.

2.4. Proclamation: National Public Works Week (May 17-23, 2026)

Councilman Johnson read the National Public Works Week Proclamation on behalf of the Town Council.

2.5. Public Comment

No public speakers were present at this meeting.

3. Consent Agenda

Councilman Johnson moved to approve the consent agenda as presented.
Moved By: Tyjon Johnson, seconded by Gregory Sampson
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:

Passed

3.1. Adoption of Resolution 26-28 Financial Auditing Services - Award of Contract

4. Matters of Council Discussion

4.1. Town Council Board and Commission Assignments

The Town Manager provided a brief overview of current assignments. Mayor James requested volunteers for the ex officio vacancies. The Town Council reached consensus to assign Councilman Guttenberg to the Sustainability Advisory Committee and Councilman McCormick to the Historic Preservation Commission, with the condition that Councilman McCormick attend virtually. All other ex officio assignments remain unchanged. Mayor James nominated Councilman Guttenberg to serve as Mayor Pro Tem, and Councilman McCormick seconded. The Town Council reached consensus to confirm Councilman Guttenberg as Mayor Pro Tem.

4.2. Memorandum of Understanding with Maryland State Highway Administration - Waterline Replacement

The Town Manager gave a brief report and answered questions from the Town Council. The Town Council reached a consensus to proceed with legislation.

4.3. MD 6 Streetscape Project — Pedestrian Lighting Options

The Town Manager gave a brief report and answered questions from the Town Council. The Town Council reached a consensus to proceed with Option A: US 301 to Willow Lane (full corridor) pedestrian lighting.

4.4. Town Artificial Intelligence (AI) Policy

The Town Manager gave a brief report and answered questions from the Town Council. The Town Council reached a consensus to proceed with legislation.

4.5. Employee Handbook Update

The Town Manager gave a brief report. The Town Manager and Director Kennedy addressed the questions and concerns from the Town Council. The Town Council reached a consensus to proceed with legislation.

4.6. Dorchester Community Center

The Town Manager gave a brief report and answered questions from the Town Council. The Town Council reached a consensus to move forward with the staff recommendations.

4.7. Resign to Run
Note: This item was added to the agenda by majority vote during agenda item 1.4, Approval of the Meeting Agenda

Councilman Sampson addressed concerns with the Town Council and the Town Manager regarding the item not being reflected on the original agenda. There was a unanimous consensus not to forward the item to legislation.

5. Legislation

5.1. Ordinance 26-04 Sustainability Advisory Committee (Green Team)(Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Sustainability Advisory Committee (Green Team)

FOR the purpose of creating a Sustainability Advisory Committee (Green Team); and all matters generally relating thereto.

Councilman Sampson moved to adopt Ordinance 26-04 as presented.
Moved By: Gregory Sampson, seconded by Paul Guttenberg.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.2. Ordinance 26-05 Anti-Harassment Policy for Elected Officials (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Anti-Harassment Policy for Elected Officials

FOR the purpose of adopting an Anti-Harassment Policy applicable to elected officials of the Town of La Plata; establishing a framework for responding to complaints of harassment made against elected officials; providing standards of conduct; and generally relating to the protection of Town officials, employees, and others from harassing conduct in connection with Town business.

Councilman McCormick moved to adopt Ordinance 26-05 as presented.
Moved By: Patrick McCormick, seconded by Paul Guttenberg.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.3. Ordinance 26-06 Town of La Plata Fiscal Year 2027 Financial Plan/Budget (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Town of La Plata Fiscal Year 2027 Financial Plan/ Budget

FOR the purpose of adopting the Town of La Plata Fiscal Year 2027 Financial Plan/Budget; and all matters generally relating thereto.

Councilman McCormick moved to adopt Ordinance 26-06 as presented.
Moved By: Patrick McCormick, seconded by Gregory Sampson
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.4. Ordinance 26-07 Town of La Plata Fiscal Year 2027 Fee Schedule (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Town of La Plata Fiscal Year 2027 Fee Schedule

FOR the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and all matters generally relating thereto.

Councilman Sampson moved to adopt Ordinance 26-07 as presented.
Moved By: Gregory Sampson, seconded by Tyjon Johnson.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.5. Ordinance 26-08 Town of La Plata Fiscal Year 2027 Tax Rate (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Town of La Plata Fiscal Year 2027 Tax Rate

FOR the purpose of adopting the Town of La Plata Fiscal Year 2027 Tax Rate; and all matters generally relating thereto.

Councilman McCormick moved to adopt Ordinance 26-08 as presented.
Moved By: Patrick McCormick, seconded by Paul Guttenberg.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.6. Ordinance 26-09 Chapter 191 – Zoning Ordinance for the Town of La Plata, Maryland (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Chapter 191 – Zoning Ordinance for the Town of La Plata, Maryland

FOR the purpose of amending the Zoning Ordinance to comprehensively update the Town Zoning Ordinance, requiring the demonstration of adequate public infrastructure capacity prior to development approval; and all matters generally relating thereto.

Councilman Guttenberg moved to adopt Ordinance 26-09 as presented.
Moved By: Paul Guttenberg, seconded by Patrick McCormick.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.7. Ordinance 26-10 Chapter 173 - Subdivision and Land Development (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Chapter 173 – Subdivision and Land Development

FOR the purpose of amending Chapter 173, Subdivision and Land Development, redefining the process by which annual school seat allocations are calculated and establishing a formal Development Agreement process; and all matters generally relating thereto.

Councilman Johnson moved to adopt Ordinance 26-10 as presented.
Moved By: Tyjon Johnson, seconded by Paul Guttenberg.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.8. Ordinance 26-11 Revision of Employee Handbook (First Reading; For Introduction)

AN ORDINANCE concerning

Revision of Employee Handbook

FOR the purpose of amending certain personnel rules and regulations regarding policies on Civility in the Workplace, Gift Acceptance, Workplace Communication, Vacation Accrual, Sale of Leave, and Heat-Related Illness Prevention and Management in the Town's Employee Handbook; and all matters generally relating thereto.

The Town Manager conducted a first reading for introduction.

5.9. Resolution 26-29 Memorandum of Understanding – Maryland State Highway Administration – Maryland Route 6 (Charles Street) from US Route 301 to Willow Lane Waterline Project (For Introduction and Consideration of Adoption)

A RESOLUTION concerning

Memorandum of Understanding – Maryland State Highway Administration – Maryland Route 6 (Charles Street) from US Route 301 to Willow Lane Waterline Project

FOR the purpose of authorizing the Town Manager to execute a Memorandum of Agreement with the Maryland State Highway Administration related to the construction of a new waterline concurrent with improvements along Maryland Route 6 (Charles Street) from US Route 301 to Willow Lane; and all matters relating thereto.

Councilman Guttenberg moved to adopt Resolution 26-29 as presented.
Moved By: Paul Guttenberg, seconded by Gregory Sampson
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.10. Resolution 26-30 Town of La Plata Artificial Intelligence Policy (For Introduction and Consideration of Adoption)

A RESOLUTION concerning

Town of La Plata Artificial Intelligence Policy

FOR the purpose of adopting the Town of La Plata Artificial Intelligence (AI) Policy; and all matters relating thereto.

Councilman Sampson moved to adopt Resolution 26-30 as presented.
Moved By: Gregory Sampson, seconded by Tyjon Johnson.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.11. Ordinance 26-03 Resign to Run (First Reading; For Introduction)
Note: This item was added to the agenda by majority vote during agenda item 1.4, Approval of the Meeting Agenda

AN ORDINANCE concerning

Resign to Run

FOR the purpose of amending Chapter 17 – Elections, requiring incumbent elected officials of the Town of La Plata seeking candidacy through any Board of Elections for a position other than re-election to the Council of the Town of La Plata, to resign from their current position with the Town; and all matters generally relating thereto.

Mayor James called for a motion to adopt Ordinance 26-03; no motion was heard. Ordinance 26-03 failed.

6. New Business

6.1. Town Manager's Operational Report (Written Only)

6.2. Treasurer's Report (Written Only)

6.3. Cash Disbursement Report (Written Only)

6.4. Future Agenda Forecast (Written Only)

6.5. Reports from the Town Council

The Mayor and Town Council reported on activities in their respective boards and commissions, and on current and upcoming events and activities in the town.

7. Adjourn

7.1. Adjournment

Mayor James adjourned the meeting at 9:27 PM.

Submitted by:

_____

Shelby Pritchett, Town Clerk

TOWN OF LA PLATA
Town Council Minutes
May 26, 2026, 6:00 PM
Regular Meeting
Council Chambers, La Plata Town Hall
305 Queen Anne St.
La Plata MD

PRESENT: Mayor Jeannine James
Councilman Paul Guttenberg
Councilman Patrick McCormick
Councilman Gregory Sampson, Jr.
Councilman Tyjon Johnson

ABSENT:

TOWN STAFF: Chuck Stevens, Town Manager
Michelle Miner, Assistant Town Manager
Monica Kennedy, Director of Human Resources
Martha Tennison, Accounting Manager
Matt Norris, Chief of Police
Kelly Phipps, Director of Legislative Services
Shelby Pritchett, Town Clerk

GUESTS: Maxwell Talbert, Junior Mayor
Riley Alling, Junior Mayor

1. Call to Order

Mayor James called the meeting to order at 6:00 PM.

1.1. Meeting Attendance and Decorum

Attendees, please use meeting courtesy. Virtual attendees are asked to mute microphones when joining the meeting. Participants may be muted by the Town Clerk and meetings will be recorded.

In accordance with the Open Meetings Act, the public has the right to view/listen to the discussion only. At their discretion, the Town Council may allow participants to voice questions or provide comments on the topics under discussion. Written comments may be submitted via email to Legislative@townoflaplata.org. Individuals wishing to address the Town Council may sign up in advance on the Town's website (Public Communications) or on the meeting sign-up sheet.

Join on your computer, mobile app, or room device.

Join the meeting now
Meeting ID: 271 095 028 035 62
Passcode: vp3Sh6j2
(Calendar Year 2026)

1.2. Roll Call

The Town Clerk conducted Roll Call.

1.3. Pledge of Allegiance

Mayor James led all assembled in the Pledge of Allegiance with the assistance of Junior Mayors Maxwell Talbert and Riley Alling.

1.4. Approval of the Meeting Agenda

Councilman Guttenberg moved to approve the agenda as presented.
Moved By: Paul Guttenberg, seconded by Patrick McCormick.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

2. Consent Agenda

Councilman Johnson moved to approve the consent agenda as presented.
Moved By: Tyjon Johnson, seconded by Gregory Sampson
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

2.1. Approval of Minutes from Regular Meeting on April 14, 2026, and April 28, 2026.

2.2. Adoption of Resolution 26-31 OpenGov Budgeting Software

3. Petitions, Communications, Appearances and Public Comment

3.1. Public Comment

No public speakers were present at this meeting.

3.2. Junior Mayor Recognition

Mayor James recognized Junior Mayors Maxwell Talbert and Riley Alling as semi-finalists in the "If I Were Mayor" essay competition sponsored by the Maryland Municipal League. Both Junior Mayors read their respective essays.

4. Matters of Council Discussion

4.1. Finance Committee

The Town Manager gave a brief overview of the staff recommendation and answered questions from the Council. The Town Council reached a consensus to proceed with legislation.

4.2. Authority to Correct Scrivener's Errors

The Town Manager gave a brief overview of the staff recommendation and answered questions from the Council. The Town Council reached a consensus to proceed with legislation.

4.3. Wills Memorial Park Walkway Upgrade

The Town Manager gave a brief overview of the staff recommendation and answered questions from the Council. The Town Council reached a consensus to proceed with legislation.

4.4. Boards and Commissions Interview Process (Johnson)

The Town Manager gave a brief overview of the staff recommendation and answered questions from the Council. The Town Council reached a consensus to proceed with legislation. Mayor James voted in opposition.

5. Legislation

5.1. Ordinance 26-11 Revision of Employee Handbook (Second Reading; For Consideration of Adoption)

AN ORDINANCE concerning

Revision of Employee Handbook

FOR the purpose of amending certain personnel rules and regulations regarding policies on Civility in the Workplace, Gift Acceptance, Workplace Communication, Vacation Accrual, Sale of Leave, and Heat-Related Illness Prevention and Management in the Town's Employee Handbook; and all matters generally relating thereto.

Mayor James moved to adopt Ordinance 26-11 as presented.
Moved By: Jeannine James, seconded by None.
Failed
The Town Council provided the Town Manager with feedback to revise the Employee Handbook by removing specific language in the Low Intensity Behavior section and eliminating a portion of the section regarding employee communications with the Town Council.

5.2. Ordinance 26-12 Finance Committee (First Reading; For Introduction)

AN ORDINANCE concerning

Chapter 21 – Finance Committee

FOR the purpose of amending Chapter 21 of the Code of the Town of La Plata, formalizing the role of the Finance Committee in providing analytical review, advisory opinions, and ongoing monitoring of the Town's financial condition; and all matters generally relating thereto.

The Town Manager conducted a first reading of Ordinance 26-12 for introduction to the Town Council.

5.3. Ordinance 26-13 Authority to Correct Scrivener's Errors (First Reading; For Introduction)

AN ORDINANCE concerning

Authority to Correct Scrivener’s Errors

FOR the purpose of authorizing the Town Attorney and Town Clerk to correct scrivener’s errors in the Town Code and in ordinances, resolutions, and other official documents adopted by the Council without the need for readoption of such legislation or documents; and all matters generally relating thereto.

The Town Manager conducted a first reading of Ordinance 26-13 for introduction to the Town Council.

5.4. Resolution 26-32 Wills Memorial Park Walkway — Award of Contract (For Introduction and Consideration of Adoption)

A RESOLUTION concerning

Wills Memorial Park Walkway Upgrade - Award of Contract

FOR the purpose of authorizing the Town Manager to enter into a contract agreement for the replacement of the concrete walkway at Wills Memorial Park; and all matters generally relating thereto.

Councilman Johnson moved to adopt Resolution 26-32 as presented.
Moved By: Tyjon Johnson, seconded by Patrick McCormick.
Ayes: Mayor James, Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Councilman Johnson
Nays: None
Abstained: None
Absent:
Passed

5.5. Resolution 26-33 Board, Commission, and Committee Appointments – Interview and Selection Process (For Introduction and Consideration of Adoption)

A RESOLUTION concerning

Board, Commission, and Committee Appointments – Interview and Selection Process

FOR the purpose of establishing a formal, consistent, and transparent process for the review and appointment of volunteer members to Town Boards, Commissions, and Committees; and all matters generally relating thereto.

Councilman Guttenberg moved to adopt Resolution 26-33 as presented.
Moved By: Paul Guttenberg, seconded by Tyjon Johnson.
Ayes: Councilman Guttenberg, Councilman McCormick, Councilman Sampson, Jr., Councilman

Johnson
Nays: Mayor James
Abstained: None
Absent:
Passed

6. New Business

6.1. Reports from the Town Council

The Mayor and Town Council reported on activities in their respective boards and commissions, and on current and upcoming events and activities in the town.

7. Adjourn

7.1. Adjournment

Mayor James adjourned the meeting at 7:07 PM.

Submitted by:

_____
Shelby Pritchett, Town Clerk

COUNCIL OF THE TOWN OF LA PLATA
Resolution 26-36

Introduced By: **Mayor Jeannine E. James, by request**

Date Introduced: **June 23, 2026**

Date Adopted:

Date Effective:

A RESOLUTION concerning

La Plata Police Department Fiscal Year 2027 Vehicle Purchase and Upfitting

FOR the purpose of authorizing the Town Manager to enter into contract purchase agreements of police pursuit utility vehicles for the La Plata Police Department ("LPPD") and for the acquisition and installation of the equipment necessary to upfit said vehicles to service standards; and all matters relating thereto.

* * * * * * * * * * * * * * * * *

WHEREAS, the Council of the Town of La Plata desires to provide the appropriate tools and equipment to maintain the quality of police services that the community has come to rely on; and

WHEREAS, the Council of the Town of La Plata reviews recommendations by staff to ensure it aligns with the Council's annual service priorities; and

WHEREAS, the Council of the Town of La Plata has determined that it is a priority to regularly review and upgrade the technology (i.e., radio systems, computers, programs, cameras, vehicles, etc.) that the police department uses in order to best serve the citizens of La Plata; and

WHEREAS, the need for replacement vehicles was identified in the Fiscal Year 2027 (FY27) budget development process and funding for such vehicles was included in the adopted FY27 budget; and

WHEREAS, the Chevrolet Tahoe Police Pursuit Utility Vehicle has been certified as patrol worthy by the Michigan State Police Precision Driving Unit, an independent agency recognized as an authority in such matters for the fields of law enforcement and public safety; and

WHEREAS, Hertrich Fleet Services, Inc., of Denton, Maryland, has quoted a price of fifty-six thousand five hundred fifty-five dollars ($56,555.00) for one (1) Police Pursuit Utility Traffic Vehicle, and fifty-seven thousand eight hundred sixty-eight dollars ($57,868.00) for

one (1) unmarked Police Pursuit Utility Command Vehicle utilizing Maryland State Contract Blanket Purchase Order #001B6600253, for a total expenditure of one hundred fourteen thousand four hundred twenty-three dollars ($114,423.00); and

WHEREAS, in order to provide safe and efficient services, police emergency vehicles must be equipped with various technologies to include emergency lights, siren, public address speaker, prisoner transport partitions, emergency radio, laptop stand and mount, in-car ticketing printer and scanner, in-car video system, as well as other items necessary for officers in their tours of duty; and

WHEREAS, Town staff recommend the services of Frontline Mobile Tech of Jessup, Maryland, for the procurement and installation of equipment and technologies necessary to upfit fleet vehicles to service standards; and

WHEREAS, Frontline Mobile Tech has quoted a price of twenty-nine thousand one hundred eighty-four dollars to upfit one (1) Police Pursuit Utility Vehicle and nine thousand four hundred fifty-two dollars ($9,452.00) to upfit one (1) unmarked Command Vehicle to service standards, including the transfer and reutilization of equipment from an existing vehicle, for a total expenditure of thirty-eight thousand six hundred thirty-six dollars ($38,636.00); and

WHEREAS, the services of Frontline Mobile Tech for the procurement and installation of necessary equipment and technologies may be acquired utilizing Howard County Service Contract #4400005214; and

WHEREAS, Town Charter § C8-23 requires that all expenditures in excess of twenty thousand dollars ($20,000), shall be advertised for sealed bids, except for expenditures which the Town Council, by ordinance, has determined are not subject to the sealed bid requirements; and

WHEREAS, Town Code, Chapter 43, Section 43-2 C., provides for provisions for expenditures which are exempt from the sealed bid requirements of § C8-23 if “Items, services, materials and goods purchased from a person who is supplying that same item, service, material or good to another governmental entity, if the total price or price per unit, as applicable, to be paid by the town is not more than the total price or price per unit to be paid by the other governmental entity and if the price to be paid by the other governmental entity has been established by a competitive bidding process conducted by the other governmental entity or by a purchasing cooperative or alliance that bids procurements on a volume basis for state and local governments.”; and

WHEREAS, Town staff believe the purpose and intent of Town Charter §C8-23 has been met.

SECTION 1: BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LA PLATA that Noel C. Stevens, Town Manager, is hereby authorized to execute and deliver, on behalf of the Town of La Plata, a contract purchase agreement with Hertrich Fleet Services, Inc., for the purchase of one (1) Chevrolet Tahoe Police Pursuit Utility Traffic Vehicle and one (1) unmarked Chevrolet Tahoe Police Pursuit Utility Command Vehicle in the amount of one hundred fourteen thousand four hundred twenty-three dollars ($114,423.00);

SECTION 2: AND BE IT FURTHER RESOLVED that Noel C. Stevens, Town Manager, is hereby authorized to execute and deliver, on behalf of the Town of La Plata, a contract agreement with Frontline Mobile Tech to upfit one (1) Police Pursuit Utility Traffic Vehicle and nine thousand four hundred fifty-two dollars ($9,452.00) to upfit one (1) unmarked Police Pursuit Utility Command Vehicle to service standards, including the transfer and reutilization of equipment from an existing vehicle, for a total expenditure of thirty-eight thousand six hundred thirty-six dollars ($38,636.00):

SECTION 3: AND BE IT FURTHER RESOLVED that the expenditure for the purchase and upfit of two (2) vehicles as referenced in Section 1 and Section 2 of Resolution 26-36 shall total one hundred fifty-three thousand fifty-nine dollars ($153,059.00).

SECTION 4: AND BE IT FURTHER RESOLVED, that the price quotes provided by Hertrich Fleet Services and attached hereto as Attachments 1 and 2 are hereby adopted and incorporated herein by reference.

SECTION 5: AND BE IT FURTHER RESOLVED, that Quote #005936 v1 and Quote #005939 v1, provided by Front Line Mobile Tech and attached hereto as Attachments 3 and 4 respectively, are hereby adopted and incorporated herein by reference.

ADOPTED AND APPROVED by the Council of the Town of La Plata this _____ day of _____, 2026.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

_____
Jeannine E. James, Mayor

_____
Paul C. Guttenberg, Councilman

_____
Patrick McCormick, Councilman

ATTEST:

_____
Gregory Sampson, Jr., Councilman

_____
Shelby Pritchett
Town Clerk

_____
Tyjon C. Johnson, Councilman

Date_____

HERTRICH FLEET SERVICES, INC.

1427 Bay Road Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep
Lincoln - Mercury - Buick - GMC - Toyota - Nissan

(800) 698-9825 (302) 422-3300 Fax: (302) 839-0555

LA PLATA POLICE DEPARTMENT
TRAFFIC VEHICLE

MARYLAND STATEWIDE CONTRACT 2026 POLICE – BPO# 001B6600253

TYPE 10-P: TAHOE POLICE PURSUIT UTILITY

2026 Chevrolet Tahoe PPV

Includes Standard Equipment - 40/20/40 Split Bench Front Seat w/ Center Section Deleted,
5.3L V8 ECOTEC3, Vinyl Floor / Vinyl Rear Seat, Bluetooth, Rear Camera

✓	Code	Description	Amount
	CK15706	2026 Chevrolet Tahoe PPV 4WD	$ 54,736
		OPTIONS	
	AMF	4 Extra FOBS (programmed)	$ 225
	6J3	Wiring, Grille Lamps & Siren Speakers	$ 312
	6J4	Wiring, Horn & Siren Circuit	INCL
	6J7	Headlight & Tail Light Flashers (needs connecting)	$ 50
	7X3	Driver's Side LED Spotlight	$ 800
	6N5/6	Inoperable Rear window switches/interior door handles	$ 137
	AKO	Deep Tinted Glass	$ 295
	Interior	Jet Black Premium Cloth	
	No Charge Colors	**GBA** – Black	
		Total for Vehicle	**$ 56,555**

Please contact us with any questions or to secure your order.
Susan Hickey - shickey@hertrichfleet.com - or call **800-698-9825**

HERTRICH FLEET SERVICES, INC.

1427 Bay Road Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep
Lincoln - Mercury - Buick - GMC - Toyota - Nissan

(800) 698-9825 (302) 422-3300 Fax: (302) 839-0555

LA PLATA POLICE DEPARTMENT
COMMAND VEHICLE

MARYLAND STATEWIDE CONTRACT 2026 POLICE – BPO# 001B6600253

TYPE 10-P: TAHOE POLICE PURSUIT UTILITY

2026 Chevrolet Tahoe PPV

Includes Standard Equipment - 40/20/40 Split Bench Front Seat w/ Center Section Deleted,
5.3L V8 ECOTEC3, Vinyl Floor / Vinyl Rear Seat, Bluetooth, Rear Camera

✓	Code	Description	Amount
	CK15706	2026 Chevrolet Tahoe PPV 4WD	$ 54,736
		OPTIONS	
	AMF	4 Extra FOBS (programmed)	$ 225
	A95	Bucket Seats w/Factory Console (PPV only)	$ 350
	B30/B58	Carpet w/Carpeted Mats	$ 275
	6J3	Wiring, Grille Lamps & Siren Speakers	$ 312
	6J4	Wiring, Horn & Siren Circuit	INCL
	6J7	Headlight & Tail Light Flashers (needs connecting)	$ 50
	7X3	Driver's Side LED Spotlight	$ 800
	AKO	Deep Tinted Glass	$ 295
	PQA	Fleet Safety Package -Includes: Forward Collision Alert, Lane Keep Assist, Lane Departure Warning, Auto Emergency Braking, Front Pedestrian Braking, Auto Dim Rearview Mirror, IntelliBeam Lights, Side Bicycle Alert	$ 825
	Interior	Jet Black Premium Cloth	
	No Charge Colors	**GXP** – Lakeshore Blue	
		Total for Vehicle	**$ 57,868**

Please contact us with any questions or to secure your order.
Susan Hickey - shickey@hertrichfleet.com - or call **800-698-9825**

10555 Guilford Rd Suite 119 - 121
Jessup, MD 20794
RESOLUTION 26-36
Attachment 3

We have prepared a quote for you

UPFIT_UNMARKED_TAHOE

Quote # 005936 v1

Prepared for:
La Plata Police Dept (MD)

Prepared by:
Sarah Ellison

Lighting - Sirens

Description		Price	Qty	Ext. Price
	FULL VISOR AND REAR DECK			
ENFWBF-12	**nFORCE 8 Module Interior Windshield Lightbar, Split 2 Piece Shroud, 12 LEDs – Dual Color - 1/2 Red/White - 1/2 Blue/White - ENFWB01EVS - QSF140542**	$1,061.00	1	$1,061.00
ENFWBRF (12 LED)	**Sound Off - nFORCE 8 Module Interior Rear Deck Lightbar, Full 1 Piece Shroud, 12 LEDs Dual Color - R/A B/A - QSF140542 - ENFWB01EHC**	$1,061.00	1	$1,061.00
	GRILL LIGHTS			
PMP2BK016	**Grille Mount Bracket 3 Mod Kit for installation on 2025-2026 Chevrolet Tahoe, 2025-2026 Chevrolet Silverado 1500, 2025-2026 F-150, 2025 Ford Expedition for use with 3" and 4" Stud Mount, allows the lights to be attached to the front grille**	$57.00	2	$114.00
FLM4ST8-RBW	**mpower® Fascia 4" Light with Stud Mount 18 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU/WHT EMPS2006T-8 - QSF136460**	$154.00	6	$924.00
	SIDE/PROFILE LIGHTS			
FLM4ST8-RBW	**mpower® Fascia 4" Light with Stud Mount 18 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU/WHT EMPS2006T-8 - QSF136460**	$154.00	4	$616.00
PMP2WSDDB	**Dual Window Shroud Kit for 4" Light w/ Stud Mount - Black**	$19.00	2	$38.00
PSLVBK03	**Mounting Kit for SL Running Light includes: Bracket & Hardware Kit, Chevrolet Tahoe 2021-2026, Ford Maverick 2023 - 2025**	$25.00	2	$50.00
ESLRL6115J	**SL Running Light, 61" - 5 Module, Dual Color Red/Blue**	$336.00	2	$672.00
	TAILLIGHT FLASHER			
ETFBSSN-P	**Flashback Alternating Taillight Flasher, Solid State - 2.4 f.p.s.**	$54.00	1	$54.00
	CARGO AREA AND LIFT GATE TRIM LIGHTING			
EXFS10002-D	**XF Flush Mount Light, 10-30 Volts, 9.8" Cable, SAE J595 Class 1, CISPR 25, CA Title 13, ECE R65 & R10 - Dual Color Red/White**	$66.00	2	$132.00
FLM3SM8-J	**mpowerÂ® Fascia 3" Light with Screw Mount 8 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU EMPS103EX-J - QSF136460**	$128.00	2	$256.00

Lighting - Sirens

Description		Price	Qty	Ext. Price
60CREGCS	**Interior Light - 12 Diode Interior Light, Split Red/White, 6" Round Surface Mount, Includes Switches**	$164.00	1	$164.00
	SIREN AND SPEAKER SOLUTION			
ENGSA5101	**bluePRINTÂ® 500 Series Remote Amplifier with Link, 10-16v, 100 Watt single-tone**	$661.00	1	$661.00
ENGCP15001	**Handheld Controller with Microphone, compatible with bluePRINTÂ® Control Systems (Remote)**	$183.00	1	$183.00
ENGLNVH014	**Vehicle Harness for bluePRINTÂ® 500 with Link with 25' data cable for Chevrolet Tahoe 2024-2025, Chevrolet Silverado 2024 -2025**	$194.00	1	$194.00
ETSS100J5	**100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt**	$231.00	1	$231.00
ETSSVBK18	**100J/100U Series Speaker Bracket kit, includes Bracket (no drill mounts center of the core) and mounting kit for use on Chevrolet Silverado 1500 2019.5-2026, Tahoe 2021-2026**	$26.00	1	$26.00
			Subtotal:	**$6,437.00**

Antennas - Radios

Description	Qty
CUSTOMER PROVIDED IN CAR CHARGER FOR HANDHELD RADIO	

Installation

Description		Price	Qty	Ext. Price
VEHICLE-UPFIT-SUPPLIES	**Misc. Material to include connectors, wire, and hardware, fuse block, relays, and all needed install supplies**	$310.00	1	$310.00
Vehicle-Upfit-Unmarked	**Complete Upfit - Unmarked Police Car - Labor Only**	$2,640.00	1	$2,640.00
ALL PRICING BASED ON THE HOWARD COUNTY CONTRACT #4400005214 Contract Term: 10/01/2024 to 09/30/2026 Bid No. 2025-08, Vehicles, Upfitting Parts & Service				
			Subtotal:	**$2,950.00**

Shipping - Delivery

Description		Price	Qty	Ext. Price
Shipping	**Shipping and handling** Shipping	$65.00	1	$65.00
			Subtotal:	**$65.00**

UPFIT_UNMARKED_TAHOE

Prepared by:

Frontline Mobile Tech
Sarah Ellison
240-280-8964
Fax 2403604538
sellison@frontlinemobiletech.com

Prepared for:

La Plata Police Dept (MD)
101 Lagrange Ave
La Plata, MD 20646
Matt Norris
(301) 934-1500
mnorris@townoflaplata.org

Quote Information:

Quote #: 005936
Version: 1
Delivery Date: 03/30/2026
Expiration Date: 05/22/2026

Quote Summary

Description	Amount
Lighting - Sirens	$6,437.00
Installation	$2,950.00
Subtotal:	**$9,387.00**
Shipping:	**$65.00**
Total:	**$9,452.00**

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Frontline Mobile Tech

Signature: Sarah Ellison

Name: Sarah Ellison

Title: President

Date: 03/30/2026

La Plata Police Dept (MD)

Signature: _____

Name: Matt Norris

Date: _____

10555 Guilford Rd Suite 119 - 121
Jessup, MD 20794

We have prepared a quote for you

UPFIT_MARKED_TAHOE_QTY1

Quote # 005939 v1

Prepared for:
La Plata Police Dept (MD)

Prepared by:
Sarah Ellison

Lighting - Sirens

Description		Price	Qty	Ext. Price
	FULL VISOR AND REAR DECK			
ENFWBF-12	**nFORCE 8 Module Interior Windshield Lightbar, Split 2 Piece Shroud, 12 LEDs – Dual Color - 1/2 Red/White - 1/2 Blue/White - ENFWB01EVS - QSF140542**	$1,061.00	1	$1,061.00
ENFWBRF (12 LED)	**Sound Off - nFORCE 8 Module Interior Rear Deck Lightbar, Full 1 Piece Shroud, 12 LEDs Dual Color - R/A B/A - QSF140542 - ENFWB01EHC**	$1,061.00	1	$1,061.00
	GRILL LIGHTS			
PMP2BK014	**Grille Mount Bracket 1 Mod Kit for installation on 2025-2026 Chevrolet Tahoe**	$24.00	2	$48.00
FLM4ST8-RBW	**mpower® Fascia 4" Light with Stud Mount 18 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU/WHT EMPS2006T-8 - QSF136460**	$154.00	2	$308.00
	SIDE/PROFILE LIGHTS			
FLM4ST8-RBW	**mpower® Fascia 4" Light with Stud Mount 18 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU/WHT EMPS2006T-8 - QSF136460**	$154.00	4	$616.00
PMP2WSDDB	**Dual Window Shroud Kit for 4" Light w/ Stud Mount - Black**	$19.00	2	$38.00
PSLVBK03	**Mounting Kit for SL Running Light includes: Bracket & Hardware Kit, Chevrolet Tahoe 2021-2026, Ford Maverick 2023 - 2025**	$25.00	2	$50.00
ESLRL6115J	**SL Running Light, 61" - 5 Module, Dual Color Red/Blue**	$336.00	2	$672.00
	TAILLIGHT FLASHER			
ETFBSSN-P	**Flashback Alternating Taillight Flasher, Solid State - 2.4 f.p.s.**	$54.00	1	$54.00
	CARGO AREA AND LIFT GATE TRIM LIGHTING			
EXFS10002-D	**XF Flush Mount Light, 10-30 Volts, 9.8" Cable, SAE J595 Class 1, CISPR 25, CA Title 13, ECE R65 & R10 - Dual Color Red/White**	$66.00	2	$132.00
FLM3SM8-J	**mpowerÂ® Fascia 3" Light with Screw Mount 8 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU EMPS103EX-J - QSF136460**	$128.00	2	$256.00
60CREGCS	**Interior Light - 12 Diode Interior Light, Split Red/White, 6" Round Surface Mount, Includes Switches**	$164.00	1	$164.00

Lighting - Sirens

Description		Price	Qty	Ext. Price
	SIREN AND SPEAKER SOLUTION			
ENGSA5101	**bluePRINTÂ® 500 Series Remote Amplifier with Link, 10-16v, 100 Watt single-tone**	$661.00	1	$661.00
ENGCP18003	**Push Button Control Panel with Microphone, compatible with bluePRINTÂ® Control Systems (Remote)**	$198.00	1	$198.00
ENGLNVH014	**Vehicle Harness for bluePRINTÂ® 500 with Link with 25' data cable for Chevrolet Tahoe 2024-2025, Chevrolet Silverado 2024 -2025**	$194.00	1	$194.00
ETSS100J5	**100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt**	$231.00	1	$231.00
ETSSVBK18	**100J/100U Series Speaker Bracket kit, includes Bracket (no drill mounts center of the core) and mounting kit for use on Chevrolet Silverado 1500 2019.5-2026, Tahoe 2021-2026**	$26.00	1	$26.00
			Subtotal:	**$5,770.00**

Console - Mounts

Description		Price	Qty	Ext. Price
7170-1180-01	**2025+ Chevrolet Tahoe Wide Body Console Box with Internal Printer Mount, Cup Holder & Tall Armrest**	$827.00	1	$827.00
7160-0321	**Motorola APX 1500-8500 Remote Head, APX Series Radio and XTL 2500/5000 Control Head Full Faceplate**	$27.00	1	$27.00
20032	**SoundOff Signal 500 Series Remote Head Faceplate**	$0.00	1	$0.00
7300-0595-06	**Panasonic TOUGHBOOK 55 TrimLine Laptop Docking Station, Lite Port, DUAL RF with LIND Auto Power Adapter**	$1,220.00	1	$1,220.00
			Subtotal:	**$2,074.00**

Transport Systems

Description		Price	Qty	Ext. Price
PS-21TH-SC-OS-RLFX-LCP	**Troy - Single Cell Kit-Poly Rear Window-D/S FX, P/S Locking Cubby**	$2,685.00	1	$2,685.00
			Subtotal:	**$2,685.00**

Push Bar - Racks

Description		Price	Qty	Ext. Price
	BLAC-RAC SINGLE WEAPON RACK			
8211-18100	**KIT-WRS 1082-E-AR, Electronic, 8-Second Delay, 18" T-Channel (25019), Cold Wire (29004), with 2 MA209 keys**	$587.00	1	$587.00
	PUSH BUMPER WITH 4 TRI-COLOR LIGHTS			
BK2169TAH25	**PB450L4 Aluminum Bumper MPower w/Pad PART# BK2169TAH25**	$952.00	1	$952.00
			Subtotal:	**$1,539.00**

Antennas - Radios

Description		Price	Qty	Ext. Price
VEHICLE-UPFIT-SUPPLIES	**CUSTOM ANTENNA - RADIO 7/800, CELL, AND GPS FOR DOCK**	$248.00	1	$248.00
CUSTOMER PROVIDED RADIO, MIC, SPEAKER, AND ALL NEEDED WIRING				
			Subtotal:	**$248.00**

Misc Additions

Description		Price	Qty	Ext. Price
CP-21TH-CARGO	**2021-26 Tahoe tilt-up cargo mount with electronics tray. Mounts to vehicle floor. (Optional second tray CP-21TH-CARGO-TRAY).**	$725.00	1	$725.00
CP-21TH-CG-TRAY	**Tahoe optional tray with extended flange for CP-21TH-CARGO**	$181.00	1	$181.00
			Subtotal:	**$906.00**

Technology

Description		Price	Qty	Ext. Price
	ETIX TECHNOLOGY			
3320G-LTC-ETIX	**3320G Vuquest 2D Barcode Imaging Kit for Maryland E-TIX. IncludesScanner and 9.5' Straight USB Interface Cable**	$343.00	1	$343.00

Technology

Description		Price	Qty	Ext. Price
PJ823-VK	**Brother PJ-823 Mobile Direct Thermal Printer - Monochrome - Portable - Label Print - USB - USB Host - 11" Print Length x 8" Print Width - 7.6 lpm Mono - 300 x 300 dpi - 8.50" Label Width - ESC/P, Raster, ZPL2 Emulation - For Android, PC, Mac**	$564.00	1	$564.00
27402	**C2G 11in 4-Port USB Splitter - 3 USB A Ports and 1 USB Mini B Plug - USB 2.0 - Gray**	$16.00	1	$16.00
	ARBITRATOR			
ARB-M90	**Panasonic Wireless Microphone - 900 MHz**	$937.00	1	$937.00
IPS-ICV4-ACC	**Panasonic Accessory/Cable Kit**	$804.00	1	$804.00
WV-VC31	**Panasonic Rear Seat Camera - Rear View - 1280 x 720 Video**	$544.00	1	$544.00
WJ-VPU4000	**VPU4000 RECORDING UNIT ONLY**	$4,032.00	1	$4,032.00
WV-VC35	**i-PRO ICV FRONT WIDE ANGLE FHD CAMERA WITH G-FORCE SENSOR, NOT INCLUDING ETHERNET CABLE.**	$1,090.00	1	$1,090.00
IPS-ICV4-ANT-BL	**i-PRO ICV4000 PANORAMA SHARK FIN ANTENNA FOR VPU4000, 4 WLAN, 1 BT, 1 GPS BLACK, 6.77INX2.4IN BOLT-ON.**	$384.00	1	$384.00
IPS-ICV-UDE-OP1	**i-PRO ICV UDE ON-PREMISE DEVICE LICENSE FOR 1 YEAR, INCL. DEVICE MANAGEMENT, LIVE STREAMING AND REDACTION. SERVICE ENTITLEMENTS: 24X7 HELP DESK, SOFTWARE MAINTENANCE AND SUPPORT.**	$146.00	1	$146.00
	BWC VEHICLE EQUIPMENT			
WV-BWC40D1A	**Panasonic Cradle - Docking - Wearable Camera - Charging Capability**	$271.00	1	$271.00
IPS-BWC4-12V-WIRE	**BWC4000 12V VEHICLE HARNESS FOR WV-BWC40D1A OR WV-BWC40C1A**	$41.00	1	$41.00
IPS-ICV-ETH-DOCK	**i-PRO Ethernet Rj45 Shielded Cable, 25Ft, Green - 25 ft RJ-45 Network Cable for Network Device - Shielding**	$45.00	1	$45.00
			Subtotal:	**$9,217.00**

Installation

Description		Price	Qty	Ext. Price
Vehicle-Upfit-Marked	**Complete Upfit - Marked Patrol Car - Labor Only**	$5,280.00	1	$5,280.00
VEHICLE-UPFIT-SUPPLIES	**Misc. Material to include connectors, wire, and hardware, fuse block, relays, and all needed install supplies**	$365.00	1	$365.00
			Subtotal:	**$5,645.00**

Shipping - Delivery

Description		Price	Qty	Ext. Price
Shipping	**Shipping and handling** Shipping	$1,100.00	1	$1,100.00
			Subtotal:	**$1,100.00**

UPFIT_MARKED_TAHOE_QTY1

Prepared by:

Frontline Mobile Tech
Sarah Ellison
240-280-8964
Fax 2403604538
sellison@frontlinemobiletech.com

Prepared for:

La Plata Police Dept (MD)
101 Lagrange Ave
La Plata, MD 20646
Matt Norris
(301) 934-1500
mnorris@townoflaplata.org

Quote Information:

Quote #: 005939
Version: 1
Delivery Date: 03/30/2026
Expiration Date: 04/29/2026

Quote Summary

Description	Amount
Lighting - Sirens	$5,770.00
Console - Mounts	$2,074.00
Transport Systems	$2,685.00
Push Bar - Racks	$1,539.00
Antennas - Radios	$248.00
Misc Additions	$906.00
Technology	$9,217.00
Installation	$5,645.00
Subtotal:	**$28,084.00**
Shipping:	**$1,100.00**
Total:	**$29,184.00**

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Frontline Mobile Tech

Signature: Sarah Ellison

Name: Sarah Ellison

Title: President

Date: 03/30/2026

La Plata Police Dept (MD)

Signature:

Name: Matt Norris

Date:

FOR LEGISLATIVE USE ONLY

Item Number: 2026-0787

Date of Meeting: June 23, 2026

Agenda Item Summary

MEETING GROUP:	Town Council
STAFF RESOURCE:	Chief Matthew Norris
DEPARTMENT:	Police Department
TYPE:	Town Council Resolution for Purchase
SUBJECT:	Authorization for Purchasing and Upfitting of New Police Vehicles – FY27

BACKGROUND:

The La Plata Police Department (LPPD) operates a fleet of emergency vehicles to support the public safety needs of our community. To ensure the continued delivery of safe, reliable, and efficient services, police vehicles must be replaced according to a responsible and effective fleet replacement schedule. Additionally, specialized vehicle types are periodically required to support specific operational functions.

For FY27, the Police Department is requesting authorization to purchase two (2) Chevrolet Tahoe Police Pursuit Vehicles (PPVs). One (1) vehicle will be assigned to the agency's Traffic Officer and utilized for Commercial Vehicle Enforcement, Crash Reconstruction Investigations, grant-funded traffic initiatives, and other traffic-related enforcement and management functions. The second vehicle will serve as a Command Vehicle. Both vehicles will require the installation of emergency equipment, communications systems, and related technology.

FISCAL IMPACT:

The FY27 budget includes $165,000 for the purchase and upfitting of new police vehicles. These funds are designated for vehicle acquisition, emergency equipment, exterior graphics, and all necessary technology. The total purchase price for the two vehicles is $114,423.00. Funding for this purchase is included within the FY27 Capital Improvement Program (CIP) budget. This amount does not include vehicle upfitting, emergency equipment, technology installations, or decals/striping. The vehicle purchase will be completed through the 2026 Maryland Statewide Contract – BPO #001B6600253.

The remaining budgeted funds of $50,577 will be used for vehicle upfitting, technology installations, and decals. The total cost to upfit both vehicles is $38,636.00. Upfitting

materials and labor will be provided by Frontline Mobile Tech, an approved vendor utilizing Howard County Contract #4400005214.

Additionally, $29,184.00 of the required funding has been provided through Metropolitan Area Drug Task Force (MADTF) seizure funds, covering the complete upfitting cost of one marked vehicle, excluding decals. As a result, approximately $41,125 will remain available within the vehicle capital improvement budget following completion of these purchases.

While Town Council approval of this procurement action is being requested during FY26, this procurement action will not be executed prior to the commencement of FY27 on July 01, 2026.

STRATEGIC PLAN ALIGNMENT:

This initiative directly supports multiple Strategic Plan goals:

Goal #2 - Operational Excellence: Ensuring employees have access to appropriate equipment and resources enhances efficiency and supports the delivery of high-quality services. Maintaining a reliable police fleet improves operational readiness, enhances service capabilities, and minimizes service disruptions resulting from vehicle maintenance and repair.

Goal #5 - Public Service Readiness: Providing dependable vehicles reduces downtime, lowers repair costs, and ensures timely response to calls for service. This purchase supports the Capital Improvement Program's systematic approach to fleet maintenance, replacement, and long-term asset management.

SUSTAINABILITY CONSIDERATIONS:

The proposed vehicles incorporate technology designed to improve operational efficiency while reducing fuel consumption. Features such as automatic start/stop systems contribute to lower fuel usage and reduced environmental impact. Continued adherence to the Capital Improvement Program's fleet replacement strategy is essential to maintaining a safe, reliable, and productive vehicle fleet.

ADA CONSIDERATIONS:

Under the Americans with Disabilities Act (ADA), law enforcement agencies must provide equivalent transportation and reasonable accommodations for individuals with disabilities. While not every standard patrol car is fully accessible, departments are required to have

access to a readily available accessible vehicle (such as a wheelchair-accessible transport van) to ensure suspects and prisoners are not excluded from services. When police departments acquire or modify prisoner transport vans, the vehicles must adhere to standard ADA transit and accessibility guidelines.

RECOMMENDED ACTION:

Adopt Resolution 26-36, La Plata Police Department Fiscal Year 2027 Vehicle Purchase, authorizing the Town Manager to enter into a contract purchase agreement with:

- Hertrich Fleet Services, Inc., of Denton, Maryland, for the purchase of two (2) Chevrolet Tahoe Police Pursuit Vehicles, with a total expenditure of $114,423.00, as reflected in the attached quotations for the Command Vehicle and Traffic Vehicle. This purchase will be made through the 2026 Maryland Statewide Contract – BPO #001B6600253.
- Frontline Mobile Tech for the upfit and installation of police emergency equipment and related technology in both vehicles, with a total expenditure of $38,636.00, as reflected in the attached quotations. This purchase will be made utilizing Howard County Contract #4400005214.

ATTACHMENTS:

1. Quote from Hertrich Fleet Services, Inc. (Build Sheet – Traffic Vehicle)
2. Quote from Hertrich Fleet Services, Inc. (Build Sheet – Command Vehicle)
3. Maryland State Contract BPO#001B6600253
4. Quote from Frontline Mobile Tech – Unmarked Tahoe
5. Quote from Frontline Mobile Tech – Marked Tahoe
6. Howard County Contract #4400005214

HERTRICH FLEET SERVICES, INC.

1427 Bay Road Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep
Lincoln - Mercury - Buick - GMC - Toyota - Nissan

(800) 698-9825 (302) 422-3300 Fax: (302) 839-0555

LA PLATA POLICE DEPARTMENT
TRAFFIC VEHICLE

MARYLAND STATEWIDE CONTRACT 2026 POLICE – BPO# 001B6600253

TYPE 10-P: TAHOE POLICE PURSUIT UTILITY

2026 Chevrolet Tahoe PPV

Includes Standard Equipment - 40/20/40 Split Bench Front Seat w/ Center Section Deleted,
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✓	Code	Description	Amount
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		OPTIONS	
	AMF	4 Extra FOBS (programmed)	$ 225
	6J3	Wiring, Grille Lamps & Siren Speakers	$ 312
	6J4	Wiring, Horn & Siren Circuit	INCL
	6J7	Headlight & Tail Light Flashers (needs connecting)	$ 50
	7X3	Driver's Side LED Spotlight	$ 800
	6N5/6	Inoperable Rear window switches/interior door handles	$ 137
	AKO	Deep Tinted Glass	$ 295
	Interior	Jet Black Premium Cloth	
	No Charge Colors	**GBA** – Black	
		Total for Vehicle	**$ 56,555**

Please contact us with any questions or to secure your order.

Susan Hickey - shickey@hertrichfleet.com - or call **800-698-9825**

HERTRICH FLEET SERVICES, INC.

1427 Bay Road Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep
Lincoln - Mercury - Buick - GMC - Toyota - Nissan

(800) 698-9825 (302) 422-3300 Fax: (302) 839-0555

LA PLATA POLICE DEPARTMENT
COMMAND VEHICLE

MARYLAND STATEWIDE CONTRACT 2026 POLICE – BPO# 001B6600253

TYPE 10-P: TAHOE POLICE PURSUIT UTILITY

2026 Chevrolet Tahoe PPV

Includes Standard Equipment - 40/20/40 Split Bench Front Seat w/ Center Section Deleted,
5.3L V8 ECOTEC3, Vinyl Floor / Vinyl Rear Seat, Bluetooth, Rear Camera

✓	Code	Description	Amount
	CK15706	2026 Chevrolet Tahoe PPV 4WD	$ 54,736
		OPTIONS	
	AMF	4 Extra FOBS (programmed)	$ 225
	A95	Bucket Seats w/Factory Console (PPV only)	$ 350
	B30/B58	Carpet w/Carpeted Mats	$ 275
	6J3	Wiring, Grille Lamps & Siren Speakers	$ 312
	6J4	Wiring, Horn & Siren Circuit	INCL
	6J7	Headlight & Tail Light Flashers (needs connecting)	$ 50
	7X3	Driver's Side LED Spotlight	$ 800
	AKO	Deep Tinted Glass	$ 295
	PQA	Fleet Safety Package -Includes: Forward Collision Alert, Lane Keep Assist, Lane Departure Warning, Auto Emergency Braking, Front Pedestrian Braking, Auto Dim Rearview Mirror, IntelliBeam Lights, Side Bicycle Alert	$ 825
	Interior	Jet Black Premium Cloth	
	No Charge Colors	**GXP** – Lakeshore Blue	
		Total for Vehicle	**$ 57,868**

Please contact us with any questions or to secure your order.

Susan Hickey - shickey@hertrichfleet.com - or call **800-698-9825**

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STATE OF MARYLAND

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SHIP TO:

AS SPECIFIED ON INDIVIDUAL ORDERS

VENDOR ID:	**REFER QUESTIONS TO:**
HERTRICH FLEET SERVICES INC 1123 INDUSTRIAL PKWY DENTON, MD 21629 (800)698-9825	MATTHEW SMITH (410)767-3039 MATTHEW.SMITH2@MARYLAND.GOV

ITB:	**EXPR DATE:** 03/15/27 **POST DATE:** 03/04/26	**DISCOUNT TERMS:** . NET 30 DAY **CONTRACT AMOUNT:** .00

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

****

STATEWIDE CONTRACT FOR
TYPE 4 POLICE VEHICLES

****

THIS IS A ONE (1) YEAR CONTRACT EFFECTIVE 3/15/2026 THROUGH 3/14/2027
WITH TWO (2) 1-YEAR RENEWAL OPTIONS.

VENDOR CONTACT: SUSAN HICKEY
VENDOR EMAIL: SHICKEY@HERTRICHFLEET.COM
VENDOR PHONE: 800-698-9825

AT TIME OF DELIVERY FROM DEALER, EACH VEHICLE SHALL CONTAIN A MINIMUM OF FIVE (5) GALLONS OF GASOLINE.

DEALER MUST POSSESS A VALID STATE OF MARYLAND MOTOR VEHICLE ADMINISTRATION (MVA) DEALER'S LICENSE. DEALER MUST ALSO POSSESS A VALID STATE OF MARYLAND MOTOR VEHICLE ADMINISTRATION SALESMAN'S LICENSE. A COPY OF THE AFOREMENTIONED LICENSES MUST BE PROVIDED UPON REQUEST.

VEHICLE MUST BE DELIVERED WITH A CERTIFICATE OF ORIGIN.

DEALER WILL BE REQUIRED UPON DELIVERY TO SUBMIT A CERTIFICATE SHOWING THAT THE VEHICLE WAS SERVICED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDED NEW MOTOR VEHICLE PREPARATION CHECK SHEET. THIS CERTIFICATION IS TO BE SIGNED BY THE PERSON WHO SERVICED THE VEHICLE,

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TERMS (cont'd):

AS WELL AS THE OWNER AND/OR DESIGNATED REPRESENTATIVE OF MANAGEMENT.

THERE IS TO BE NO DEALER IDENTIFICATION ATTACHED TO THE NEW VEHICLE.

TIRES: TIRES RECALLED BY ANY MANUFACTURER WILL NOT BE ACCEPTED. IF A MODEL TIRE IS RECALLED BETWEEN CONTRACT AWARD AND VEHICLE DELIVERY, IT WILL BE THE RESPONSIBILITY OF THE DEALER TO REPLACE ANY SUCH TIRES PRIOR TO DELIVERY OF THE VEHICLE

THERE SHALL BE ZERO (-0-) DEDUCTIBLE ON THE WARRANTY.

STANDARD AND/OR EXTENDED WARRANTY PAPERS MUST BE GIVEN AT TIME OF VEHICLE DELIVERY.

ANY REDUCTION OF PRICES DURING THE PERIOD OF THIS CONTRACT SHALL BE PASSED ON TO THE STATE OF MARYLAND.

ALL PRODUCTS USED IN PACKING TO CUSHION AND PROTECT DURING THE SHIPMENT OF COMMODITIES ARE TO BE MADE OF RECYCLED, RECYCLABLE, AND/OR BIODEGRADABLE MATERIALS.

ELECTRONIC TRANSACTION FEE:
1. CONTRACTOR SHALL PAY AN ELECTRONIC TRANACTION FEE TO THE STATE IN THE AMOUNT OF ONE PERCENT (1%) OF THE TOTAL CONTRACT SALES. THE ELECTRONIC TRANSACTION FEE IS CALCULATED BASED ON ALL SALES TRANSACTED UNDER THE CONTRACT, MINUS ANY RETURNS OR CREDITS. THE ELECTRONIC TRANSACTION FEE SHALL NOT BE CHARGED TO THE CUSTOMER, E.G. AS A SEPARATE LINE ITEM, FEE OR SUCRCHARGE, BUT SHALL BE INCLUDED IN THE CONTRACT'S UNIT PRICES.

2. THE ELECTRONIC TRANSACTION FEE SHALL BE SUBMITTED TO:
   OFFICE OF STATE PROCUREMENT
   301 W. PRESTON ST.
   FISCAL SERVICES DIVISON, ROOM 1309
   BALTIMORE, MD 21201

THE ELECTRONIC TRANSACTION FEE SHALL BE MADE NO LATER THAN FORTY FIVE (45) DAYS AFTER THE END OF EACH REPORTING PERIOD ALONG WITH A MONTHLY USAGE REPORT DOCUMENTING ALL SALES. AN EXCEL VERSION OF THE MONTHLY USAGE REPORT SHALL BE EMAILED TO:
   DGS.STATEWIDECONTRACTUSAGEREPORT@MARYLAND.GOV

3. FAILURE TO REMIT TRANSACTION FEES IN A TIMELY MANNER OR REMITTANCE OF FEES INCONSISTENT WITH THE CONTRACT'S REQURIEMENTS MAY RESULE IN THE STATE EXERCISING ALL RECOURSE AVAILABLE UNDER THE CONTRACT INCLUDING, BUT NOT LIMITED TO, A THIRD-PARTY ANALYSIS OF ALL CONTRACT

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TERMS (cont'd):

ACTIVITY.
4. PRIOR TO AWARD, CONTRACTORS MAY BE ASKED TO CONFIRM IN WRITING THAT THEIR UNIT PRICES INCLUDE THE ONE PERCENT (1%) TRANSACTION FEE.

PURCHASES BY OTHER ENTITIES - INDEFINITE QUANTITY CONTRACTS:
THIS PROVISION APPLIES TO INDEFINITE QUANTITY CONTRACTS.
PURSUANT TO THE STATE FINANCE AND PROCUREMENT ARTICLE, SECTION 13-110 OF THE ANNOTATED CODE OF MARYLAND, EXCEPT FOR ENTITIES DESCRIBED IN (6)(A) THE FOLLOWING ENTITIES MAY PURCHASE MATERIALS, SUPPLIES, AND EQUIPMENT UNDER THIS CONTRACT:

(1)A COUNTY OR BALTIMORE CITY;
(2)A MUNICIPAL CORPORATION;
(3)A GOVERNMENTAL AGENCY IN THE STATE;
(4)A PUBLIC OR QUASI-PUBLIC AGENCY THAT:
(I) RECEIVES STATE MONEY; AND
(II)IS EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE;
(5)A PRIVATE ELEMENTARY OR SECONDARY SCHOOL THAT:
(I) EITHER HAS BEEN ISSUED A CERTIFICATE OF APPROVAL FROM THE STATE BOARD OF EDUCATION OR IS ACCREDITED BY THE ASSOCIATION OF INDEPENDENT SCHOOLS; AND
(II)IS EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; OR
(6)A NON-PUBLIC INSTITUTION OF HIGHER EDUCATION UNDER SECTION 17-106 OF THE EDUCATION ARTICLE.
(B) A PRIVATE ELEMENTARY OR SECONDARY SCHOOL OR A NONPUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT PURCHASE RELIGIOUS MATERIALS UNDER THIS CONTRACT.
(B) THE RIGHT TO PURCHASE UNDER THIS SECTION SHALL BE IN ADDITION TO, BUT NOT IN SUBSTITUTION FOR, THE APPLICABLE PURCHASING POWER GRANTED GRANTED TO ANY OF THE LISTED ENTITIES PURSUANT TO ANY STATUTORY OR CHARTER PROVISION.
(7) ANOTHER STATE OR AN AGENCY OR OTHER INSTRUMENTALITY OF ANOTHER STATE.
.
ALL PURCHASES UNDER THIS CONTRACT BY ANY SUCH ENTITY WHICH IS NOT A UNIT OR AGENCY OF THE STATE OF MARYLAND FOR WHICH THE STATE OF MARYLAND MAY BE HELD LIABLE IN CONTRACT (1) SHALL CONSTITUTE A PURCHASE OR CONTRACT BETWEEN THE CONTRACTOR AND THAT ENTITY ONLY; (2) SHALL NOT CONSTITUTE A PURCHASE OR CONTRACT OF THE STATE OF MARYLAND; (3) SHALL NOT BE BINDING OR ENFORCEABLE AGAINST THE STATE OF MARYLAND OR ANY OF ITS UNITS OR AGENCIES; AND MAY BE SUBJECT TO OTHER TERMS AND CONDITIONS AGREED TO BY THE CONTRACTOR AND THE PURCHASER.

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TERMS (cont'd):

CONTRACTOR BEARS THE RISK OF DETERMINING WHETHER OR NOT ANY ENTITY FROM WHICH THE CONTRACTOR RECEIVES AN ORDER UNDER THE CONTRACT IS A UNIT OR AGENCY OF THE STATE OF MARYLAND SUCH THAT THE CONTRACT MAY BE ENFORCED AGAINST THE STATE OF MARYLAND.

THE DEPARTMENT OF GENERAL SERVICES' "TERMS AND CONDITIONS FOR COMMODITY CONTRACTS OVER $100,000" AND ALL SPECIFICATIONS, TERMS AND CONDITIONS OF SOLICITATION #BPM052620/001IT821530 INCORPORATED HEREIN BY REFERENCE.

LINE #	STATE ITEM ID	U/M	UNIT COST		
0009	07006	EA	41,493.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-6-P 1/2 TON PICK UP TRUCK
POLICE SPECIAL SERVISES, 6 OR 8 CYLINDER, 4X4
DODGE RAM 1500 CREW CAB 4X4 SSV MODEL YEAR 2026

STANDARD OPTIONS: HEATED OUTSIDE MIRRORS
AGENCY SPECIFIC UPFIT WIRING FOR GRILLE, SIRENS, SPEAKERS
FACTORY OEM CONSOLE - CONSULT VENDOR FOR OPTIONS

0010	07006	EA	46,548.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-6-PP 1/2 TON PICK UP TRUCK,
CERTIFIED POLICE PURSUIT RATED, 6 OR 8 CYLINDER, 4X4
CHEVROLET SILVERADO 1500 CREW PPV MODEL YEAR 2026

STANDARD OPTION: FACTORY OEM CONSOLE - CONSULT VENDOR FOR OPTIONS

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LINE #	STATE ITEM ID	U/M	UNIT COST		
0011	07006	EA	119.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-6-PP 1/2 TON PICK UP TRUCK,
CERTIFIED POLICE PURSUIT RATED, 6 OR 8 CYLINDER, 4X4
CHEVROLET SILVERADO 1500 CREW PPV MODEL YEAR 2026

OPTION: REAR INSIDE DOOR LOCKS AND HANDLES DEACTIVATED

0012	07006	EA			

AUTOMOBILES AND STATION WAGONS
TYPE 4-6-PP 1/2 TON PICK UP TRUCK,
CERTIFIED POLICE PURSUIT RATED, 6 OR 8 CYLINDER, 4X4
CHEVROLET SILVERADO 1500 CRE PPV MODEL YEAR 2026

OPTION: LED SPOTLIGHT DELETE, CREDIT OF $899.00

0014	07006	EA	150.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-6-PP 1/2 TON PICK UP TRUCK,
CERTIFIED POLICE PURSUIT RATED, 6 OR 8 CYLINDER, 4X4
CHEVROLET SILVERADO 1500 CREW PPV MODEL YEAR 2026

OPTION: UPFIT SWITCHES

0038	07006	EA	40,684.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P6 MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
DODGE DURANGO V6 PURSUIT AWD MODEL YEAR 2026

STANDARD OPTIONS: BLIND SPOT/CROSS PATH DETECTION
ADDITIONAL POWER SUPPLY WIRING

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LINE #	STATE ITEM ID	U/M	UNIT COST		
0039	07006	EA	225.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P6 MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
DODGE DURANGO V6 PURSUIT AWD MODEL YEAR 2026

OPTION: CLOTH REAR SEATS/CARPET

0040	07006	EA	435.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P6 MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
DODGE DURANGO V6 PURSUIT AWD MODEL YEAR 2026

OPTION: FULL WHEEL COVERS

0041	07006	EA	435.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P6 MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
DODGE DURANGO V6 PURSUIT AWD MODEL YEAR 2026

OPTION: ALLOY WHEELS

0042	07006	EA			

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P6 MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
DODGE DURANGO V6 PURSUIT AWD MODEL YEAR 2026

OPTION: LED SPOTLIGHT DELETE, CREDIT OF $550.00

LINE #	STATE ITEM ID	U/M	UNIT COST		
0043	07006	EA	375.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P6 MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
DODGE DURANGO V6 PURSUIT AWD MODEL YEAR 2026

OPTION: FACTORY OEM CONSOLE

0044	07006	EA	43,728.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P8 MID-SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATEDM V-8
DODGE DURANGO HEMI V8 PURSUIT MODEL YEAR 2026

STANDARD OPTIONS: CLASS IV TOWING PACKAGE
BLIND SPOT & CROSS PATH DETECTION
ADDITIONAL POWER SUPPLY WIRING AS SPECIFIED

0045	07006	EA	225.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P8 MID-SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED, V-8
DODGE DURANGO HEMI V8 PURSUIT MODEL YEAR 2026

OPTION: CLOTH REAR SEATS/CARPET

0046	07006	EA	435.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P8 MID-SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED, V-8
DODGE DURANGO HEMI V8 PURSUIT MODEL YEAR 2026

OPTION: FULL WHEEL COVERS

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LINE #	STATE ITEM ID	U/M	UNIT COST		
0047	07006	EA			

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P8 MID-SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED, V-8
DODGE DURANGO HEMI V8 PURSUIT MODEL YEAR 2026

OPTION: LED SPOTLIGHT DELETE CREDIT OF $550.00

0048	07006	EA	375.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P8 MID-SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED, V-8
DODGE DURANGO HEMI V8 PURSUIT MODEL YEAR 2026

OPTION: FACTORY OEM CONSOLE

0049	07006	EA	95.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-P8 MID-SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED, V-8
DODGE DURANGO HEMI V8 PURSUIT MODEL YEAR 2026

OPTION: REAR WINDOS AND DOOR LOCKS, INOPERATIVE FROM REAR SEAT

0050	07006	EA	44,419.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

STANDARD OPTIONS: CLASS III TOWING PACKAGE
BLIND SPOT & CROSS PATH DETECTION
GLOBAL LOCK/UNLOCK FEATURE

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LINE #	STATE ITEM ID	U/M	UNIT COST		
0051	07006	EA	70.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: CLOTH REAR SEATS/CARPET

0052	07006	EA	70.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: FULL WHEEL COVERS

0053	07006	EA			

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: LED SPOTLIGHT DELETE, CREDIT OF $420.00

0055	07006	EA	80.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: REAR WINDOW AND DOOR LOCKS INOPERATIVE FROM REAR

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LINE #	STATE ITEM ID	U/M	UNIT COST		
0068	07006	EA	350.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: ADDITIONAL POWER SUPPLY WIRING AS SPECIFIED

0069	07006	EA	350.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: ORDERING AGENCY SPECIFIC UPFIT WIRING FOR GRILLE, SIRENS,
SPEAKER

0070	07006	EA	200.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: POLICE WIRE HARNESS CONNECTOR KIT, FRONT/REAR

0071	07006	EA	610.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: POLICE UPGRADE PACKAGE

LINE #	STATE ITEM ID	U/M	UNIT COST		
0072	07006	EA	900.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: FRONT HEADLAMP LIGHTING SOLUTION

0073	07006	EA	460.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: REAR LIGHTING SOLUTION

0074	07006	EA	4,050.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: READY FOR THE ROAD PACKAGE

0075	07006	EA	640.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MP MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED
FORD EXPLORER INTERCEPTOR AWD MODEL YEAR 2026

OPTION: ULTIMATE WIRING PACKAGE

LINE #	STATE ITEM ID	U/M	UNIT COST		
0076	07006	EA	47,740.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPE MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, FULLY ELECTRIC
CHEVROLET BLAZER EV PPV AWD MODEL YEAR 2026

OPTIONS: LEFT HAND LED SPOT LAMP, FACTORY INSTALLED
CLOTH REAR SEATS/CARPET - AVAIL. ON 9C3 PACKAGE ONLY
FULL WHEEL COVERS - AVAIL. ON 9C3 PACKAGE ONLY
D06 FACTORY OEM CONSOLE - AVAIL. ON 9C3 PACKAGE ONLY

0077	07006	EA			

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPE MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, FULLY ELECTRIC
CHEVROLET BLAZER EV PPV AWD MODEL YEAR 2026

OPTION: LED SPOTLIGHT DELETE, CREDIT OF $750.00

0078	07006	EA	1,095.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPE MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, FULLY ELECTRIC
CHEVROLET BLAZER EV PPV AWD MODEL YEAR 2026

OPTION: V92 TOWING PACKAGE

0079	07006	EA	995.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPE MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, FULLY ELECTRIC
CHEVROLET BLAZER EV PPV AWD MODEL YEAR 2026

OPTION: R5W4 SPECIAL SERVICE PACKAGE

LINE #	STATE ITEM ID	U/M	UNIT COST		
0080	07006	EA	119.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPE MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, FULLY ELECTRIC
CHEVROLET BLAZER EV PPV AWD MODEL YEAR 2026

OPTION: REAR WINDOW DOOR LOCKS INOPERATIVE FROM FRONT SEAT

0081	07006	EA	170.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPE MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, FULLY ELECTRIC
CHEVROLET BLAZER EV PPV AWD MODEL YEAR 2026

OPTION: DOME LAMP - RED/WHITE

0082	07006	EA	147.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPE MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, FULLY ELECTRIC
CHEVROLET BLAZER EV PPV AWD MODEL YEAR 2026

OPTION: AGENCY SPECIFIC UPFIT WIRING FOR GRILLE, SIREN, SPEAKERS

0083	07006	EA			

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPE MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, FULLY ELECTRIC
CHEVROLET BLAZER EV PPV AWD MODEL YEAR 2026

OPTION: 9C3 DETECTIVE POLICE PACKAGE, CREDIT OF $300.00

LINE #	STATE ITEM ID	U/M	UNIT COST		
0104	07006	EA	44,419.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

STANDARD OPTIONS: CLASS III TOWING PACKAGE
ADDITIONAL POWER SUPPLY WIRING AS SPECIFIED
GLOBAL LOCK/UNLOCK FEATURE

0105	07006	EA	70.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: CLOTH REAR SEATS/CARPET

0106	07006	EA	70.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: FULL WHEEL COVERS

0107	07006	EA			

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: LED SPOTLIGHT DELETE, CREDIT OF $420.00

LINE #	STATE ITEM ID	U/M	UNIT COST		
0108	07006	EA	610.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: FACTORY OEM CONSOLE

0109	07006	EA	80.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: REAR WINDOW AND DOOR LOCKS INOPERATIVE FROM FRONT SEAT

0110	07006	EA	350.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: POLICE WIRE HARNESS CONNECTOR KIT - FRONT/REAR

0111	07006	EA	610.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: POLICE UPGRADE PACKAGE

LINE #	STATE ITEM ID	U/M	UNIT COST		
0112	07006	EA	900.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: FRONT HEADLAMP LIGHTING SOLUTION

0113	07006	EA	460.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: TAIL LAMP LIGHTING SOLUTION

0114	07006	EA	430.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: REAR LIGHTING SOLUTION

0115	07006	EA	4,050.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: READY FOR THE ROAD PACKAGE

LINE #	STATE ITEM ID	U/M	UNIT COST		
0116	07006	EA	640.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-9-MPH MID-SIZE UTILITY VEHICLE
CERTIFIED PURSUIT RATED, HYBRID
FORD INTERCEPTOR UTILITY HYBRID AWD MODEL YEAR 2026

OPTION: ULTIMATE WIRING PACKAGE

0117	07006	EA	55,031.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-P FULL SIZE UTILITY VEHICLE
SPECIAL SERVICE VEHICLE, 4X4
CHEVROLET TAHOE SSV 4X4 MODEL YEAR 2026

0118	07006	EA	275.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-P FULL SIZE UTILITY VEHICLE
SPECIAL SERVICE VEHICLE, 4X4
CHEVROLET TAHOE SSV 4X4 MODEL YEAR 2026

OPTION: CLOTH REAR SEATS/CARPET

0119	07006	EA	137.0000		

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-P FULL SIZE UTILITY VEHICLE
SPECIAL SERVICE VEHICLE, 4X4
CHEVROLET TAHOE SSV 4X4 MODEL YEAR 2026

OPTION: REAR WINDOW AND DOOR LOCKS INOPERATIVE FROM REAR

0120	07006	EA			

AUTOMOBILES AND STATION WAGONS

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LINE #	STATE ITEM ID	U/M	UNIT COST		

TYPE 4-10-P FULL SIZE UTILITY VEHICLE
SPECIAL SERVICE VEHICLE, 4X4
CHEVROLET TAHOE SSV 4X4 MODEL YEAR 2026

OPTION: LED SPOTLIGHT DELETE, CREDIT OF $650.00

0121 07006 EA 167.0000

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-P FULL SIZE UTILITY VEHICLE
SPECIAL SERVICE VEHICLE, 4X4
CHEVROLET TAHOE SSV 4X4 MODEL YEAR 2026

OPTION: ORDERING AGENCY UPFIT WIRING FOR GRILLE, SIRENS, SPEAKERS

0122 07006 EA 54,736.0000

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-PP FULL SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED
CHEVROLET TAHOE 4X4 PPV MODEL YEAR 2026

OPTION: ADDITIONAL POWER SUPPLY WIRING AS SPECIFIED BY ORDERING AGENCY

0123 07006 EA 275.0000

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-PP FULL SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED
CHEVROLET TAHOE 4X4 PPV MODEL YEAR 2026

OPTION: CLOTH REAR SEATS/CARPET

0124 07006 EA 825.0000

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-PP FULL SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED

*** CONTINUED, NEXT PAGE ***

LINE #	STATE ITEM ID	U/M	UNIT COST		

CHEVROLET TAHOE 4X4 PPV MODEL YEAR 2026

OPTION: BLIND SPOT & CROSS PATH DETECTION

0125 07006 EA 137.0000

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-PP FULL SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED
CHEVROLET TAHOE 4X4 PPV MODEL YEAR 2026

OPTION: REAR WINDOW AND DOOR LOCKS INOPERATIVE FROM FRONT SEAT

0126 07006 EA 350.0000

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-PP FULL SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED
CHEVROLET TAHOE 4X4 PPV MODEL YEAR 2026

OPTION: FULL WHEEL COVERS

0127 07006 EA 350.0000

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-PP FULL SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED
CHEVROLET TAHOE 4X4 PPV MODEL YEAR 2026

OPTION: FACTORY OEM CONSOLE

0128 07006 EA

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-PP FULL SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED
CHEVROLET TAHOE 4X4 PPV MODEL YEAR 2026

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BLANKET PURCHASE ORDER

STATE OF MARYLAND

********** STATE OF MARYLAND **********

BPO NO: 001B6600253 **PRINT DATE:** 03/06/26 **PAGE:** 20

LINE #	STATE ITEM ID	U/M	UNIT COST		

OPTION: LED SPOTLIGHT DELETE, CREDIT OF $650.00

0129 07006 EA

AUTOMOBILES AND STATION WAGONS
TYPE 4-10-PP FULL SIZE UTILITY VEHICLE
CERTIFIED POLICE PURSUIT RATED
CHEVROLET TAHOE 4X4 PPV MODEL YEAR 2026

OPTION: 4X4 OPTION DELETED, CREDIT OF $2248.00

0130 07006 EA 312.0000

AUTOMOBILES AND STATION WAGONS
TYPE 4-6-PP 1/2 TON PICK UP TRUCK
CERTIFIED POLICE PURSUIT RATED, 6 OR 8 CYLINDER, 4X4
CHEVROLET SILVERADO 1500 CRE PPV MODEL YEAR 2026

OPTION: AGENCY SPECIFIC UPFIT WIRING FOR GRILLE, SIRENS, SPEAKERS

END OF ITEM LIST

******** LAST PAGE ********

AUTHORIZED BY: _____ **DATE:** _____

BUYER AUTHORIZED DESIGNEE

10555 Guilford Rd Suite 119 - 121
Jessup, MD 20794

We have prepared a quote for you

UPFIT_UNMARKED_TAHOE

Quote # 005936 v1

Prepared for:
La Plata Police Dept (MD)

Prepared by:
Sarah Ellison

Lighting - Sirens

Description		Price	Qty	Ext. Price
	FULL VISOR AND REAR DECK			
ENFWBF-12	**nFORCE 8 Module Interior Windshield Lightbar, Split 2 Piece Shroud, 12 LEDs – Dual Color - 1/2 Red/White - 1/2 Blue/White - ENFWB01EVS - QSF140542**	$1,061.00	1	$1,061.00
ENFWBRF (12 LED)	**Sound Off - nFORCE 8 Module Interior Rear Deck Lightbar, Full 1 Piece Shroud, 12 LEDs Dual Color - R/A B/A - QSF140542 - ENFWB01EHC**	$1,061.00	1	$1,061.00
	GRILL LIGHTS			
PMP2BK016	**Grille Mount Bracket 3 Mod Kit for installation on 2025-2026 Chevrolet Tahoe, 2025-2026 Chevrolet Silverado 1500, 2025-2026 F-150, 2025 Ford Expedition for use with 3" and 4" Stud Mount, allows the lights to be attached to the front grille**	$57.00	2	$114.00
FLM4ST8-RBW	**mpower® Fascia 4" Light with Stud Mount 18 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU/WHT EMPS2006T-8 - QSF136460**	$154.00	6	$924.00
	SIDE/PROFILE LIGHTS			
FLM4ST8-RBW	**mpower® Fascia 4" Light with Stud Mount 18 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU/WHT EMPS2006T-8 - QSF136460**	$154.00	4	$616.00
PMP2WSDDB	**Dual Window Shroud Kit for 4" Light w/ Stud Mount - Black**	$19.00	2	$38.00
PSLVBK03	**Mounting Kit for SL Running Light includes: Bracket & Hardware Kit, Chevrolet Tahoe 2021-2026, Ford Maverick 2023 - 2025**	$25.00	2	$50.00
ESLRL6115J	**SL Running Light, 61" - 5 Module, Dual Color Red/Blue**	$336.00	2	$672.00
	TAILLIGHT FLASHER			
ETFBSSN-P	**Flashback Alternating Taillight Flasher, Solid State - 2.4 f.p.s.**	$54.00	1	$54.00
	CARGO AREA AND LIFT GATE TRIM LIGHTING			
EXFS10002-D	**XF Flush Mount Light, 10-30 Volts, 9.8" Cable, SAE J595 Class 1, CISPR 25, CA Title 13, ECE R65 & R10 - Dual Color Red/White**	$66.00	2	$132.00
FLM3SM8-J	**mpowerÂ® Fascia 3" Light with Screw Mount 8 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU EMPS103EX-J - QSF136460**	$128.00	2	$256.00

Lighting - Sirens

Description		Price	Qty	Ext. Price
60CREGCS	**Interior Light - 12 Diode Interior Light, Split Red/White, 6" Round Surface Mount, Includes Switches**	$164.00	1	$164.00
	SIREN AND SPEAKER SOLUTION			
ENGSA5101	**bluePRINTÂ® 500 Series Remote Amplifier with Link, 10-16v, 100 Watt single-tone**	$661.00	1	$661.00
ENGCP15001	**Handheld Controller with Microphone, compatible with bluePRINTÂ® Control Systems (Remote)**	$183.00	1	$183.00
ENGLNVH014	**Vehicle Harness for bluePRINTÂ® 500 with Link with 25' data cable for Chevrolet Tahoe 2024-2025, Chevrolet Silverado 2024 -2025**	$194.00	1	$194.00
ETSS100J5	**100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt**	$231.00	1	$231.00
ETSSVBK18	**100J/100U Series Speaker Bracket kit, includes Bracket (no drill mounts center of the core) and mounting kit for use on Chevrolet Silverado 1500 2019.5-2026, Tahoe 2021-2026**	$26.00	1	$26.00
			Subtotal:	**$6,437.00**

Antennas - Radios

Description	Qty
CUSTOMER PROVIDED IN CAR CHARGER FOR HANDHELD RADIO	

Installation

Description		Price	Qty	Ext. Price
VEHICLE-UPFIT-SUPPLIES	**Misc. Material to include connectors, wire, and hardware, fuse block, relays, and all needed install supplies**	$310.00	1	$310.00
Vehicle-Upfit-Unmarked	**Complete Upfit - Unmarked Police Car - Labor Only**	$2,640.00	1	$2,640.00
ALL PRICING BASED ON THE HOWARD COUNTY CONTRACT #4400005214 Contract Term: 10/01/2024 to 09/30/2026 Bid No. 2025-08, Vehicles, Upfitting Parts & Service				
			Subtotal:	**$2,950.00**

Shipping - Delivery

Description		Price	Qty	Ext. Price
Shipping	**Shipping and handling** Shipping	$65.00	1	$65.00
			Subtotal:	**$65.00**

UPFIT_UNMARKED_TAHOE

Prepared by:

Frontline Mobile Tech
Sarah Ellison
240-280-8964
Fax 2403604538
sellison@frontlinemobiletech.com

Prepared for:

La Plata Police Dept (MD)
101 Lagrange Ave
La Plata, MD 20646
Matt Norris
(301) 934-1500
mnorris@townoflaplata.org

Quote Information:

Quote #: 005936
Version: 1
Delivery Date: 03/30/2026
Expiration Date: 05/22/2026

Quote Summary

Description	Amount
Lighting - Sirens	$6,437.00
Installation	$2,950.00
Subtotal:	**$9,387.00**
Shipping:	**$65.00**
Total:	**$9,452.00**

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Frontline Mobile Tech

Signature: Sarah Ellison

Name: Sarah Ellison

Title: President

Date: 03/30/2026

La Plata Police Dept (MD)

Signature: _____

Name: Matt Norris

Date: _____

10555 Guilford Rd Suite 119 - 121
Jessup, MD 20794

We have prepared a quote for you

UPFIT_MARKED_TAHOE_QTY1

Quote # 005939 v1

Prepared for:
La Plata Police Dept (MD)

Prepared by:
Sarah Ellison

Lighting - Sirens

Description		Price	Qty	Ext. Price
	FULL VISOR AND REAR DECK			
ENFWBF-12	**nFORCE 8 Module Interior Windshield Lightbar, Split 2 Piece Shroud, 12 LEDs – Dual Color - 1/2 Red/White - 1/2 Blue/White - ENFWB01EVS - QSF140542**	$1,061.00	1	$1,061.00
ENFWBRF (12 LED)	**Sound Off - nFORCE 8 Module Interior Rear Deck Lightbar, Full 1 Piece Shroud, 12 LEDs Dual Color - R/A B/A - QSF140542 - ENFWB01EHC**	$1,061.00	1	$1,061.00
	GRILL LIGHTS			
PMP2BK014	**Grille Mount Bracket 1 Mod Kit for installation on 2025-2026 Chevrolet Tahoe**	$24.00	2	$48.00
FLM4ST8-RBW	**mpower® Fascia 4" Light with Stud Mount 18 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU/WHT EMPS2006T-8 - QSF136460**	$154.00	2	$308.00
	SIDE/PROFILE LIGHTS			
FLM4ST8-RBW	**mpower® Fascia 4" Light with Stud Mount 18 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU/WHT EMPS2006T-8 - QSF136460**	$154.00	4	$616.00
PMP2WSDDB	**Dual Window Shroud Kit for 4" Light w/ Stud Mount - Black**	$19.00	2	$38.00
PSLVBK03	**Mounting Kit for SL Running Light includes: Bracket & Hardware Kit, Chevrolet Tahoe 2021-2026, Ford Maverick 2023 - 2025**	$25.00	2	$50.00
ESLRL6115J	**SL Running Light, 61" - 5 Module, Dual Color Red/Blue**	$336.00	2	$672.00
	TAILLIGHT FLASHER			
ETFBSSN-P	**Flashback Alternating Taillight Flasher, Solid State - 2.4 f.p.s.**	$54.00	1	$54.00
	CARGO AREA AND LIFT GATE TRIM LIGHTING			
EXFS10002-D	**XF Flush Mount Light, 10-30 Volts, 9.8" Cable, SAE J595 Class 1, CISPR 25, CA Title 13, ECE R65 & R10 - Dual Color Red/White**	$66.00	2	$132.00
FLM3SM8-J	**mpowerÂ® Fascia 3" Light with Screw Mount 8 LED 9-32 Volt SAE with 8' Pigtail Black Housing with Clear Lens RED/BLU EMPS103EX-J - QSF136460**	$128.00	2	$256.00
60CREGCS	**Interior Light - 12 Diode Interior Light, Split Red/White, 6" Round Surface Mount, Includes Switches**	$164.00	1	$164.00

Lighting - Sirens

Description		Price	Qty	Ext. Price
	SIREN AND SPEAKER SOLUTION			
ENGSA5101	**bluePRINTÂ® 500 Series Remote Amplifier with Link, 10-16v, 100 Watt single-tone**	$661.00	1	$661.00
ENGCP18003	**Push Button Control Panel with Microphone, compatible with bluePRINTÂ® Control Systems (Remote)**	$198.00	1	$198.00
ENGLNVH014	**Vehicle Harness for bluePRINTÂ® 500 with Link with 25' data cable for Chevrolet Tahoe 2024-2025, Chevrolet Silverado 2024 -2025**	$194.00	1	$194.00
ETSS100J5	**100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt**	$231.00	1	$231.00
ETSSVBK18	**100J/100U Series Speaker Bracket kit, includes Bracket (no drill mounts center of the core) and mounting kit for use on Chevrolet Silverado 1500 2019.5-2026, Tahoe 2021-2026**	$26.00	1	$26.00
			Subtotal:	**$5,770.00**

Console - Mounts

Description		Price	Qty	Ext. Price
7170-1180-01	**2025+ Chevrolet Tahoe Wide Body Console Box with Internal Printer Mount, Cup Holder & Tall Armrest**	$827.00	1	$827.00
7160-0321	**Motorola APX 1500-8500 Remote Head, APX Series Radio and XTL 2500/5000 Control Head Full Faceplate**	$27.00	1	$27.00
20032	**SoundOff Signal 500 Series Remote Head Faceplate**	$0.00	1	$0.00
7300-0595-06	**Panasonic TOUGHBOOK 55 TrimLine Laptop Docking Station, Lite Port, DUAL RF with LIND Auto Power Adapter**	$1,220.00	1	$1,220.00
			Subtotal:	**$2,074.00**

Transport Systems

Description		Price	Qty	Ext. Price
PS-21TH-SC-OS-RLFX-LCP	**Troy - Single Cell Kit-Poly Rear Window-D/S FX, P/S Locking Cubby**	$2,685.00	1	$2,685.00
			Subtotal:	**$2,685.00**

Push Bar - Racks

Description		Price	Qty	Ext. Price
	BLAC-RAC SINGLE WEAPON RACK			
8211-18100	**KIT-WRS 1082-E-AR, Electronic, 8-Second Delay, 18" T-Channel (25019), Cold Wire (29004), with 2 MA209 keys**	$587.00	1	$587.00
	PUSH BUMPER WITH 4 TRI-COLOR LIGHTS			
BK2169TAH25	**PB450L4 Aluminum Bumper MPower w/Pad PART# BK2169TAH25**	$952.00	1	$952.00
			Subtotal:	**$1,539.00**

Antennas - Radios

Description		Price	Qty	Ext. Price
VEHICLE-UPFIT-SUPPLIES	**CUSTOM ANTENNA - RADIO 7/800, CELL, AND GPS FOR DOCK**	$248.00	1	$248.00
CUSTOMER PROVIDED RADIO, MIC, SPEAKER, AND ALL NEEDED WIRING				
			Subtotal:	**$248.00**

Misc Additions

Description		Price	Qty	Ext. Price
CP-21TH-CARGO	**2021-26 Tahoe tilt-up cargo mount with electronics tray. Mounts to vehicle floor. (Optional second tray CP-21TH-CARGO-TRAY).**	$725.00	1	$725.00
CP-21TH-CG-TRAY	**Tahoe optional tray with extended flange for CP-21TH-CARGO**	$181.00	1	$181.00
			Subtotal:	**$906.00**

Technology

Description		Price	Qty	Ext. Price
	ETIX TECHNOLOGY			
3320G-LTC-ETIX	**3320G Vuquest 2D Barcode Imaging Kit for Maryland E-TIX. IncludesScanner and 9.5' Straight USB Interface Cable**	$343.00	1	$343.00

Technology

Description		Price	Qty	Ext. Price
PJ823-VK	**Brother PJ-823 Mobile Direct Thermal Printer - Monochrome - Portable - Label Print - USB - USB Host - 11" Print Length x 8" Print Width - 7.6 lpm Mono - 300 x 300 dpi - 8.50" Label Width - ESC/P, Raster, ZPL2 Emulation - For Android, PC, Mac**	$564.00	1	$564.00
27402	**C2G 11in 4-Port USB Splitter - 3 USB A Ports and 1 USB Mini B Plug - USB 2.0 - Gray**	$16.00	1	$16.00
	ARBITRATOR			
ARB-M90	**Panasonic Wireless Microphone - 900 MHz**	$937.00	1	$937.00
IPS-ICV4-ACC	**Panasonic Accessory/Cable Kit**	$804.00	1	$804.00
WV-VC31	**Panasonic Rear Seat Camera - Rear View - 1280 x 720 Video**	$544.00	1	$544.00
WJ-VPU4000	**VPU4000 RECORDING UNIT ONLY**	$4,032.00	1	$4,032.00
WV-VC35	**i-PRO ICV FRONT WIDE ANGLE FHD CAMERA WITH G-FORCE SENSOR, NOT INCLUDING ETHERNET CABLE.**	$1,090.00	1	$1,090.00
IPS-ICV4-ANT-BL	**i-PRO ICV4000 PANORAMA SHARK FIN ANTENNA FOR VPU4000, 4 WLAN, 1 BT, 1 GPS BLACK, 6.77INX2.4IN BOLT-ON.**	$384.00	1	$384.00
IPS-ICV-UDE-OP1	**i-PRO ICV UDE ON-PREMISE DEVICE LICENSE FOR 1 YEAR, INCL. DEVICE MANAGEMENT, LIVE STREAMING AND REDACTION. SERVICE ENTITLEMENTS: 24X7 HELP DESK, SOFTWARE MAINTENANCE AND SUPPORT.**	$146.00	1	$146.00
	BWC VEHICLE EQUIPMENT			
WV-BWC40D1A	**Panasonic Cradle - Docking - Wearable Camera - Charging Capability**	$271.00	1	$271.00
IPS-BWC4-12V-WIRE	**BWC4000 12V VEHICLE HARNESS FOR WV-BWC40D1A OR WV-BWC40C1A**	$41.00	1	$41.00
IPS-ICV-ETH-DOCK	**i-PRO Ethernet Rj45 Shielded Cable, 25Ft, Green - 25 ft RJ-45 Network Cable for Network Device - Shielding**	$45.00	1	$45.00
			Subtotal:	**$9,217.00**

Installation

Description		Price	Qty	Ext. Price
Vehicle-Upfit-Marked	**Complete Upfit - Marked Patrol Car - Labor Only**	$5,280.00	1	$5,280.00
VEHICLE-UPFIT-SUPPLIES	**Misc. Material to include connectors, wire, and hardware, fuse block, relays, and all needed install supplies**	$365.00	1	$365.00
			Subtotal:	**$5,645.00**

Shipping - Delivery

Description		Price	Qty	Ext. Price
Shipping	**Shipping and handling** Shipping	$1,100.00	1	$1,100.00
			Subtotal:	**$1,100.00**

UPFIT_MARKED_TAHOE_QTY1

Prepared by:

Frontline Mobile Tech
Sarah Ellison
240-280-8964
Fax 2403604538
sellison@frontlinemobiletech.com

Prepared for:

La Plata Police Dept (MD)
101 Lagrange Ave
La Plata, MD 20646
Matt Norris
(301) 934-1500
mnorris@townoflaplata.org

Quote Information:

Quote #: 005939
Version: 1
Delivery Date: 03/30/2026
Expiration Date: 04/29/2026

Quote Summary

Description	Amount
Lighting - Sirens	$5,770.00
Console - Mounts	$2,074.00
Transport Systems	$2,685.00
Push Bar - Racks	$1,539.00
Antennas - Radios	$248.00
Misc Additions	$906.00
Technology	$9,217.00
Installation	$5,645.00
Subtotal:	**$28,084.00**
Shipping:	**$1,100.00**
Total:	**$29,184.00**

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Frontline Mobile Tech

Signature: Sarah Ellison

Name: Sarah Ellison

Title: President

Date: 03/30/2026

La Plata Police Dept (MD)

Signature: _____

Name: Matt Norris

Date: _____

Howard County, Maryland

OFFICE OF PROCUREMENT AND CONTRACT ADMINISTRATION
6751 Columbia Gateway Drive, Suite 226
Columbia, MD 21046
(410) 313-6370
Tax Exemption No. 30001219

PREVIEW

Contract Number: 4400005214

Service Contract	
Contract Number:	4400005214
Vendor Number:	1113008
Date:	09/19/2024
Contract Term:	10/01/2024 to 09/30/2026
Header Target:	$2,250,000.00
Ceiling Value:	2,250,000.00 Over 6 Years
Buyer:	Shelley Liby, CPPB
Telephone:	410-313-6379
Fax Number:	410-313-6388
Email:	sjliby@howardcountymd.gov

FRONTLINE MOBILE TECH LLC
10555 GUILFORD RD SUITE 119-121
JESSUP MD 20794
USA

Delivery Terms: Free On Board Destination
Payment Terms: Net Due Within 30 Days

Contract text:
Invitation for Bid No. 2025-08, Vehicles, Upfitting Parts & Service

Contract Change No. 5, 09/26/2025. This contract change is for the purpose of exercising the first of five (5) one-year renewal options for the period of 10/01/2025 to 09/30/2026. All other terms and conditions remain unchanged.

All invoices shall reflect the Contract Number, release Purchase Order Number, and the contract Line Item Numbers. Invoices against contract lines with discounts, rather than unit prices, must show the list price, discount amount and net pricing for each item.

The vendor must maintain, in full force and current, the insurance coverage required under the terms and conditions of this contract while this contract is in effect, including any renewal terms.

The Ceiling Value is representative of multiple contract terms and does not represent the value of one year's services.

Vendor Contact: Sarah Ellison, 240-280-8964, Email: sellison@frontlinemobiletech.com

Agency Contact: Adam D. Brown, 410-313-2047, email: adbrown@howardcountymd.gov

Item	NIGP Code	Description	Unit	Price
1	96719	AutomotiveEquip&Supp.,PowerMngt&Wiring		
		Price(Contract/Bid)	1 EA	1.00 USD

Item	NIGP Code	Description	Unit	Price

Material Text:
Automotive Equipment and Supply - Power Management & Wiring

Power Management System , 911 Circuits - 18%, All Fleet Solutions - 10%

Grill Lamp/Siren Speaker Pre-Wire, Front Line Mobile Tech - 25%, 911 Circuits - 18%, All Fleet Solutions - 10%

Wiring Prep Package (Radio, Camera, Radar ETC.), Front Line Mobile Tech - 25%, 911 Circuits - 18%, All Fleet Solutions - 10%

Custom Wiring Harnesses, Front Line Mobile Tech - 25%, 911 Circuits - 18%, All Fleet Solutions - 10%

Anti-Theft Systems, Tremco - 5%, SafeStop - 10%, SoundOff Signal - 55%, Jotto Desk - 40%

Auxiliary Battery, Odyssey - No Bid

2	96719	AutomotiveEquip&Supp EmergLighti&Equip			
		Price(Contract/Bid)	1 EA	1.00	USD

Material Text:
Automotive Equipment and Supply - Emergency Lighting & Equipment

Spotlight, Whelen - 42%, SoundOff Signal - 55%, Unity Spotlight - 18%

Lightbar (Interior/Exterior), Whelen:46% - SoundOff Signal - 56%, Code 3 - 44%, Federal Signal - 44%

Visor Lights, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

Grille Lights, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

Mirror Lights, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

B-Pillar Lights, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

Corner Lights, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

Traffic Advisor, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

Item	NIGP Code	Description	Unit	Price

Interior Dome Lights, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

Siren Controller, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

Single/Dual Sirens, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

Rear Lighting Solutions, SoundOff - 56%, Code 3 - 44%, Whelen - 46%, Federal Signal - 44%

3 96719 AutomotiveEquip&SuppPrisonerContainment

Price(Contract/Bid) 1 EA 1.00 USD

Material Text:
Automotive Equipment and Supply - Prisoner Containment, Weapon, K-9 System, Covers & Barriers

Prisoner Partition, Troy - 30%, Setina - 28%, Pro-Gard - 20%, Jotto Desk - 28%, Gamber Johnson - 20%, Westin - 20%

Window Barriers, Troy - 30%, Setina - 28%, Pro-Gard - 20%, Jotto Desk - 28%, Gamber Johnson - 20%, Westin - 20%

Door Covers, Troy - 30%, Setina - 28%, Pro-Gard - 20%, Jotto Desk - 28%, Gamber Johnson - 20%, Westin - 20%

Hidden Door Lock Plungers, No Bid , must be purchased by vehicle manufacturer

Weapon Mounting Systems, Troy - 30%, Setina - 28%, Pro-Gard - 20%, Blac Rac - 18%, Lund Industries - 20%

K-9 Insert, Havis - 38%, American Aluminum - 18%, Setina - 28%

K-9 Accessories, Havis - 38%, American Aluminum - 18%, Setina - 28%, AceK9 - 2%, Ray Allen - 2%

Truck Bed Covers, Cap World - 10%

4 96719 AutomotiveEquio&SuppProtection&Equipment

Price(Contract/Bid) 1 EA 1.00 USD

Item	NIGP Code	Description	Unit	Price

Material Text:
Automotive Equipment and Supply - Protection & Equipment

Ballistic Panels (Level III to Level IV), AngelArmor - 15%, ProGard - 20%
Jotto Desk - 18%

Black Out System - Intermotive - 10%

Push Bumpers, Westin - 20%, Setina - 28% Pro-Gard - 20%, Troy Products - 30%, Gamber Johnson - 20%

Center Console & Equipment, Gamber Johnson - 38%, Havis - 38%, Troy Products - 35%, Jotto Desk - 35%, Westin/HINT - 20%, Plastics Plus - 15%, PMT (Precision Mounting) - 38%

Computer Mounting Systems, Gamber Johnson - 38%, Havis - 38%, Troy Products - 35%, Jotto Desk - 35%, Westin/HINT - 20%, Plastics Plus - 15%, PMT (Precision Mounting) - 38%

Spray-On Bed Liners, Line X - 5%

5	96719	AutomotiveEquip&Supply Installtion			
		Price(Contract/Bid)	1	HR	85.00 USD

Material Text:
Automotive Equipment and Supply - Installation Labor Charges

Upfit Labor Charge per hour - $85.00

6	96719	VehicleUpfit Parts & Service IncidentExp			
		Price(Contract/Bid)	1	EA	1.00 USD

Material Text:
Automotive Equipment & Supply, Incidental Expenses

7	96719	VehicleUpfit Parts, Panasonic Toughbooks			
		Price(Contract/Bid)	1	EA	1.00 USD

TERMS AND CONDITIONS APPLICABLE TO CONTRACTS

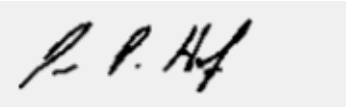
1. This is notice that the Contract referenced above has been awarded to you based on the bid or proposal you submitted. All terms, conditions and specifications of the solicitation, when the result of a solicitation, will apply to all orders.

OFFICE OF PROCUREMENT AND CONTRACT ADMINISTRATION
6751 Columbia Gateway Drive, Suite 226
Columbia, MD 21046
(410) 313-6370

2. Any County agency authorized to purchase from this Contract must issue a release Purchase Order and reference the Contract number and line number for each of the goods and/or services on the Contract.
3. This is not an order to ship goods or begin services. A release Purchase Order must be issued before you are authorized to ship goods or begin services.
4. Changes in goods to be furnished or services to be performed are not permitted unless approved by the Office of Procurement and Contract Administration prior to goods being shipped or services being performed. Prior approval of the Office of Procurement and Contract Administration is also required before goods or services can be added or deleted.
5. The Contractor must supply actual goods and services ordered at the Contract price.
6. Contractors must maintain, in full force and current, the insurance coverage required under the terms and conditions of this Contract while this Contract is in effect, including any renewals thereof.
7. The County is exempt from State and Federal Excise Taxes. Maryland Sales and Use Tax Exemption Certificate No. 30001219.
8. Invoices for release Purchase Orders against this Contract must include:
a. Contractor's name;
b. Address;
c. Federal tax identification number;
d. Contract number (the first two digits are 44XXXXXXXX) and Contract Line number (shown under each item description as 44XXXXXXXXX/X – the last digit is the Contract Line number);
e. Purchase Order number (the first digit is 2XXXXXXXXX);
f. Unit price and extended price (the unit price must match a Contract Line on the Contract); and
g. Description of goods provided and/or services performed as show on this Contract.
9. Termination
a. Termination for Convenience: The County may terminate this Contract, in whole or in part, whenever the County determines that such termination is in the best interest of the County, without showing cause, upon giving at least 30 days written notice to the Contractor. The County shall pay all reasonable costs incurred by the Contractor up to the date of termination. However, in no event shall the Contractor be paid an amount which exceeds the price bid for the work performed or goods delivered. The Contractor shall not be reimbursed for any profits which may have been anticipated but which have not been earned up to the date of termination.
b. Termination for Default: When the Contractor has not performed or has unsatisfactorily performed one or more material terms of the Contract, the County may terminate the Contract for default. Upon termination for default, payment may be withheld at the discretion of the County. Failure on the part of a Contractor to fulfill the Contractual obligations of this Contract shall be considered just cause for termination of the Contract. If the damages exceed the undisbursed sums available for compensation, the County shall not be obligated to make any further disbursements hereunder. The Contractor will be paid for work satisfactorily performed prior to termination less any excess costs incurred by the County in reprocuring and completing the work or obtaining the goods.
10. Remedies for Default
a. The County shall have the right upon the happening of any default, without providing notice to the Contractor:
i. In addition to other available rights and remedies, to terminate the Contract immediately, in whole or in part;
ii. To suspend the Contractor's authority to receive any undisbursed funds; and/or
iii. To proceed at any time or from time to time to protect and enforce all rights and remedies available to the County, by suit or any other appropriate proceedings, whether for specific performance of any covenant, term or condition set forth in this Contract, or for damages or other relief, or proceed to take any action authorized or permitted under applicable law or regulations.
b. Upon termination of this Contract for default, the County may elect to pay the Contractor for services provided and/or goods delivered up to the date of termination, less the amount of damages caused by the default. If the damages exceed the undisbursed sums available for compensation, the County shall not be obligated to make any further disbursements hereunder.
11. Remedies Cumulative and Concurrent
No remedy herein conferred upon or reserved to the County is intended to be exclusive of any other remedies provided for in this Contract, and each and every such remedy shall be cumulative, and shall be in addition to every other remedy given hereunder, or under this Contract, or now or hereafter existing at law or in equity or by statute. Every right, power and remedy given to the County shall be

concurrent and may be pursued separately, successively or together against the Contractor, and every right, power and remedy given to the County may be exercised from time to time as often as may be deemed expedient by the County.

Buyer

Authorized Signature 

FOR LEGISLATIVE USE ONLY

Item Number: 20026-0861

Date of Meeting: June 23, 2026

Agenda Item Summary

MEETING GROUP:	Town Council
STAFF RESOURCE:	Chuck Stevens, Town Manager
DEPARTMENT:	Executive
TYPE:	Town Council Resolution
SUBJECT:	Amendment to Ground Lease — Town of La Plata and Charles County (La Plata Library)

BACKGROUND:

The Town of La Plata is the Landlord under a 99-year Ground Lease dated February 19, 2022, recorded among the Land Records for Charles County at Liber 12479, Folio 200, with the County Commissioners of Charles County as Tenant. The Ground Lease provides the legal framework under which the County is developing the La Plata Library on Town-owned property located on the east side of Washington Avenue, north of Maryland Route 6.

As the County has advanced its design and pre-development work for the library project, its review of title to the property has identified certain administrative matters that the parties have agreed to address through a formal Amendment to the Ground Lease. The proposed Amendment, dated in 2026, reflects an agreement between the Town and the County to address these matters in a manner that allows the project to proceed. The Amendment is the product of negotiation between the parties and their respective legal counsel.

FISCAL IMPACT:

There is no immediate fiscal impact associated with execution of this Amendment.

STRATEGIC PLAN ALIGNMENT:

This item aligns with Strategic Plan Goal #1 — Good Governance, which commits the Town to serving as responsible stewards of community trust through transparent and accountable decision-making. Execution of this Amendment advances the Town's existing obligations under the Ground Lease and supports the County's delivery of a significant public facility for the benefit of La Plata residents.

The library project also supports Goal #4 — Community Identity, by enhancing public amenities and enriching the quality of life for residents and visitors.

SUSTAINABILITY CONSIDERATIONS:

This Amendment is an administrative action related to the existing Ground Lease and does not directly implicate sustainability considerations. The library project itself, as it advances through design and construction, will be subject to applicable sustainability standards under the County's capital project requirements.

ADA CONSIDERATIONS:

The Amendment addresses administrative matters relating to the Ground Lease. ADA compliance obligations for the library facility are addressed within the Ground Lease itself (Section 3.4), which requires the County to comply with the Americans with Disabilities Act and all applicable accessibility standards in the design, construction, and operation of the Project.

RECOMMENDED ACTION:

Adopt Resolution 26-38, authorizing the Town Manager to execute the Amendment to Ground Lease between the Town of La Plata and the County Commissioners of Charles County, Maryland, in substantially the form presented.

ATTACHMENTS:

1. Amendment to Ground Lease — Town of La Plata and County Commissioners of Charles County, Maryland (2026)

2. Ground Lease — Town of La Plata and County Commissioners of Charles County, Maryland, dated February 19, 2022

COUNCIL OF THE TOWN OF LA PLATA
Resolution 26-38

Introduced By: **Mayor Jeannine E. James, by request**

Date Introduced: **June 23, 2026**

Date Adopted:

Date Effective:

A RESOLUTION concerning

Charles County Public Library – Amendment to Ground Lease

FOR the purpose of authorizing the Town Manager to amend a Ground Lease between the County Commissioners of Charles County, Maryland, for real property located in the Town of La Plata; and all matters generally relating thereto.

* * * * * * * * * * * * * * * * * *

WHEREAS, the Council of the Town of La Plata and the County Commissioners of Charles County, Maryland, (hereinafter "Parties") entered into a ninety-nine (99) year Ground Lease dated February 19, 2022, and recorded among the Land Records for Charles County, Maryland at Liber 12479, folio 200 (hereinafter "Ground Lease") for real property located in the Town of La Plata, for the purpose of constructing a public library (hereinafter "Project") to serve the citizens of Charles County; and

WHEREAS, the Parties supplemented the Ground Lease by means of an Addendum to Ground Lease, adopted by the Council of the Town of La Plata on December 12, 2023, as Resolution 23-41; and

WHEREAS, while the Parties desire to preserve the transaction reflected in the Ground Lease dated February 19, 2022, certain supplementation of the Ground Lease is required in order to expressly grant the County Commissioners of Charles County, Maryland, with the requisite authority and rights necessary to proceed with the Project, as defined in the Ground Lease and Addendum to Ground Lease, as stipulated in Attachment 1 of Resolution 26-38, "Amendment to Ground Lease."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LA PLATA that Noel C. Stevens, Town Manager, is hereby authorized to execute and deliver, on behalf of the Town of La Plata, an Amendment to the Ground Lease with the County Commissioners of Charles County, attached hereto as Attachment 1 and hereby adopted and incorporated herein by reference; and

AND BE IT FURTHER RESOLVED that the Council of the Town of La Plata hereby grants Noel C. Stevens, Town Manager, full authority to make, approve, and execute subsequent amendments to the Ground Lease dated February 19, 2022, and recorded among the Land Records for Charles County, Maryland at Liber 12479, folio 200, and to take other related and conforming actions as may be necessary to adapt to evolving conditions relevant to the Project, provided such changes or actions do not substantially alter the intent of the Ground Lease.

ADOPTED AND APPROVED by the Council of the Town of La Plata this _____ day of _____, 2026.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

_____
Jeannine E. James, Mayor

_____
Paul C. Guttenberg, Councilman

_____
Patrick McCormick, Councilman

ATTEST:

_____
Gregory Sampson, Jr., Councilman

_____
Shelby Pritchett
Town Clerk
Date: _____

_____
Tyjon C. Johnson, Councilman

AMENDMENT TO GROUND LEASE

This Amendment to Ground Lease (the "**Amendment**") is made this ____ day of_____, 2026, by and between the Town of La Plata, a Maryland municipal corporation (the "**Landlord**"), and the County Commissioners of Charles County, Maryland, a body corporate and politic, its successors and assigns (the "**Tenant**").

WITNESSETH:

WHEREAS, the Landlord and the Tenant are parties to a certain Amended and Restated Ground Lease dated_____, recorded among the Land Records of Charles County, Maryland, in Liber_____, at Folio _____ (the "Ground Lease"); and

WHEREAS, the parties desire to amend the Ground Lease to clarify certain title issues (collectively, the "Title Issues") of concern to the Tenant, as a result of the Tenant's review of title to the Property, as more particularly set forth below in this Amendment.

NOW, **THEREFORE**, in consideration for the mutual promises and covenants of the parties, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1) Capitalized terms used and not defined in this Amendment shall have the meanings set forth in the Ground Lease.
2) The Tenant has notified the Landlord of two Title Issues regarding the Property of concern to the Tenant:
   a) The subdivision plat under which a portion of the Property was subdivided, entitled "Land of Mrs. Mary A. Posey", recorded among the aforesaid Land Records in Plat Book 51, at Folio 77, depicts a roadway which has never been improved or used known as "20 Foot Road" (the "Paper Street"). In connection with the pursuit of the Project on the Property, the Tenant wishes to assure that no third-party has any right, claim, title, estate or interest in or to the Paper Street; and
   b) The Tenant has designed the Project to have two access points, one from Washington Avenue, and one from Maple Avenue. A review of title to the Property indicates that all or a part of Maple Avenue may not be owned in fee simple by the Landlord and/or that there may be a gap in ownership between the Property and the publicly owned and maintained area of Maple Avenue, as depicted on Exhibit A attached hereto and made a part hereof (the "Maple Avenue Issue"). The Landlord asserts an ownership claim to Maple Avenue and further, upon acquisition of the Property, the Landlord was issued an owner's title insurance policy dated June 30, 2021 (the "Landlord's Title Insurance"), issued by Chicago Title Insurance Company (the "Title Insurer"), which does not take exception to, or mention, the Maple Avenue Issue. Further, the

Landlord's Title Insurance insures that the Landlord has access to the area of the Property which abuts Maple Avenue. Nonetheless, the Tenant has raised the Maple Avenue Issue as a title concern of the Tenant.

3) In order to address the Tenant's concerns regarding the Paper Street and the Maple Avenue Issue, and to thereby facilitate the Project on the Property, (i) if a third-party ever asserts a claim or right or any estate or interest in or to the Paper Street; or (ii) if a third-party ever blocks or attempts to block vehicular and/or pedestrian access across and over Maple Avenue to the Project, or if a third-party ever challenges the right to the use and enjoyment of Maple Avenue for the benefit of the Project, the Landlord hereby agree as follows:
    (i) The Landlord will make a claim on the Landlord's Title Insurance to the Title Insurer; or, at the option of the Landlord,
    (ii) The Landlord will institute legal proceedings in the Circuit Court for Charles County, Maryland, to quiet title to its ownership of the area of the Property in question, whether the Paper Street or Maple Avenue Issue; or, at the option of the Landlord,
    (iii) The Landlord will take such other steps as may be legally necessary and/or appropriate, to assure the continued use and enjoyment of the full area of the Property in question whether the Paper Street or the Maple Avenue Issue, which may include, at the option of the Landlord, condemnation proceedings; and, in any of the above events,
    (iv) The Landlord shall take any or all of the above actions at its sole cost and expense, and shall defend, indemnify and hold harmless the Tenant against any loss, liabilities, claims and/or expenses arising from or in any way related to any and all such actions, and/or the loss of use of the area of the Paper Street for stormwater management and drainage facilities, and/or of Maple Avenue for pedestrian and vehicular access to the Project; provided, however, if the Landlord pursues legal proceedings in the Circuit Court for Charles County, Maryland, as set forth in Item (ii) above, the Landlord and the Tenant shall share equally all costs and expenses of pursing such legal action, including, but not limited to, attorneys fees incurred in connection with such legal action. Landlord and Tenant shall mutually agree to certain legal costs and fees in connection with Item (ii) in advance of said costs or fees being incurred.
4) In addition to the above, it is acknowledged that the Landlord has obtained quit claim deeds to the Paper Street from two owners of parcels adjacent to the Paper Street, being 202 Washington Avenue, LLC, and Maredith Building Condominium, Inc., and

Washington Street Development, LLC, which deeds will or have been recorded among the aforesaid Land Records at the expense of the Landlord.

5) If and when triggered, it shall be in the Landlord's sole and absolute discretion to determine the order and priority of the Landlord's efforts to resolve any of the Title Issues in accordance with Section 2 above. If, at any time, the Tenant learns of any third-party challenge and/or action which would trigger the Landlord's obligations under Section 2 above, the Tenant shall provide the Landlord with prompt written notice thereof. Conversely, if the Landlord learns of any third-party challenge or action involving the facts and circumstances associated with the Paper Street or the Maple Avenue Issue, the Landlord shall provide the Tenant with prompt written notice thereof.
6) The Tenant acknowledges that it has reviewed title to the entire area of the Property, and that, except for the Title Issues, the Tenant finds title to be acceptable for the pursuit of the Project on the Property. The Tenant is advised to obtain its own Leasehold Title Insurance Policy with respect to its interest in the Property and the Project. The parties acknowledge and agree that the facts and circumstances described herein with respect to the Title Issues shall constitute a modification of the provisions of Section 4.1 (b) of the Ground Lease.
7) The parties shall maintain the terms and provisions of this Amendment confidential, and shall not disclose the same to third parties, unless legally compelled to do so. This Amendment shall not be recorded among the aforesaid Land Records.
8) This Amendment shall be binding upon, and shall inure to the benefit of, the parties hereto, and their respective successors and assigns. This Amendment shall be governed and construed in all respects in accordance with the laws of the State of Maryland.
9) This Amendment to the Ground Lease shall continue in full force and effect until such time as the Title Issues have been satisfactorily resolved, as determined in the Tenant's reasonable discretion.
10) This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, and all of which, taken together, shall be deemed one in the same instrument.

IN WITNESS WHEREOF, the undersigned have hereunto placed their hands and seals as of the date and year first above written.

WITNESS/ATTEST:

LANDLORD:
Town of La Plata, a Maryland municipal corporation

_____

By:_____(SEAL)
Noel C. Stevens, Town Manager

State of Maryland
County of _____, to wit:

I HEREBY CERTIFY that on this _____ day of_____, 2026, before me, the subscriber, a Notary Public of the State of Maryland, in and for the State and County aforesaid, personally appeared Chuck Stevens, as the duly authorized Town Manager of the Town of La Plata, a Maryland municipal corporation, known to me to be the person whose name is subscribed to the within instrument and he did acknowledge that he executed the same for the purposes therein contained in such capacity on behalf of said municipal corporation.

AS WITNESS MY HAND AND NOTARY SEAL.

_____
Notary Public
My commission expires:_____

WITNESS/ATTEST:

TENANT:
County Commissioners of Charles County, Maryland, a body corporate and politic

_____

By:_____(SEAL)
Name:_____
Title:_____

State of Maryland
County of _____, to wit:

I HEREBY CERTIFY that on this _____ day of_____, 2026, before me, the subscriber, a Notary Public of the State of Maryland, in and for the State and County aforesaid, personally appeared _____, as the duly authorized _____ of the County Commissioners of Charles County, Maryland, a body corporate and politic, known to me to be the person whose name is subscribed to the within instrument and he/she did acknowledge that he/she executed the same for the purposes therein contained in such capacity on behalf of sole body corporate and politic.

AS WITNESS MY HAND AND NOTARY SEAL.

_____
Notary Public
My commission expires:_____

Y:Aliya/Amendments/AMENDMENT TO GROUND LEASE.docx

GROUND LEASE

THIS GROUND LEASE (this "Lease") is made as of the 19 day of February 2022 by and between **TOWN OF LA PLATA**, a Maryland municipal corporation located in Charles County, its successors and assigns (the "Landlord"), and **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**, a body corporate and politic, its successors and assigns, (the "Tenant"), Landlord and Tenant individually "Party" and collectively "Parties".

WITNESSETH:

WHEREAS, the Landlord is fee simple owner of the parcel of land (the "Property") lying on the east side of Washington Avenue in the Town of La Plata north of Maryland Route 6, which Property is more particularly depicted and described on Exhibit A attached hereto and incorporated herein by reference. The Property is the "Lease Area" referred to in this Lease; and

WHEREAS, the Tenant intends to develop a public library facility with ancillary parking facilities (the "Project"). The library facility shall mean a building which is used completely for the housing of collections of books and other media, which is open to the general public, for reading, borrowing or reference; provides spaces for meeting areas and presentation activities; and such additional spaces for the maintenance, operation and curation of said collection and activities; and

WHEREAS, the Landlord desires to grant to the Tenant a ninety-nine (99) year Ground Lease for the Property on which the Tenant shall cause to be developed and to operate the Project upon the terms, covenants, conditions and easements set forth in this Lease; and

WHEREAS, the Town Council of the Town of La Plata pursuant to Ordinance No. 21-___ approved this Lease; and

NOW, THEREFORE, IN CONSIDERATION of the foregoing WHEREAS paragraphs that are a material part of this Lease and not merely prefatory, and of the mutual covenants and promises of the Parties contained in this Lease, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Landlord and the Tenant agree as follows:

ARTICLE I

Lease of Property

1.1. **Lease of Property**. The Landlord hereby leases to the Tenant, and the Tenant hereby leases from the Landlord, the Lease Area upon the terms, covenants, conditions and easements set forth in this Lease. The Landlord leases and the Tenant accepts the Lease Area in "as is, where is," condition, without representations or warranties.

1.2. **Term.** The term of the Lease (the "Term") shall begin as of the date that Landlord and the Tenant execute this Lease ("Effective Date"), and shall continue, subject to earlier termination as provided herein, for a period of ninety-nine (99) years (the "Termination Date") from the Effective Date.

1.3. **Ownership of Improvements.** Throughout the Term of this Lease, the Tenant shall be the owner of all improvements (hereinafter defined as bricks and mortar construction and items that typically become fixtures on the land) erected on and personal property placed on the Lease Area by or on behalf of the Tenant. The Tenant will have the burdens and benefits of ownership for federal and state income tax purposes and will be entitled to all depreciation, amortization, profits, losses, income, and tax credits attributable to the Project during the Term. At the expiration or termination of this Lease:

(a) the Tenant shall have the right to remove the improvements erected for the Project, including all fixtures. Tenant shall notify Landlord in writing of its intention to remove the improvements and/or fixtures no later than one (1) year prior to the expiration of the Lease. Improvements not removed by the Tenant upon expiration or termination of this Lease shall become the property of the Landlord;

(b) the Tenant shall have the right to remove personal property placed on or in the Project by the Tenant, and any personal property not so removed by the Tenant upon expiration or termination of this Lease shall become the sole property of the Landlord;

(c) the Tenant shall leave the Property in good and serviceable condition, normal wear and tear excepted; and

(d) all interests in the Property shall revert to the Landlord.

1.4. **Limitations on Leasehold Estate.** In addition to any other rights of the Landlord contained or reserved in this Lease, or other limitations on the Tenant's leasehold estate, the Landlord's lease of the Lease Area and the Tenant's acceptance of the leasehold estate, is subject to use by the general public of certain public improvements, to include sidewalks and roadways, constructed by Tenant in connection with the Project. The Parties hereby acknowledge that dedication of public improvements by Tenant to Landlord shall be made consistent with applicable Town of La Plata and Charles County ordinances and regulations, and shall be memorialized in a subsequent dedication agreement or series of dedication agreements.

The Parties further agree to approve the recordation upon the Property of any easements necessary to permit public, quasi-public and private utility companies to install, improve, alter, maintain, repair and replace water, telephone, electric, gas, cable television and other utility lines and utility appurtenances in, on, under and through the Project, and agree to join in and otherwise cooperate in the granting of such utility easements and to execute and deliver such plats, instruments, documents and agreements as may be necessary to evidence such easements, subject to review and comment of the Landlord.

(c) The Parties further agree to any reservations by Landlord depicted or described on Exhibit A.

ARTICLE II

Landlord Obligations

2.1. **Quiet Enjoyment**. As long as the Lease is in full force and effect and Tenant is not in default beyond notice and grace periods hereunder, Tenant shall and may (subject, however, to the exceptions, reservations, terms and conditions of this Lease) peaceably and quietly have, hold and enjoy the Property for the term hereby granted without molestation or disturbance by or from Landlord and all persons claiming under, by, or through the Landlord and free of any encumbrance created or suffered by Landlord, except those encumbrances, liens or defects of title, created or suffered by Tenant.

ARTICLE III

Tenant Obligations

3.1. **Rent**. Rent during the Term shall consist of annual rent. Annual rent consists of the Ground Lease Annual Payments.

(a) **Ground Lease Annual Payments.** Starting upon execution of this Lease by the Parties, Tenant shall pay rent to the Town in the form of a Ground Lease Annual Payment. The Ground Lease Annual Payment shall be One Dollars ($1.00), to be paid on the same date annually for the duration of the Term.

3.2. **Net Lease**. All Rent shall be absolutely net to the Landlord, so that this Lease shall yield net to the Landlord the Rent. Accordingly, in addition to Annual Rent, the Tenant shall pay all costs, expenses and obligations of every kind or nature relating to the Property and Project, which may arise or become due during the Term (including, without limitation, any taxes or assessments on the Property or Project or any payment-in-lieu-of-taxes due on the Property or Project). The Tenant shall indemnify and hold harmless the Landlord from and against the payment of any such costs or expenses.

3.3. **Use of Property**. The Lease Area shall be used by the Tenant for the construction and operation of the Project (a public library facility with ancillary parking facilities) and such other ancillary facilities, related to the Project, as it deems necessary for the operation of the Project, but in no circumstances for other uses without the consent of the Landlord.

3.4. **Compliance With Laws**. In its design, construction, use and maintenance of the Project and the improvements on the Project, the Tenant shall comply with all applicable federal, Maryland (the "State"), Town and Charles County (the "County") laws and regulations. In particular, and without limitation, the Tenant shall comply in all respects with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, Title 20 of the State Government Article of the Maryland Annotated Code, and any other laws that prohibit discrimination on the grounds

of race, religion, color, national origin, sex, age, physical or mental handicap or disability, or any other class or characteristics protected by applicable law.

3.5. **Utility Construction, Maintenance and Fees.**

(a) The Tenant shall at its own cost and expense, be solely responsible for the construction, installation, improvement, alteration, maintenance, repair and replacement of all utility systems within the Project. All work performed in connection with the Tenant's foregoing responsibilities shall meet applicable Town requirements.

(b) The Tenant shall be responsible at its own cost and expense for extending electric service to the Project including installing all necessary conduits, transformer pads, duct banks and termination cabinets. During the Term, the Tenant shall be responsible at its own cost and expense for all improvements, alterations, maintenance, repairs and replacements of said electric service.

(c) The Tenant shall be responsible at its own cost and expense for extending and connecting gas, telephone, and cable television services to the Project. During the Term, the Tenant shall be responsible at its own cost and expense for all improvements, alterations, maintenance, repairs and replacement of those services.

3.6. **Payment of Taxes, Insurance Premiums and Utilities.** The Tenant, upon execution of this Lease, covenants duly and punctually to pay and discharge all taxes, payments-in-lieu-of-taxes, assessments, utility bills whether public or private, and other governmental or municipal dues, charges, levies and impositions, which are or may be imposed upon the Property or Project together with all insurance premiums as provided in Sections 5.1 and 5.2 of this Lease. The Tenant shall pay all such taxes, payments-in-lieu-of-taxes, utility bills and insurance premiums before the same become delinquent or subject to interest or penalties, unless the same are being contested in good faith.

3.7. **Indemnification**. The Tenant shall defend, indemnify and hold harmless the Landlord and its agents, servants, officials and employees from and against any and all loss, damage, cost, expense or liability, including court costs and actual and reasonable attorney's fees and expenses, in any way arising out of any acts or omissions on the part of the Tenant, its agents, servants, officers, employees, invitees, tenants, guests and invitees in the development, operation, maintenance, repair and replacement of the Project, except to the extent caused solely by the acts or omissions of Landlord, its agents, servants, officers, or employees. This obligation shall survive any termination of this Lease.

ARTICLE IV

Covenants, Representations and Warranties

4.1. **Covenants, Representations and Warranties of Landlord.**

(a) The Landlord represents and warrants that it has been duly authorized to execute and deliver this Lease, that all necessary approvals have been obtained, that its signature page has been validly executed and delivered, that its obligations set forth herein constitute valid and binding obligations of the Landlord enforceable against it in accordance with their terms, and that the entry by the Landlord into this Lease with the Tenant and the performance of all of the terms, provisions and conditions contained herein does not and will not, violate or cause a breach or default under the agreement or obligation to which the Landlord is a party or by which is bound.

(b) The Landlord represents that it owns fee simple, good and marketable title to the Property.

4.2. **Covenants, Representations and Warranties of Tenant.**

(a) The Tenant represents and warrants that it has been duly authorized to execute and deliver this Lease, that its signature page has been validly executed and delivered, and that its obligations set forth herein constitute valid and binding obligations of the Tenant enforceable against it in accordance with their terms.

(b) The Tenant shall maintain, or cause to be maintained, the work sites under its responsibility in a clean and safe manner, free of debris, and shall be solely responsible for trash removal and the implementation of safety precautions and programs within such work sites. All construction, repair or maintenance work to be done by the Tenant or its agents, employees, and independent contractors shall be performed in compliance with all safety, occupational, and other laws and regulations, and so as to minimize disruption to the Landlord's operations.

(c) The Tenant shall not (either with or without negligence) (i) cause or permit the storage, escape, disposal or release of any "hazardous substance" or pollutant as defined by the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601, et seq., in a manner that violates any federal, State, Town or County laws or regulations, or (ii) permit any tenant or occupant of the Project to store, handle or use such substances or materials, in either case in any manner that violates any federal, State, Town or County laws or regulations.

(d) The Tenant covenants and agrees that the Tenant will:

(1) keep the Project in a good state of condition and repair at its sole cost and expense; not suffer or permit any waste or neglect of the Project; repair, replace and renovate the Project; and, fulfill its responsibilities under this subsection (1) of this Section 4.2(d) in a manner that will not substantially alter the appearance of the Project or its improvements;

(2) permit the Landlord or its designee to enter upon and inspect the Project and the improvements thereon at any reasonable time or times with reasonable written prior notice, approval of which shall not be unreasonably delayed or withheld by Tenant;

(3) not abandon the Project without the written consent of the Landlord (which Landlord may withhold in its sole and reasonable discretion);

(4) obey and comply with all statutes, laws, ordinances, regulations, orders or other requirements of any governmental body exercising jurisdiction over the Project, or the use, condition or occupancy of the Project; and

(5) obey and comply with all conditions and requirements necessary to preserve and extend any and all rights, licenses and permits applicable to the Project.

(e) The Tenant covenants and agrees that it will not, without the prior written approval of the Landlord, which shall not be unreasonably delayed or withheld:

(1) with the exception of sales, assignments, encumbrances, transfers and liens pursuant to the exercise of rights and remedies by a Leasehold Mortgagee under its Leasehold Mortgage, and except as permitted under Article IX of this Lease, sell, assign, encumber or otherwise transfer the Project or any part thereof, or permit the sale, assignment, transfer or encumbrance of the Project or any part thereof, to any person or entity during the Term, or permit any lien against the Project during the Term;

(2) except as permitted under Article IX of this Lease, sell, assign, encumber or otherwise transfer any beneficial interest in the Project to any person or entity;

(3) permit the use of the Lease Area for any purpose other than the Project.

(f) The Tenant shall keep the Project free from all liens and claims of every kind, except those of Leasehold Mortgagees and those which have been consented to by the Landlord or otherwise approved by the Landlord in writing (such consent or approval not to be unreasonably withheld).

(g) The Tenant shall not use or occupy the Project in violation of any certificate of occupancy, permit or other governmental consent issued for the Project. If any governmental authority, after the commencement of the Term, shall contend or declare that the Project is being used for a purpose which is in violation of such certificate of occupancy, permit or consent, then the Tenant shall, upon thirty (30) days' notice from the Landlord, immediately discontinue such use of the Project for such purpose. If thereafter the governmental authority asserting such violation threatens, commences or continues criminal or civil proceedings against the Landlord for the Tenant's failure to discontinue such use, in addition to any and all rights, privileges and remedies given to Landlord under this Lease for default therein, Landlord shall have the right to terminate this Lease. The Tenant shall indemnify Landlord for and hold Landlord harmless from any and all liability for any such violation or violations.

ARTICLE V

Insurance

5.1. **Insurance to be Maintained by the Tenant during Construction**. The Tenant shall purchase and maintain at its cost and expense (or cause to be purchased and maintained) insurance

at the following levels of coverage during the construction period with respect to the Project improvements:

(a) commercial general liability insurance with at least $1,000,000 combined single-limit coverage on an occurrence basis covering all premises and operations and including personal injury, independent contractor contractual liability and products and completed operations;

(b) automobile liability insurance with at least $1,000,000 combined single limit coverage to include owned, non-owned and hired automobiles;

(c) worker's compensation statutory benefits as required by the laws of the State of Maryland and employee's liability coverage with limits of at least $100,000 each accident, $100,000 each employee disease, and $500,000 disease policy limits;

(d) builder's risk insurance and multi-peril insurance on an all-risk basis with an agreed-amount endorsement providing completed value coverage such that for the full construction period the Project is insured in an amount not less than 100 percent of the value of the Project improvements. This insurance shall be written on a form acceptable to the Landlord; and

(e) excess liability coverage in the form of an umbrella endorsement over the coverages set forth in subsections (a)-(d) above in an amount of at least $5,000,000.

5.2. **Insurance to be Maintained by the Tenant After Construction.** After the construction period and for the remainder of the Term, the Tenant shall maintain in full force and effect at its cost and expense the same insurance as required under Section 5.1 hereof, except that the Tenant shall be under no obligation to maintain builder's risk insurance. The Tenant shall maintain commercial property insurance protecting against all loss and damages, at full replacement cost, sustained or suffered due to the loss of or damage to the improvements, betterments, fixtures, and equipment as a result of fire, theft, lightning, windstorm, explosion, vandalism, malicious mischief or any other casualty (Causes of Loss – Special Form – ISO Form No. CP1030 or equivalent).

5.3. **Certificates of Insurance.** The Tenant and management company shall furnish the Landlord with certificates evidencing the type, amount, class of operations and effective dates of expiration of the insurance policies required herein. To the extent that the insurance companies providing policies required by this Lease shall agree, the certificates shall include substantially the following statement: "The insurance covered by this certification shall not be canceled or materially altered, except after thirty (30) consecutive calendar days from when a written notice has been delivered to the Town of La Plata." Landlord, and its agents, employees and officers, shall be named as an additional insured in all insurance policies required by this Lease except for workers compensation and automobile liability policies. The Landlord shall have the right to approve all insurance companies providing policies required by this Lease, and such approval shall not be unreasonably withheld.

5.4. **Periodic Review of Insurance Coverage**. The Landlord shall have the right to periodically review all documentation relating to the Tenant's insurance coverage to ascertain that the Tenant is compliant with Article V of this Lease, and the Tenant shall make such available within a reasonable time at the request of the Landlord. Moreover, every three (3) years during the term of this Lease, the Landlord shall review the amounts of insurance coverage required under this Lease. If the Landlord determines that the amounts should be increased or decreased based on sound business and liability grounds, the Landlord shall inform the Tenant, and the Tenant shall comply with the change in the amount of insurance within thirty (30) days. Any changes in insurance coverage amounts requested by the Landlord shall be consistent with insurance coverage amounts generally required by commercial landlords in the Baltimore-Washington area for similar situations.

ARTICLE VI

Casualty and Condemnation

6.1 **Casualty.** In the event of a casualty involving any improvements on the Lease Area, Landlord and the Tenant agree that Tenant shall apply the proceeds of any hazard insurance to the restoration of the Lease Area to the extent necessary to enable the Project to be restored to its prior condition and to comply with all other obligations of the Parties set forth in this Lease.

6.2. **Proceeds of Condemnation**.

(a) If at any time during the Term any or all of the Property or Project improvements is taken by the exercise of any power of eminent domain or is conveyed to or at the direction of any governmental entity under a threat of any such taking (a "Condemnation"), the Landlord and the Tenant shall divide the proceeds and make other adjustments in a just and equitable manner under the circumstances. If the Parties cannot agree on a just and equitable division within thirty (30) days after the award has been made, the disputed matters shall be submitted to arbitration by an arbiter mutually selected by the Parties and qualified by the American Arbitration Association, or such other organization as is mutually agreeable to the Parties, for decision and determination.

(b) It is the general intent of this Section that, upon Condemnation, the Parties shall share in their awards to the extent that their respective interests are depreciated, damaged, or destroyed by the exercise of the right of eminent domain. If the Condemnation is total, the Condemnation award shall be allocated so that:

(1) the then value of the Tenant's leasehold interest in the Project is allocated to the Tenant; and

(2) the remainder is allocated to the Landlord.

6.3. **Effect on Lease**. If (i) all of the Property and Project improvements thereon are subject to a Condemnation, or (ii) any part of the Property or Project improvements thereon is

subject to a Condemnation and the remainder thereof is insufficient in the reasonable judgment of the Tenant for the reasonable operation of the Project, then the Tenant may terminate this Lease on the date on which possession of so much of the Property or Project improvements as is covered by the Condemnation is taken by the condemning authority, and all rent, taxes and other charges payable hereunder shall be apportioned and paid to that date, and all improvements on the Property and the Project improvements that are not covered by the Condemnation and taken by the condemning authority, if any, shall become the property of the Landlord.

ARTICLE VII

Default

7.1. **Events of Default**. The occurrence of any one or more of the following events shall be deemed an "Event of Default" for the purposes of this Lease:

(a) if the Tenant fails to pay any Rent or either party to this Lease fails to pay any other sum that it is obligated to pay by any provision of this Lease, when and as due and payable and without demand therefore;

(b) if either party to this Lease fails to observe or perform any one or more of its non-monetary covenants or obligations contained in this Lease;

(c) if any representation or warranty of either party contained in this Lease or any other document or instrument executed by either party in connection with this Lease shall be untrue in any material respect as of the Effective Date or shall become untrue in any material respect thereafter and such misrepresentation or breached warranty materially adversely affects the Tenant or the Landlord;

(d) if the Tenant makes a transfer in fraud of creditors, makes an assignment for the benefit of creditors, files a petition under any section or chapter of the federal Bankruptcy Act, as amended, or under any similar law or statute of the United States or any State thereof, is adjudged bankrupt or insolvent in proceedings filed against the Tenant, or if a receiver or trustee is appointed for the Leased Property or for all or substantially all of the assets of the Tenant, provided, however, that the Landlord cannot terminate the Lease due to a default under this paragraph without the consent of the Leasehold Mortgagees, which shall not be unreasonably withheld;

(e) if the Tenant materially breaches any utility, storm water management or other material agreements between the Tenant and any government entity in connection with the development or operation of the Project; or

(f) if the Tenant fails to make good faith efforts to commence design and construction of the Project, and fails to complete the Project and obtain certificates of occupancy for the Project, within a reasonable time after execution of this Lease; provided, however, if by any reason of Force Majeure the Tenant fails to satisfy either of such conditions, the Tenant shall not be deemed in default during the continuance of such inability.

(g) if the Tenant ceases to use and occupy the Lease Area for a period of greater than one (1) year, without Landlord's consent;

(h) if the Tenant uses the Lease Area for any other purpose other than the Project as defined herein, without the Landlord's consent.

7.2. **Notice; Grace Period**.

(a) Notwithstanding anything in Section 7.1 hereof to the contrary, on the occurrence of an Event of Default by the Tenant, the Landlord may not exercise any of its rights or remedies on account thereof unless and until:

(1) If the Event of Default consists of a failure to pay money under Section 7.1(a), the Tenant has failed to pay such sums within thirty (30) days after the Landlord has sent the Tenant written notice of the Event of Default; or

(2) If the Event of Default consists of a failure to observe or perform a non-monetary covenant or obligation, (i) the Landlord has sent the Tenant written notice of the Event of Default, and (ii) either the Tenant or any Leasehold Mortgagee has failed to cure the Event of Default within sixty (60) days after the notice is sent, or the default is not cured within one hundred twenty (120) days if the default is of a nature that reasonably cannot be cured within sixty (60) days after notice and the Tenant has failed to commence to cure the Event of Default within such sixty (60) day period or thereafter has failed to diligently and continuously pursue a cure.

(b) Notwithstanding anything in Section 7.1 hereof to the contrary, on the occurrence of an Event of Default by the Landlord, the Tenant may not exercise any of its rights or remedies on account thereof unless and until:

(1) If the Event of Default consists of a failure to pay money under Section 7.1(a), the Landlord has failed to pay such sums within thirty (30) days after the Tenant has sent the Landlord written notice of the Event of Default.

(2) If the Event of a Default consists of a failure to observe or perform a non-monetary covenant or obligation, the Tenant may not exercise any of its rights or remedies on account thereof unless and until the Tenant has sent the Landlord written notice of the Event of Default, and either (i) the Landlord has failed to cure the Event of Default within sixty (60) days after the notice is sent, or (ii) the default is not cured within one hundred twenty (120) days if the default is of a nature that reasonably cannot be cured within sixty (60) days after notice and the Landlord has not commenced to cure the Event of Default within such sixty (60) day period and thereafter diligently and continuously pursued a cure.

7.3. **Landlord's Rights Upon Event of Default**. Upon the occurrence of an Event of Default by the Tenant, and subject to the provisions of Section 7.2, the Landlord may take any or all of the following actions:

(a)reenter and repossess any or all of the Project and take possession and title to any or all of the Project improvements thereon, pursuant to a valid court order and subject to Section 8.10 of this Lease;

(a) terminate this Lease by giving the Tenant written notice of the termination, which termination shall be effective as of the date of the notice or any later date specified in the notice;

(b) cure the Event of Default in any other manner; or

(c) pursue any combination of these remedies or any other right or remedy available to the Landlord on account of the Event of Default under this Lease or at law or in equity.

7.4. **The Tenant's Rights Upon Event of Default**. Upon the occurrence of an Event of Default by the Landlord, and subject to the provisions of Section 7.2, the Tenant may take any or all of the following actions:

(a) terminate this Lease by giving the Landlord written notice of the termination, which termination shall be effective as of the date of the notice or any later date specified in the notice;

(b) cure the Event of Default in any other manner; or

(c) pursue any combination of these remedies or any other right or remedy available to the Tenant on account of the Event of Default under this Lease or at law or in equity.

ARTICLE VIII

Miscellaneous

8.1. **Non-recourse**. No official, agent or employee of the Tenant assumes personal liability for any conditions or provisions of this Lease.

8.2. **Amendment**. This Lease may not be amended without the written agreement of the Parties. The Tenant and Landlord agree to cooperate to amend this Lease to the extent reasonably required as a result of changes in applicable government laws or regulations. Any amendment to this Lease shall not be effective unless and until it has been recorded among the Land Records of Charles County.

8.3. **No Waiver**. Failure of any party to require performance by another of any of the terms of this Lease shall not affect the party's right to enforce such term. Waiver of any term hereof shall not constitute waiver of any other term or breach hereof.

8.4. **Successors and Assigns**. This Lease shall be binding upon and inure to the benefit of the successors and permitted assigns of the respective Parties.

8.5. **Headings**. The headings of this Lease are for reference only and shall not be deemed to limit or define the meaning hereof.

8.6. **Counterparts**. This Lease may be executed in counterparts, each of which shall be an original, but all of which taken together shall constitute one and the same instrument.

8.7. **Time of the Essence**. Time is of the essence in this Lease.

8.8. **Notices**. All notices and other communications required under this Lease shall be hand delivered, delivered by commercial courier with receipt, or mailed, by registered or certified mail, postage prepaid and return receipt requested, to the Parties at the following addresses (or at such other address as any party may designate in writing):

To the Tenant:
County Commissioners of Charles County, Maryland
200 Baltimore Street
La Plata, MD 20646
Attention: County Administrator

To the Landlord:
Town of La Plata
P.O. Box 2268
305 Queen Anne Street
La Plata, Maryland 20646
Attention: Town Manager

Such notice shall be deemed received on the date sent if by hand delivery, on the date set forth on the receipt if delivered by commercial courier, or on the third business day subsequent to mailing as specified herein.

8.9. **Entire Agreement**. This Lease constitutes the entire understanding and agreement for the Landlord and Tenant. All previous agreements, understandings, promises, and representations, whether written or oral, relating to this transaction, are superseded by this Lease.

8.10. **Governing Law and Forum for Actions**. This Lease shall be construed under and governed by the laws of the State of Maryland, without regard to those principles governing conflicts and choice of laws. Any action arising from or relating to this Lease shall be brought in the State courts of Maryland located in Charles County. To the extent permitted by law, Landlord and the Tenant waive their right to remove any such action to federal court.

8.11. **Estoppel Certificates**. At any time and from time to time upon not less than fifteen (15) days written notice by Tenant, Landlord shall execute, acknowledge and deliver to Tenant or any other party specified by Tenant a statement certifying that this Lease is unmodified and in full force and effect (or if there have been modifications, that the same, as modified, is in full force and effect and stating the modifications) and the date to which each obligation constituting Rent has been paid, and stating whether or not to the best knowledge of Landlord, Tenant is in an Event of Default in the performance of any covenant, agreement or condition contained in this Lease, and, if so, specifying each such Event of Default of which Landlord may have knowledge, and

certifying as to any other matter with respect to this Lease as Tenant or such other addressee may reasonably request.

8.12. **Recordation**. The Tenant, at its expense, shall record this Lease or a memorandum hereof among the Land Records of Charles County promptly after the Effective Date and all Parties agree to execute and deliver a memorandum of lease to any party so requesting.

8.13. **Interpretation.** This Lease has been prepared jointly by Landlord and the Tenant. In the event of any ambiguity in this Lease, such ambiguity shall not be resolved against either party solely because that party prepared this Lease.

8.14. **Parties' Costs and Expenses.** Each party (for purposes of this section, the "Defaulting Party") shall pay all costs, charges and expenses, including reasonable attorneys' fees, unless covered by title insurance, which the other party (the "Non-Defaulting Party") may incur or expend in defending or enforcing the validity or priority of this Lease, or any term, condition or covenant of this Lease, or in collecting any sum secured hereby, or in protecting the security of the Non-Defaulting Party, or, if an Event of Default by the Defaulting Party shall happen, in administering and performing the Non-Defaulting Party's powers, privileges and duties under this Lease. The Non-Defaulting Party may make advances or payments for such purposes; provided, however, that all reasonable advances or payments made by the Non-Defaulting Party for such purposes shall be due and payable to the Non-Defaulting Party upon demand; and further provided that no such advance or payment shall relieve the Defaulting Party from any Event of Default by the Defaulting Party hereunder. The Tenant's agreement under this Section 8.14 extends only to costs and expenses incurred by the Landlord in the event of Tenant's default in its capacity as Landlord under this Lease and not in its sovereign or governmental capacity.

8.15. **Non-Waiver of Immunity.** Nothing in this Lease shall be construed as a waiver of any sovereign or governmental immunity to which Landlord or Tenant may be entitled and such immunity is expressly affirmed to the extent permitted by law.

8.16. **Further Assurances.** The Parties to this Lease shall execute and deliver, each at their respective expense, such further agreements, documents, and other instruments and do such further acts as may be reasonably required to carry out the intent and purposes of this Lease.

8.17. **No Third Party Beneficiary.** No person or entity other than the Tenant and the Landlord is or shall be entitled to bring any action to enforce any provision of this Lease or the performance of any obligation under this Lease by either party. The provisions of this Lease are solely for the benefit of and shall be enforceable only by the Tenant and the Landlord and their respective successors and assigns as permitted hereunder.

8.18. **Waiver of Trial by Jury.** Landlord and Tenant both waive any right to trial by jury to which any of them may be entitled in any action arising from or relating to this Lease.

8.19. **Subject to Funding**. Any financial obligation of the Landlord under this Lease is subject to all provisions of law and is subject to appropriation and availability of funds.

8.20 **Materiality of Recitals.** The "WHEREAS" recitals at the beginning of this Lease are a material part of this Lease and not merely prefatory.

ARTICLE IX

Assignment and Transfers.

9.1 **Landlord Consent Required for Lease Assignment**. This Lease will be binding upon and inure to the benefit of the successors and assigns of Landlord and Tenant, except that Tenant may not assign or sublet its interest in this Lease without the prior written consent of Landlord, which shall not be unreasonably delayed or withheld.

9.2 **Prohibited Transfers**. Tenant agrees for itself and its successors and assigns in interest hereunder that it will not: (i) assign this Lease or any of its rights under this Lease as to all or any portion of the Lease Area, or (ii) make or permit any voluntary or involuntary total or partial sale, lease, assignment, conveyance, mortgage, pledge, encumbrance or other transfer of all or any portion of the Lease Area or the Project or the occupancy or use thereof, other than in accordance with this Lease (including but not limited to (i) any sale at foreclosure or by the execution of any judgment of any or all of Tenant's rights hereunder, or (ii) any transfer by operation of law), without first obtaining Landlord's express written consent thereto, which shall not be unreasonably withheld or delayed.

9.3. **Void Transfers**. Any person to whom any assignment or transfer of this Lease, or any interest of the Tenant in this Lease, in contravention of the restrictions imposed by this Article, shall be void, and no such person shall have any claim, right or remedy whatsoever hereunder against Landlord, and Landlord will have no duty to recognize any person claiming under or through the same.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Tenant and the Landlord, by their duly appointed representatives, have executed, sealed, and delivered this Lease as of the date and year written below.

WITNESS/ATTEST:

Crystal N. Hunt

Date: Feb 10, 2022

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

By: _____ (SEAL)
Reuben B. Collins, II, Esq.
Commissioner President

TOWN OF LA PLATA

Date: Feb 19 2022

By: _____ (SEAL)
Jeannine E. James
Mayor

[Signature Page for Lease]

STATE OF MARYLAND, CHARLES COUNTY, TO WIT:

I HEREBY CERTIFY that on this 10th day of February, 2022, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Reuben B. Collins, II, Esq., President of the County Commissioners of Charles County, Maryland, and he acknowledged that he executed the foregoing Ground Lease for the purposes therein contained, and he further acknowledged the same to be the act of the County Commissioners of Charles County, Maryland.

AS WITNESS my Hand and Notarial Seal:

MICHELINA COATES NOTARY PUBLIC MY COMMISSION EXPIRES NOV 30, 2022 CHARLES COUNTY, MD

Michelina Coates
Notary Public
My commission expires: 11/30/2022

STATE OF MARYLAND, CHARLES COUNTY, TO WIT:

I HEREBY CERTIFY that on this 19 day of February, 2022, before me, the subscriber, a Notary Public of the State of Maryland, in and for the Town aforesaid, personally appeared Jeannine E. James, Mayor of the Town of La Plata, and she acknowledged that she executed the foregoing Ground Lease for the purposes therein contained, and further acknowledged the same to be the act of the Town of La Plata.

AS WITNESS my Hand and Notarial Seal:

Michelle D. Miner
Notary Public
My commission expires:

MICHELLE D. MINER
NOTARY PUBLIC
SAINT MARY'S COUNTY
MARYLAND
MY COMMISSION EXPIRES NOVEMBER 5, 2024

[Notary Page for Lease]

I CERTIFY THAT:

(a) I am an attorney admitted to practice before the Court of Appeals of Maryland; and

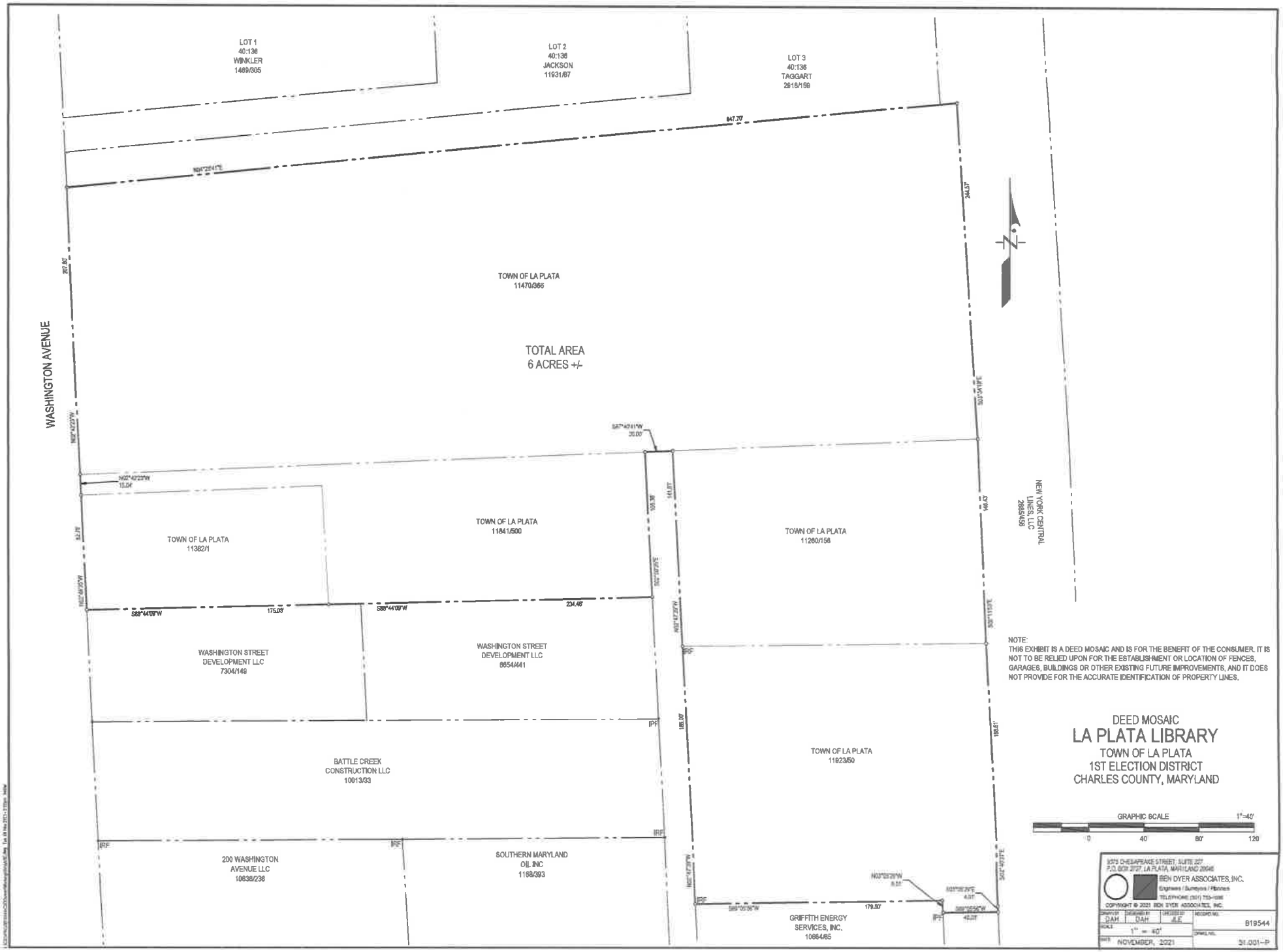
(b) I prepared the foregoing Lease.

[Attorney Certification Page for Lease]

Exhibit A

Property Description

[Deed Mosaic Next Page]



NOTE:
THIS EXHIBIT IS A DEED MOSAIC AND IS FOR THE BENEFIT OF THE CONSUMER. IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS OR OTHER EXISTING FUTURE IMPROVEMENTS, AND IT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY LINES.

DEED MOSAIC

LA PLATA LIBRARY

TOWN OF LA PLATA
1ST ELECTION DISTRICT
CHARLES COUNTY, MARYLAND

GRAPHIC SCALE 1"=40'
0 40' 80' 120

9378 CHESAPEAKE STREET, SUITE 207
P.O. BOX 2727, LA PLATA, MARYLAND 20646
BEN DYER ASSOCIATES, INC.
Engineers / Surveyors / Planners
TELEPHONE (301) 753-1936

COPYRIGHT © 2021 BEN DYER ASSOCIATES, INC.

DRAWN BY	DESIGNED BY	CHECKED BY	RECORD NO.
DAH	DAH	ALE	B19544
SCALE: 1" = 40'			DRAWING NO.
DATE: NOVEMBER, 2021			31.001-P

CIRCUIT COURT FOR Charles County (City/County) **, MARYLAND**

Located at 200 Charles Street, LaPlata, MD 20646 (Court Address)

AFFIDAVIT OF INTENT TO USE ELECTRONIC SIGNATURE
(Md. Code, Real Property Title 3, Subtitle 7)

1. I, Wes Adams (Name), am over eighteen years of age and competent to testify.
2. I have signed the document or documents accompanying this affidavit by means of an electronic signature, which is defined in Md. Code, Real Property § 3-701(e) as an "electronic sound, symbol, or process attached to or logically associated with a document and executed or adopted with the intent to sign the document."
3. I have done so with the intent to sign the document.
4. My use of the electronic signature was not done for any illegal or fraudulent purposes.

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Feb 10, 2022
Date

Signature of Affiant

Wes Adams
Printed Name of Affiant

CC-094 (Rev. 08/2020)

CIRCUIT COURT FOR Charles County , MARYLAND
City/County

Located at 200 Charles Street, LaPlata, MD 20646
Court Address

AFFIDAVIT OF INTENT TO USE ELECTRONIC SIGNATURE
(Md. Code, Real Property Title 3, Subtitle 7)

1. I, Reuben B. Collins, II, am over eighteen years of age and competent to testify.
Name

2. I have signed the document or documents accompanying this affidavit by means of an electronic signature, which is defined in Md. Code, Real Property § 3-701(e) as an "electronic sound, symbol, or process attached to or logically associated with a document and executed or adopted with the intent to sign the document."

3. I have done so with the intent to sign the document.

4. My use of the electronic signature was not done for any illegal or fraudulent purposes.

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Feb 10, 2022
Date

Signature of Affiant

Reuben B. Collins, II
Printed Name of Affiant

CC-094 (Rev. 08/2020)

FOR LEGISLATIVE USE ONLY

Item Number: 2026-829

Date of Meeting: June 23, 2026

Agenda Item Summary

MEETING GROUP:	Town Council
STAFF RESOURCE:	Chuck Stevens, Town Manager
DEPARTMENT:	Executive
TYPE:	Town Council Resolution Policy Adoption
SUBJECT:	Adoption of Policy on Requests for Letters of Support or Recommendation

BACKGROUND:

The Town periodically receives requests from nonprofits, community organizations, educational institutions, and partner agencies seeking a Letter of Support or Letter of Recommendation from the Town of La Plata, typically in connection with grant applications, program initiatives, or regional coordination efforts. To date, the Town has handled such requests on an ad hoc basis without formal written guidance governing submission requirements, review criteria, or the Council's decision process.

Staff has drafted a policy to establish a clear, consistent framework for receiving, reviewing, and acting upon these requests. The policy requires requestors to submit their request in writing to the Town Manager at least four weeks in advance, accompanied by a draft letter, project description, identification of the grant program, justification for Town support, alignment with Town priorities, and disclosure of any expected commitments from the Town. Staff review evaluates alignment with adopted plans and policies, financial exposure, legal or operational implications, and consistency with Town priorities. Requests that meet the threshold for Council consideration are placed on a future agenda with a staff memorandum summarizing findings. The Mayor would sign any approved letter. The policy also establishes that the Town will not issue letters where a request creates unbudgeted obligations or conflicts with adopted plans and priorities.

FISCAL IMPACT:

Adoption of this policy has no direct fiscal impact. The policy establishes an administrative process that is absorbed within existing staff capacity.

STRATEGIC PLAN ALIGNMENT:

This initiative aligns with Strategic Plan Goal #1 – Good Governance, which calls for fair and transparent decision-making processes, regularly assessing plans and policies to ensure their creation follows established protocol, and maintaining and enforcing existing plans

and policies. Formalizing the letter of support process advances the Town's commitment to consistent, transparent governance.

SUSTAINABILITY CONSIDERATIONS:

This policy supports organizational and administrative sustainability by establishing clear, repeatable processes that reduce ad hoc decision-making and support long-term institutional consistency.

ADA CONSIDERATIONS:

This policy governs an administrative submission and review process conducted in writing. No physical facilities, programs, or services are implicated. The Town's standard practices for accessible communication — including providing documents in alternative formats upon request — apply to all correspondence associated with this policy.

RECOMMENDED ACTION:

Adopt resolution 26-37, Town of La Plata Policy on Requests for Letters of Support or Recommendation, effective June 23, 2026, as presented.

ATTACHMENTS:

1. Town of La Plata Policy on Requests for Letters of Support or Recommendation (draft dated June 5, 2026)

FOR LEGISLATIVE USE ONLY

Item Number: 2026-0830

Date of Meeting: June 23, 2026

Agenda Item Summary

MEETING GROUP:	Town Council
STAFF RESOURCE:	Chuck Stevens, Town Manager
DEPARTMENT:	Executive
TYPE:	Town Council Resolution
SUBJECT:	MD Route 6 Streetscape Improvement Project — Letter of Support for SHA

BACKGROUND:

The Maryland State Highway Administration (SHA) is leading a streetscape improvement project along MD Route 6 (Charles Street) from US 301 to Willow Lane in La Plata. The project is currently completing final design review and is advancing into the construction phase. SHA conducted an extended design process that included direct coordination with local residents and businesses, and the final design reflects accommodations made in response to that stakeholder engagement.

Project improvements include enhanced pedestrian crossing locations, a 10-foot shared-use path connecting the downtown core to the Pinegrove Community, ADA-compliant sidewalks, updated corridor lighting, and critical infrastructure upgrades to culverts, drainage, and stormwater systems. The project corridor is the primary commercial and civic spine of La Plata, and the proposed improvements address longstanding infrastructure needs while enhancing public safety and pedestrian connectivity.

As the project advances toward construction contracting, staff is recommending that the Town Council formally affirm its support for the project by authorizing the Mayor to execute a Letter of Support. This action is consistent with the Town's sustained commitment to the MD Route 6 corridor improvements and with the project's alignment with the Town's adopted planning documents.

Separately, the Town is coordinating with SHA to synchronize this project with the Town’s lead service line replacement project along the same corridor, an approach the Town has termed the “One-Dig” initiative. Conducting both projects concurrently minimizes construction-related disruption to residents and businesses and avoids the cost and impact of disturbing newly improved roadway for subsequent utility work.

FISCAL IMPACT:

The MD Route 6 Streetscape Improvement Project is a state-funded SHA capital project. There is no direct capital expenditure by the Town associated with the streetscape improvements themselves. The Town's concurrent lead service line replacement work along the corridor is separately funded through Town water utility capital resources and applicable federal funding programs and is proceeding under prior Council authorization.

Execution of a Letter of Support does not create a financial obligation for the Town.

STRATEGIC PLAN ALIGNMENT:

This initiative aligns with multiple goals of the Town's 2022 Strategic Plan:

- Goal #1 — Good Governance: The Letter of Support reflects the Town's role as a responsible steward of community interests and its commitment to transparent, accountable engagement with state partners on matters affecting La Plata residents and businesses.
- Goal #3 — Economic Prosperity: The project is consistent with the Strategic Plan's objective to demonstrate public investment in the downtown core, create a dynamic mixed-use corridor, and attract private capital. Improved streetscape conditions support the long-term economic vitality of businesses along the Route 6 corridor.
- Goal #4 — Community Identity: The project advances the Town's walkability and connectivity goals, consistent with the 2020 Comprehensive Plan's mandate to make La Plata a highly walkable community and to strengthen the downtown core as a vibrant regional destination.
- Goal #5 — Public Service Readiness: The coordinated "One-Dig" approach to infrastructure replacement reflects the Strategic Plan's emphasis on developing systems and infrastructure to meet growing demand while protecting natural resources and managing long-term costs.

SUSTAINABILITY CONSIDERATIONS:

The Route 6 Streetscape Project advances multiple community sustainability objectives. The inclusion of stormwater management and culvert upgrades improves the corridor's environmental performance and long-term resilience. Expanded pedestrian infrastructure and a shared-use path encourage active transportation, which supports both environmental sustainability and community health goals. Corridor tree plantings and landscaping improvements contribute to urban heat island mitigation and the Town's green infrastructure objectives. The coordinated One-Dig approach also reduces cumulative construction impacts and resource consumption associated with separate utility work.

ADA CONSIDERATIONS:

ADA compliance is a core element of the project design. The project provides ADA-compliant sidewalks and a shared-use path throughout the corridor, along with enhanced pedestrian crossing locations consistent with current ADA standards and guidance from ADA.gov. The Letter of Support does not independently trigger new ADA obligations; the State is responsible for ADA compliance in its design and construction of the streetscape improvements. Town staff has confirmed that the project design incorporates current ADA requirements.

RECOMMENDED ACTION:

Adopt Resolution 26-39, authorizing the Mayor to execute a Letter of Support for the Maryland State Highway Administration's MD Route 6 Streetscape Improvement Project, in substantially the form attached, affirming the Town's support for the project's advancement to construction.

ATTACHMENTS:

1. Draft Letter of Support to SHA District 5 Administrator, dated June 23, 2026

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 26-14

Introduced By: Mayor Jeannine E. James, by request

Date Introduced: June 09, 2026

Date Adopted:

Date Effective:

AN ORDINANCE concerning

Revision of Employee Handbook

FOR the purpose of amending certain personnel rules and regulations regarding policies on Civility in the Workplace, Gift Acceptance, Workplace Communication, Vacation Accrual, Sale of Leave, and Heat-Related Illness Prevention and Management in the Town's Employee Handbook; and all matters generally relating thereto.

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BY repealing and re-enacting, with amendments
Part 1 – General Employment Policies and Practices
Town of La Plata Employee Handbook (2026)

BY repealing and re-enacting, with amendments
Part 5 – Holidays, Vacation, and Other Leave
Town of La Plata Employee Handbook (2026)

BY repealing and re-enacting, with amendments
Part 6 - Miscellaneous
Town of La Plata Employee Handbook (2026)

WHEREAS, the Town is committed to maintaining fiscal responsibility and ensuring the sustainability of its operations for the benefit of all taxpayers; and

WHEREAS, it is in the best interest of the Town to be responsible stewards of taxpayer dollars while promoting the health, well-being, and work-life balance of all employees; and

WHEREAS, encouraging employees to use their accrued vacation time provides both personal health benefits and contributes to the overall productivity and morale of the workforce; and

WHEREAS, the Town seeks to implement policies that promote fiscal sustainability and long-term financial planning consistent with industry standards.

NOW, THEREFORE:

SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA that Section 12 of the Town of La Plata Employee Handbook (2026) be and is hereby repealed and re-enacted, with amendments, to read as follows:

TOWN OF LA PLATA EMPLOYEE HANDBOOK (2026)

***

PART 1 – GENERAL EMPLOYMENT POLICIES AND PRACTICES

***

CIVILITY IN THE WORKPLACE

THE TOWN IS COMMITTED TO MAINTAINING A WORKPLACE CULTURE GROUNDED IN PROFESSIONALISM, RESPECT, AND COURTESY. EMPLOYEES ARE EXPECTED TO INTERACT WITH COWORKERS, SUPERVISORS, ELECTED OFFICIALS, RESIDENTS, VENDORS, AND OTHER MEMBERS OF THE PUBLIC IN A CIVIL AND CONSTRUCTIVE MANNER. CIVILITY INCLUDES, BUT IS NOT LIMITED TO, BEING POLITE, TREATING OTHERS WITH DIGNITY, SHOWING RESPECT, DEVELOPING POSITIVE WORKING RELATIONSHIPS, HOLDING ONE ANOTHER ACCOUNTABLE IN AN APPROPRIATE MANNER, BEING ASSERTIVE WHILE EXERCISING SELF-RESTRAINT, USING GOOD MANNERS, EXTENDING COURTESY, LISTENING, DISAGREEING WITHOUT BEING DISRESPECTFUL, AND SHOWING GRACE IN WORKPLACE INTERACTIONS.

INCIVILITY IS INCONSISTENT WITH THE TOWN'S EXPECTATIONS AND WILL NOT BE TOLERATED. WORKPLACE INCIVILITY GENERALLY REFERS TO LOW-INTENSITY BEHAVIOR THAT VIOLATES STANDARDS OF MUTUAL RESPECT AND PROFESSIONALISM. SUCH BEHAVIOR IS OFTEN RUDE OR DISCOURTEOUS AND REFLECTS A LACK OF REGARD FOR OTHERS. INCIVILITY MAY BE INTENTIONAL, BUT IT MAY ALSO RESULT FROM THOUGHTLESSNESS, STRESS, OR POOR JUDGMENT. REGARDLESS OF INTENT, EMPLOYEES ARE EXPECTED TO MAINTAIN APPROPRIATE WORKPLACE CONDUCT. WHEN INTENTIONAL BEHAVIOR ESCALATES IN FREQUENCY OR SEVERITY, IT MAY RISE TO THE LEVEL OF MORE SERIOUS MISCONDUCT, INCLUDING CONDUCT THAT MAY VIOLATE OTHER TOWN POLICIES OR APPLICABLE LAW, SUCH AS UNLAWFUL HARASSMENT.

FORMS OF INCIVILITY

~~VERBAL INCIVILITY~~

~~VERBAL INCIVILITY MAY INCLUDE RUDE REMARKS, INSULTS, DEMEANING STATEMENTS, SARCASM DIRECTED AT OTHERS, YELLING, OR OTHER DISRESPECTFUL LANGUAGE.~~

~~VISUAL INCIVILITY~~

~~VISUAL INCIVILITY MAY INCLUDE DISPLAYING, SHARING, SENDING, OR DISTRIBUTING INAPPROPRIATE OR OFFENSIVE CARTOONS, PICTURES, MESSAGES, EMAILS, OR OTHER MATERIALS.~~

~~PHYSICAL INCIVILITY~~

~~PHYSICAL INCIVILITY MAY INCLUDE INAPPROPRIATE PHYSICAL CONTACT, INVADING PERSONAL SPACE, INTIMIDATING GESTURES, OR OTHER BEHAVIOR INCONSISTENT WITH PROFESSIONAL WORKPLACE STANDARDS.~~

~~EXAMPLES OF PROHIBITED CONDUCT~~

~~PROHIBITED CONDUCT UNDER THIS POLICY INCLUDES, BUT IS NOT LIMITED TO, YELLING OR SPEAKING TO OTHERS IN A DEMEANING OR HOSTILE MANNER; MAKING INAPPROPRIATE, INSULTING, OR SARCASTIC COMMENTS; INTERRUPTING OTHERS REPEATEDLY OR REFUSING TO ALLOW OTHERS TO SPEAK; USING DISRESPECTFUL LANGUAGE IN MEETINGS, EMAILS, TEXT MESSAGES, OR OTHER COMMUNICATIONS; SPREADING RUMORS OR ENGAGING IN GOSSIP INTENDED TO UNDERMINE ANOTHER INDIVIDUAL; DISPLAYING OR DISTRIBUTING INAPPROPRIATE OR OFFENSIVE CARTOONS, PICTURES, MESSAGES, OR EMAILS; ROLLING EYES, MOCKING, OR MAKING OTHER DISRESPECTFUL GESTURES; INVADING ANOTHER PERSON'S PERSONAL SPACE; ENGAGING IN INAPPROPRIATE PHYSICAL CONTACT; AND OTHER CONDUCT THAT IS RUDE, DISCOURTEOUS, INTIMIDATING, OR INCONSISTENT WITH WORKPLACE EXPECTATIONS FOR PROFESSIONALISM AND MUTUAL RESPECT.~~

THE THREE FORMS OF INCIVILITY ARE VERBAL, VISUAL, AND PHYSICAL. VERBAL INCIVILITY INVOLVES COMMUNICATION THAT DIMINISHES RESPECT OR PROFESSIONALISM, VISUAL INCIVILITY INVOLVES THE INAPPROPRIATE USE OR PRESENTATION OF MATERIALS, AND PHYSICAL INCIVILITY INVOLVES CONDUCT THAT DOES NOT ALIGN WITH EXPECTED WORKPLACE STANDARDS. ~~THIS POLICY APPLIES TO ALL WORK-RELATED INTERACTIONS, INCLUDING IN-PERSON COMMUNICATIONS, MEETINGS, TELEPHONE CONVERSATIONS, EMAIL, TEXT MESSAGES, AND OTHER FORMS OF COMMUNICATION. EMPLOYEES WHO ENGAGE IN UNCIVIL CONDUCT MAY BE SUBJECT TO CORRECTIVE ACTION, UP TO AND~~

~~INCLUDING TERMINATION OF EMPLOYMENT.~~

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GIFT ACCEPTANCE

EMPLOYEES SHALL NOT SOLICIT OR ACCEPT GIFTS, GRATUITIES, FAVORS, OR OTHER ITEMS OF VALUE THAT COULD INFLUENCE, OR APPEAR TO INFLUENCE, THE PERFORMANCE OF THEIR OFFICIAL DUTIES. EMPLOYEES MAY ACCEPT NOMINAL ITEMS VALUED AT NO MORE THAN $20, PROVIDED THE GIFT IS NOT INTENDED TO OBTAIN FAVORABLE TREATMENT OR TO CREATE A CONFLICT OF INTEREST. ANY GIFT OFFERED OR ACCEPTED MUST BE DISCLOSED TO THE EMPLOYEE'S SUPERVISOR OR HUMAN RESOURCES. GIFTS THAT EXCEED THIS LIMIT, OR THAT PRESENT AN ACTUAL OR PERCEIVED CONFLICT, ARE PROHIBITED.

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WORKPLACE COMMUNICATION

TO SUPPORT EFFECTIVE COMMUNICATION AND THE TIMELY RESOLUTION OF WORKPLACE ISSUES, EMPLOYEES ARE EXPECTED TO ADDRESS WORK-RELATED QUESTIONS, CONCERNS, AND OPERATIONAL MATTERS THROUGH THE APPROPRIATE SUPERVISORY STRUCTURE. EMPLOYEES SHOULD GENERALLY BEGIN WITH THEIR IMMEDIATE SUPERVISOR AND THEN FOLLOW THE ORGANIZATIONAL REPORTING STRUCTURE, AS REFLECTED IN THE TOWN'S ORGANIZATIONAL CHART, WHEN ADDITIONAL REVIEW OR ASSISTANCE IS NEEDED. USING THE APPROPRIATE LEVEL OF SUPERVISION HELPS ENSURE THAT MATTERS RELATED TO EMPLOYMENT, WORKING CONDITIONS, SCHEDULING, ASSIGNMENTS, AND DEPARTMENT OPERATIONS ARE REVIEWED BY THOSE RESPONSIBLE FOR MANAGING THE WORK AND RESOLVING ISSUES EFFICIENTLY.

COMMUNICATION WITH THE TOWN COUNCIL

THE TOWN RECOGNIZES THAT EMPLOYEES MAY HAVE THE RIGHT TO SPEAK ABOUT THEIR WORKING CONDITIONS AS PERMITTED BY LAW. AT THE SAME TIME, EMPLOYEES ARE EXPECTED TO USE THE APPROPRIATE SUPERVISORY AND ADMINISTRATIVE CHANNELS TO ADDRESS WORKPLACE AND OPERATIONAL CONCERNS.

EMPLOYEES ACTING AS TOWN RESIDENTS

NOTHING IN THIS POLICY PREVENTS AN EMPLOYEE FROM COMMUNICATING WITH THE TOWN COUNCIL AS A TOWN RESIDENT ABOUT MATTERS OF GENERAL PUBLIC CONCERN THAT ARE UNRELATED TO THE EMPLOYEE'S TOWN JOB DUTIES OR INTERNAL WORKPLACE MATTERS.~~WORKPLACE COMMUNICATION~~

~~TO SUPPORT EFFECTIVE COMMUNICATION AND THE TIMELY RESOLUTION OF WORKPLACE ISSUES, EMPLOYEES ARE EXPECTED TO ADDRESS WORK-RELATED QUESTIONS, CONCERNS, AND OPERATIONAL MATTERS THROUGH THE APPROPRIATE SUPERVISORY STRUCTURE. EMPLOYEES SHOULD GENERALLY BEGIN WITH THEIR IMMEDIATE SUPERVISOR AND THEN FOLLOW THE ORGANIZATIONAL REPORTING STRUCTURE, AS REFLECTED IN THE TOWN'S ORGANIZATIONAL CHART, WHEN ADDITIONAL REVIEW OR ASSISTANCE IS NEEDED. USING THE APPROPRIATE LEVEL OF SUPERVISION HELPS ENSURE THAT MATTERS RELATED TO EMPLOYMENT, WORKING CONDITIONS, SCHEDULING, ASSIGNMENTS, AND DEPARTMENT OPERATIONS ARE REVIEWED BY THOSE RESPONSIBLE FOR MANAGING THE WORK AND RESOLVING ISSUES EFFICIENTLY.~~

~~**COMMUNICATION WITH THE TOWN COUNCIL**~~

~~THE TOWN RECOGNIZES THAT EMPLOYEES MAY HAVE THE RIGHT TO SPEAK ABOUT THEIR WORKING CONDITIONS AS PERMITTED BY LAW. AT THE SAME TIME, EMPLOYEES ARE EXPECTED TO USE THE APPROPRIATE SUPERVISORY AND ADMINISTRATIVE CHANNELS TO ADDRESS WORKPLACE AND OPERATIONAL CONCERNS. DIRECT COMMUNICATION WITH THE TOWN COUNCIL REGARDING INTERNAL OPERATIONS, PERSONNEL MATTERS, DEPARTMENTAL CONCERNS, COMPLAINTS, OR OTHER WORK-RELATED ISSUES MAY CREATE AN ACTUAL OR PERCEIVED CONFLICT OF INTEREST, PARTICULARLY WHERE THE COMMUNICATION IS INTENDED, OR COULD REASONABLY BE PERCEIVED AS INTENDED, TO INFLUENCE COUNCIL VOTES, DECISIONS, OR FUTURE ACTION. ACCORDINGLY, EMPLOYEES SHALL NOT COMMUNICATE DIRECTLY WITH THE TOWN COUNCIL REGARDING SUCH MATTERS UNLESS SPECIFICALLY DIRECTED TO DO SO BY THE TOWN MANAGER OR DESIGNEE AS PART OF THEIR JOB DUTIES OR AS PART OF AN AUTHORIZED PROCESS.~~

~~**EMPLOYEES ACTING AS TOWN RESIDENTS**~~

~~NOTHING IN THIS POLICY PREVENTS AN EMPLOYEE FROM COMMUNICATING WITH THE TOWN COUNCIL AS A TOWN RESIDENT ABOUT MATTERS OF GENERAL PUBLIC CONCERN THAT ARE UNRELATED TO THE EMPLOYEE'S TOWN JOB DUTIES OR INTERNAL WORKPLACE MATTERS.~~

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PART 5 – HOLIDAYS, VACATION, AND OTHER LEAVE

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Accrual and Carryover

Employees are expected to take their vacation leave or forfeit any leave that is not taken. Vacation accrual may not exceed ((three hundred sixty (360)))TWO HUNDRED AND FORTY (240) hours at the end of any calendar year. Any vacation accrued more than TWO HUNDRED AND FORTY (240) ((360)) hours at the end of any calendar year is forfeited.

Vacation leave shall not accrue while an employee is absent from work without pay, on administrative leave, on long-term disability, or Workers' Compensation, except as otherwise may be required by law.

Upon termination of employment, employees will receive payment for any accrued vacation hours, NOT TO EXCEED TWO HUNDRED AND FORTY (240) HOURS.

***

SALE OF LEAVE

EMPLOYEES MAY REQUEST TO SELL BACK A MAXIMUM OF FORTY (40) HOURS OF LEAVE UNDER THE FOLLOWING CONDITIONS:

1. REQUEST MUST BE RECEIVED NO LATER THAN DECEMBER 1ST.
2. ONLY ACCRUED LEAVE IN EXCESS OF TWO HUNDRED AND FORTY (240) HOURS IS ELIGIBLE.
3. LEAVE SOLD WILL BE AT THE EMPLOYEE'S BASE RATE OF PAY AS OF DECEMBER 1ST AND SUBJECT TO APPLICABLE DEDUCTIONS AND TAX WITHHOLDINGS.

EMPLOYEES WHO REMAIN ABOVE THE 240-HOUR VACATION CAP AFTER SELLING THE MAXIMUM 40 HOURS MAY CONVERT ANY REMAINING EXCESS ACCRUED VACATION LEAVE TO THEIR SICK LEAVE BALANCE.

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PART 6 – MISCELLANEOUS

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HEAT-RELATED ILLNESS PREVENTION AND MANAGEMENT

APPLIES TO ALL TOWN EMPLOYEES EXPOSED TO ENVIRONMENTS WHERE THE HEAT INDEX EQUALS OR EXCEEDS 80°F FOR MORE THAN 15 CONSECUTIVE MINUTES PER HOUR.

PURPOSE

THE TOWN OF LA PLATA'S HEAT-RELATED ILLNESS PREVENTION AND MANAGEMENT PLAN (THE "PLAN") WAS DEVELOPED TO PROVIDE TOWN EMPLOYEES WITH THE TRAINING AND TOOLS TO HELP PROTECT THEMSELVES AND FELLOW EMPLOYEES FROM HEAT-RELATED ILLNESS. THE PLAN WAS PREPARED USING CRITERIA PROVIDED BY MARYLAND OCCUPATIONAL SAFETY AND HEALTH (MOSH), OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA), AND IN COMPLIANCE WITH MARYLAND'S HEAT STRESS STANDARDS, COMAR TITLE 9, SUBTITLE 12, CHAPTER 32. THIS PLAN WILL BE MODIFIED AS NEEDED TO REFLECT CHANGES IN DEPARTMENTAL TASKS AND RESPONSIBILITIES AND WILL BE REVIEWED ANNUALLY.

APPLICABILITY

THIS POLICY APPLIES TO:

- EMPLOYEES PERFORMING INDOOR OR OUTDOOR WORK WHERE THE HEAT INDEX ≥ 80°F.
- TASKS INVOLVING PROLONGED PHYSICAL EXERTION OR THE USE OF PPE THAT INCREASES HEAT BURDEN.

THIS POLICY DOES NOT APPLY TO:

- EMERGENCY OPERATIONS PROTECTING LIFE OR PROPERTY.
- INCIDENTAL EXPOSURES LESS THAN 15 MINUTES PER HOUR.
- AIR-CONDITIONED OR MECHANICALLY VENTILATED AREAS MAINTAINING A HEAT INDEX BELOW 80°F.

DEFINITIONS

ACCLIMATIZATION: GRADUAL ADAPTATION OF THE BODY TO WORKING IN HOT CONDITIONS OVER 5–14 DAYS.

HEAT INDEX: HOW HOT IT FEELS WHEN RELATIVE HUMIDITY IS FACTORED WITH TEMPERATURE (NATIONAL WEATHER SERVICE CALCULATION).

HIGH-HEAT CONDITIONS: HEAT INDEX ≥ 90°F.

HEAT ILLNESS: MEDICAL CONDITIONS CAUSED BY THE BODY'S INABILITY TO REGULATE HEAT (E.G., HEAT EXHAUSTION, STROKE, CRAMPS).

ALTERNATIVE COOLING AND CONTROL MEASURES: ENGINEERING OR ADMINISTRATIVE CONTROLS LIKE VENTILATION, MISTING, FANS, OR COOLING GARMENTS.

SHADE: AN AREA THAT BLOCKS DIRECT SUNLIGHT AND ALLOWS FOR NORMAL POSTURE AND REST.

RESPONSIBILITIES

EMPLOYER / DEPARTMENT

- MONITOR HEAT INDEX DAILY AND ADJUST OPERATIONS WHEN NECESSARY.
- PROVIDE COOL POTABLE WATER (MINIMUM 32 OZ/HOUR PER EMPLOYEE).
- PROVIDE SHADED OR AIR-CONDITIONED AREAS NEAR WORK ZONES.
- IMPLEMENT ACCLIMATIZATION AND HIGH-HEAT PROCEDURES.

- MAINTAIN A WRITTEN HEAT ILLNESS PREVENTION PLAN (HIPP) AVAILABLE TO STAFF AND MOSH.
- ENSURE EMPLOYEE AND SUPERVISOR TRAINING ON HEAT ILLNESS PREVENTION, HYDRATION, REST, AND EMERGENCY PROCEDURES.
- REVIEW AND UPDATE THE PLAN ANNUALLY.

SUPERVISORS

- CONDUCT DAILY WEATHER AND SITE RISK ASSESSMENTS.
- ADJUST WORK SCHEDULES TO MINIMIZE EXPOSURE DURING PEAK HEAT HOURS (10 AM–4 PM).
- ENCOURAGE HYDRATION AND ENFORCE REQUIRED REST BREAKS.
- OBSERVE EMPLOYEES FOR SIGNS OF HEAT ILLNESS AND ENSURE IMMEDIATE RESPONSE.
- MAINTAIN EMERGENCY COMMUNICATION DEVICES (E.G., CHARGED CELL PHONES, RADIOS).
- DESIGNATE AN ALTERNATE RESPONSIBLE PERSON TO MONITOR WORKERS WHEN THE SUPERVISOR IS UNAVAILABLE.

EMPLOYEES

- FOLLOW HYDRATION AND REST PROTOCOLS.
- TAKE COOL-DOWN BREAKS AS NEEDED.
- MONITOR CO-WORKERS (BUDDY SYSTEM) FOR SIGNS OF DISTRESS.
- REPORT ANY HEAT ILLNESS SYMPTOMS IMMEDIATELY.
- PARTICIPATE IN ALL REQUIRED HEAT STRESS TRAINING.

PROCEDURES

HYDRATION

- PROVIDE AND ENCOURAGE CONSUMPTION OF 8 OZ (1 CUP) OF COOL WATER EVERY 15–20 MINUTES.
- MAINTAIN WATER DISPENSERS OR COOLERS ON EACH VEHICLE OR WORK CREW SITE.
- REFILL COOLERS WITH ICE AND CLEAN WATER DAILY.
- DRIVERS IN SANITATION AND OTHER CREWS MAY PAUSE OPERATIONS FOR HYDRATION SAFETY CHECKS.

SHADE AND COOL AREAS

- PROVIDE SHADE OR COOLED INDOOR AREAS WHEN THE HEAT INDEX ≥ 80°F.
- ALLOW PREVENTIVE 5-MINUTE COOL-DOWN RESTS AT ANY TIME.
- FOR HEAT INDEX ≥ 90°F, MINIMUM REST PERIODS ARE:
- 10 MINUTES EVERY 2 HOURS (90–99°F)
- 15 MINUTES EVERY HOUR (≥100°F)
- IF SHADE IS UNAVAILABLE, USE AIR-CONDITIONED VEHICLES OR ALTERNATIVE COOLING MEASURES (E.G., FANS, MISTING SYSTEMS).
- THE TOWN'S "NO IDLING" PRACTICE MAY BE SUSPENDED ON HIGH-HEAT DAYS TO ALLOW VEHICLE COOLING.

MONITORING

- SUPERVISORS USE THE OSHA-NIOSH HEAT SAFETY TOOL APP OR VERIFIED SOURCES (E.G., NWS, ACCUWEATHER).
- HEAT INDEX READINGS DETERMINE WHEN HIGH-HEAT PROTOCOLS APPLY.
- ADJUST WORKLOADS, SHIFT START TIMES, OR TASKS AS NEEDED.

ACCLIMATIZATION

- GRADUALLY INCREASE EXPOSURE FOR NEW OR RETURNING WORKERS USING THE 20% RULE (NO MORE THAN 20% OF SHIFT AT FULL INTENSITY ON DAY ONE).
- EXTEND ADAPTATION OVER 5–14 DAYS.
- MONITOR NEW AND RETURNING WORKERS CLOSELY FOR 7 CONSECUTIVE DAYS.
- MODIFY TASKS AND SCHEDULE LIGHTER DUTIES DURING THE INITIAL PERIOD.

HIGH-HEAT PROCEDURES

WHEN HEAT INDEX ≥ 90°F:

- CONDUCT PRE-SHIFT SAFETY BRIEFINGS.
- INCREASE REST BREAKS AND HYDRATION REMINDERS.
- IMPLEMENT A BUDDY SYSTEM FOR MUTUAL OBSERVATION.
- SUSPEND OR RESCHEDULE NONESSENTIAL STRENUOUS TASKS.
- ENSURE DIRECT COMMUNICATION WITH SUPERVISORS AT ALL TIMES.

EMERGENCY RESPONSE

RECOGNITION

COMMON SYMPTOMS:

- HEAT CRAMPS: PAINFUL MUSCLE SPASMS.
- HEAT EXHAUSTION: HEAVY SWEATING, DIZZINESS, NAUSEA, AND CONFUSION.
- HEAT STROKE: CONFUSION, HOT/DRY SKIN, COLLAPSE, LOSS OF CONSCIOUSNESS — LIFE-THREATENING.

RESPONSE

1. MOVE THE EMPLOYEE TO A SHADED/COOL AREA.
2. LOOSEN CLOTHING, APPLY COOL COMPRESSES OR MISTING.
3. PROVIDE SMALL SIPS OF WATER IF CONSCIOUS.
4. CALL 911 IMMEDIATELY FOR SIGNS OF HEAT STROKE OR IF SYMPTOMS PERSIST.
5. DO NOT LEAVE AFFECTED EMPLOYEES UNATTENDED.
6. REPORT ALL INCIDENTS TO SUPERVISORS AND HR FOR DOCUMENTATION.

EACH VEHICLE OR WORK SITE SHALL MAINTAIN:

- FIRST AID KIT WITH COLD PACKS.
- ACCESS TO COOL DRINKING WATER OR ELECTROLYTE FLUIDS.
- EMERGENCY CONTACT PROCEDURES.

TRAINING

ALL EMPLOYEES AND SUPERVISORS WILL RECEIVE TRAINING:

- UPON HIRE OR ASSIGNMENT TO HEAT-EXPOSED WORK.
- ANNUALLY PRIOR TO HIGH-HEAT SEASON.

- AFTER ANY HEAT-RELATED INCIDENT.

TRAINING COVERS:

- SYMPTOMS AND FIRST AID FOR HEAT ILLNESSES.
- ACCLIMATIZATION PROCEDURES.
- PROPER HYDRATION AND REST PRACTICES.
- REPORTING AND EMERGENCY COMMUNICATION STEPS.

ATTENDANCE RECORDS WILL BE MAINTAINED BY HR AND SITE SUPERVISORS.

ENFORCEMENT AND RECORDKEEPING

- NONCOMPLIANCE MAY RESULT IN CORRECTIVE OR DISCIPLINARY ACTION.
- HEAT-RELATED INCIDENTS WILL BE INVESTIGATED USING A HEAT ILLNESS INCIDENT REPORT FORM.
- FINDINGS WILL BE USED TO IMPROVE FUTURE PREVENTION MEASURES.
- THIS POLICY WILL BE REVIEWED ANNUALLY BY THE DEPARTMENT OF HUMAN RESOURCES.

SECTION 2: BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA, that this Ordinance shall become effective 15 days after its approval by the Council.

ADOPTED AND APPROVED by the Council of the Town of La Plata on this _____ day of _____, 2026.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

_____
Jeannine E. James, Mayor

_____
Paul C. Guttenberg, Councilman

_____
Patrick McCormick, Councilman

ATTEST:

_____
Gregory Sampson, Jr., Councilman

_____
Shelby Pritchett
Town Clerk

_____
Tyjon C. Johnson, Councilman

_____
Date

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
((Double Parentheses)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.
*** indicates existing law not depicted in bill and not being altered by bill

Town of La Plata

Employee Handbook

Revised May 12, 2026
Effective February 25, 2026

Acknowledgment of Receipt of the Town of La Plata Employee Handbook

I acknowledge that I have received a copy of the Town of La Plata Employee Handbook ("Handbook"). I understand that I am responsible for reading and abiding by all policies and procedures in this Handbook, as well as all other policies and procedures of the Town.

I also understand that I am an at-will employee of the Town and that the purpose of this Handbook is simply to inform me of the Town's policies and procedures and that it is not a contract of employment. I acknowledge that my employment is at-will and it is subject to termination by me or the Town, with or without cause, with or without notice, and at any time. Nothing in this Handbook provides any entitlement to me or any Town employee, nor is it intended to create contractual obligations of any kind. The at-will employment status of Town employees can be modified only in a written employment agreement signed by the employee and the Town Manager on the date the contract is signed.

I understand that the Town has the right to change any provision of this Handbook at any time and that I will be bound by any such changes.

_____ _____

Signature *Date*

_____

Full Name (please print)

Please sign and date this acknowledgment and return it to Human Resources.

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Welcome

The Town of La Plata serves as the county seat for the Charles County Government and was originally founded in the 1870s as the Pennsylvania Railroad was granted a right of way to build its tracks and station. The Town was incorporated on April 4, 1888. Since La Plata's inception, it has grown into a beautiful small town of 10,676 residents (2020 Census) with hundreds of small businesses that serve Southern Maryland.

Official Town Bird: Purple Martin
Official Town Tree: Sweetbay Magnolia

Core Values

Our foundational pillars are represented by the acronym **C.A.R.E.**

- **Community Engagement & Citizenship** - By serving as responsible stewards, we promote opportunities for our residents to see reward in giving back and help them become involved as good neighbors.
- **Accountability** - Through a foundation built on transparency, we are answerable to each other and our community.
- **Respect** - We earn respect by building trust through actions and conducting ourselves with integrity and professional decorum.
- **Equity** - By engaging with the community, listening to citizens, evaluating their concerns, and addressing needs, we model our commitment to one another.

Vision

The Town of La Plata is an inclusive model of local government for community safety, health, amenities, and financial stability that benefits all residents for generations to come.

Mission

In partnership with the community, La Plata provides a cost-effective system of government for public services. We implement industry best practices and innovative ideas to be known as a cultural hub that respects its strong heritage, encourages economic growth, facilitates a safe environment for a diverse community, enhances quality of life, and protects its natural resources.

Introduction

This Employee Handbook ("Handbook") is a compilation of personnel policies, practices, and procedures currently in effect at the Town of La Plata ("Town").

The Handbook is designed to introduce you to our Town, familiarize you with Town policies, provide general guidelines on work rules, benefits, and other issues related to your employment, and help answer many of the questions that may arise in connection with your employment.

This Employee Handbook is not a contract of employment and does not create a contract of employment. The Town of La Plata generally does not offer individual employees formal employment contracts. This Handbook does not create a contract, express or implied, guaranteeing you any specific term of employment, nor does it obligate you to continue your employment for a specific period. The purpose of the Handbook is to provide you with a convenient explanation of present policies and practices in the Town.

This Handbook is an overview or a guideline. It cannot cover every matter that might arise in the workplace. For this reason, specific questions regarding the applicability of a particular policy or practice should be directed to the Personnel Officer ("Department of Human Resources" or "Human Resources"), which maintains the full version of all Town policies and standard operating procedures (SOPs), including those not specifically detailed in this handbook.

The Town recognizes that the Police Department (PD) operates under specialized requirements and professional standards unique to law enforcement. Accordingly, the Police Department operational policies, such as use of force, vehicle pursuits, arrest procedures, evidence handling, body-worn cameras, and incident reporting, are maintained separately by the PD and issued through the Chief of Police as General Orders. These policies are developed and updated in compliance with applicable federal, state, and local laws, as well as recognized law enforcement standards.

PD employees are also covered by Town-wide employment policies (e.g., equal employment opportunity, anti-harassment and retaliation, leave administration, compensation/benefits, and IT/security). The PD will coordinate with Human Resources to ensure that PD operational policies align with legal requirements and Town-wide policies.

In the event of a conflict between PD policy and Town policy on matters other than PD operational procedures, Town policy will govern.

The Town reserves the right to modify any of our policies and procedures, including those covered in this Handbook, at any time. We will seek to notify you of such changes by email and other appropriate means. However, such notice is not required for the changes to take effect.

Part 1 – General Employment Policies and Practices

Equal Employment Opportunity

The Town is an equal opportunity employer. We will extend equal opportunity to all individuals without regard to race, religion, color, sex (including pregnancy, sexual orientation, and gender identity), national origin, disability, age, genetic information, military status, or any other status protected under applicable federal, state, or local laws. Our policy reflects and affirms the Town's commitment to the principles of fair employment and the elimination of all discriminatory practices. Details of our equal employment opportunity policies are further explained in Part 2.

Your Employment Relationship with the Town

The Town of La Plata generally does not offer individual employees a formal employment contract with the Town. Employment is "at will," meaning that you or the Town may end your employment at any time for any lawful reason.

Law Enforcement officers employed by the Town are also considered at-will employees, except as otherwise provided by law. However, law enforcement personnel are subject to additional procedural protections and disciplinary review processes under the Maryland Police Accountability Act of 2021 and the guidelines established by the Charles County Accountability and Charging Committee.

No manager or other representative of the Town, other than the Town Manager, has the authority to enter into any agreement guaranteeing employment for any specific period. No such agreement shall be enforceable unless it is in writing and signed by the Town Manager or designee and the employee.

Civility in the Workplace

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The Town is committed to maintaining a workplace culture grounded in professionalism, respect, and courtesy. Employees are expected to interact with coworkers, supervisors, elected officials, residents, vendors, and other members of the public in a civil and constructive manner. Civility includes, but is not limited to, being polite, treating others with dignity, showing respect, developing positive working relationships, holding one another accountable in an appropriate manner, being assertive while exercising self-restraint, using good manners, extending courtesy, listening, disagreeing without being disrespectful, and showing grace in workplace interactions.

Incivility is inconsistent with the Town's expectations and will not be tolerated. Workplace incivility generally refers to low-intensity behavior that violates standards of mutual respect and professionalism. Such behavior is often rude or discourteous and reflects a lack of regard for others. Incivility may be intentional, but it may also result from thoughtlessness, stress, or poor judgment. Regardless of intent, employees are expected to maintain appropriate workplace conduct. When intentional behavior escalates in

frequency or severity, it may rise to the level of more serious misconduct, including conduct that may violate other Town policies or applicable law, such as unlawful harassment.

Forms of Incivility

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Verbal Incivility

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Verbal incivility may include rude remarks, insults, demeaning statements, sarcasm directed at others, yelling, or other disrespectful language.

Visual Incivility

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Visual incivility may include displaying, sharing, sending, or distributing inappropriate or offensive cartoons, pictures, messages, emails, or other materials.

Physical Incivility

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Physical incivility may include inappropriate physical contact, invading personal space, intimidating gestures, or other behavior inconsistent with professional workplace standards.

Examples of Prohibited Conduct

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Prohibited conduct under this policy includes, but is not limited to, yelling or speaking to others in a demeaning or hostile manner; making inappropriate, insulting, or sarcastic comments; interrupting others repeatedly or refusing to allow others to speak; using disrespectful language in meetings, emails, text messages, or other communications; spreading rumors or engaging in gossip intended to undermine another individual; displaying or distributing inappropriate or offensive cartoons, pictures, messages, or emails; rolling eyes, mocking, or making other disrespectful gestures; invading another person's personal space; engaging in inappropriate physical contact; and other conduct that is rude, discourteous, intimidating, or inconsistent with workplace expectations for professionalism and mutual respect.

This policy applies to all work-related interactions, including in-person communications, meetings, telephone conversations, email, text messages, and other forms of communication. Employees who engage in uncivil conduct may be subject to corrective action, up to and including termination of employment.

Code of Ethics

Employees are expected to uphold the highest standards of integrity, professionalism, and ethical behavior in all aspects of their work. This includes demonstrating honesty, accountability, and fairness while treating colleagues, customers, and stakeholders with dignity and respect. Ethical conduct extends to all professional interactions, decision-making, and compliance with organizational policies, industry regulations, and applicable laws.

Employees must exercise good judgment, avoid misrepresentation, and act in a manner that fosters trust and confidence in the organization. Any form of dishonesty, fraud, discrimination, harassment, or unethical behavior is strictly prohibited. Employees should report any suspected ethical violations or concerns to their supervisor, Human Resources, or another designated representative. Retaliation against employees who report ethical concerns in good faith will not be tolerated.

The organization expects all employees to take personal responsibility for maintaining a workplace culture that prioritizes ethical conduct and accountability. If an employee is unsure whether a particular action aligns with the organization's ethical standards, they should seek guidance before proceeding.

Gift Acceptance

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Employees shall not solicit or accept gifts, gratuities, favors, or other items of value that could influence, or appear to influence, the performance of their official duties. Employees may accept nominal items valued at no more than $20, provided the gift is not intended to obtain favorable treatment or to create a conflict of interest. Any gift offered or accepted must be disclosed to the employee's supervisor or Human Resources. Gifts that exceed this limit, or that present an actual or perceived conflict, are prohibited.

Conflict of Interest

A conflict of interest arises when an employee's personal, financial, or professional interests may interfere, or appear to interfere, with their ability to make unbiased decisions in the best interest of the organization. Employees must remain transparent about any actual or potential conflicts and take steps to avoid situations that could compromise their professional responsibilities.

Examples of potential conflicts of interest include, but are not limited to:

- Holding a financial interest in or having a close personal relationship with a vendor, contractor, or competitor that could influence business decisions.
- Accepting gifts, favors, or benefits from individuals or organizations that do business with or seek to do business with the Town.
- Engaging in outside employment, consulting, or business activities that could compete with or negatively impact the organization.
- Using Town resources, confidential information, or position for personal gain or to benefit family members, friends, or associates.

Employees must disclose any actual or potential conflicts of interest to their supervisor or Human Resources as soon as they become aware of them. Failure to disclose a conflict of interest may result in disciplinary action, up to and including termination. If an employee is unsure whether a situation constitutes a conflict of interest, they should seek guidance before taking any action.

The Town is committed to ensuring that all business dealings are conducted with integrity and transparency. Employees are expected to always act in the best interest of the organization and to address any conflicts that may arise in a proactive manner.

Workplace Communication

To support effective communication and the timely resolution of workplace issues, employees are expected to address work-related questions, concerns, and operational matters through the appropriate supervisory structure. Employees should generally begin with their immediate supervisor and then follow the organizational reporting structure, as reflected in the Town's organizational chart, when additional review or assistance is needed. Using the appropriate level of supervision helps ensure that matters related to employment, working conditions, scheduling, assignments, and department operations are reviewed by those responsible for managing the work and resolving issues efficiently.

Communication with the Town Council

The Town recognizes that employees may have the right to speak about their working conditions as permitted by law. At the same time, employees are expected to use the appropriate supervisory and administrative channels to address workplace and operational concerns. Direct communication with the Town Council regarding internal operations, personnel matters, departmental concerns, complaints, or other work-related issues may create an actual or perceived conflict of interest, particularly where the communication is intended, or could reasonably be perceived as intended, to influence Council votes, decisions, or future action. Accordingly, employees shall not communicate directly with the Town Council regarding such matters unless specifically directed to do so by the Town Manager or designee as part of their job duties or as part of an authorized process.

Employees Acting as Town Residents

Nothing in this policy prevents an employee from communicating with the Town Council as a Town resident about matters of general public concern that are unrelated to the employee's Town job duties or internal workplace matters.

Employment Classifications

The following terms will be used to describe employment classifications and status:

Exempt Employees

Exempt employees are not subject to the overtime pay provisions of the federal Fair Labor Standards Act (FLSA). An exempt employee is one whose specific job duties and salary meet all of the requirements of the U.S. Department of Labor's regulations.

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Non-Exempt Employees

Salaried employees who are not administrative, professional, or managerial employees (as defined by the U.S. Department of Labor), and many hourly employees, are generally not exempt from the FLSA's overtime provisions.

Full-Time Employees

Full-time employees are those who are regularly scheduled to work at least 40 hours per week and are not hired on a temporary basis.

Part-Time Employees

Part-time employees are those who are regularly scheduled to work fewer than 20 hours per week and are not hired on a temporary basis. Part-time employees are not eligible for Town-paid benefits, except as required by law.

Temporary and Seasonal Employees

Employees hired for an interim period are typically employed to fill in for vacations, leaves of absence, or projects of limited duration. Temporary and seasonal employees are not eligible for Town-paid benefits, except as required by law.

Orientation and Training

To help you become familiar with the Town and our internal culture, the Town will provide an orientation and training session within the first few days of your employment. Some of the session's content will largely depend on the nature of your responsibilities, while others will apply to all employees. Additionally, the Town may periodically offer supplementary training or educational programs. Some programs may be voluntary, while others will be required.

Immigration Law Applicable to All Employees

The Town complies with the Immigration Reform and Control Act of 1986 by employing only U.S. citizens and non-citizens who are authorized to work in the United States. All employees are required to provide original documents verifying their right to work in the United States on their first day of work and to sign a verification form, as mandated by federal law (Form I-9). If you cannot verify your right to work in the United States within three (3) days of hire, the Town is required by law to terminate your employment.

Hours of Work

The workweek is generally from Monday through Friday, with hours varying by department. Hourly, non-exempt employees will be allowed a thirty-minute (30) lunch break.

The police department is responsible for ensuring coverage of the Town twenty-four (24) hours a day, seven (7) days a week, and therefore employees assigned to the police department, both sworn and unsworn, may be required to work outside the Town's core business hours.

Flex Time

The Town supports flexible scheduling when operational needs allow. Flex time permits employees to adjust their daily start and end times while still covering core business hours (generally 7:00 a.m.–5:00 p.m.) and ensuring public service coverage during Town Hall hours (9:00 a.m.–4:00 p.m.). Flex time must be requested in advance and approved by both the supervisor and department director, taking into account workload, customer service needs, and coverage requirements. Participation does not guarantee a specific schedule and may be modified or withdrawn if needs change. Employees must accurately record time and comply with FLSA rules.

Telecommuting

Telecommuting may be offered when duties can be performed effectively away from Town facilities without impacting productivity, customer service, security, or records management. Telecommuters must maintain a safe and professional workspace, protect Town data/equipment, and be reachable and responsive, including for meetings.

Telecommuting is a privilege, approved at the department director level with review by the Town Manager, and may be changed or revoked at any time. Employees must track hours accurately and comply with FLSA.

Hybrid Work

Hybrid work (a mix of on-site and remote work) may be authorized where some duties are suited to remote performance while preserving in-person presence for collaboration and public service. Hybrid schedules are approved on a case-by-case basis by the supervisor and department director with Town Manager review. Hybrid employees must meet all telecommuting expectations on remote days, remain available during scheduled hours, and attend on-site meetings or events when required. Arrangements may be adjusted or revoked based on operations, performance, or service demands.

General Conditions

- Participation in flex time, telecommuting, or hybrid work does not change job duties, classification, pay, or benefits.
- Employees must follow all Town policies, including timekeeping, confidentiality, technology use, and record retention.
- The Town may modify or terminate any flexible/remote arrangement at its discretion to maintain coverage.
- Exceptions to these hours may be approved by the department director (and, when applicable, the Town Manager) to meet operational needs such as shift work, emergency response, or special events.

Overtime

No overtime may be worked without prior express approval from the employee's Department Director. This includes arriving early, working through unpaid meal periods, staying late, taking calls after hours, or checking emails or text messages off the clock.

Director Responsibility

Department Directors must minimize overtime by ensuring adequate staffing, effective scheduling, and efficient workload management. When responding to emergencies or after-hours callouts, Directors (or their designees) must ensure that only the required number of staff are deployed to safely and effectively resolve the issue.

Authorization

Overtime must be approved in advance for a specific purpose and duration; written approval (via email/text) is preferred. In rare, time-critical emergencies, verbal approval by the on-call supervisor/Director is required before work begins, with written confirmation documented immediately after.

Compensation

Non-exempt employees are paid one and one-half times (1.5x) their base rate for all hours worked over 40 in a workweek, consistent with the FLSA and Town policy. Exempt employees are not eligible for overtime pay.

Timekeeping & Compliance

All hours worked must be recorded accurately in the Town's timekeeping system. The Town will pay for all hours worked, including any unauthorized overtime, but working overtime without prior approval or failing to follow this policy may result in corrective action.

Law Enforcement

Law enforcement personnel are subject to Section 7K of the FLSA, which provides a special exemption from the standard overtime provisions. Overtime will be paid to a covered employee after they exceed their regular scheduled hours during a 14-day work period, coinciding with the published pay period for payroll.

Attendance and Punctuality

It is essential for you to report to work on time and to avoid unnecessary absences. The Town recognizes that illness or other circumstances beyond your control may cause you to be absent from work from time to time. However, frequent absenteeism or tardiness may result in disciplinary action, up to and including termination. Excessive absenteeism or frequent tardiness places an unnecessary strain on your coworkers and can have a negative impact on the Town's success.

You are expected to report to work when scheduled. Whenever you know in advance that you will be absent, you should notify your immediate supervisor or the designated manager. If your absence is unexpected, please attempt to reach your immediate supervisor as soon as possible, but no later than two hours before your scheduled work time. If your immediate supervisor is unavailable, you must speak with a manager. If you must leave a voicemail, you must provide a number where your supervisor may reach you if need be.

Some, but not all, absences are compensated for under the Town's leave policies described in Part 5.

You are expected to be at your workstation at the beginning of each business day. If you are delayed, you must call your immediate supervisor to explain the reason for the delay. As with absences, you must make every effort to speak directly with the manager. Regular delays in reporting to work will result in disciplinary action up to and including termination.

No Call / No Show

Any employee who fails to report to their scheduled shift or notify their supervisor of absence for three (3) consecutive days will be considered to have voluntarily resigned.

Inclement Weather

The Town is open for business unless the Town Manager or designee advises otherwise. There may be times when the opening is delayed, and on rare occasions, it may be necessary to close. Use common sense and your best judgment when traveling to work in inclement weather.

Employees in essential positions, such as those in public safety or facilities roles, will still be required to report to work as directed.

In the event that the facilities are closed by the Town, employees will be paid for the day if they are scheduled for work. If the Town's facilities are open and you are delayed getting to work or cannot get to work at all because of inclement weather, the absence will be charged as (1) compensatory time, (2) personal time, (3) vacation time, (4) police holiday (as applicable), or (5) unpaid time off, in that order.

When severe weather develops or is anticipated to develop during the day and the Town decides to close before 2:00 p.m., you will be compensated as if you have worked to the end of your regularly scheduled hours for that day. If you elect to leave prior to the time the Town closes, you will be required to use compensatory time or personal/vacation time in an amount equal to the number of hours between the time you left and the time the office closed.

Non-exempt employees may not elect to work during hours when the Town is closed, such as arriving at their workstation prior to a delayed start or remaining after the facilities are closed, even if they believe it is safe to do so.

Use of Town Vehicles

Town vehicles are provided for official business and must be operated safely and responsibly at all times. Employees must obey all traffic laws, wear seat belts, and avoid distracted driving. Hands-free devices must be used when making or receiving calls while driving, as required by state law. If a position requires frequent phone calls or rapid response, the Town will provide an approved hands-free device. Employees who prefer to use their own hands-free device may do so, and the Town will offset the cost up to the amount it would have spent on a Town-issued device.

Vehicles must be kept clean and free of personal items. Smoking, vaping, or the use of tobacco products is prohibited in Town vehicles. Fueling, routine inspections, and reporting of mechanical issues should follow departmental procedures. Any accident, damage, or citation (including moving violations and parking tickets) must be reported promptly to the employee's supervisor. Town vehicles may not be used for personal errands or non-work activities unless specifically authorized in writing by the Town Manager or department director.

The Police Department will maintain its own general orders regarding the use of police vehicles. In the event of any conflict between those procedures and this handbook, Town policy will prevail.

Dress Code and Public Image

As a Town employee, you are expected to present a clean and professional appearance when representing the Town, whether you are in or outside the office. You are, therefore, required to dress in appropriate business attire and to behave in a professional, business-like manner.

The current Town dress code is business casual for administrative staff or uniform of the day. Please keep in mind, however, that the Town is a professional business office, where citizens and others often visit. Generally, clean, neat clothing is acceptable. Torn jeans or other torn clothing, graphic tee shirts, shirts with inappropriate language or images, and flip-flops or sandals are not considered appropriate attire. As always, please exercise good judgment in selecting your business attire.

The Town of La Plata celebrates diversity and individuality, including personal expression through tattoos, piercings, and natural hairstyles. We believe in creating a welcoming environment where employees can feel comfortable being themselves. As such, tattoos, piercings, and natural hairstyles are permitted in the workplace, provided they are kept

neat and clean. We trust our employees to exercise sound judgment in their choices, recognizing that personal appearance should not compromise professional standards.

While we encourage self-expression, we also recognize the importance of maintaining a respectful and inclusive atmosphere. Offensive tattoos or piercings that could potentially disrupt the work environment or offend colleagues or clients will be addressed on a case-by-case basis. Employees may be asked to cover or remove visible tattoos or piercings that are considered offensive while on duty.

Hygiene

Employees are expected to maintain personal cleanliness and grooming standards that are appropriate for a professional work environment and respectful of coworkers and the public. This includes regular bathing, use of clean clothing, and other practices that support a healthy and pleasant workplace. Supervisors may address concerns if hygiene creates disruption or negatively impacts others.

Fragrance

Light personal fragrances are allowed; however, heavy or excessive scents (e.g., strong perfumes/colognes, heavily scented lotions, body sprays, or plug-in/diffuser fragrances in shared areas) are not permitted when they create discomfort or health issues for others or disrupt the workplace. Employees should use scents sparingly and be responsive to requests to reduce or discontinue use. The Town may restrict fragrances in specific work areas or as part of an accommodation.

Workspace

Employees are responsible for maintaining the workspace assigned to them. A clean, orderly workspace provides an environment conducive to working efficiently. Employees should keep in mind that their workspace is part of a professional environment that portrays the Town's overall dedication to providing quality service to its clients. Therefore, your workspace should be clean, organized, and clutter-free, with only the necessary items to perform your job. Those with individual offices may decorate as they choose, using good judgment to determine what is appropriate within a professional setting.

Personal Symbols, Messages, and Decorations

The Town maintains government/public areas as neutral spaces. Personal displays, such as flags (e.g., Pride, political, organizational), religious symbols, slogans, or cause-related imagery, are not permitted in lobbies, reception counters, public meeting rooms, service windows, shared corridors, or on building exteriors/flagpoles. Only official, Town-approved communications and displays may be posted in these locations. In shared work areas, personal items must be limited, professional, non-disruptive, and not public-facing or reasonably perceived as endorsed by the Town. Campaign materials for or against candidates, parties, or ballot questions are not permitted while on duty or in Town spaces.

Employees may discreetly express their identity or faith in personal workspaces not routinely accessed by the public by using modest-sized items that do not interfere with work, create disruption, or violate anti-harassment or other policies. The Town provides reasonable religious accommodation (e.g., small desk items, dress/garb, observances) unless they impose an undue hardship or pose a safety risk; contact the Department of Human Resources to request accommodation. Department-wide or facility-wide thematic/awareness displays require approval by the Town Manager (or designee) to ensure neutrality, consistency, and safety.

Supervisors and HR may require removal, relocation, or resizing of items to maintain neutrality, professionalism, accessibility, and operational safety. Concerns should be reported to a supervisor or HR, and violations may result in corrective action under the Town's progressive discipline policy.

Office Equipment

Specific equipment is assigned to staff members depending on the job's particular needs, including a personal computer, printer, cell phone, and access to our central computers and servers. This equipment is the property of the Town and cannot be removed from the office without prior approval from the Town Manager. The Town expects you to treat this equipment with care and report any malfunctions immediately to staff members who are equipped to diagnose the problem and take corrective action.

Internet Access

Access to the Internet is primarily granted for work-related activities or approved educational/training purposes. Incidental and occasional personal use and study use are permitted. This privilege should not be abused and must not affect the employee's performance in employment-related activities.

Right to Monitor

The Town's email and Internet system is always the property of the Town. By accessing the Internet, Intranet, and electronic mail services through facilities provided by the Town, you acknowledge that the Town (by itself or through its Internet Service Provider) may, from time to time, monitor, log, and gather statistics on employee Internet activity and may examine all individual connections and communications. Please note that the Town uses email filters to block spam and computer viruses. These filters may, from time to time, block legitimate email messages.

Responsibilities and Obligations

Employees may not access, download, or distribute illegal material, or material that others may find offensive or objectionable, such as material that is pornographic, discriminatory, harassing, or an incitement to violence.

You must respect and comply with copyright, trademark, and similar laws, and use such protected information in compliance with applicable legal standards. When using web-based sources, you must provide appropriate attribution and citation of information to the websites. Software must not be downloaded from the Internet without prior approval from qualified personnel within the Town.

Violation of this Policy

In all circumstances, the use of Internet access and email systems must be consistent with the law and Town policies. Violation of this policy is a serious offense and subject to the requirements of the law, may result in a range of sanctions, from restriction of access to electronic communication facilities to disciplinary action, up to and including termination.

Email

The email system is the property of the Town. All emails are archived on the server in accordance with our records retention policy, and all emails are subject to review by the Town. You may make limited use of our email system for matters involving personal business, so long as such use is kept to a minimum and does not interfere with your work.

The Town email system is Town property, and as such, is subject to monitoring. System monitoring is conducted for your protection and the protection of the rights and property of the service provider. Please consider this when conducting personal business using Town hardware and software.

Electronic mail is like any other form of Town communication and may not be used for harassment or other unlawful purposes. Your email account is a Town-provided privilege and is Town property. Remember that when you send an email from the Town domain, you represent the Town whether your message is business-related or personal.

Employees may only use Town-approved email signature templates. Email signatures must remain professional and consistent with the Town's branding and communication standards and may not include personal comments, taglines, slogans, images, or quotes. Any changes to an email signature must be reviewed and approved in advance.

Confidentiality of Electronic Mail

As noted above, electronic mail is subject to monitoring, and the release of specific information is governed by applicable laws and Town rules, policies, and procedures regarding confidentiality. Existing regulations, policies, and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software.

Social Media

The term “social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, whether or not associated or affiliated with the Town, as well as any other form of electronic communication. The same principles and guidelines outlined in the Town's rules, policies, and procedures apply to an employee’s online social media activities.

Any conduct that adversely affects an employee’s job performance or the performance of fellow employees, or otherwise adversely affects the Town’s legitimate business interests, may result in disciplinary action, up to and including termination. Similarly, inappropriate postings, including but not limited to discriminatory remarks, harassment, and threats of violence, or similar inappropriate or unlawful conduct, will not be tolerated and may result in disciplinary action, up to and including termination. However, this restriction will not apply to any postings made in the exercise of any rights granted to an employee by federal and/or state law.

Telephones

Access to the Town's telephone system is granted primarily for work-related activities or approved educational/training purposes. Incidental and occasional personal use is permitted. This privilege should not be abused and must not affect the employee’s performance in employment-related activities. Telephone usage should be based on cost-effective practices that support the Town’s mission and should comply with applicable rules and regulations.

You should use good judgment when making or receiving personal cellular phone calls at work. To the extent possible, employees should make personal cell phone calls during their breaks or lunch times. The use of cell phone cameras during work hours is prohibited to protect the privacy of the Town as well as that of fellow employees. However, this restriction will not apply to any recordings made in the exercise of any rights granted to an employee by federal and/or state law.

The Town telephone system is always the property of the Town. By accessing the Town's telephone system through facilities provided by the Town, you acknowledge that the Town reserves the right to monitor the system periodically to ensure that employees use it for its intended purposes.

The Town prohibits the use of hand-held cellular devices while driving. Employees are strongly encouraged to use a hands-free cellular device while driving, should such use become necessary in the course of employment. Sending and/or receiving text messages is expressly prohibited while operating any vehicle.

Smoking, Vaping, and Other Tobacco-Related Products

Tobacco products are defined as any product made or derived from tobacco that is intended for human consumption. This includes but is not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, and any form of electronic cigarettes or vaping devices.

To provide a safe and comfortable working environment for all employees, smoking is strictly prohibited inside any Town building. The use of tobacco products, including cigarettes, cigars, pipes, vaping devices (e-cigarettes), and smokeless tobacco (chew), is strictly prohibited within all company premises and vehicles. This policy applies to all employees, contractors, visitors, and customers of the Town.

We understand the challenges of quitting tobacco products. The Town will provide support and resources for employees who wish to quit. Employees are encouraged to contact the Department of Human Resources for information on smoking cessation programs and resources.

Drug-Free Workplace

The Town takes the problem of drug and alcohol abuse seriously and is committed to providing a substance abuse-free workplace for its employees. Substance abuse of any kind is inconsistent with the behavior expected of our employees. It subjects all employees and visitors to our facilities to unacceptable safety risks, thereby undermining our ability to operate effectively and efficiently.

In accordance with Department of Labor regulations and the Federal Motor Carrier Safety Administration (FMCSA), the Town of La Plata implements random drug testing for all employees holding a Commercial Driver's License (CDL). This test is conducted to ensure compliance with federal regulations and promote road safety.

CDL drivers will be randomly selected for testing using a scientifically valid method that ensures each driver has an equal chance of being tested each time selections are made. The frequency of testing will follow DOT regulations, which currently require a certain percentage of CDL drivers to be tested annually. Testing will screen for substances as required by federal regulations, including but not limited to marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

Substance Use

The Town recognizes alcohol and drug abuse as potential health, safety, and security problems. The Town expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs (including cannabis), or other intoxicating substances. Compliance with this substance use policy is a condition of employment. Violations of the policy may result in discipline, up to and including termination.

All employees are prohibited from engaging in the unlawful manufacture, possession, use, distribution, or purchase of illicit drugs, cannabis, alcohol, or other intoxicants, as well as the misuse of prescription drugs on Town premises or at any time and any place during working hours. While the Town cannot control your behavior off the premises during your own time, the Town encourages you to always behave responsibly and appropriately. However, any off-duty activity, including drug or alcohol-related activity, that leads to your arrest or that causes embarrassment to the Town may be grounds for discipline, up to and including termination. All employees are required to report to their jobs in an appropriate mental and physical condition, ready to work.

Substance Use Disorder (SUD) is an illness that can be treated. Employees who have an alcohol or drug use problem are encouraged to seek appropriate professional assistance. You may inform your immediate supervisor, designated manager, or the Department of Human Resources for assistance in seeking help to address substance use, who can also help you determine coverage available under the Town's medical insurance plan. If you wish to remain anonymous while seeking treatment, you can contact the employee assistance program (EAP) directly. Contact details can be found in the Town's employee benefit book or by contacting the Department of Human Resources. Any employees requesting the EAP number will have their information kept confidential.

When work performance is impaired, admission to or participation in a treatment or other program does not preclude the Town from taking appropriate action. The Town will, however, assist and support employees who voluntarily seek help for drug or alcohol addiction before becoming subject to discipline or termination under this or other Town policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers, and otherwise accommodated as required by law. Employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or if they have violated this policy previously. Once a drug test has been initiated under this policy, unless otherwise required by the Family and Medical Leave Act (FMLA) or the Americans with Disabilities Act (ADA), the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and will face possible discipline, up to and including termination.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs, cannabis, or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor and/or the Department of Human Resources.

The Town recognizes that marijuana remains illegal under federal law and therefore is not recognized as a protected substance under the ADA; however, employees who are registered Maryland medical cannabis patients may request consideration under

applicable Maryland law. The Town will evaluate requests on a case-by-case basis through an interactive review that considers the employee's position, essential functions, workplace safety obligations, and operational needs, and this policy does not permit use, possession, or impairment during work hours or on Town property.

Any individual violating this substance use policy will be subject to disciplinary action, up to and including termination.

Testing in General

Except as provided below, all drug and/or alcohol testing conducted pursuant to the terms of this handbook will be conducted at a licensed laboratory at the Town's expense. All testing will be conducted in accordance with federal and/or state law as applicable, and employees will be provided with copies of lab results upon request and all notices required by federal and/or state law.

Reasonable Suspicion

Reasonable suspicion urine and/or breath alcohol testing shall be made based on specific, articulable, and contemporaneous observations. Reasonable suspicion observations and reports can only be made by individuals, including trainers and supervisors, who are trained to detect the signs and symptoms of controlled substance and alcohol use and who may reasonably conclude that an employee may be adversely affected or impaired in their work performance due to the use of a controlled substance or alcohol. The observing supervisor or manager is required to complete the appropriate documentation within twenty-four (24) hours of the observed behavior or before the results of a controlled substance test are released, whichever is sooner.

Reasonable suspicion testing shall be required and completed whenever possible within two (2) hours of the observation, but in any case, no later than eight (8) hours after the observation for breath alcohol testing and thirty-two (32) hours for controlled substance testing.

The Department of Human Resources maintains a Supervisor Checklist for supervisors to use when assessing an employee, as well as Reasonable Suspicion Test documents. If a supervisor or manager believes an employee is under the influence, they shall retrieve these forms from the Department of Human Resources. The Police Department includes staff who are trained to recognize and evaluate for reasonable suspicion that may be called to assist with assessing an employee.

Post-Accident Testing

Federal Highway Administration regulations require alcohol and controlled substance testing following an accident for any employee if the accident involved a fatality, or for any employee who receives a citation for a moving traffic violation. The Town may require testing for all employees whose performance may have contributed to the accident, as

well as any employee who was, or employees who were, involved in an accident to which injury to a person requires transport to a medical treatment facility, or disabling damage to one or more vehicles requires towing from the accident site to occur.

Post-accident testing shall be required and completed whenever possible within two (2) hours of the accident occurrence, but in any case, no later than eight (8) hours after the accident for breath alcohol testing (BAT) and thirty-two (32) hours for controlled substance testing. An employee involved in an accident shall refrain from alcohol consumption for eight (8) hours following the accident or until the employee undergoes a post-accident alcohol test, whichever occurs first. The Town will document the reasons for not conducting the required tests promptly.

Any employee who leaves the scene of an accident without appropriate authorization prior to submission to post-accident controlled substance and alcohol testing shall be considered to have refused the tests. This does not require delaying medical attention or other necessary assistance in responding to the accident.

Employees required to undergo testing will be transported to the testing site by another member of staff.

Law enforcement personnel will follow the applicable General Orders when involved in an accident in a police vehicle. In cases where the Town policy conflicts with General Orders, the stricter policy will prevail.

Random Testing

Random testing shall be conducted on employees holding a commercial driver's license (CDL). Random testing shall be unannounced and conducted with unpredictable frequency throughout the year, using an established, scientifically based selection method as articulated in Federal Highway Administration regulations. Testing shall be conducted whenever and as ordered by appropriate supervisory personnel, but no less frequently than required by federal law and regulations, as well as any applicable state laws.

Return to Duty Testing

Return to duty urine drug and/or breath alcohol testing shall be required for an employee who has previously tested positive for any individual controlled substance, or general category of such chemicals, or who admitted to alcohol or substance use and received treatment for such use. The employee must test negative and be evaluated and released to return to work by a Substance Abuse Professional (SAP).

Follow-Up Testing

Follow-up testing of any employee who has been allowed to return to work will be required. The employee will be required to submit to frequent, unannounced, random urine and/or breath alcohol testing at least six (6) times in the following twelve (12) months after

returning to work. Follow-up testing may be continued for a period of up to sixty (60) months from the employee's return to work date.

Confirmatory Testing

Any employee who questions the results of a required urine drug test under this policy may request that an additional test be conducted. The test must be performed on a split sample that was provided simultaneously with the original sample, and the test analysis may be conducted at a different, qualified laboratory than where the original test was performed. If the results of the additional test contradict those of the earlier initial and confirmation tests, and no irregularities pertaining the additional test results are discerned upon review by a Medical Review Officer, the Town Manager or designee shall declare the original tests to be canceled and invalid and note in the employee's records that the original test results are to be considered neither positive nor negative. The employee shall pay all costs for employee-requested retesting unless the second test invalidates the original test. The employee's request for a retest must be made to the Medical Review Officer within seventy-two (72) hours of notice to the employee of the initial test results. Requests made after the seventy-two (72) hour limit will only be accepted if the delay was due to documentable facts that were beyond the employee's control.

Consequences of Testing Positive

Upon notification that an employee whose breath alcohol or confirmation urinalysis test results have returned positive, the Town Manager or designee will immediately order that the employee in question be removed from duty. The Town is not required to return employees who have tested positive or otherwise violated this policy to a safety-sensitive position or to otherwise retain them as employees. Moreover, an employee cannot return to safety-sensitive duties until they have been evaluated by a substance use professional, have complied with recommended rehabilitation, and have received negative results on a return-to-duty test. The Town will allow employees to take time off to meet these requirements as unpaid administrative leave. The employee may choose to use their accrued leave to receive income during this period.

Failure to Test

Any employee who:

1. Fails to report immediately to the test site, and/or
2. Fails to submit to the required testing, including all the necessary testing procedures, and/or
3. Fails to provide an adequate sample of urine for controlled substance testing or breath for alcohol testing without medical justification, and/or
4. Provides an altered sample of urine

are considered to have refused to test and will be treated as if they had tested positive for either alcohol or a controlled substance. Such individuals shall be subject to disciplinary action up to and including termination. An employee who states at the time of the test that

they are physically unable to provide an adequate urine or breath sample shall be evaluated by a licensed physician selected by the Town.

Safety and Accident Rules

Safety is a joint venture in the Town. We strive to provide a clean, hazard-free, healthy, and safe environment to work in, and we make every effort to comply with all relevant federal, state, and local occupational health and safety laws, including the federal Occupational Safety and Health Act. As an employee, you have a duty to comply with the Town's safety rules, and you are expected to take an active part in maintaining a hazard-free environment. You must observe all posted safety rules, adhere to all safety instructions provided by your supervisor, and use safety equipment where required. Your workspace should be kept neat, clean, and orderly. You are required to report any accidents or injuries – including any breaches of safety – and to promptly report any unsafe equipment, working conditions, processes, or procedures to a supervisor. In addition, if you become ill or get injured while at work, you must notify your manager as soon as reasonably possible. Failure to do so may result in a loss of benefits under the state workers' compensation law.

Failure to abide by the Town's safety and accident rules may result in disciplinary action, up to and including termination.

Workplace Violence Prevention

The Town is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our organization, staff, residents, vendors, and clients.

Workplace violence includes any physical assault or act of aggressive behavior occurring where an employee performs any work-related duty in the course of their employment, including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm; intentional and wrongful physical contact with a person without their consent that entails some injury; or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence by or against any of our employees while performing work-related duties will be thoroughly investigated, and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for creating an environment of mutual respect, as well as for clients and visitors, and for following all policies, procedures, and practices. They are also responsible for assisting in maintaining a safe and secure work environment.

Recruitment and Hiring

The Town's primary goal when recruiting new employees is to fill vacancies with individuals who possess the most suitable skills, abilities, and experience necessary to perform the required work. Decisions regarding the recruitment, selection, and placement of employees are made based on job-related criteria.

When positions become available, qualified current employees are encouraged to apply for the position. As openings occur, notices relating to general information about the position are posted. The Department of Human Resources will arrange interviews with employees who apply.

Nepotism

To promote fairness and avoid conflicts, the Town may limit the employment of family members within the same department or reporting chain. Family members should not be placed in positions where one can influence the other's employment decisions, pay, evaluations, or work assignments. Disclosures of family relationships are required so the Town can evaluate potential conflicts.

Family members are defined as one of the following: spouse, domestic partner, or significant other, parent/step parent, child/step child, brother/brother-in-law, sister/sister-in-law, in-laws (father, mother, son, daughter), and any individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor.

Personnel Records

The Town must maintain accurate personnel records at all times. You are responsible for updating your personal information in the Human Resources Information System (HRIS) of any change in name, home address, telephone number, immigration status, or any other pertinent information. By promptly updating the Town of such changes, you will avoid compromise of your benefits eligibility, the return of W-2 forms, or similar inconveniences.

All physical personnel records, medical files, and any other confidential employee information will be maintained by the Department of Human Resources. Employees may review their records at any time during their employment. Access to those records will be provided in accordance with State law.

Performance Reviews, Salary Reviews

You will have your first performance review between six (6) months and 12 months of employment with the Town, as determined by date of hire and Town-wide review schedules. Thereafter, performance reviews will generally be conducted annually. All performance reviews will be completed in writing by your supervisor or manager on the form designated by the Town and reviewed during a conference with you. Factors considered in your review include the quality of your job performance, your attendance,

meeting the requirements of your job description, dependability, attitude, cooperation, compliance with Town employment policies, any disciplinary actions, and year-to-year improvement in overall performance. Compensation increases are awarded by the Town at its discretion, taking into account various factors, including your performance review and approved budgets.

Positive performance reviews do not always result in an automatic salary increase. The employee's overall performance and salary level, relative to their position responsibilities, must be evaluated to determine whether a salary increase is warranted.

Any salary increase is contingent upon the Town Council's annual budget appropriation process.

Classification Plan

The Department of Human Resources shall maintain a position classification plan based on assigned work duties and responsibilities. The classification plan will provide standardization and proper classification of all positions within the Town's service.

Administration of the Classification Plan

The Department of Human Resources shall conduct position classification studies at such times as deemed reasonable or necessary, when new positions are established, or upon the request of a department director or affected employee. Reviews shall not be conducted more than once per year.

Promotions and Transfers

To match you with the job for which you are most suited and/or to meet the business and operational needs of the Town, you may be transferred from your current job. This may be either at your request or due to a Town decision.

Reasons for transfer may include, but are not limited to, fluctuations in department workloads or production flow, a desire for more efficient personnel utilization, increased career opportunities, personality conflicts, health issues, personal situations, or other business reasons.

Most job openings intended to be filled from within the Town will be posted on the Town's applicant tracking system and emailed to all employees via their Town email addresses. The Town, however, reserves the right to transfer or promote an employee without posting the position's availability. Temporary transfers may be made at the discretion of the Town Manager and Human Resources.

You are eligible to request a transfer and to be considered for promotions upon completion of six (6) months of satisfactory performance in your current position. Your eligibility is also dependent on having the necessary skills, education, experience, and other qualifications required for the position. However, a transfer may take place within the first six (6) months

of employment if the Town's management believes it is in the Town's best interest to make an exception to this guideline.

Law enforcement promotions and transfers will be subject to the police department's General Orders. When a conflict exists between Town practices and the General Orders, Town policy will take precedence.

Temporary Assignment to a Higher Level

The Town recognizes the value of empowering employees to step into higher-level roles when necessary to ensure the smooth operation of our business. Temporary assignments to higher-level positions may be considered for anticipated long-term coverage exceeding four (4) weeks, provided that the individual must assume the higher-level position to fulfill role-specific authority, such as decision-making or financial responsibilities, when no other individual is available with equal or greater authority.

These assignments are carefully evaluated and approved on a case-by-case basis, ensuring they are used only when necessary for the continued success of the Town. We understand the importance of maintaining continuity and efficiency during extended absences or transitions, and we appreciate the flexibility and dedication of our employees who are willing to take on these temporary responsibilities.

Employees selected for a temporary assignment to a higher level must be approved by the department director and the Department of Human Resources prior to assuming the designation. Salary considerations must take effect no later than one pay period in which the higher position was assumed, as required for reporting to the state pension.

Progressive Disciplinary Process

At the Town of La Plata, we believe in fostering a supportive and respectful work environment where all employees can thrive. However, when behavior or performance does not meet our standards, the Town typically follows a progressive discipline policy to address issues in a constructive and fair manner. The progressive discipline process begins with verbal counseling, during which the employee receives feedback and guidance on areas that need improvement. If the issue persists, it may escalate to a written warning that documents the concerns and outlines expectations for improvement.

In cases of serious misconduct, the Town may, at its sole discretion, bypass the steps of progressive discipline and take immediate disciplinary action up to and including termination. Acts of serious misconduct include, but are not limited to:

- Serious breaches of Town policy or conduct that create a significant risk to the Town's reputation, safety, or operations
- Theft, fraud, or embezzlement
- Violence, harassment, bullying, or discrimination
- Serious insubordination, such as refusing a lawful and reasonable instruction

- Gross negligence or gross insubordination
- Serious breaches of health and safety rules
- Use of illegal drugs, including cannabis, or being intoxicated at work
- Unauthorized absence (e.g., "no call, no show")
- Falsifying or destroying Town documents or records
- Misuse or damage of Town property

Throughout this process, supervisors and managers will collaborate closely with the Department of Human Resources. Human Resources will provide guidance and support to ensure that disciplinary actions are conducted in accordance with Town policies and applicable laws. Human Resources will be involved in documenting verbal and written warnings and, if appropriate, in developing and monitoring Performance Improvement Plans (PIPs). Additionally, Human Resources will assist in reviewing the circumstances leading to the final warning and termination decisions to ensure compliance with Town policies and legal requirements.

Any recommendations for suspension shall be reviewed by the Town Manager, Director of Human Resources, and Town Attorney on a case-by-case basis prior to the completion of the action.

All disciplinary actions will be kept confidential. All copies of written warnings, PIPs, and any other related documentation will be stored in the employee's personnel record.

Discipline of Police Officers

The discipline of police officers shall be in accordance with the standards and requirements outlined in the Maryland Police Accountability Act and shall adhere to the statewide disciplinary matrix established by the Act. In the absence of specific guidance from the state, Town policies shall apply.

Separation of Employment

If you wish to resign from your employment with the Town, the Town requests that you notify your manager of your anticipated departure date at least two (2) weeks in advance when possible. This notice should be in the form of a written note or letter. The Town reserves the right to accept the resignation notice effective immediately.

No leave will be granted during the notice period, as this is intended to transition duties to other employees and complete outstanding tasks. If leave was previously approved, the Town may choose to end employment before the leave is taken.

You will be paid for accrued but unused vacation accruals as part of your final paycheck. The Town does not pay out accrual balances for Personal Time Off (PTO), sick leave, FLEX, or police holiday.

The employee will be required to return all keys, equipment, uniforms, and other property, and to tie up any loose ends, prior to their final day of employment. The Town requests that all employees participate in an exit interview with the Department of Human Resources prior to leaving the Town. You will receive preliminary information at that time regarding continuation coverage and any other continuation of benefits for which you may be eligible.

If you leave the Town in good standing, you may be considered for reemployment in the future. However, in the case of rehiring, the Town may consider you a new employee for the purposes of vacation time, benefits, and seniority.

Reduction in Force / Lay Off

The Town Manager, in coordination with the Department of Human Resources, may terminate any employee due to lack of funds, major reorganization, curtailment of work, or other business-related reasons. No regular full-time employee shall be separated from any department while there are probationary, part-time, or temporary employees serving in that department. An appointed authority may, with the approval of the Town Manager, nominate an employee who is to be laid off to any existing vacancy in the same class or a lower class for which they are qualified. The layoff order shall be determined by the employee's past performance and attendance, as well as the continuing service requirements.

Termination For Cause

Employment may be terminated for cause when an employee engages in serious misconduct or fails to meet fundamental standards of conduct or performance. Cause includes, but is not limited to:

- Serious breaches of Town policy or conduct that create a significant risk to the Town's reputation, safety, or operations
- Theft, fraud, or embezzlement
- Violence, harassment, bullying, or discrimination
- Serious insubordination, such as refusing a lawful and reasonable instruction
- Gross negligence or gross insubordination
- Serious breaches of health and safety rules
- Use of illegal drugs, including cannabis, or being intoxicated at work
- Unauthorized absence (e.g., "no call, no show")
- Falsifying or destroying Town documents or records
- Misuse or damage of Town property.

Depending on the severity and circumstances, the Town may use progressive discipline or proceed directly to termination.

Before a termination decision is made, Human Resources will coordinate an impartial review, which may include fact-finding, an opportunity for the employee to respond, and

consultation with the Department Director and Town Manager or their designee. Upon termination, access to Town systems will be revoked, and Town property must be returned. Final pay/benefit processing will be conducted in accordance with applicable federal and state law and plan documents. If an employee disagrees with a termination for cause, they may file a complaint under the Town's grievance policy.

Grievances

Purpose

The Town is committed to providing employees with a fair and timely process to raise concerns about workplace discipline. This policy sets out both informal and formal steps for resolving issues.

Coverage

This policy applies to all Town employees regardless of position or status. Nothing in this policy constitutes a contract or guarantees continued employment.

Informal Problem-Solving

Employees are encouraged to address workplace issues promptly by:

- Talking directly with their supervisor when a concern arises.
- Requesting a meeting with Human Resources if the issue cannot be resolved at the department level or if the concern involves their supervisor.

Early, informal communication often resolves misunderstandings and avoids formal disputes.

Grounds for Discipline

Discipline may be imposed for many reasons, including but not limited to:

- Unsatisfactory performance or failure to meet expectations
- Breach of confidentiality or misuse of Town property or funds
- Unauthorized absence or repeated tardiness
- Intentional, reckless, or negligent damage to Town property
- Failure to maintain required licenses or certifications
- Misrepresentation, falsification, or omission of job-related information, and/or
- Acts identified under Progressive Discipline.

This list is illustrative, not exhaustive. The Town may discipline for other misconduct or poor performance.

When a Formal Grievance May Be Filed

Employees may file a formal grievance when they disagree with:

- A suspension without pay of more than three (3) workdays or 24 work hours;
- A disciplinary demotion; or

- A termination of employment.

Routine coaching, written warnings, performance improvement plans, or day-to-day supervisory feedback are not subject to formal appeal.

Filing a Grievance

Written Notice – The employee must submit a written grievance to Human Resources within five (5) business days of receiving the disciplinary notice.

The grievance must state:

1. The action being challenged (e.g., suspension, demotion, termination),
2. Why the employee believes the action was wrong or unsupported,
3. Any policy or legal error believed to have occurred, and
4. Any key evidence or facts not considered when the original decision was made.

Late Filings – Human Resources may extend the deadline only for good cause (e.g., emergency, unforeseen circumstance). Otherwise, missing the deadline forfeits the right to appeal.

Status During Grievance Review

Employees who file a grievance may be placed on paid administrative leave if appropriate. Access to Town property or systems may be restricted during this time.

Human Resources Review & Determination

Human Resources will conduct an administrative review of the grievance and the underlying action. Human Resources may request additional information, review relevant records, and meet with the employee, the department, or other involved parties as needed.

This review is administrative in nature, and formal courtroom rules of evidence do not apply. The employee may be accompanied by an advocate or support person of the employee's choosing in the presentation of the grievance.

Human Resources will issue a written determination within ten (10) business days of receiving the grievance, unless the deadline is extended for good cause with notice to the employee.

Appeal to the Town Manager

If the employee is dissatisfied with the Human Resources determination, the employee may submit a written appeal to the Town Manager within five (5) business days of receiving Human Resources' decision.

The Town Manager (or a neutral designee who was not involved in the original action) will review the grievance, Human Resources' determination, and any supporting materials, and may hold a hearing at their discretion. If a hearing is held, both the employee and the Town may present documents and identify relevant witnesses. The employee may be accompanied by an advocate or support person of the employee's choosing in the presentation of the appeal. The appeal will be scheduled promptly and completed in a reasonable timeframe, not to exceed twenty (20) business days.

Final Decision

The Town Manager may uphold, modify, or overturn the disciplinary action.

A written final decision will be issued within fifteen (15) business days after the hearing (or conclusion of the review if no hearing is held).

The Town Manager's decision is final and binding. No further appeals will be permitted.

Documentation

Human Resources will maintain a complete and accurate record of:

- Complaints, evidence, and witness statements,
- Findings and recommendations,
- All grievance and appeal documentation,
- Final decisions and any changes to disciplinary action.

These records will be kept in the employee's confidential personnel file in accordance with the Town's record retention policy.

Employee Cooperation

Employees must cooperate with the grievance process, including providing requested information and attending scheduled hearings.

- Failure to cooperate, provide documents, or appear, without an approved reason, will be treated as the employee accepting the disciplinary action.
- Extenuating circumstances (such as illness or emergency) will be considered if promptly communicated to HR.

Non-Retaliation

The Town prohibits retaliation against any employee who files a grievance or participates in an appeal.

Return of Town Property and Final Payment Upon Separation

All employees separating from the Town for any reason shall, prior to the last day of employment, return all Town-owned property and equipment issued to the employee and the employee's ID. Failure to do so will result, to the extent permitted by law, in the deduction of the value of the Town-owned property and equipment from the employee's

final paycheck and the withholding of benefits otherwise due to the employee at the termination of employment.

All compensation and payment for other benefits due to an employee at the time of separation shall be provided in a single check, unless otherwise authorized by the Town Manager. This check is subject to any deductions as outlined in the employee's handbook and approved by the employee.

Reemployment

If an employee leaves Town employment and is reemployed after a break of ninety (90) days or more, the employee's seniority and benefits will be treated as those of a new employee. If the employee is reemployed within ninety (90) days of separation, the employee may accrue vacation at the same accrual rate in effect at the time the employee left Town employment.

Retirement

Employees planning to retire must provide written notice to Human Resources in accordance with MSRPS requirements. A timely, compliant notice is necessary for the Town to process the required paperwork and help minimize the compensation gap between the employee's final pay and the start of retirement payments.

Part 2 – Anti-Discrimination & Harassment

Discrimination Is Prohibited

The Town is an equal opportunity employer and makes all employment decisions without regard to race, religion, color, sex (including pregnancy, sexual orientation, and gender identity), national origin, disability, age, genetic information, hair texture or style, military status, or any other status protected under applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, benefits, compensation, and training. We strive to comply with all applicable federal, state, and local laws regarding discrimination. The Town will not tolerate interference with the ability of any of the Town's employees to perform their job duties.

The Town makes decisions concerning employment based strictly on an individual's qualifications and ability to perform the job under consideration, the comparative qualifications and skills of other applicants or employees, and the individual's past performance within the organization.

If you believe that an employment decision has been made that does not conform to management's commitment to equal opportunity, you should promptly bring the matter to the attention of your immediate supervisor, designated manager, or Human Resources. Your complaint will be promptly, thoroughly, and impartially investigated. There will be no retaliation against any employee who files a complaint in good faith or participates in an investigation or litigation, even if the investigation or any subsequent litigation results in insufficient evidence to support the complaint.

Reasonable Accommodation

A reasonable accommodation is any change in the work environment (or in the way things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment. It is also any change in work environment that will allow an individual to practice their religion.

Americans with Disabilities Act

The federal Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training, and other terms, conditions, and privileges of employment. The ADA does not alter the Town's right to hire the best-qualified applicant. Still, it does prohibit discrimination against a qualified applicant or employee because of their disability or a perceived disability. As a matter of Town policy, the Town prohibits discrimination of any kind against individuals with disabilities.

Disability Defined

An applicant or employee is considered disabled if they (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record or history of such an impairment; or (3) are regarded or perceived (correctly or incorrectly) as having such an impairment.

A qualified employee or applicant with a disability is an individual who satisfies the requisite skill, experience, education, and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

Disability Accommodation

Qualified applicants or employees with disabilities should request reasonable accommodation from the Town to enable them to perform the essential duties of a particular job. If you are disabled and require a reasonable accommodation, contact Human Resources. Upon receipt of your request, we will meet with you to discuss your disability. We may ask for information from your healthcare provider(s) regarding the nature of your disability and the nature of your limitations or take other steps necessary to help us determine viable options for reasonable accommodation. We will then work with you to determine whether your disability can be reasonably accommodated. If it can be accommodated, we will explore alternatives with you and endeavor to implement mutually agreeable accommodation.

Reasonable accommodation may take many forms and vary from one employee to another. Please note that, according to the ADA, the Town is not required to provide the exact accommodation you request. If more than one accommodation is feasible, the Town may choose which one to provide. Furthermore, the Town does not have to provide accommodation if doing so would cause undue hardship for the Town.

Service Animals

In accordance with the Americans with Disabilities Act (ADA), the Town permits the use of service animals by employees and visitors with disabilities. A service animal is a dog (or, in limited cases, a miniature horse) that is individually trained to perform specific tasks or work directly related to a person's disability. Examples of tasks include guiding individuals who are blind or have low vision, alerting individuals who experience hearing deficiencies, pulling a wheelchair, retrieving items, or providing assistance during a seizure.

Employees who require the use of a service animal as workplace accommodation should notify Human Resources to ensure that any necessary arrangements can be made and that the animal can be safely integrated into the work environment. The Town may request limited, ADA-compliant information to confirm that the animal meets the definition of a service animal. Service animals must always be under the handler's control, housebroken, and not pose a direct threat to the health or safety of others.

Emotional Support Animals

Emotional support, comfort, or therapy animals are not recognized as service animals under the ADA and, therefore, are not permitted in the workplace as a reasonable accommodation. These animals do not require training to perform specific tasks related to a disability and are not granted the same public access rights as service animals.

Employees seeking support related to mental health or emotional needs should discuss other reasonable accommodation with Human Resources.

Religious Accommodation

A religious accommodation is any adjustment to the work environment that will allow an employee or applicant to practice their religion. An employee is eligible for a religious accommodation if their sincerely held religious beliefs, practices or observances conflict with their work requirements, unless the accommodation would create an undue hardship. Religious accommodations might include an exemption from a dress code that would otherwise prohibit an employee from wearing a religious head covering; or, from a work schedule that would otherwise interfere with an employee's ability to attend religious services.

Employees should request a reasonable accommodation from the Town to allow them to practice their religion. If you have sincerely held religious beliefs and require a reasonable accommodation, contact Human Resources. Upon receipt of your request, we will meet with you to discuss the request and you may be required to provide additional information to support your request.

Pregnancy Accommodation

As required by the federal Pregnant Workers Fairness Act (PWFA), the Town will provide reasonable accommodation to employees and applicants with limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation causes undue hardship to Town operations.

An employee or applicant may request accommodation due to pregnancy, childbirth, or a related medical condition by submitting the request in writing to the Department of Human Resources. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed, and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a healthcare provider substantiating the need for the accommodation.

Upon receipt of an accommodation request, Human Resources will contact the employee or applicant to discuss the request and determine if accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the Town will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

Workplace Harassment

The Town is committed to providing a work environment that fosters equality, respect, and dignity for all employees. In keeping with this commitment, the Town has adopted a policy of "zero tolerance" regarding employee harassment. Harassment is defined under federal law as unwelcome conduct that is based on race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), national origin, age, disability, genetic information, hair texture or style, or military status. The Town prohibits harassment based upon all of these protected characteristics, as well as any additional characteristics protected by federal, state, or local law. Harassment becomes unlawful where: (1) enduring the offensive conduct becomes a condition of continued employment; or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

This policy applies to all aspects of your employment. Harassment of any other person, including, without limitation, fellow employees, residents, contractors, visitors, clients, or customers, whether at work or outside of work, is grounds for immediate termination. The Town will make every reasonable effort to ensure that its entire community is familiar with this policy and that all employees are aware that every complaint received will be promptly, thoroughly, and impartially investigated and resolved appropriately. The Town will not tolerate retaliation against anyone who complains of harassment or who participates in an investigation.

Sexual Harassment

Sexual harassment is prohibited by federal, state, and local laws and applies equally to people of all sexes, genders, gender identities, sexual orientations, and gender expressions. Federal law defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the conduct: (1) explicitly or implicitly affects a term or condition of an employee's employment; (2) is used as the basis for employment decisions affecting the employee; or (3) unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

Such conduct may include, but is not limited to: subtle or overt pressure for sexual favors; inappropriate touching; lewd, sexually oriented comments or jokes; foul or obscene language; posting of suggestive or sexually explicit posters, calendars, photographs, videos, graffiti, or cartoons; and repeated requests for dates. Town policy further prohibits harassment and discrimination based on sex stereotyping. (Sex stereotyping occurs when one person perceives a man to be unduly effeminate or a woman to be unduly masculine

and harasses or discriminates against that person because he or she does not fit the stereotype of being male or female.)

The Town requires the reporting of all perceived incidents of sexual harassment, regardless of the identity of the offender. This mandate covers all employees who are victims of harassment or who witness such harassment. Every employee is encouraged to raise any questions or concerns with their immediate supervisor, designated manager, or Human Resources.

Supervisors' Responsibilities

All managers are expected to ensure that the work environment is free from sexual and other harassment. They are responsible for applying and communicating this policy within their respective work areas. Managers should:

- Encourage employees to report any violations of this policy *before* the harassment becomes severe or pervasive.
- Make sure the Department of Human Resources is made aware of any inappropriate behavior in the workplace.
- Create a work environment where sexual and other harassment is not permitted.

Procedures for Reporting and Investigating Harassment

Employees are required to report incidents of inappropriate behavior or sexual harassment as soon as possible after the occurrence. Employees who believe they have been harassed, regardless of whether the offensive act was committed by a manager, co-worker, resident, contractor, vendor, visitor, or client, should promptly notify their immediate supervisor, designated manager, or Human Resources. If the employee's immediate supervisor is involved in the incident, the employee should report the incident to the Department of Human Resources. The Town takes claims of harassment seriously, no matter how trivial a claim may appear. All complaints of harassment, sexual harassment, or other inappropriate sexual conduct will be promptly, thoroughly, and impartially investigated by the Town.

The Town prohibits retaliation against any employee who files or pursues a claim of harassment, as well as any employee who supports an individual who has made a complaint by participating in an investigation or testifying at trial. To the extent possible, all complaints and related information will remain confidential, except for those individuals who need the information to investigate, educate, or act in response to the complaint.

All employees are expected to fully cooperate with any ongoing investigation into a harassment incident. Failure or refusal to cooperate in an investigation may result in discipline, up to and including termination. Employees who believe they have been unjustly charged with harassment can defend themselves verbally or in writing at any stage of the investigation.

To protect the privacy of the people involved, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. Investigations may include interviews with the parties involved, as well as with individuals who may have observed the alleged conduct or possess relevant knowledge.

At the conclusion of a harassment investigation, the complainant and the alleged "harasser" will be informed of the determination. Where appropriate, the "harasser" and the "victim" may be offered mediation or counseling through an employee assistance program (EAP).

Penalties for Violation of Anti-Harassment Policy

If it is determined that inappropriate conduct has occurred, the Town will promptly take action to eliminate the offending conduct and take such steps as are appropriate under the circumstances. Such action may range from counseling to termination of employment. It may include such other forms of disciplinary action (such as, for example, suspension), as the Town deems appropriate under the circumstances and in accordance with applicable law.

Whistleblower Protection

The Town encourages employees, volunteers, interns, and contractors to report in good faith any suspected violations of law, fraud, waste, abuse of authority, gross mismanagement, serious safety hazards, or substantial risks to public health or the environment. Concerns may be raised to a supervisor, any member of management, Human Resources, or the Town Manager. If the concern involves someone in your reporting chain or you are uncomfortable reporting through it, you may report directly to Human Resources or the Town Manager.

All reports will be reviewed promptly and impartially, with confidentiality maintained to the extent practicable and permitted by law. Information will be shared only with those who need to know, and individuals are expected to cooperate truthfully and accurately. The Town strictly prohibits retaliation against anyone who raises concern, seeks advice, participates in an investigation, or refuses to engage in unlawful conduct. Substantiated retaliation will result in corrective action, up to and including termination.

Reports should be made honestly and with a reasonable belief in their accuracy; knowingly false or malicious allegations may result in corrective action. Human Resources (or an assigned investigator) will document reports, the steps taken, and outcomes, and will retain records consistent with the Town's records retention schedule and legal requirements. This policy supplements other reporting avenues, including EEO/anti-harassment, safety, ethics, and grievance procedures, and HR will coordinate the response when multiple policies apply.

Part 3 – Compensation

Compensation Plan

The Town Council shall establish a compensation plan for the Town's employees. The Department of Human Resources shall be responsible for the ongoing maintenance and accuracy of the plan.

The compensation plan includes a schedule of salary ranges, rates of pay, and the minimum and maximum salaries for each pay grade. Positions shall align within these pay grades based on pre-established criteria. Employees' salary or hourly rate may not exceed the maximum amount established for their assigned pay grade.

Amendment of the Compensation Plan

The Department of Human Resources may conduct comparative salary studies as deemed necessary or at the request of the Town Council or the Town Manager. Repositioning of positions shall be aligned with internal equity and external competitiveness of the overall compensation program. The Department of Human Resources will maintain related documentation of such changes as required.

Total Remuneration

Any salary rate established for an employee shall be the total remuneration for the employee, not including reimbursement for official travel or other authorized allowances. Except when otherwise provided in this handbook, no employee shall receive pay from the Town in addition to the salary authorized under the schedule provided in the pay plan for services rendered, either in the discharge of ordinary duties or any additional duties that may be imposed or which the employee may undertake or volunteer to perform.

In any case in which part of the compensation for services in a Town position, exclusive of overtime services, is paid by another department, division, or an outside agency such as the county, state, or federal government, or from a difference fund or account, any payments shall be deducted from the compensation of the employee concerned, to the end that the total compensation paid to any employee from all sources combined for any period, shall not exceed the amount payable at the rate prescribed for the class of position to which the employee is certified and assigned.

Dual Employment Prohibited

No employee shall be eligible for employment in any additional position in the Town without prior approval of the Town Manager. No employee shall continue in such position after becoming a candidate for nomination or election to any public office.

No elected or appointed official of the Town shall be eligible for employment with the Town in any other capacity, unless addressed within the Town Charter.

Secondary Employment

Secondary employment may be pursued by employees with prior approval from the Town Manager. Employees seeking secondary employment must submit a request to the Department of Human Resources outlining the nature of the proposed engagement, its anticipated time commitment, and any potential areas of overlap or conflict with their duties within the Town.

Approval of secondary employment will be granted based on a thorough review conducted by the Department of Human Resources and Town Manager to assess whether the proposed engagement aligns with the employees' obligations to the Town and does not compromise the integrity of their role or create conflicts of interest. Employees are expected to uphold the highest standards of professionalism and integrity in all aspects of their secondary employment, avoiding any activities that could undermine the public trust or detract from their effectiveness in serving the community through their Town employment.

If secondary employment is approved, the Town remains the primary employer, and obligations to the Town take precedence over any secondary engagement. Employees are expected to prioritize their responsibilities and commitments to the Town, ensuring that their secondary employment does not interfere with their ability to fulfill their duties effectively and efficiently. Should conflicts arise between primary and secondary employment responsibilities, employees must promptly address and resolve such conflicts in favor of their obligations to the Town.

The Police Department shall follow additional requirements outlined in the General Orders relating to law enforcement, security-related employment, or other employment that may conflict with obligations of sworn officers.

Payroll Practices

Employees are paid biweekly. When a payroll date falls on a holiday, employees will, when possible, be paid on the last business day before the holiday. Otherwise, employees will be paid on the first business day following the scheduled payroll date.

Salary Deductions and Withholding

The Town will withhold the following from your paycheck:

Taxes

Federal, state, and local taxes, as required by law, as well as the required FICA (Social Security and Medicare) payments.

Insurance

Your contribution to health insurance or other insurance premiums for yourself and any eligible family members, or to other contributory benefit programs.

Other Deductions

Other deductions that you authorize, including short-term disability, health savings accounts, 457 contributions, or any other ancillary benefits.

The Town will also process all court-ordered deductions, including child support and garnishments.

Direct Deposit

You may have your paycheck deposited directly into your bank account. You are responsible for ensuring your banking information is up to date in the Town's HRIS.

Pay Rate Changes

The following personnel actions may affect the pay status of an employee:

Transfer

When an employee is transferred between departments or between classes with the same pay grade, the rate of pay of the employee will remain unchanged unless the current rate is below the minimum pay rate established for the class to which the employee is transferring, in which case the employee's salary shall be raised to the minimum pay rate for the class of position to which the employee is assigned.

Promotion

When an employee is promoted from a position in one class to a position in a higher class, the salary rate shall be increased to the new minimum, but no less than 7.5% above their current pay.

Employer-Initiated Demotion

When an employee is involuntarily demoted from a position in one class to a position in a class with a lower salary rate, the rate of pay shall be reduced to within the pay range established for the class to which the employee is demoted. The employee shall not be eligible for a promotion or a merit increase for one (1) year from the date of demotion.

Employee-Initiated Demotion

When an employee voluntarily steps down into a position in a lower classification and pay range, the rate of pay shall be reduced to place it within the pay range assigned to the lower class. The employee shall not be eligible for a promotion or a merit salary increase for six (6) months from the date of demotion.

Employees may request a voluntary demotion only to an existing, budget-approved, vacant position. The Town is not required to create a position or displace another employee to accommodate such a request. The Town reserves the right to deny any request for a voluntary demotion.

Reclassification

Reclassification refers to the act of changing the classification or designation of a position or job within an organization. This change typically involves altering the job title, job description, salary grade, or level of responsibility associated with the position. Reclassification can occur for various reasons, such as changes in job duties, organizational restructuring, performance evaluations, or adjustments to comply with evolving regulations or industry standards.

Employees may be reclassified to better reflect their current responsibilities, skills, and contributions to the organization. Reclassification can also occur as part of career advancement or as a result of internal promotions.

When a position is reclassified to a class with a lower salary rate than the employee's current position, and the action is for the benefit of the Town, and it is not a demotion, the employee shall retain the same rate of pay in the new position as they had in the previous position. If the employee's rate of pay is above the maximum of the new pay grade, their pay will not be increased further until the pay grade maximum exceeds their current rate.

When a position is reclassified to a pay grade with a higher salary rate than the employee's current position, the employee's salary shall be increased to at least the minimum of the new pay range. If the employee is already within the salary range of the higher pay grade, no change in compensation will occur.

Pay Adjustment

A change to individual pay may be warranted by the recognition that, although the position classification is correct and no substantial changes in duties or responsibilities have recently occurred, an anomaly exists that requires modification of the incumbent's pay to be consistent with Town policies and practices. An adjustment is not a promotion, a demotion, or a merit increase. It is a one-time amendment to re-establish internal equity.

Call Back Time

Non-exempt employees who have left their normal workplace and who are called back to work shall be credited for actual time worked regardless of the number of individual calls or a minimum of three (3) hours, whichever is greater. All callback time shall be counted as hours worked, including the minimum guaranteed time. Employees shall accumulate time from the time they begin performing services for the Town until they complete the services or are relieved from duty. The clock starts when the call is made to the employee.

Employees who are required to appear in court in conjunction with their duties for the Town shall be treated as called-back employees if the court appearance does not fall within their work schedule.

Stand-By / On-Call Status

Supervisors who have determined a need within their areas of responsibility for regularly scheduled stand-by or on-call status shall prepare a duty roster to provide, whenever possible, one (1) month's notice to those employees who are providing the service. The term of service shall typically be one (1) week in length.

Employees assigned to the Police Department should be aware that law enforcement operations may require different standby or on-call scheduling practices based on operational needs, emergency response requirements, or departmental procedures.

Part 4 – Benefits

General

This section outlines the benefits offered by the Town and provides information on your eligibility for these benefits. Details regarding each benefit plan are contained in the Town's Benefit Guide. Benefit plans governed by the federal Employee Retirement Income Security Act (ERISA) may be further described in formal summary plan descriptions or other legal documents, which are available for your review in the Department of Human Resources.

Full-time employees are eligible to participate in the various insurance programs offered by the Town on their first day of the month following their date of hire. Annually, an Open Enrollment period will be held (described below). If you decline to participate in these programs on your initial eligibility date, you may request entry into the plan during Open Enrollment or Special Enrollment (described below).

Medical Insurance

The Town offers medical insurance to all full-time employees. Employees may choose from several plans. Details of the plans may be found in the benefit guide. The Town offers medical, dental, and vision coverage for eligible employees and their eligible dependents. These programs are administered by a primary medical insurance carrier or health maintenance organization (HMO). Your contribution for coverage will be deducted from your salary based on benefit selections. The Summary Plan Description (SPD) contains more details about these plans. For more details, please refer to the specific SPD that governs each plan. In the event of any conflict between the information contained in this Handbook and in the Town's SPDs, the SPDs shall govern. These plans are subject to change at the Town's discretion. Additionally, the amount that you may be required to contribute towards the premiums for any of these plans may be changed at the Town's discretion.

Retiree Medical Insurance

Employees who retire from the Town may be eligible to remain on the Town's medical insurance plan, at the employee's expense. Eligible retirees must have been covered under the Town's medical insurance for a minimum of two (2) years prior to retirement. Retirees may remain on the plan until they are eligible for Medicare.

Employee Contributions

The Town's benefit package is contributory; that is, you are responsible for a portion of the premium for your benefits. A portion of the premium, up to a maximum per month, is contributed by the Town. Your contributory cost is deducted from your paycheck.

Open Enrollment

At the time you are hired, you are allowed to elect certain benefits. If you waive participation in any of these programs for either yourself or your eligible dependents, you will generally be allowed to apply for entry into the various plans only during Open Enrollment.

The Open Enrollment period allows employees to add to or change their benefits coverage. Applications for medical, dental, vision, and voluntary life insurance may be submitted during this period. Changes, additions, and other elections made during Open Enrollment will take effect at the start of the fiscal year. Once you have made a change, you generally cannot change that selection until the next Open Enrollment period, except in cases of certain life events (see Special Enrollment).

Special Enrollment

Special enrollment allows individuals who previously declined coverage to enroll in the plan upon loss of eligibility for other coverage and certain life events, such as marriage, divorce, death, and the birth, adoption, or placement for adoption of a child. Employees must generally request enrollment within 30 days of losing coverage or experiencing a life event that triggers special enrollment. For specific details regarding special enrollment, please refer to your Summary Plan Description or contact the Department of Human Resources.

Continuation of Health Coverage

Federal law generally requires employers with 20 or more employees to offer employees, their spouses, and dependent children the right to continue group health benefits for a limited time when coverage would otherwise end because of certain life events. These events can include voluntary or involuntary job loss (for reasons other than gross misconduct), reduction in hours, death of the employee, divorce or legal separation, or a dependent child losing eligibility under the plan.

If you lose your group health coverage due to one of these qualifying events, you may have the option to continue your coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Coverage can typically continue for up to 18 months after employment ends or hours are reduced. In some situations (such as disability or certain family events), coverage may be extended for up to 36 months.

You will receive a written notice describing your rights and the steps to elect COBRA continuation coverage if you become eligible. You are responsible for paying the full premium for COBRA coverage, which may include an administrative fee as permitted by law.

Dental Insurance

The Town offers a dental plan for eligible employees. Please refer to the dental Summary Plan Description for an explanation of the plan's benefits and limitations.

Vision Insurance

The Town offers a vision plan for eligible employees. Please refer to the Vision Summary Plan Description for an explanation of the plan's benefits and limitations.

Long-Term Disability Plan (LTD)

Long-term disability coverage is a benefit that may be made available to employees. This benefit would pay a portion of your regular salary for an extended period. LTD is employee-specific. Please refer to the LTD Summary Plan Description for an explanation of the plan benefits and limitations.

Retirement Plans

The Town offers two retirement programs to help employees build long-term financial security: a defined benefit (DB) pension through the Maryland State Retirement and Pension System (MSRPS) and a defined contribution (DC) plan. Benefits are administered in accordance with applicable laws, plan documents, and annual budget decisions; in the event of any conflict, the official plan documents prevail.

Defined Benefit (MSRPS) – Pension

Participation is required for eligible positions as determined by MSRPS rules. Employee contributions, service credit, vesting, disability/death benefits, and retirement eligibility are set by MSRPS. Enrollment occurs at the time of hire (or when an employee becomes eligible). On separation, options (e.g., refund or deferred vested benefit) follow MSRPS rules. Employees must keep beneficiary designations current; the Department of Human Resources provides enrollment instructions and the latest MSRPS resources.

Defined Contribution – 457(b) Plan

Eligible employees may contribute on a pre-tax and/or Roth (post-tax) basis up to IRS limits and may change deferrals during the year. Roll-ins from other eligible plans may be permitted. Withdrawals, loans, distributions at separation/retirement, required minimum distributions, and fees are subject to plan and IRS rules. The Town may provide an employer contribution or match, as outlined in the annual budget. The vendor, plan features, and any Town contribution will be communicated annually. The Town reserves the right to modify or discontinue the plan, subject to legal requirements.

Life Insurance

Full-time employees are eligible for and are automatically enrolled in a group term life insurance program. Enrollees may designate or change the beneficiary for this policy at any time. The Town pays the premium for this program. The face value of this benefit is

equal to one time the employee's annual salary, with a maximum benefit of $100,000. For details, please refer to the plan SPD.

Voluntary Life Insurance

Full-time employees are eligible to purchase supplemental life insurance for themselves at group rates. This insurance is a voluntary benefit and is employee-specific. Enrollees should refer to the plan SPD for eligibility requirements, plan limitations, and additional information.

Workers' Compensation

To provide for payment of your medical expenses and partial salary continuation in the event of a work-related accident or illness, you are covered by workers' compensation insurance, provided by the Town, and based on state regulations. The amount of benefits payable, as well as the duration of payments, depends on the nature of your injury or illness. All medical expenses incurred in connection with an on-the-job injury or illness and partial salary payments are paid in accordance with applicable state law. If you are injured or become ill on the job, you must immediately report the injury or illness to your manager and the Department of Human Resources. This ensures that the Town can assist you in obtaining the appropriate medical treatment. Your failure to follow this procedure may delay your benefits or may even jeopardize your receipt of benefits. Questions regarding workers' compensation insurance should be directed to the Department of Human Resources.

Employee Assistance Program (EAP)

The Town provides a confidential, no-cost Employee Assistance Program (EAP) for employees and their immediate household members. Services include short-term counseling, crisis support, legal/financial consultations, referrals to community resources, and online tools, available 24/7. EAP records are confidential and are not shared with the Town except as required by law or with the employee's written consent.

Employees may self-refer at any time; supervisors may recommend EAP when performance, attendance, or conduct concerns arise, and such recommendations are not disciplinary. The EAP does not replace medical care or emergency services. The Department of Human Resources will maintain and publish current EAP contact information, eligibility details, and any session or service limits, and will notify staff of vendor or scope changes when practicable. EAP contact information may also be found in the current Benefits Guide available on the Town's website.

Take-Home Vehicle

The Town may authorize an employee to take a Town vehicle home when doing so benefits operations, such as when the position requires frequent after-hours response or emergency availability. Take-home vehicles are approved on a case-by-case basis by the Town Manager or their designee.

Employees with take-home vehicles must comply with all rules for general Town vehicle use and may be required to maintain a secure parking location. Use of a take-home vehicle is considered a taxable benefit. It will be reported in accordance with IRS regulations, except where specifically excluded (e.g., police vehicles that meet the law enforcement exclusion).

Authorization for a take-home vehicle may be withdrawn at any time based on operational needs, policy violations, or budgetary considerations.

Additional guidance for police vehicles can be located in the department's General Orders.

Travel

Details of the Town's Travel and Expense Policy are an independent policy and are available from the Department of Human Resources.

Tuition Reimbursement

The Town encourages its employees to further their training and education in their profession, thereby enhancing their performance in their duties as Town employees. The Town encourages employees to pursue coursework in general government administration or a degree in public administration.

The Town may reimburse tuition costs to employees who pursue training or education at their own initiative, outside of working hours, at an accredited institution. The funding for this plan is subject to the annual appropriation process. Reimbursement will not exceed the limits on taxable income set by the IRS, based on a calendar year.

Funds for proposed programs may be approved for part or all of the following education expenditures: tuition, course-required resource materials, and technology fees. No Town funding will be provided for tuition costs covered by federal, state, or other financial sources. All employees requesting financial aid under the tuition reimbursement program must complete a required form and have it approved by the Department of Human Resources prior to attending the course. Failure to obtain prior approval will prevent any reimbursement from occurring.

Any employee receiving financial assistance through this program who fails to work for the Town for at least six (6) months following completion of any course shall reimburse the Town for the full amount of assistance received for the twelve (12) months prior to termination of employment. To the extent permitted by law, any reimbursement due to the Town shall be deducted from the employee's final paycheck.

Reimbursement under this program shall be at the 100% level for a grade of "A" or "B", or successful completion of a pass/fail course and the 85% level for a grade of "C," provided the course or training is directly related to the employee's municipal service, and at a rate

of 50% for all other courses. No reimbursement will be provided for grades below a "C" level. The Town Manager's determination as to whether a course is related to an employee's municipal service shall be final and binding.

Prior to reimbursement being paid, the employee shall provide a verified official transcript indicating that a grade of "C" or better was obtained for the course and the receipt showing the course(s) and other eligible fees were paid by the employee. If a course is not graded, a certificate or proof of satisfactory completion shall be submitted. Supporting documentation must be submitted to the Department of Human Resources within thirty (30) days of course completion.

Gym Reimbursement

The Town of La Plata supports employee wellness by offering a gym membership reimbursement for approved fitness facilities. Eligible full-time employees can receive up to $20 per month for a basic membership at participating gyms with which the Town has a corporate agreement. This reimbursement is a taxable benefit and is subject to applicable IRS regulations.

To qualify, employees must:

1. Provide a usage report showing at least four (4) visits per month or 12 visits per quarter.
2. Submit a paid receipt for the requested quarter.
3. Submit reimbursement requests by the 15th of the following month (e.g., Q2 membership requests due by July 15th).

Reimbursements will be processed in the next available payroll and are subject to annual budget approval. Employees are responsible for costs beyond basic membership, including premium plans, specialty classes, or additional services. This benefit applies only to designated gyms and does not cover home fitness equipment, virtual workout platforms, or memberships for non-employees.

Part 5 – Holidays, Vacation, and Other Leave

Religious Observance

Federal and state equal opportunity laws generally require employers to accommodate the religious beliefs of employees, but do not mandate the provision of paid leave.

The Town respects your religious beliefs and will accommodate additional time off for religious reasons on a case-by-case basis. Employees who require additional time off may use vacation and/or personal days. This leave must be requested through the department manager two (2) weeks prior to the event.

Holiday Pay

Employees are entitled to the following paid holidays:

New Year's Day
Birthday of Martin Luther King, Jr.
President's Day
Good Friday
Memorial Day
Juneteenth
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve – only if it falls on a Monday, Tuesday, Wednesday, or Thursday
Christmas Day

If a holiday falls on a Saturday, the preceding Friday shall be observed. If the holiday falls on a Sunday, the following Monday shall be observed.

All full-time employees shall receive credit for eight (8) hours worked. Any actual hours worked on a holiday will be counted in addition to the eight (8) hours granted and will be treated as overtime, regardless of whether any other leave was taken during the week.

All part-time employees shall receive credit for hours equivalent to their normal schedule. For example, an employee scheduled for four (4) hours on the day the holiday falls, they would receive four (4) holiday hours.

Police personnel will be credited with holiday hours every quarter. At the beginning of each quarter, police personnel will receive one quarter (1/4) of the approved holidays for the calendar year. These hours must be used in the calendar year for which the hours were granted. No payment will be made for unused hours. No payment will be made upon termination of employment with the Town.

Vacation

The Town recognizes the importance of vacation time in providing rest, recreation, and personal enrichment. Vacations are established on a calendar-year basis.

Full-time employees earn vacation time as follows:

1st year of employment	*Seven (7) hours/month*
2nd through 5th year of employment	*Ten (10) hours/month*
6th year of employment and following	*Thirteen (13) hours/month*

Part-time and seasonal employees are not eligible for vacation accrual.

If an employee leaves employment with the Town and is re-employed at any time after ninety (90) days, their vacation is considered as that of a new employee. Otherwise, the employee may accrue vacation commensurate with the employee's accrual rate when the employee had left the employment of the Town.

Accrual and Carryover

Employees are expected to take their vacation leave or forfeit any leave that is not taken. Vacation accrual may not exceed ~~three hundred sixty (360)~~two hundred and forty (240) hours at the end of any calendar year. Any vacation accrued more than two hundred and forty ~~360~~(240) hours at the end of any calendar year is forfeited.

Vacation leave shall not accrue while an employee is absent from work without pay, on administrative leave, on long-term disability, or Workers' Compensation, except as otherwise may be required by law.

Upon termination of employment, employees will receive payment for any accrued vacation hours, not to exceed two hundred and forty (240) hours.

Notification Procedure

An employee should submit requests for vacation time to their supervisor as soon as they know when they wish to schedule their vacation, but in no event less than two (2) weeks prior to the time requested. The immediate supervisor approves vacation requests. Vacation time is coordinated so that sufficient staff are always available to provide adequate coverage, and there may be Town-wide or department-specific "blackout dates," as necessary. Vacation requests are granted on a first-come, first-served basis. The supervisor will consider the Town's staffing needs during the relevant period and approve or deny accordingly.

Holiday During Vacation Period

Any official holiday that occurs during an employee's scheduled vacation period shall not be counted as a day of vacation.

Sale of Leave

Employees may request to sell back a maximum of forty (40) hours of leave under the following conditions:

1. Request must be received no later than December 1st.
2. Only accrued leave in excess of 240 hours is eligible.
3. Leave sold will be at the employee's base rate of pay as of December 1st and subject to applicable deductions and tax withholdings.

Employees who remain above the 240-hour vacation cap after selling the maximum 40 hours may convert any remaining excess accrued vacation leave to their sick leave balance.

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Rollover of Vacation Leave to Sick Leave

Once per year, employees may transfer their accrued vacation leave balance into their sick leave balance. Only the accrual values exceeding the maximum carryover limit are eligible for transfer.

Approval will be subject to fiscal availability and is not guaranteed. Employees are encouraged to take their accrued leave before reaching the allowable limits.

Requests must be sent to the Department of Human Resources by December 1st to allow sufficient time for verification and processing, which is required for the final pay period of the calendar year. Any requests after this date will not be honored, and excess leave will be forfeited.

Sick Leave

All full-time employees will accrue sick leave at the rate of eight (8) hours per month. Sick leave may be used for the employee's own mental or physical illness or to take care of or obtain preventive medical care for a family member in the employee's household.

In accordance with the Maryland Healthy Working Families Act, sick leave may also be used for absences related to domestic violence, sexual assault, or stalking against the employee or a family member.

Family members are defined as one of the following: spouse, domestic partner, or significant other, parent/step parent, child/step child, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son, daughter), and any individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor.

Employees who take off three (3) or more consecutive work days of sick leave must provide a note excusing them for the absence(s).

New employees who are members of the Maryland State Retirement Pension System (MSRPS) may choose to transfer their accrued sick leave to the Town, provided the transfer does not exceed 500 hours or 60 days.

Any unused sick leave is carried over to the next year. There is no limit to the amount of sick leave that can be accrued.

Sick leave is not payable upon separation from employment and forfeited upon separation from the Town. If separation is due to retirement, sick leave balance at the time of retirement is eligible for service credit with the Maryland State Pension and Retirement System.

Organ Donation Leave

The Town provides eligible employees with a number of business days of unpaid leave (or accrued paid leave if available to the employee) in a certain period for donation of bone marrow and/or organs. The donation must be medically necessary for the recipient. An employee requesting leave under this provision must provide a written physician verification to be eligible for the leave.

An eligible employee is an individual who has been employed for at least a 12–month period and worked at least 1,250 hours during the previous 12 months. An eligible employee is entitled to the following organ donation leave:

- up to 60 business days in any 12–month period to serve as an organ donor; and
- up to 30 business days in any 12–month period to serve as a bone marrow donor.

Leave taken under this policy cannot be taken concurrently with any leave taken under the federal Family and Medical Leave Act. The Town may not consider any period of time during which an eligible employee takes bone marrow/organ donation leave to be a break in their continuous service for the purpose of the eligible employee's right to salary adjustments, sick leave, vacation, paid time off, or seniority. The employee who returns to work after taking bone marrow/organ donation leave is entitled to be restored to the position of employment held by the employee when the leave began, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions.

The Town will maintain the employee's health coverage for the duration of the leave. The Town will continue to make employer contributions to premiums, and the employees will be required to pay their portion of the premium as if they were working.

Donation of Leave

Employees may request leave donations when they are unable to work due to a serious health condition that is covered by the Family and Medical Leave Act (FMLA). To qualify, an

employee must have exhausted all their own available sick, vacation, compensatory, and PTO leave. Donated leave may only cover the period of FMLA eligibility.

Employees may donate their accrued sick or vacation leave only. The donating employee may not reduce their balance below half of their remaining balance at the time of donation. Donating employees may not fall below 80 hours of accrued sick leave or 40 hours of annual leave.

Cost Basis

All donations of leave will be converted to sick leave for the requesting employee. The transfer of leave shall be based upon the dollar value of the leave at the time given and received, not a direct hour-for-hour transfer. The transfer of leave would be cost-neutral for the Town, except for the staff time required to calculate and adjust leave balances.

Personal Time Off (PTO) Leave

Personal Time Off can be used for any purpose. You are not required to give any specific reason for using your PTO leave. However, when you do take personal leave, you should give your immediate supervisor as much advance notice as possible.

All full-time employees will be credited with twenty-four (24) hours of PTO with the first paycheck in January. PTO does not carry over. No payment will be made for unused hours upon the end of employment with the Town.

Employees with a start date at any time after January 1 will receive a prorated number of hours based on their hire date.

FLEX Leave

Director, Assistant Directors, and Police Division Commanders, exempt employees will receive leave accrual to compensate for the additional time spent on projects, budget preparation, audits, and other tasks outside of their standard workday. This will accrue at a rate of eight (8) hours per month, with a cap of forty-eight (48) hours. Once FLEX is taken from this leave balance, accruals will resume.

No payment will be made for unused hours upon the end of employment with the Town.

Leave Notification Procedures

You should submit requests for leave to your supervisor as soon as you know when you wish to schedule the use of leave, but no later than two (2) weeks prior to the requested time. Your immediate supervisor approves all time off requests. Time off is coordinated so that sufficient staff are always available to provide adequate coverage, and there may be Town-wide or department-specific “blackout dates,” as necessary. Your supervisor will consider the Town’s staffing needs during the relevant period.

When you are absent from work and your absence has not been previously scheduled, you must personally notify your immediate supervisor or manager as soon as you are aware that you will be late or unable to report to work. Leaving a voicemail or message with another staff member does not constitute notification to your supervisor.

When absence is due to illness, the Town reserves the right to require appropriate medical documentation to support the absence. Such documentation includes the employee's name, the date and time the employee was seen, and, if applicable, specific instructions regarding the employee's inability to perform their job. Excessive absenteeism or tardiness may result in disciplinary action, up to and including termination. (Also see the section on Family & Medical Leave for extended leave situations.)

If you are absent because of an accident or for longer than seven (7) days due to illness, compensation is paid under the benefits of a short-term disability plan, provided you are eligible to and participate in that plan.

Compensatory Time

Non-exempt employees will have the option to be paid overtime as defined by the FLSA in the form of wages, or they may elect to have their overtime accrued as compensatory (comp) time. Compensatory time will be granted in an amount equal to the accumulated overtime.

Employees may not carry over more than 120 hours of compensatory time at any given time. If the employee reaches this cap, any additional overtime work will be paid as part of their wages. Once their balance drops below 120 hours, they may immediately start accumulating comp time and continue to do so until the maximum is reached again.

Upon termination of employment, any employee who has accumulated compensatory time shall be paid for unused time at one of the following rates, whichever is higher:

1. The average regular rate received by such employee during the last three (3) years of employment, or
2. The final regular rate received by the employee.

Leave Without Pay

Leave Without Pay (LWOP) is generally not permitted and may be approved only for medical emergencies or other serious, documented reasons. LWOP is not intended as a substitute for vacation or to extend leave for personal travel. Department Directors may approve limited LWOP, not to exceed a total of two (2) workweeks per calendar year per employee, only if operational needs allow reduced staffing during the requested period.

Requests for LWOP must be submitted and approved at least two (2) weeks in advance. For circumstances related to a medical condition, employees should notify the Department Director as soon as practicable and may be required to provide appropriate

documentation. LWOP may run concurrently with, and does not replace, other leave entitlements (e.g., FMLA) when applicable.

LWOP may affect pay, benefits eligibility, and leave accruals consistent with Town policies and plan documents. The Town may deny or terminate LWOP when operational needs require it or if the purpose does not align with this policy. Misuse of LWOP may result in corrective action.

Bereavement Leave

Employees will receive up to three (3) days of paid time off in the event of the death of a family member.

Family members are defined as one of the following: spouse, domestic partner, or significant other, parent/step parent, child/step child, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son, daughter), and any individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor.

Employees may receive bereavement leave for pregnancy-related loss, regardless of gender or marital status.

If additional time is needed, the supervisor may grant the time as operational needs allow. The employee may use accrued leave to cover the additional absences.

Military Service Leave

Employees serving in the uniformed services, including the Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, and Public Health Service commissioned corps, as well as the reserve components of each of these services, may take up to 15 days of paid military leave, as needed, to enable them to fulfill their obligations as servicemembers. Service members must provide advance written or verbal notice to the Town for all military duty unless giving notice is impossible, unreasonable, or precluded by military necessity. Employees should provide notice as far in advance as is reasonable under the circumstances. In addition, employees may, but are not required to, use accrued vacation, compensatory time, or PTO while performing military duty.

Civil Air Patrol Leave

Employees who are members of the Maryland Wing of the Civil Air Patrol will be eligible for up to 15 days of unpaid leave (or accrued paid leave if available to the employee) per calendar year to respond to emergency missions. Employees seeking leave under this policy must give the Town as much notice as possible of the intended dates of the beginning and end of the leave. After arriving at an emergency location, the employee must

also provide the Town with an estimate of the amount of time needed to complete the emergency mission and then report any necessary changes to that estimate as they arise.

The Town will require the employee to provide verification of the eligibility of the employee for the Civil Air Patrol leave requested or taken. If the employee fails to provide the required certification, the Town may deny the Civil Air Patrol leave.

An employee who returns to work after taking civil air patrol leave is entitled to be restored to the position of employment held by the employee when the leave began, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions.

Family and Medical Leave

The federal Family and Medical Leave Act (FMLA) allows certain employees to take up to twelve (12) weeks of unpaid leave per year for the serious health condition of the employee or an immediate family member, or childbirth or adoption. The Department of Human Resources will guide you through the completion of the appropriate forms for your leave. Any paid leave that you have accrued may be counted as part of your FMLA leave.

To take FMLA leave, you must provide the Town with appropriate notice. If you know in advance that you will need FMLA leave, you must notify your supervisor or the Department of Human Resources at least 30 days in advance. If you learn of your need for leave with less than 30 days' notice, you must give notice as soon as possible (generally either the day you know of the need or the next business day). When you need FMLA leave unexpectedly (for example, if a family member is injured in an accident), you must inform your supervisor or the Department of Human Resources as soon as you can.

Eligible spouses who both work for the Town are limited to a combined total of 12 workweeks of leave in a 12-month period to share for the following FMLA-qualifying reasons:

- The birth of a son or daughter and bonding with the newborn child,
- The placement of a son or daughter with the employee for adoption or foster care, and bonding with the newly placed child, and
- The care of a parent with a serious health condition.

The Town uses a “rolling” 12-month period, measured backward from the date the employee uses FMLA leave. Each time an employee takes FMLA leave, the remaining leave is the balance of the 12 weeks not used during the immediately preceding 12 months.

Military Caregiver Leave

The FMLA also allows an eligible employee who is the spouse, son, daughter, parent, or next of kin of a member of the Armed Forces, National Guard, or Reserves, or of certain recent veterans with a serious illness or injury, up to 26 weeks of unpaid leave within a 12-

month period to care for the injured or ill servicemember or veteran. A "serious illness or injury" is generally an injury or illness incurred by the covered servicemember in the line of duty on active duty (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty) that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating.

An eligible employee is entitled to a combined total of 26 workweeks of military caregiver leave and leave for any other FMLA-qualifying reason in a single 12-month period, provided that the employee may not take more than 12 weeks of leave for any other FMLA-qualifying reason during this period. (For example, in the single 12-month period, an employee could take 12 weeks of FMLA leave to care for a newborn child and 14 weeks of military caregiver leave, but could not take 16 weeks of leave to care for a newborn child and 10 weeks of military caregiver leave.) Generally, you must give the Town at least 30 days' notice before the commencement of any military caregiver leave.

Qualifying (Military) Exigency Leave

The FMLA also provides for up to 12 weeks of unpaid leave within a 12-month period when an eligible employee's spouse, son, daughter, or parent is on (or has been notified of an impending call to) "covered active duty" in the Armed Forces. ("Covered active duty" for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. "Covered active duty" for members of the U.S. National Guard and Reserves means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation.) The leave may also be extended to the family members of certain retired military. This leave may be used to take care of things such as childcare or financial and legal arrangements necessitated by the deployment of a family member.
Eligible spouses who work for the Town are also limited to a combined total of 26 workweeks in a single 12-month period to care for a covered servicemember with a serious injury or illness if each spouse is a parent, spouse, son or daughter, or next of kin of the servicemember (commonly referred to as "military caregiver leave"). This limitation also applies to a combination of military caregiver leave and leave for the other qualifying reasons listed above.

Break Time for Nursing Mothers

The federal Fair Labor Standards Act (FLSA) allows employees to take reasonable, unpaid break time to express breast milk as needed for up to one (1) year after the birth of a child. The Town will provide a designated area for employees to express breast milk, other than a bathroom, that is shielded from view and free from intrusion by coworkers and the public. Employees will not be discharged or otherwise discriminated against in any manner for exercising their rights under this policy.

Civic Duty Leave

Jury Duty

The Town encourages employees to fulfill their civic duties. To that end, employees will be allowed time off to serve on a jury if summoned. The Town requests that you give us a copy of your summons notice as soon as you receive it, so that we may keep it on file. If you are called during a particularly busy period, we may ask you to request a postponement. The Town will provide additional documentation, if necessary, to obtain such postponement.

Jury duty can last from a portion of a single day to several months or more. During this time, you will be considered on leave of absence and will be entitled to continue to participate in insurance and other benefits as if you were working. While serving on jury duty, you are expected to call your supervisor periodically to keep him or her apprised of your status.

Full-time employees subpoenaed as a witness in a civil or criminal case for selection to report for jury duty shall be granted paid leave during their absence; provided, however, that all payments provided by a court for jury service shall be turned over to the employee's department director and transmitted to the Town treasurer for deposit as miscellaneous revenue. Essential personnel, such as police officers and department directors, may be required to request an exemption from jury duty by the court.

Appearance as a Witness

An employee who is called to appear as a witness will be permitted time off to appear, but without pay. Employees will be permitted to use accrued vacation time when appearing as witnesses.

Voting

The Town encourages all employees to participate in the voting process. Most polling facilities for elections to public office have hours scheduled to accommodate working voters. The Town, therefore, requests that employees schedule their voting before or after their work shifts. An employee who expects a conflict, however, should notify their supervisor in advance so that schedules can be adjusted if necessary. If an employee must take time off during working hours, the Town will compensate them for no more than two (2) hours, provided prior approval is obtained.

Part 6 – Miscellaneous

Record Retention

The Town is committed to maintaining and disposing of records in compliance with applicable state and federal requirements. Each department is responsible for creating and following its own records retention schedule, which defines the retention period for specific types of records before they are destroyed or archived.

All departmental retention schedules must be submitted to the Department of Legislative Services for review and approval through the State of Maryland's records management process. Departments are responsible for ensuring records are kept, transferred, or destroyed only in accordance with their approved schedule.

Employees must not destroy, alter, or remove official records outside of the approved retention process. Records that may be relevant to audits, investigations, litigation, or public information requests must be preserved, even if their scheduled destruction date has passed. Questions about record classification or retention timelines should be directed to the employee's supervisor or the Legislative Services Department.

Compliance

Improper handling of records, including unauthorized destruction, alteration, or removal, may result in corrective or disciplinary action, up to and including termination, and could expose the Town and the individual to legal liability.

Digital Accessibility

The Town of La Plata is committed to making all digital content usable by everyone. This includes our websites, intranet, web applications, online forms, electronic documents (PDF, Word, Excel, PowerPoint), audio/video, and digital communications. We design, purchase, and maintain digital content to meet the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA. When full conformance is not technically feasible, we will provide equally effective alternative access so people can still complete their tasks.

Before initial publication or any substantial update, content must be reviewed by personnel trained to assess WCAG 2.1 AA compliance and/or the Town's ADA Coordinator. Content owners are responsible for creating accessible materials and submitting them for review; department heads ensure their teams follow this policy; the ADA Coordinator provides guidance, reviews complex or high-impact items, and coordinates responses to accessibility requests and complaints; and IT/Procurement include accessibility requirements in solicitations and contracts, collect vendor Accessibility Conformance Reports (VPAT/ACR), and set remediation expectations.

Any vendor that designs, develops, hosts, or otherwise provides digital content or technology for the Town must meet WCAG 2.1 AA and maintain ongoing compliance. All

procurements (including RFPs, RFQs, contracts, purchase orders, and renewals) must include accessibility requirements, require a current VPAT/ACR or equivalent documentation, provide for testing/verification, specify remediation timelines for identified gaps, and address ongoing compliance for the life of the agreement. Failure to meet or maintain compliance may result in withholding of deliverables, required remediation at the vendor's expense, or other contractual remedies, up to and including termination.

The Town employs a combination of automated checks and manual testing (e.g., headings, alt text, keyboard accessibility, contrast, and captions). Identified barriers must be corrected promptly, with high-impact issues prioritized; if a permanent fix will take time, a temporary and effective workaround should be provided. Members of the public or employees may request accessible formats or report barriers at any time; the ADA Coordinator will acknowledge, coordinate resolution, and track outcomes.

Exceptions are rare and may be approved by the ADA Coordinator, in consultation with IT, only when conformance is not technically feasible or would impose an undue financial or administrative burden. Any approved exception must include a documented plan for equally effective access. Employees and contractors who create, post, or procure digital content must complete periodic accessibility training appropriate to their role. Non-conforming content may be withheld, revised, or removed until it meets requirements, and repeated non-compliance may result in corrective action consistent with Town procedures.

This policy is effective upon issuance and will be reviewed at least every two years, or sooner if standards or laws change.

Artificial Intelligence Use

The Town is committed to the ethical, responsible, and transparent use of artificial intelligence (AI) in municipal operations. AI can improve services and efficiency, but its use must protect public trust, comply with all laws, and reflect our values of fairness, accountability, and accessibility. This policy governs the selection, use, and monitoring of AI technologies across Town departments.

Employees remain accountable for any work created or supported by AI. AI may assist, but it does not replace human judgment. Any AI-assisted content or decisions that affect the public, employees, or vendors must be reviewed by staff before use or release. When AI meaningfully contributes to communication or decision-making, employees must disclose its use and offer a human alternative when feasible.

Confidential or sensitive Town information must never be entered into public or unapproved AI tools. Only Town-approved and IT-reviewed platforms may be used for work involving proprietary or protected data. The IT Department is responsible for reviewing and approving AI tools to ensure security and compliance.

Data privacy and security are essential. Employees must collect only the data necessary for AI tasks, protect it using approved safeguards, and comply with all applicable laws, including Maryland privacy requirements and any federal standards. Personal information must be handled carefully, stored securely, and either retained or deleted in accordance with Town policy.

AI systems must be tested and monitored for accuracy, bias, and accessibility. Departments deploying AI are expected to review outputs for fairness, maintain documentation on how tools are used, and take corrective action if a system produces errors, bias, or other risks. AI content shared with the public must meet ADA and web accessibility standards.

Employees involved in selecting or using AI must undergo training on the ethical use, privacy, security, and accessibility of AI. Any issues, such as suspected data exposure, security incidents, or biased output, must be reported immediately to IT and the employee's supervisor. Violations of this policy may result in disciplinary action up to and including termination.

This policy will be reviewed regularly to keep pace with evolving technology, legal requirements, and best practices while maintaining public confidence in the Town's services.

AI Note-Taking Tools

Employees may use AI-enabled note-taking or meeting transcription tools (e.g., applications that automatically record, transcribe, or summarize meetings) only with prior approval from their meeting creator and when doing so does not violate confidentiality, privacy, or record-retention requirements.

All participants should be informed before recording or transcription begins.

Sensitive or legally protected information (e.g., employee medical data, attorney–client communications, closed session discussions) must not be recorded or uploaded to AI tools without explicit authorization.

If notes or transcripts become part of the official record, they must be stored in accordance with the Town's approved record retention schedule.

Only Town-approved platforms may be used to capture or process meeting content. Personal accounts or unapproved tools are not permitted.

Use of AI note-taking tools without approval, or in a way that violates these requirements, may result in loss of access to the tool and corrective action.

Workplace Relationships

The Town respects the privacy of employees but expects all workplace relationships to remain professional and not interfere with operations. Employees engaged in a romantic or close personal relationship must maintain appropriate conduct at work and avoid situations that could create conflicts of interest, favoritism, or disruption.

Heat-Related Illness Prevention and Management

Applies To all Town employees exposed to environments where the heat index equals or exceeds 80°F for more than 15 consecutive minutes per hour.

Purpose

The Town of La Plata's Heat-Related Illness Prevention and Management Plan (the "Plan") was developed to provide Town employees with the training and tools to help protect themselves and fellow employees from heat-related illness. The plan was prepared using criteria provided by Maryland Occupational Safety and Health (MOSH), Occupational Safety and Health Administration (OSHA), and in compliance with Maryland's Heat Stress Standards, COMAR Title 9, Subtitle 12, Chapter 32. This Plan will be modified as needed to reflect changes in departmental tasks and responsibilities and will be reviewed annually.

Applicability

This policy applies to:

- Employees performing indoor or outdoor work where the heat index ≥ 80°F.
- Tasks involving prolonged physical exertion or the use of PPE that increases heat burden.

This policy does not apply to:

- Emergency operations protecting life or property.
- Incidental exposures less than 15 minutes per hour.
- Air-conditioned or mechanically ventilated areas maintaining a heat index below 80°F.

Definitions

Acclimatization: Gradual adaptation of the body to working in hot conditions over 5–14 days.

Heat Index: How hot it feels when relative humidity is factored with temperature (National Weather Service calculation).

High-Heat Conditions: Heat index ≥ 90°F.

Heat Illness: Medical conditions caused by the body's inability to regulate heat (e.g., heat exhaustion, stroke, cramps).

Alternative Cooling and Control Measures: Engineering or administrative controls like ventilation, misting, fans, or cooling garments.

Shade: An area that blocks direct sunlight and allows for normal posture and rest.

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Responsibilities

Employer / Department

- Monitor heat index daily and adjust operations when necessary.
- Provide cool potable water (minimum 32 oz/hour per employee).
- Provide shaded or air-conditioned areas near work zones.
- Implement acclimatization and high-heat procedures.
- Maintain a written Heat Illness Prevention Plan (HIPP) available to staff and MOSH.
- Ensure employee and supervisor training on heat illness prevention, hydration, rest, and emergency procedures.
- Review and update the plan annually.

Supervisors

- Conduct daily weather and site risk assessments.
- Adjust work schedules to minimize exposure during peak heat hours (10 AM–4 PM).
- Encourage hydration and enforce required rest breaks.
- Observe employees for signs of heat illness and ensure immediate response.
- Maintain emergency communication devices (e.g., charged cell phones, radios).
- Designate an alternate responsible person to monitor workers when the supervisor is unavailable.

Employees

- Follow hydration and rest protocols.
- Take cool-down breaks as needed.
- Monitor co-workers (buddy system) for signs of distress.
- Report any heat illness symptoms immediately.
- Participate in all required heat stress training.

Procedures

Hydration

- Provide and encourage consumption of 8 oz (1 cup) of cool water every 15–20 minutes.
- Maintain water dispensers or coolers on each vehicle or work crew site.
- Refill coolers with ice and clean water daily.
- Drivers in Sanitation and other crews may pause operations for hydration safety checks.

Shade and Cool Areas

- Provide shade or cooled indoor areas when the heat index ≥ 80°F.
- Allow preventive 5-minute cool-down rests at any time.
- For heat index ≥ 90°F, minimum rest periods are:
- 10 minutes every 2 hours (90–99°F)
- 15 minutes every hour (≥100°F)
- If shade is unavailable, use air-conditioned vehicles or alternative cooling measures (e.g., fans, misting systems).
- The Town's "No Idling" practice may be suspended on high-heat days to allow vehicle cooling.

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Monitoring

- Supervisors use the OSHA-NIOSH Heat Safety Tool App or verified sources (e.g., NWS, AccuWeather).
- Heat index readings determine when high-heat protocols apply.
- Adjust workloads, shift start times, or tasks as needed.

Acclimatization

- Gradually increase exposure for new or returning workers using the 20% rule (no more than 20% of shift at full intensity on day one).
- Extend adaptation over 5–14 days.
- Monitor new and returning workers closely for 7 consecutive days.
- Modify tasks and schedule lighter duties during the initial period.

High-Heat Procedures

When heat index ≥ 90°F:

- Conduct pre-shift safety briefings.
- Increase rest breaks and hydration reminders.
- Implement a buddy system for mutual observation.
- Suspend or reschedule nonessential strenuous tasks.
- Ensure direct communication with supervisors at all times.

Emergency Response

Recognition

Common symptoms:

- Heat Cramps: Painful muscle spasms.
- Heat Exhaustion: Heavy sweating, dizziness, nausea, and confusion.
- Heat Stroke: Confusion, hot/dry skin, collapse, loss of consciousness — life-threatening.

Response

1. Move the employee to a shaded/cool area.
2. Loosen clothing, apply cool compresses or misting.
3. Provide small sips of water if conscious.
4. Call 911 immediately for signs of heat stroke or if symptoms persist.
5. Do not leave affected employees unattended.
6. Report all incidents to supervisors and HR for documentation.

Each vehicle or work site shall maintain:

- First aid kit with cold packs.
- Access to cool drinking water or electrolyte fluids.
- Emergency contact procedures.

Training

All employees and supervisors will receive training:

- Upon hire or assignment to heat-exposed work.
- Annually prior to high-heat season.
- After any heat-related incident.

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Training covers:

- Symptoms and first aid for heat illnesses.
- Acclimatization procedures.
- Proper hydration and rest practices.
- Reporting and emergency communication steps.

Attendance records will be maintained by HR and site supervisors.

Enforcement and Recordkeeping

- Noncompliance may result in corrective or disciplinary action.
- Heat-related incidents will be investigated using a Heat Illness Incident Report form.
- Findings will be used to improve future prevention measures.
- This policy will be reviewed annually by the Department of Human Resources.

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COUNCIL OF THE TOWN OF LA PLATA
Ordinance 26-03

Introduced By: Councilman Tyjon C. Johnson, Ward IV

Date Introduced: June 09, 2026

Date Adopted:

Date Effective:

AN ORDINANCE concerning

Resign to Run

FOR the purpose of amending Chapter 17 – Elections, requiring incumbent elected officialsof the Town of La Plata seeking candidacy through any Board of Elections for a position other than re-election to the Council of the Town of La Plata, to resign from their current position with the Town; and all matters generally relating thereto.

BY adding Chapter 17 – Elections
Article V. Resignation from Office
Section 17-21 – Mandatory Resignation for Candidacy
Code of the Town of La Plata
(1998 Edition as amended)

WHEREAS, the Town Council serves the public with integrity, impartiality, and full dedication to the duties of elected office; and

WHEREAS, the Town Council recognizes that seeking election to another public office may create potential conflicts of interest and may impact a Council member's ability to fully discharge the duties of their office; and

WHEREAS, the Town Council desires to ensure that members devote their full time, attention, and loyalty to the residents of the Town while serving in office; and

WHEREAS, the Town Council further finds that establishing clear requirements regarding resignation upon seeking other public office promotes transparency, accountability, and good governance; and

WHEREAS, the Town Council intends that this Ordinance apply only to members of the Town Council and be consistent with the Town Charter and the laws of the State of Maryland.

NOW, THEREFORE:

SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA that If any incumbent elected official of the Town of La Plata files a certificate of candidacy form with any Board of Elections, other than for re-election to the Council of the Town of La Plata, that official shall immediately resign from their current office.

SECTION 2: AND BE IT FURTHER ENACTED that new Article V, consisting of Section 17-21, be and is hereby added to the Code of the Town of La Plata, Chapter 17 - Elections, to read as follows:

Chapter 17 – ELECTIONS

***

ARTICLE V. RESIGNATION FROM OFFICE

17-21 – MANDATORY RESIGNATION FOR CANDIDACY.

A. INTRODUCTION.

(1) THE TOWN COUNCIL SERVES THE PUBLIC WITH INTEGRITY, IMPARTIALITY, AND FULL DEDICATION TO THE DUTIES OF ELECTED OFFICE. IN FULFILLING THIS RESPONSIBILITY, IT IS ESSENTIAL THAT COUNCIL MEMBERS REMAIN FOCUSED ON THE NEEDS AND PRIORITIES OF THE TOWN AND ITS RESIDENTS.

(2) THE "RESIGN TO RUN" PROCEDURE IS ESTABLISHED TO PROVIDE CLEAR GUIDANCE WHEN A SITTING COUNCIL MEMBER SEEKS ELECTED OFFICE OUTSIDE OF THE TOWN COUNCIL. THIS PROCEDURE IS INTENDED TO PREVENT POTENTIAL CONFLICTS OF INTEREST, ENSURE TRANSPARENCY IN GOVERNANCE, AND MAINTAIN PUBLIC CONFIDENCE IN THE DECISION-MAKING PROCESS. THIS PROCEDURE IS ADOPTED TO ENSURE THAT MEMBERS OF THE TOWN COUNCIL DEVOTE THEIR FULL TIME, ATTENTION, AND LOYALTY TO THE RESPONSIBILITIES OF THEIR OFFICE WHILE SERVING, AND TO PROVIDE CLEAR AND UNIFORM REQUIREMENTS GOVERNING THE RESIGNATION OF ANY MEMBER WHO SEEKS ELECTION TO ANOTHER PUBLIC OFFICE.

(3) BY REQUIRING RESIGNATION AT THE TIME A COUNCIL MEMBER FORMALLY SEEKS ANOTHER ELECTED POSITION, IT ENSURES THAT THE RESPONSIBILITIES OF PUBLIC OFFICE ARE NOT DIVIDED DURING AN ACTIVE CAMPAIGN FOR A SEPARATE POSITION.

(4) THIS PROCEDURE HAS BEEN DEVELOPED IN ACCORDANCE WITH THE LAWS OF THE STATE OF MARYLAND AND THE TOWN OF LA PLATA CODE OF ORDINANCES, CHAPTER 17 – ELECTIONS.

B. APPLICABILITY.

(1) THIS PROCEDURE APPLIES ONLY TO MEMBERS OF THE TOWN COUNCIL (MEMBERS ELECTED TO OFFICE AND MEMBERS APPOINTED TO FILL A VACANCY).
(2) THE PROCEDURE DOES NOT APPLY TO BOARDS, COMMISSIONS, COMMITTEES, OR OTHER APPOINTED BODIES.

C. EXEMPTIONS.

A COUNCIL MEMBER IS NOT REQUIRED TO RESIGN WHEN SEEKING RE-ELECTION TO THE SAME COUNCIL SEAT, ELECTION TO ANOTHER TOWN COUNCIL POSITION, INCLUDING MAYOR, OR A DIFFERENT WARD.

D. REQUIRED RESIGNATION FOR CANDIDACY.

A COUNCIL MEMBER SHALL RESIGN FROM OFFICE UPON SEEKING CANDIDACY FOR ANY OF THE FOLLOWING: A PUBLIC OFFICE OUTSIDE THE TOWN COUNCIL, FEDERAL OFFICE, STATE OFFICE, OR COUNTY OFFICE.

E. TIMING OF RESIGNATION.

(1) A COUNCIL MEMBER REQUIRED TO RESIGN UNDER THIS PROCEDURE SHALL SUBMIT A WRITTEN RESIGNATION NO LATER THAN THE NEXT BUSINESS DAY FOLLOWING THE FILING OF A CERTIFICATE OF CANDIDACY. NOTHING IN THIS SECTION SHALL PROHIBIT A COUNCIL MEMBER FROM SUBMITTING A RESIGNATION PRIOR TO OR SIMULTANEOUSLY WITH SUCH FILING.
(2) RESIGNATION SHALL BE SUBMITTED TO THE TOWN CLERK OR DESIGNATED OFFICIAL.
(3) RESIGNATION SHALL BECOME EFFECTIVE UPON THE FILING OF THE CERTIFICATE OF CANDIDACY, UNLESS AN EARLIER DATE IS SPECIFIED BY THE RESIGNING MEMBER. ONCE EFFECTIVE, THE RESIGNATION SHALL BE IRREVOCABLE.
(4) A COUNCIL MEMBER WHO FILES FOR CANDIDACY AND FAILS TO SUBMIT A RESIGNATION SHALL BE DEEMED TO HAVE VACATED THEIR POSITION. ANY RESULTING VACANCY SHALL BE FILLED IN ACCORDANCE WITH THE TOWN CHARTER, ARTICLE VII, SECTION C7-17.

F. DUE PROCESS – RIGHT TO PUBLIC HEARING

(1) BEFORE THE TOWN COUNCIL MAY TAKE ANY FORMAL ACTION TO DECLARE A VACANCY OR REMOVE A COUNCIL MEMBER FOR ALLEGED FAILURE TO COMPLY WITH THIS PROCEDURE, THE AFFECTED COUNCIL MEMBER SHALL BE ENTITLED TO A PUBLIC HEARING BEFORE THE TOWN COUNCIL.

(2) THE TOWN CLERK SHALL PROVIDE WRITTEN NOTICE OF THE HEARING TO THE AFFECTED COUNCIL MEMBER NO FEWER THAN TEN (10) BUSINESS DAYS PRIOR TO THE HEARING DATE. SUCH NOTICE SHALL INCLUDE A WRITTEN STATEMENT OF THE SPECIFIC BASIS FOR THE PROPOSED ACTION.

(3) AT THE PUBLIC HEARING, THE AFFECTED COUNCIL MEMBER SHALL HAVE THE RIGHT TO APPEAR, TO BE REPRESENTED BY COUNSEL, TO PRESENT EVIDENCE, AND TO RESPOND TO THE BASIS FOR THE PROPOSED ACTION. MEMBERS OF THE PUBLIC SHALL BE AFFORDED AN OPPORTUNITY TO COMMENT.

(4) A DECLARATION OF VACANCY UNDER THIS SECTION SHALL REQUIRE AN AFFIRMATIVE VOTE OF A MAJORITY OF THE REMAINING COUNCIL MEMBERS PRESENT AND VOTING AT THE PUBLIC HEARING. ANY RESULTING VACANCY SHALL BE FILLED IN ACCORDANCE WITH THE TOWN CHARTER, ARTICLE VII, SECTION C7-17. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT OR SUPERSEDE ANY REMOVAL OR RECALL PROCESS ESTABLISHED BY THE TOWN CHARTER.

G. DEFINITIONS

CANDIDATE – AN INDIVIDUAL WHO HAS FILED, OR HAS TAKEN THE OFFICIAL STEPS REQUIRED UNDER MARYLAND LAW TO FILE, A CERTIFICATE OF CANDIDACY FOR A PUBLIC OFFICE.

CERTIFICATE OF CANDIDACY – A DOCUMENT FILED WITH AN ELECTION AUTHORITY TO QUALIFY AS A CANDIDATE FOR PUBLIC OFFICE.

ELECTED OFFICIAL – A MEMBER OF THE TOWN COUNCIL WHO HOLDS OFFICE BY VIRTUE OF HAVING BEEN ELECTED BY VOTERS OF THE TOWN OF LA PLATA OR HAVING BEEN APPOINTED TO FILL A VACANCY IN AN ELECTED SEAT PURSUANT TO THE TOWN CHARTER.

FILING – THE OFFICIAL SUBMISSION AND ACCEPTANCE OF CANDIDACY DOCUMENTS BY THE APPROPRIATE ELECTION AUTHORITY.

RESIGNATION – A WRITTEN NOTICE SUBMITTED TO THE TOWN INCLUDING VOLUNTARY RELINQUISHMENT OF OFFICE.

SECTION 3: AND BE IT FURTHER ENACTED that this Ordinance shall become effective at the expiration of fifteen (15) calendar days after its approval by the Council.

ADOPTED AND APPROVED by the Council of the Town of La Plata this _____ day of _____, 2026.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

_____
Jeannine E. James, Mayor

_____
Paul C. Guttenberg, Councilman

_____
Patrick McCormick, Councilman

ATTEST:

_____
Gregory Sampson, Jr., Councilman

_____
Shelby Pritchett
Town Clerk
Date: _____

_____
Tyjon C. Johnson, Councilman

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.
*** indicates existing law not depicted in bill and not being altered by bill

COUNCIL OF THE TOWN OF LA PLATA
Ordinance 26-03

Introduced By: **Mayor Jeannine E. James, by request**

Date Introduced: **~~May 12~~June 09, 2026**

Date Adopted:

Date Effective:

AN ORDINANCE concerning

Resign to Run

FOR the purpose of amending Chapter 17 – Elections, requiring ~~current~~ incumbent elected officials~~, elected or otherwise,~~ of the Town of La Plata seeking candidacy through any Board of Elections for a position other than re-election to the ~~same office~~Council of the Town of La Plata, to resign from their current position with the Town; and all matters generally relating thereto.

BY adding Chapter 17 – Elections
Article V. Resignation from Office
Section 17-21 – Mandatory Resignation for Candidacy
Code of the Town of La Plata
(1998 Edition as amended)

WHEREAS, the Town Council serves the public with integrity, impartiality, and full dedication to the duties of elected office; and

WHEREAS, the Town Council recognizes that seeking election to another public office may create potential conflicts of interest and may impact a Council member's ability to fully discharge the duties of their office; and

WHEREAS, the Town Council desires to ensure that members devote their full time, attention, and loyalty to the residents of the Town while serving in office; and

WHEREAS, the Town Council further finds that establishing clear requirements regarding resignation upon seeking other public office promotes transparency, accountability, and good governance; and

WHEREAS, the Town Council intends that this Ordinance apply only to members of the Town Council and be consistent with the Town Charter and the laws of the State of Maryland.

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NOW, THEREFORE:

SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA that If any ~~current~~ incumbent elected official~~, elected or otherwise,~~ of the Town of La Plata files a certificate of candidacy form with any Board of Elections, other than for re-election to the ~~same office~~Council of the Town of La Plata, that official shall immediately resign from ~~that~~ their current ~~office~~~~position with the Town or the Town Council is hereby authorized to immediately remove that individual from office or position by majority vote~~.

SECTION 2: AND BE IT FURTHER ENACTED that new Article V, consisting of Section 17-21, be and is hereby added to the Code of the Town of La Plata, Chapter 17 - Elections, to read as follows:

Chapter 17 – ELECTIONS

***

ARTICLE V. RESIGNATION FROM OFFICE

17-21 – MANDATORY RESIGNATION FOR CANDIDACY.

~~IF ANY CURRENT OFFICIAL, ELECTED OR OTHERWISE, OF THE TOWN OF LA PLATA FILES A CERTIFICATE OF CANDIDACY FORM WITH ANY BOARD OF ELECTIONS, OTHER THAN FOR RE-ELECTION TO THE SAME OFFICE, THAT OFFICIAL SHALL IMMEDIATELY RESIGN FROM THAT CURRENT POSITION WITH THE TOWN OR THE TOWN COUNCIL IS HEREBY AUTHORIZED TO IMMEDIATELY REMOVE THAT INDIVIDUAL FROM OFFICE OR POSITION BY MAJORITY VOTE.~~

A. INTRODUCTION.

(1) THE TOWN COUNCIL SERVES THE PUBLIC WITH INTEGRITY, IMPARTIALITY, AND FULL DEDICATION TO THE DUTIES OF ELECTED OFFICE. IN FULFILLING THIS RESPONSIBILITY, IT IS ESSENTIAL THAT COUNCIL MEMBERS REMAIN FOCUSED ON THE NEEDS AND PRIORITIES OF THE TOWN AND ITS RESIDENTS.

(2) THE "RESIGN TO RUN" PROCEDURE IS ESTABLISHED TO PROVIDE CLEAR GUIDANCE WHEN A SITTING COUNCIL MEMBER SEEKS ELECTED OFFICE OUTSIDE OF THE TOWN COUNCIL. THIS PROCEDURE IS INTENDED TO PREVENT POTENTIAL CONFLICTS OF INTEREST, ENSURE TRANSPARENCY IN GOVERNANCE, AND MAINTAIN PUBLIC CONFIDENCE IN THE DECISION-MAKING PROCESS. THIS PROCEDURE IS ADOPTED TO ENSURE THAT MEMBERS OF THE TOWN COUNCIL DEVOTE THEIR FULL TIME, ATTENTION, AND LOYALTY

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TO THE RESPONSIBILITIES OF THEIR OFFICE WHILE SERVING, AND TO PROVIDE CLEAR AND UNIFORM REQUIREMENTS GOVERNING THE RESIGNATION OF ANY MEMBER WHO SEEKS ELECTION TO ANOTHER PUBLIC OFFICE.

(3) BY REQUIRING RESIGNATION AT THE TIME A COUNCIL MEMBER FORMALLY SEEKS ANOTHER ELECTED POSITION, IT ENSURES THAT THE RESPONSIBILITIES OF PUBLIC OFFICE ARE NOT DIVIDED DURING AN ACTIVE CAMPAIGN FOR A SEPARATE POSITION.

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(1) THIS PROCEDURE APPLIES ONLY TO MEMBERS OF THE TOWN COUNCIL (MEMBERS ELECTED TO OFFICE AND MEMBERS APPOINTED TO FILL A VACANCY).

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A COUNCIL MEMBER SHALL RESIGN FROM OFFICE UPON SEEKING CANDIDACY FOR ANY OF THE FOLLOWING: A PUBLIC OFFICE OUTSIDE THE TOWN COUNCIL, FEDERAL OFFICE, STATE OFFICE, OR COUNTY OFFICE.

E. TIMING OF RESIGNATION.

(1) A COUNCIL MEMBER REQUIRED TO RESIGN UNDER THIS PROCEDURE SHALL SUBMIT A WRITTEN RESIGNATION NO LATER THAN THE NEXT BUSINESS DAY FOLLOWING THE FILING OF A CERTIFICATE OF CANDIDACY. NOTHING IN THIS SECTION SHALL PROHIBIT A COUNCIL MEMBER FROM SUBMITTING A RESIGNATION PRIOR TO OR SIMULTANEOUSLY WITH SUCH FILING.

(2) RESIGNATION SHALL BE SUBMITTED TO THE TOWN CLERK OR DESIGNATED OFFICIAL.

(3) RESIGNATION SHALL BECOME EFFECTIVE UPON THE FILING OF THE CERTIFICATE OF CANDIDACY, UNLESS AN EARLIER DATE IS SPECIFIED BY THE

RESIGNING MEMBER. ONCE EFFECTIVE, THE RESIGNATION SHALL BE IRREVOCABLE.

(4) A COUNCIL MEMBER WHO FILES FOR CANDIDACY AND FAILS TO SUBMIT A RESIGNATION SHALL BE DEEMED TO HAVE VACATED THEIR POSITION. ANY RESULTING VACANCY SHALL BE FILLED IN ACCORDANCE WITH THE TOWN CHARTER, ARTICLE VII, SECTION C7-17.

F. DUE PROCESS – RIGHT TO PUBLIC HEARING

(1) BEFORE THE TOWN COUNCIL MAY TAKE ANY FORMAL ACTION TO DECLARE A VACANCY OR REMOVE A COUNCIL MEMBER FOR ALLEGED FAILURE TO COMPLY WITH THIS PROCEDURE, THE AFFECTED COUNCIL MEMBER SHALL BE ENTITLED TO A PUBLIC HEARING BEFORE THE TOWN COUNCIL.

(2) THE TOWN CLERK SHALL PROVIDE WRITTEN NOTICE OF THE HEARING TO THE AFFECTED COUNCIL MEMBER NO FEWER THAN TEN (10) BUSINESS DAYS PRIOR TO THE HEARING DATE. SUCH NOTICE SHALL INCLUDE A WRITTEN STATEMENT OF THE SPECIFIC BASIS FOR THE PROPOSED ACTION.

(3) AT THE PUBLIC HEARING, THE AFFECTED COUNCIL MEMBER SHALL HAVE THE RIGHT TO APPEAR, TO BE REPRESENTED BY COUNSEL, TO PRESENT EVIDENCE, AND TO RESPOND TO THE BASIS FOR THE PROPOSED ACTION. MEMBERS OF THE PUBLIC SHALL BE AFFORDED AN OPPORTUNITY TO COMMENT.

(4) A DECLARATION OF VACANCY UNDER THIS SECTION SHALL REQUIRE AN AFFIRMATIVE VOTE OF A MAJORITY OF THE REMAINING COUNCIL MEMBERS PRESENT AND VOTING AT THE PUBLIC HEARING. ANY RESULTING VACANCY SHALL BE FILLED IN ACCORDANCE WITH THE TOWN CHARTER, ARTICLE VII, SECTION C7-17. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT OR SUPERSEDE ANY REMOVAL OR RECALL PROCESS ESTABLISHED BY THE TOWN CHARTER.

G. DEFINITIONS

CANDIDATE – AN INDIVIDUAL WHO HAS FILED, OR HAS TAKEN THE OFFICIAL STEPS REQUIRED UNDER MARYLAND LAW TO FILE, A CERTIFICATE OF CANDIDACY FOR A PUBLIC OFFICE.

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ELECTED OFFICIAL – A MEMBER OF THE TOWN COUNCIL WHO HOLDS OFFICE BY VIRTUE OF HAVING BEEN ELECTED BY VOTERS OF THE TOWN OF LA PLATA OR HAVING BEEN APPOINTED TO FILL A VACANCY IN AN ELECTED SEAT PURSUANT TO THE TOWN CHARTER.

FILING – THE OFFICIAL SUBMISSION AND ACCEPTANCE OF CANDIDACY DOCUMENTS BY THE APPROPRIATE ELECTION AUTHORITY.

RESIGNATION – A WRITTEN NOTICE SUBMITTED TO THE TOWN INCLUDING VOLUNTARY RELINQUISHMENT OF OFFICE.

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SECTION 3: AND BE IT FURTHER ENACTED that this Ordinance shall become effective at the expiration of fifteen (15) calendar days after its approval by the Council.

ADOPTED AND APPROVED by the Council of the Town of La Plata this _____ day of _____, 2026.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

_____
Jeannine E. James, Mayor

_____
Paul C. Guttenberg, Councilman

_____
Patrick McCormick, Councilman

ATTEST:

_____
Gregory Sampson, Jr., Councilman

_____
Shelby Pritchett
Town Clerk
Date: _____

_____
Tyjon C. Johnson, Councilman

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

*** indicates existing law not depicted in bill and not being altered by bill

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 26-15

Introduced By: Mayor Jeannine E. James, by request

Date Introduced: June 23, 2026

Town Council Public Hearing: June 23, 2026

Amendments Adopted:

Date Adopted:

Date Effective:

AN ORDINANCE concerning

Chapter 191 – Zoning Ordinance for the Town of La Plata, Maryland - Roads

FOR the purpose of amending Article X of the Zoning Ordinance of the Town of La Plata to include processes for creating, managing, and maintaining adequate public road facilities in the Town of La Plata; and all matters generally relating thereto.

BY repealing and reenacting with amendments
Chapter 191
Article X
Code of the Town of La Plata (1998 Edition and Supplements)

SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA, that Chapter 191 of the Code of the Town of La Plata (1998 Edition as amended), be and is hereby amended to read as follows:

CHAPTER 191 - ZONING REGULATIONS

***

ARTICLE X. -ADEQUATE PUBLIC FACILITIES REQUIREMENTS

§ 191.86. PURPOSE.

THE PURPOSE OF THE ADEQUATE PUBLIC FACILITIES REVIEW IS TO:

A. REQUIRE DEVELOPERS TO PROVIDE NEW, ADDITIONAL, OR UPGRADED PUBLIC FACILITIES FOR WATER, SEWAGE, ROADS AND SCHOOL SEATING CAPACITY, WHEN NECESSARY, TO ENSURE THE TOWN'S ABILITY TO PROVIDE ADEQUATE PUBLIC FACILITY LEVELS TO SERVE NEW DEVELOPMENTS WITHOUT IMPACTING THE EXISTING COMMUNITY.
B. ENSURE THAT ALL PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE PUBLIC'S HEALTH, SAFETY, AND WELFARE; AND,
C. ENCOURAGE NEW DEVELOPMENT TO OCCUR IN AREAS OF THE TOWN WHERE PUBLIC FACILITIES ARE BEING PROVIDED.

§ 191.87. ADEQUATE PUBLIC FACILITIES REQUIRED.

A. UNLESS STATED OTHERWISE WITHIN THIS ORDINANCE, NO PRELIMINARY PLAT MAPS OR SITE PLANS SHALL BE APPROVED BY THE TOWN UNLESS IT CAN BE DEMONSTRATED THAT THE DEVELOPMENT WILL NOT IMPACT THE ADEQUACY OF THE TOWN'S PUBLIC FACILITIES TO PROVIDE ADEQUATE WATER, SEWAGE, ROADS AND SCHOOL SEATING CAPACITY TO SERVE THE DEVELOPMENT, AS SPECIFIED IN THIS ORDINANCE.

B. THIS ORDINANCE DOES NOT APPLY TO MINOR RESIDENTIAL SUBDIVISIONS, MINOR SITE PLANS, AND NON-RESIDENTIAL DEVELOPMENTS CONTAINING LESS THAN 1,200 SQUARE FEET OF GROSS FLOOR AREA UNLESS DETERMINED NECESSARY BY THE PLANNING DIRECTOR DUE TO UNIQUE OR UNUSUAL CIRCUMSTANCES ASSOCIATED WITH THE DEVELOPMENT AND/OR THE SURROUNDING ENVIRONS OF THE DEVELOPMENT.

C. UNLESS EXEMPTED WITHIN THIS ORDINANCE, ALL PRELIMINARY PLAT MAPS AND SITE PLANS SUBMITTED TO THE TOWN FOR APPROVAL SHALL BE ACCOMPANIED BY AN ADEQUATE PUBLIC FACILITIES STUDY (APFS) PURSUANT TO SECTION 191.93. THE VEHICULAR TRIP GENERATION THRESHOLD FOR REQUIRING A TRAFFIC STUDY SHALL BE 50 OR MORE PEAK-HOUR VEHICULAR TRIPS DURING ANY OF THE PEAK STUDY PERIODS.

§191.88. ROADS.

A. THE TRAFFIC GENERATED BY A PROPOSED DEVELOPMENT SHALL NOT REDUCE THE LEVEL OF SERVICE (LOS) AT INTERSECTIONS OR ALONG ROADS BELOW THE STANDARDS ESTABLISHED IN THIS SECTION.

B. THIS SECTION DOES NOT APPLY TO ANY PROPOSED DEVELOPMENT PROJECT THAT GENERATES FEWER THAN 50 PEAK-HOUR VEHICULAR TRIPS DURING ANY OF THE STUDY PEAK PERIODS.

C. ROADS SHALL BE CONSIDERED ADEQUATE TO ACCOMMODATE THE PROJECTED

VEHICULAR TRAFFIC GENERATED BY A PROPOSED DEVELOPMENT IF:

(1) ALL EXISTING TRAFFIC, THE TRAFFIC EXPECTED FROM A PROPOSED DEVELOPMENT, AND THE CUMULATIVE TRAFFIC FROM PREVIOUSLY APPROVED DEVELOPMENTS WITHIN THE TRAFFIC STUDY AREA MUST EITHER MEET, OR BE CAPABLE OF BEING ADEQUATELY MITIGATED TO MEET, THE MINIMUM LEVEL OF SERVICE (LOS) REQUIRED FOR THE ROADWAYS AFFECTED BY THE PROPOSED NEW DEVELOPMENT. TRAFFIC SERVICE LEVELS AT ALL INTERSECTIONS WITHIN THE TRAFFIC STUDY AREA DEFINED IN §191.93(F) SHALL BE EVALUATED USING THE FOLLOWING METHODOLOGY:

(A) PRIMARY ANALYSIS METHODOLOGY. ALL TRAFFIC IMPACT STUDIES (TIS) SHALL USE THE MOST CURRENT EDITION OF THE HIGHWAY CAPACITY MANUAL (HCM), PUBLISHED BY THE TRANSPORTATION RESEARCH BOARD, AS THE SOLE PRIMARY METHOD OF TRAFFIC ANALYSIS. HCM-BASED ANALYSIS SHALL BE PERFORMED BY THE PROJECT DEVELOPER USING TRAFFIC ANALYSIS SOFTWARE CAPABLE OF PRODUCING HCM-BASED MEASURES OF EFFECTIVENESS FOR SIGNALIZED AND UNSIGNALIZED INTERSECTIONS, INCLUDING OVERALL INTERSECTION, AVERAGE CONTROL DELAY, APPROACH DELAY, INDIVIDUAL MOVEMENT DELAY, VOLUME-TO-CAPACITY RATIOS, AND 95TH PERCENTILE QUEUE LENGTHS. THE CRITICAL LANE VOLUME (CLV) METHOD SHALL NOT BE USED AS A SUBSTITUTE FOR, OR SCREENING ALTERNATIVE TO, HCM-BASED ANALYSIS.

(B) LEVEL OF SERVICE (LOS) DETERMINATION. LEVEL OF SERVICE SHALL BE DETERMINED USING HCM DELAY-BASED MEASURES OF EFFECTIVENESS. FOR SIGNALIZED INTERSECTIONS, THE LOS SHALL BE BASED ON THE OVERALL INTERSECTION AVERAGE CONTROL DELAY USING A WEIGHTED AVERAGE ACROSS ALL APPROACHES. FOR UNSIGNALIZED INTERSECTIONS, THE LOS SHALL BE BASED ON THE WORST MINOR-STREET MOVEMENT OR APPROACH DELAY, AS SPECIFIED BY THE HCM. THE 95TH PERCENTILE QUEUE LENGTHS FROM TRAFFIC SIMULATION ANALYSIS SHALL BE REPORTED FOR ALL STUDY INTERSECTIONS.

(C) SIGNAL TIMING BASELINE. ALL TRAFFIC ANALYSIS MODELS FOR ROADS SHALL USE THE EXISTING SIGNAL TIMING DATA OBTAINED FROM THE CONTROLLING JURISDICTION (I.E.,TOWN OF LA PLATA, CHARLES COUNTY, OR STATE HIGHWAY ADMINISTRATION) AS THE BASELINE. DEVELOPER-ASSUMED SIGNAL TIMING SHALL NOT BE USED. WHERE THE CONTROLLING JURISDICTION FOR A ROAD HAS DEVELOPED AND MADE AVAILABLE CALIBRATED TRAFFIC MODEL FILES FOR STUDY

INTERSECTIONS, PROJECT DEVELOPERS SHALL USE THOSE FILES AS THE BASIS TO START THEIR ANALYSIS.

(D) TRIP GENERATION STANDARD. ALL TRIP GENERATION CALCULATIONS SHALL USE THE MOST CURRENT EDITION OF THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) TRIP GENERATION MANUAL. TRIP GENERATION SHALL BE BASED ON NEW NET TRIPS, WHICH IS DEFINED AS VEHICULAR TRIPS GENERATED BY A PROPOSED DEVELOPMENT MINUS VEHICULAR TRIPS GENERATED BY ANY EXISTING OR PREVIOUSLY APPROVED DEVELOPMENT ON THE SAME SITE FOR WHICH APFO APPROVAL HAS BEEN GRANTED BY THE TOWN.

(E) ADEQUACY STANDARDS: THE ADEQUACY OF ROADWAY OPERATIONS SHALL BE EVALUATED USING THE FOLLOWING IMPACT-BASED THRESHOLDS, APPLIED SEPARATELY TO EACH STUDY INTERSECTION UNDER OPENING-YEAR TOTAL TRAFFIC CONDITIONS FOR A PROPOSED NEW DEVELOPMENT:

(I) IF THE PROPOSED DEVELOPMENT'S OPENING-YEAR BACKGROUND LEVEL OF SERVICE (LOS), EXCLUDING SITE-GENERATED TRAFFIC, IS LOS "D" OR BETTER, THEN THE OVERALL INTERSECTION LOS WITH TOTAL TRAFFIC, INCLUDING THE PROPOSED DEVELOPMENT'S TRAFFIC, MUST ALSO REMAIN AT LOS "D" OR BETTER. IF THE OPENING-YEAR BACKGROUND LOS IS LOS "E" OR WORSE, THEN THE OVERALL AVERAGE CONTROL DELAY PER VEHICLE UNDER TOTAL TRAFFIC CONDITIONS MAY NOT EXCEED THE AVERAGE CONTROL DELAY UNDER BACKGROUND CONDITIONS. THE PROPOSED DEVELOPMENT MAY NOT INCREASE TRAFFIC DELAYS AT ANY INTERSECTION THAT IS ALREADY OPERATING BELOW ACCEPTABLE STANDARDS.

(II) INDIVIDUAL MOVEMENT FLOOR. REGARDLESS OF THE OVERALL INTERSECTION RESULT UNDER SUBSECTION (I), NO INDIVIDUAL TURNING MOVEMENT OR APPROACH AT A SIGNALIZED INTERSECTION SHALL OPERATE AT LOS "F" UNDER TOTAL TRAFFIC CONDITIONS WHERE THE MOVEMENT OPERATED AT LOS "E" OR BETTER UNDER BACKGROUND CONDITIONS. AT UNSIGNALIZED INTERSECTIONS, THE WORST MINOR-STREET MOVEMENT OR APPROACH SHALL SERVE AS THE BASIS FOR THE ADEQUACY DETERMINATION, USING THE SAME BACKGROUND-VERSUS-TOTAL COMPARISON FRAMEWORK AS REFERENCED IN SUBSECTION (I).

(III) THE TRAFFIC IMPACT STUDY (TIS) FOR A PROPOSED DEVELOPMENT MUST REPORT THE FOLLOWING FOR EACH STUDY INTERSECTION: PEAK AM AND PM TRAFFIC LEVELS, PLUS ANY ADDITIONAL PERIODS REQUIRED UNDER §191.96(B)(3); THE OPENING-YEAR

BACKGROUND LOS AND AVERAGE CONTROL DELAY; THE OPENING-YEAR TOTAL TRAFFIC LOS AND AVERAGE CONTROL DELAY; THE CHANGE IN DELAY ATTRIBUTABLE TO THE PROPOSED DEVELOPMENT; AND THE 95TH-PERCENTILE QUEUE LENGTHS FOR ALL MOVEMENTS BASED ON TRAFFIC SIMULATION ANALYSIS.

(F) MODEL FILE SUBMISSION. ALL TRAFFIC ANALYSIS MODEL FILES USED IN A TIS MUST BE SUBMITTED ELECTRONICALLY TO THE TOWN AS PART OF THE APFS SUBMITTAL, IN A FORMAT THAT IS READABLE BY THE TOWN.

(G) PEER REVIEW: THE TOWN OF LA PLATA RESERVES THE RIGHT TO RETAIN A QUALIFIED, INDEPENDENT, TRAFFIC ENGINEER TO REVIEW ALL TIS SUBMITTALS TO THE TOWN FOR THEIR INPUT AND RECOMMENDATIONS. THE TOTAL COST OF ALL REVIEWS SHALL BE BORNE BY THE PROJECT DEVELOPER.

(2) INFRASTRUCTURE PRIORITY HIERARCHY. IN EVALUATING CIP PROGRAMMED IMPROVEMENTS FOR DEVELOPER CREDIT UNDER THIS SUBSECTION, AND IN PROGRAMMING NEW TRANSPORTATION CIP PROJECTS FUNDED IN WHOLE OR IN PART THROUGH ESCROW FUND CONTRIBUTIONS UNDER §191.94(F), THE TOWN SHALL APPLY THE FOLLOWING PRIORITY HIERARCHY. HIGHER-PRIORITY IMPROVEMENTS SHALL BE ADVANCED AHEAD OF LOWER-PRIORITY IMPROVEMENTS WHEN ESCROW FUND BALANCES OR CIP CAPACITY REQUIRE SEQUENCING DECISIONS:

(A) PRIORITY 1 — MULTIMODAL TRAFFIC SAFETY: IMPROVEMENTS THAT DEMONSTRABLY REDUCE CRASH FREQUENCY OR SEVERITY FOR ALL ROAD USERS, INCLUDING VEHICLE-VEHICLE, VEHICLE-PEDESTRIAN, AND VEHICLE-BICYCLE CONFLICTS. THIS INCLUDES INTERSECTION GEOMETRY CORRECTIONS, SIGHT DISTANCE IMPROVEMENTS, SPEED MANAGEMENT MEASURES, SIGNAL SAFETY UPGRADES, AND PROJECTS IDENTIFIED IN ANY TOWN OR STATE HIGHWAY ADMINISTRATION ROAD SAFETY AUDIT OR PEDESTRIAN SAFETY ACTION PLAN. CONSISTENT WITH MARYLAND'S VISION ZERO GOAL AND MDOT'S COMPLETE STREETS POLICY, SAFETY IMPROVEMENTS SHALL BE THE FIRST CALL ON AVAILABLE ESCROW FUND BALANCES.

(B) PRIORITY 2 — EMERGENCY VEHICLE ACCESS: IMPROVEMENTS THAT ENHANCE THE RELIABILITY AND SPEED OF EMERGENCY VEHICLE RESPONSE WITHIN THE TOWN, INCLUDING INTERSECTION MODIFICATIONS TO FACILITATE EMERGENCY PREEMPTION, TURNING RADIUS CORRECTIONS AT CONSTRAINED INTERSECTIONS, AND ROADWAY GEOMETRY IMPROVEMENTS TO REDUCE RESPONSE TIMES TO RESIDENTIAL AND COMMERCIAL AREAS. THE TOWN SHALL CERTIFY

THAT PROPOSED IMPROVEMENTS SATISFY EMERGENCY ACCESS STANDARDS PRIOR TO CIP PROGRAMMING.

(C) PRIORITY 3 — PEDESTRIAN AND BICYCLE ACCESSIBILITY AND COMPLETE STREETS CONFORMANCE: IMPROVEMENTS THAT EXPAND OR CLOSE GAPS IN THE TOWN'S PEDESTRIAN AND BICYCLE NETWORK, BRING EXISTING FACILITIES INTO CONFORMANCE WITH THE TOWN'S ADOPTED COMPLETE STREETS STANDARDS, IMPROVE ADA ACCESSIBILITY, ENHANCE SAFE ROUTES TO SCHOOLS CONNECTIONS, AND PROVIDE PROTECTED OR SEPARATED FACILITIES FOR NON-MOTORIZED USERS ON HIGH-VOLUME CORRIDORS. CONSISTENT WITH MARYLAND DEPARTMENT OF TRANSPORTATION'S COMPLETE STREETS POLICY, WHICH REQUIRES APFOS TO ENSURE COMPLETE STREETS DESIGN FEATURES ARE PROVIDED, THIS PRIORITY SHALL APPLY TO ALL ESCROW FUND-ELIGIBLE IMPROVEMENTS INVOLVING THE RECONSTRUCTION OR SIGNIFICANT MODIFICATION OF EXISTING ROADWAY CROSS-SECTIONS.

(D) PRIORITY 4 — VEHICLE CAPACITY AND OPERATIONS: IMPROVEMENTS PRIMARILY INTENDED TO INCREASE VEHICLE THROUGHPUT OR REDUCE VEHICLE DELAY, INCLUDING INTERSECTION TURN LANE ADDITIONS, SIGNAL COORDINATION, AND ROADWAY WIDENING FOR VEHICULAR CAPACITY. SUCH IMPROVEMENTS REMAIN ELIGIBLE FOR ESCROW FUND PROGRAMMING BUT SHALL BE SEQUENCED AFTER PRIORITIES 1 THROUGH 3 HAVE BEEN ADEQUATELY ADDRESSED IN THE AFFECTED CORRIDOR OR STUDY AREA.

(3) A SUFFICIENT PUBLIC RIGHT-OF-WAY WIDTH IS PROVIDED TO SERVE THE VOLUME OF PEDESTRIAN AND VEHICULAR TRAFFIC TO ACCOMMODATE THE PROPOSED DEVELOPMENT, INCLUDING ADEQUATE ROAD WIDTHS TO FACILITATE VEHICULAR MOBILITY, MANEUVERABILITY, AND ON-STREET PARKING, WHEN APPLICABLE TO THE ROADWAY TYPE AND CONTEXT.

D. LEVELS OF SERVICE.

(1) THE ESTABLISHED MINIMUM LEVEL OF SERVICE (LOS) STANDARDS SHALL BE TIERED BASED ON ROADWAY JURISDICTION AND CONTEXT, AS FOLLOWS:

(A) TOWN OF LA PLATA CONTROLLED ROADS: LOS “C” FOR ALL TOWN-OWNED AND MAINTAINED ROADS.

(B) CHARLES COUNTY-CONTROLLED ROADS: LOS “D” FOR ALL CHARLES COUNTY-OWNED AND MAINTAINED ROADS WITHIN THE LA PLATA TOWN LIMITS, CONSISTENT WITH THE “CHARLES COUNTY ADEQUATE PUBLIC FACILITIES MANUAL.” THE TOWN SHALL DEFER TO THE

COUNTY'S ADOPTED ADEQUACY STANDARDS FOR COUNTY-CONTROLLED ROADS.

(C) STATE HIGHWAY ADMINISTRATION (SHA) CONTROLLED ROADS: LOS "E," OR NO WORSE THAN THE BACKGROUND (PRE-DEVELOPMENT) LOS WHERE EXISTING CONDITIONS ALREADY EXCEED LOS "E," FOR ALL SHA-CONTROLLED AND MAINTAINED HIGHWAYS IN THE TOWN. THE TOWN SHALL DEFER TO SHA'S ADOPTED "TRAFFIC IMPACT STUDY GUIDELINES" FOR ITS FACILITIES. ANY MITIGATION REQUIREMENT INVOLVING THE SHA RIGHT-OF-WAY SHALL BE EXPRESSLY SUBJECT TO SHA REVIEW AND APPROVAL. IF SHA DECLINES TO APPROVE PROPOSED MITIGATION, THE TOWN OF LA PLATA SHALL CONSIDER ALTERNATIVE MITIGATION STRATEGIES, INCLUDING BUT NOT LIMITED TO PRO-RATA CONTRIBUTIONS TOWARD SHA-PROGRAMMED IMPROVEMENTS.

(2) WHEN A TIS IS CONDUCTED PURSUANT TO §191.88(C)(1) AND IT DETERMINES THAT A STUDY INTERSECTION FAILS THE ADEQUACY STANDARDS ESTABLISHED IN §191.88(C)(1)(E), THE FOLLOWING MITIGATION FRAMEWORK SHALL APPLY. ALL ADEQUACY DETERMINATIONS AND MITIGATION CALCULATIONS UNDER THIS SECTION SHALL USE OPENING-YEAR BACKGROUND CONDITIONS (EXISTING TRAFFIC PLUS APPROVED-BUT-UNBUILT DEVELOPMENT TRAFFIC) AS THE BASELINE, CONSISTENT WITH §191.88(C)(1)(E).

(A) AT FUNCTIONING INTERSECTIONS (OPENING-YEAR BACKGROUND LOS "D" OR BETTER) UNDER THE APPLICABLE TIERED STANDARD IN §191.88(D)(1)). MITIGATION IS REQUIRED WHERE THE PROPOSED NEW DEVELOPMENT CAUSES THE OVERALL INTERSECTION LOS UNDER TOTAL TRAFFIC CONDITIONS TO FALL BELOW LOS "D," OR CAUSES ANY INDIVIDUAL MOVEMENT THAT OPERATED AT LOS "E" OR BETTER UNDER BACKGROUND CONDITIONS TO FALL TO LOS "F." THE PROJECT DEVELOPER SHALL MITIGATE THE PROPOSED DEVELOPMENT'S IMPACT TO RESTORE THE INTERSECTION TO ITS EXISTING BACKGROUND LOS OR BETTER.

(B) AT DEFICIENT INTERSECTIONS (OPENING-YEAR BACKGROUND LOS "E" OR WORSE). MITIGATION IS REQUIRED WHERE THE PROPOSED NEW DEVELOPMENT INCREASES THE AVERAGE CONTROL DELAY PER VEHICLE UNDER TOTAL TRAFFIC CONDITIONS ABOVE THE AVERAGE CONTROL DELAY PER VEHICLE UNDER THE PROPOSED NEW DEVELOPMENT'S OPENING-YEAR BACKGROUND CONDITIONS (I.E., WHERE THE PROPOSED DEVELOPMENT MEASURABLY WORSENS DELAY AT AN ALREADY-DEFICIENT INTERSECTION). THE PROJECT DEVELOPER SHALL ADEQUATELY MITIGATE IMPACTS TO RESTORE

TOTAL TRAFFIC DELAY TO NO WORSE THAN THE OPENING-YEAR BACKGROUND DELAY. MITIGATION MAY CONSIST OF ONE OR MORE OF THE FOLLOWING, AS APPROVED BY THE TOWN:

(I) PROPORTIONAL IMPACT MITIGATION. AT THE DISCRETION OF THE TOWN, THE PROJECT DEVELOPER MAY CONTRIBUTE TOWARD THE COST OF THE IMPROVEMENT IN PROPORTION TO THE PROPOSED DEVELOPMENT'S SHARE OF THE TOTAL TRAFFIC DELAY INCREASE CALCULATED AS: (PROPOSED DEVELOPMENT-ATTRIBUTABLE DELAY INCREASE ÷ TOTAL DELAY UNDER TOTAL TRAFFIC CONDITIONS) × TOTAL IMPROVEMENT COST, BASED ON A THIRD-PARTY ENGINEERING ESTIMATE.

(II) PRO-RATA ESCROW CONTRIBUTION. AT THE DISCRETION OF THE TOWN, THE DEVELOPER MAY CONTRIBUTE TO THE TOWN'S TRANSPORTATION IMPROVEMENT ESCROW FUND PURSUANT TO §191.94(F) IN LIEU OF DIRECT CONSTRUCTION, WHERE THE IMPROVEMENT IS PROGRAMMED IN THE TOWN'S CIP OR IS A SHARED IMPROVEMENT BENEFITING MULTIPLE DEVELOPMENTS.

(III) ALTERNATIVE IMPROVEMENTS. AT THE TOWN'S DISCRETION, A PROJECT DEVELOPER MAY PROPOSE ALTERNATIVE IMPROVEMENTS THAT CLEARLY RESTORE TOTAL TRAFFIC DELAY TO A LEVEL NO WORSE THAN THE PROPOSED DEVELOPMENT'S OPENING-YEAR BACKGROUND DELAY WITHOUT THE PROJECT. ANY SUCH PROPOSAL SHALL BE REVIEWED AND APPROVAL BY THE TOWN AND, WHEN APPLICABLE, BY SHA OR THE COUNTY. WHEN EVALUATING ALTERNATIVE IMPROVEMENTS, THE TOWN SHALL APPLY THE INFRASTRUCTURE PRIORITY HIERARCHY ESTABLISHED IN §191.88(C)(2).

(C) DENIAL. THE PLANNING COMMISSION SHALL DENY A PROPOSED DEVELOPMENT IF THE DEVELOPER FAILS TO DEMONSTRATE A FEASIBLE, SECURED, MITIGATION PATHWAY UNDER SUBSECTIONS (A) OR (B) ABOVE. THE PLANNING COMMISSION SHALL NOT DENY A PROJECT SOLELY BECAUSE AN INTERSECTION OPERATES BELOW THE APPLICABLE LOS STANDARD UNDER BACKGROUND CONDITIONS UNRELATED TO THE PROPOSED DEVELOPMENT.

E. THE DETERMINATION OF THE LEVEL OF SERVICE FOR A ROAD SHALL CONSIDER THE EFFECTS OF EXISTING TRAFFIC AND TRAFFIC PROJECTED TO BE GENERATED FROM PROPOSED NEW DEVELOPMENTS IN THE TRAFFIC STUDY AREA, AS DETERMINED BY THE TOWN, FOR WHICH FINAL SUBDIVISION PLATS AND SITE PLANS HAVE BEEN APPROVED AS WELL AS INCREASES IN THROUGH TRAFFIC AND ALL TRAFFIC PROJECTED TO BE GENERATED FROM THE PROPOSED DEVELOPMENT FOR A SPECIFIED DEVELOPMENT COMPLETION YEAR.

F. UNLESS EXEMPTED WITHIN THIS ORDINANCE, THE PROJECT DEVELOPER SHALL SUBMIT WITH THEIR PRELIMINARY PLAT MAP OR SITE PLAN, A PRELIMINARY ADEQUATE PUBLIC FACILITIES STUDY (APFS) WHICH INDICATES THE PROPOSED DEVELOPMENT'S ANTICIPATED VEHICULAR TRIP GENERATION RATES, A LIST OF EXISTING ROADS AND INTERSECTIONS THAT WILL BE IMPACTED BY TRAFFIC TO AND FROM THE PROPOSED DEVELOPMENT, AND THE ANTICIPATED COMPLETION DATE OF THE PROPOSED DEVELOPMENT. THE PLANNING DIRECTOR SHALL REVIEW THE APFS TO DETERMINE WHETHER IT SATISFIES THE STANDARDS ADOPTED HEREIN FOR THE PROPOSED DEVELOPMENT AND SHALL ADD OR REMOVE ROADS OR INTERSECTIONS AS NECESSARY TO EVALUATE THE IMPACT OF THE PROPOSED DEVELOPMENT.

§191.89. SCHOOLS.

SEE SECTION 173-92 UNDER ARTICLE IX (SCHOOL SEAT ALLOCATION POLICY) OF THE LA PLATA SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

§191.90. SEWAGE SYSTEM.

A. PURSUANT TO TITLE 9 OF THE ANNOTATED CODE OF MARYLAND, NEW DEVELOPMENT CAN ONLY BE APPROVED IF THERE ARE ADEQUATE WASTEWATER SYSTEMS AND SUPPORTING INFRASTRUCTURE. THEREFORE, NO SITE PLAN OR SUBDIVISION PLAT SHALL BE APPROVED FOR ANY NEW OR EXPANDED DEVELOPMENT IN LA PLATA UNLESS THE TOWN’S WASTEWATER TREATMENT PLANT AND INFRASTRUCTURE HAS OR WILL HAVE SUFFICIENT CAPACITY TO SUPPORT NEW DEVELOPMENT PRIOR TO ITS COMMENCEMENT. IT IS THE INTENT OF THIS CHAPTER TO ENSURE THAT SEWER INFRASTRUCTURE CAPACITY SERVING EXISTING RESIDENTIAL AND NON-RESIDENTIAL USERS ARE NOT ADVERSELY AFFECTED BY THE SEWAGE CAPACITY AND INFRASTRUCTURE NEEDS FROM NEW DEVELOPMENT.

B. STANDARD FOR ADEQUACY. THE TOWN’S SEWAGE SYSTEM SHALL BE CONSIDERED INADEQUATE AND THE DEVELOPMENT DEEMED TO CREATE AN ADVERSE IMPACT ON THE TOWN'S WASTEWATER TREATMENT PLANT AND ITS INFRASTRUCTURE WHEN A DEVELOPMENT CAUSES IT TO OPERATE AT OR ABOVE EIGHTY PERCENT (80%) OF THE PLANT'S MAXIMUM CAPACITY. THIS LIMITATION IS TO ENSURE THE TOWN MAINTAINS SUFFICIENT RESERVE CAPACITY TO ACCOUNT FOR SYSTEM INEFFICIENCIES AND SHORT-TERM SPIKES IN TREATMENT DEMAND. EIGHTY PERCENT (80%) OF SEWAGE CAPACITY SHALL BE DETERMINED BY MULTIPLYING THE TOWN’S TREATMENT PLANT’S DESIGN FLOW (MGD) BY 0.80, THEN COMPARING THAT VALUE TO THE FACILITY’S AVERAGE DAILY WASTEWATER FLOW.. IF THIS STANDARD IS EXCEEDED, THE PROJECT SHALL NOT BE APPROVED

UNLESS ADEQUATE MITIGATION IS PROVIDED IN ACCORDANCE WITH §191.94 (MITIGATION).

C. THE TOWN OF LA PLATA SHALL PUBLISH ON ITS WEBSITE EVERY SIX (6) MONTHS A SEWAGE CAPACITY REPORT IDENTIFYING THE TOWN'S CURRENT WASTEWATER TREATMENT PLANT CAPACITY LEVEL AND ITS REMAINING AVAILABILITY TO SERVE NEW DEVELOPMENT. THE MOST CURRENT WASTEWATER CAPACITY REPORT SHALL BE USED AS THE AUTHORITATIVE REFERENCE SOURCE FOR DETERMINING A DEVELOPMENT'S IMPACT ON THE TOWN'S WASTEWATER CAPACITY LIMIT AS PART OF ANY ADEQUATE PUBLIC FACILITIES STUDY SUBMITTED TO THE TOWN.

§191.91. WATER SUPPLY SYSTEM.

A. PURSUANT TO TITLE 9 OF THE ANNOTATED CODE OF MARYLAND, NEW DEVELOPMENT CAN ONLY BE APPROVED IF THERE IS AN ADEQUATE WATER SUPPLY AND INFRASTRUCTURE TO SUPPORT IT. THEREFORE, NO PRELIMINARY PLAT MAP OR SITE PLAN FOR ANY NEW OR EXPANDED DEVELOPMENT REQUIRING WATER ALLOCATION FROM THE TOWN OF LA PLATA SHALL BE APPROVED UNLESS THERE IS OR WILL BE SUFFICIENT WATER SUPPLY TO SUPPORT THE DEVELOPMENT PRIOR TO ITS COMMENCEMENT. IT IS THE INTENT OF THIS CHAPTER THAT WATER SUPPLIES SERVING EXISTING RESIDENTIAL AND NON-RESIDENTIAL USERS ARE NOT ADVERSELY AFFECTED BY THE WATER USAGE FROM NEW DEVELOPMENT.

B. STANDARD FOR ADEQUACY. THE TOWN'S WATER SUPPLY SYSTEM IS CONSIDERED INADEQUATE AND A PROPOSED DEVELOPMENT IS CONSIDERED TO HAVE AN ADVERSE IMPACT ON THE TOWN'S ABILITY TO PROVIDE SUFFICIENT WATER WHEN THE PROJECTED WATER DEMAND FROM NEW DEVELOPMENT WILL CAUSE THE TOWN TO REACH OR EXCEED EIGHTY PERCENT (80%) OF ITS MAXIMUM WATER APPROPRIATION PERMIT FOR ANNUAL AVERAGE DAILY WITHDRAWAL, AS ISSUED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT. THE 80% THRESHOLD IS INTENDED TO ENSURE THE TOWN MAINTAINS SUFFICIENT RESERVE CAPACITY TO ACCOUNT FOR WATER LOSS, SYSTEM INEFFICIENCIES, AND SHORT-TERM SPIKES IN WATER USAGE. EIGHTY PERCENT (80%) OF THE TOWN'S WATER ALLOCATION IS CALCULATED BY MULTIPLYING THE PERMITTED ANNUAL AVERAGE DAILY WITHDRAWAL LIMIT BY 0.80 AND COMPARING THAT VALUE TO THE TOWN'S ACTUAL ANNUAL AVERAGE DAILY WATER USE. IF THE PROJECTED DEMAND FROM A DEVELOPMENT CAUSES THIS THRESHOLD TO BE EXCEEDED, THE DEVELOPMENT MAY NOT BE APPROVED UNLESS ADEQUATE MITIGATION IS PROVIDED IN ACCORDANCE WITH §191.94 (MITIGATION).

C. THE TOWN OF LA PLATA SHALL PUBLISH ON ITS WEBSITE EVERY SIX (6) MONTHS A WATER CAPACITY REPORT OF THE TOWN'S WATER ALLOCATION USAGE FOR

DETERMINING THE REMAINING WATER AVAILABILITY TO SERVE NEW DEVELOPMENT AGAINST ITS MAXIMUM WATER APPROPRIATIONS PERMIT LIMIT FOR AVERAGE DAILY WITHDRAWAL. THE MOST CURRENT WATER CAPACITY REPORT SHALL BE USED AS THE AUTHORITATIVE REFERENCE SOURCE FOR DETERMINING A DEVELOPMENT'S IMPACT ON THE TOWN'S WATER SUPPLY AS PART OF ANY ADEQUATE PUBLIC FACILITIES STUDY SUBMITTED TO THE TOWN.

§191.92. WATER, SEWAGE, AND SCHOOL CAPACITY ALLOCATIONS

A. WATER AND SEWER CAPACITY ALLOCATION SHALL BE GUARANTEED TO ANY APPROVED PRELIMINARY PLAT MAP OR SITE PLAN REQUIRING SUCH ALLOCATION FOR A PERIOD OF SIX (6) YEARS AFTER ITS ORIGINAL APPROVAL BY THE TOWN. FAILURE, FOR ANY REASON, TO OBTAIN A BUILDING PERMIT WITHIN SIX (6) YEARS TO BEGIN CONSTRUCTION FOR A NEW BUILDING(S) UNDER AN APPROVED SITE PLAN OR PRELIMINARY PLAT MAP OR FOR A NEW DEVELOPMENT SHALL RENDER THE WATER AND SEWER ALLOCATION VOID.

B. FOR PRELIMINARY PLAT MAPS AND SITE PLANS THAT HAVE BEEN PREVIOUSLY APPROVED WITHOUT WATER AND SEWER ALLOCATIONS PRIOR TO THE ADOPTION OF THIS ORDINANCE, WATER AND SEWER ALLOCATIONS SHALL BE BASED ON THE FOLLOWING ALLOCATION METHODOLOGY:

(1) ALL PRELIMINARY PLAT MAPS AND SITE PLANS THAT HAVE BEEN APPROVED AND ARE STILL VALID AS OF THE DATE OF THE ADOPTION OF THIS ORDINANCE SHALL BE EXEMPT FROM SECTION 191.92(A) UNLESS THE APPROVED PRELIMINARY PLAT MAP OR SITE PLAN IS ALLOWED TO EXPIRE FOR ANY REASON. WATER AND SEWER ALLOCATIONS FOR PREVIOUSLY APPROVED AND LEGALLY VALID PRELIMINARY PLAT MAPS AND SITE PLANS SHALL HAVE PRIORITY OVER ANY PRELIMINARY PLAT MAPS AND SITE PLANS NOT APPROVED BY THE TOWN AS OF THE DATE OF THE ADOPTION OF THIS ORDINANCE. WATER AND SEWER ALLOCATIONS FOR UNEXPIRED PRELIMINARY PLAT MAPS AND SITE PLANS UNDER THIS CODE PROVISION SHALL BE ALLOCATED AS FOLLOWS:

(A) EACH YEAR, THE TOWN OF LA PLATA SHALL IDENTIFY THE MAXIMUM WATER AND SEWER CAPACITY ALLOCATIONS TO BE DEVOTED TO PREVIOUSLY APPROVED PRELIMINARY PLAT MAPS AND SITE PLANS THAT ARE VALID.

(B) WATER AND SEWER ALLOCATIONS SHALL BE DISTRIBUTED BY THE TOWN TO EACH PREVIOUSLY APPROVED PRELIMINARY PLAT MAP OR SITE PLAN BEGINNING WITH THE OLDEST TO THE MOST RECENT UNTIL ALL SUCH WATER AND SEWER ALLOCATIONS HAVE BEEN DISTRIBUTED BY THE TOWN OF LA PLATA FOR EACH CALENDAR YEAR.

(C) FAILURE TO BEGIN USING AUTHORIZED WATER AND SEWER ALLOCATIONS WITHIN SIX YEARS SHALL RENDER THE WATER AND SEWER ALLOCATIONS UNDER THIS PROVISION OF THE ORDINANCE NULL AND VOID.

C. ONCE ALL PREVIOUSLY APPROVED PRELIMINARY PLAT MAPS AND SITE PLANS HAVE RECEIVED THEIR NECESSARY WATER AND SEWER ALLOCATIONS UNDER SECTION 191.92(B), WATER AND SEWER ALLOCATIONS REQUIRED FOR THE APPROVAL OF NEW PRELIMINARY PLAT MAPS AND SITE PLANS MAY BE GRANTED BY THE TOWN AS PROVIDED IN THIS ORDINANCE.

D. SCHOOL CAPACITY ALLOCATIONS SHALL BE GRANTED PURSUANT TO ARTICLE IX (SCHOOL SEAT ALLOCATION POLICY) OF THE LA PLATA MUNICIPAL CODE.

§ 191.93. ADEQUATE PUBLIC FACILITIES STUDY.

A. AN ADEQUATE PUBLIC FACILITIES STUDY (APFS) SHALL BE PREPARED BY QUALIFIED, INDEPENDENT, THIRD PARTIES, IN CONFORMANCE WITH THE REQUIREMENTS OF THIS ORDINANCE, AND SUBMITTED AS PART OF ANY PRELIMINARY PLAT MAP OR SITE PLAN SUBMITTAL TO THE TOWN FOR APPROVAL.

B. AN APFS SHALL CONTAIN THE FOLLOWING INFORMATION:

(1) BACKGROUND INFORMATION DESCRIBING THE PROPOSED DEVELOPMENT, ITS LOCATION, AND THE MOST CURRENT CONDITIONS OF ALL PUBLIC FACILITIES THAT ARE REGULATED BY THIS ORDINANCE.

(2) ANALYSES AND IDENTIFICATION OF ALL ANTICIPATED PROJECT IMPACTS AND FACILITY NEEDS FOR WATER, SEWER, ROADS AND SCHOOL SEATING CAPACITY TO SERVE THE PROPOSED DEVELOPMENT.

(3) AS NECESSARY, A PROPOSED MITIGATION PROGRAM TO ELIMINATE ALL ANTICIPATED ENVIRONMENTAL IMPACTS CAUSED BY THE DEVELOPMENT TO ENABLE THE TOWN TO PROVIDE SUFFICIENT WATER, SEWAGE, ROADS AND SCHOOL SEATING CAPACITY TO SERVE THE PROPOSED DEVELOPMENT.

(4) ANY OTHER ADDITIONAL INFORMATION DEEMED NECESSARY BY THE PLANNING DIRECTOR TO ADEQUATELY EVALUATE A PROJECT'S IMPACT(S) ON THE TOWN'S WATER, SEWAGE, AND SCHOOL SEATING CAPACITY.

C. AN APFS MUST ADDRESS THE INCREMENTAL AND CUMULATIVE IMPACTS OF A PROJECT THAT IS TO BE DEVELOPED IN PHASES, INCLUDING ALL INCREMENTAL MITIGATION MEASURES.

D. THE PLANNING COMMISSION SHALL REVIEW THE APFS AND OTHER INFORMATION SUBMITTED BY THE PROJECT DEVELOPER TO DETERMINE IF THE LEVEL OF PUBLIC INFRASTRUCTURE EXISTS OR WILL EXIST TO MEET THE STANDARDS OF THIS ORDINANCE AND WHETHER THE APPROVAL OF THE PROPOSED DEVELOPMENT WILL BE IN THE PUBLIC INTEREST.

E. THE PROJECT DEVELOPER SHALL PAY ALL COSTS ASSOCIATED WITH THE TOWN'S REVIEW OF AN APFS IN ADDITION TO ALL OTHER APPLICABLE DEVELOPMENT FEES IN THE TOWN'S CURRENT FEE SCHEDULE.

F. TRAFFIC STUDY AREA DEFINITION. THE TRAFFIC IMPACT STUDY SHALL ANALYZE, AT A MINIMUM, THE FOLLOWING BASELINE STUDY AREA:

(1) ALL SIGNALIZED INTERSECTIONS PROVIDING DIRECT ACCESS TO THE PROPOSED DEVELOPMENT SITE;

(2) THE NEAREST TWO PRINCIPAL ARTERIAL INTERSECTIONS IN EACH DIRECTION FROM THE PRIMARY VEHICULAR STREET ENTRANCE(S) TO THE PROPOSED DEVELOPMENT;

(3) ALL INTERSECTIONS WITHIN 1.5 MILES OF THE PRIMARY SITE ENTRANCE(S) THAT RECEIVE 50 OR MORE PEAK-HOUR TRIPS GENERATED BY THE PROPOSED DEVELOPMENT;

(4) THE PLANNING DIRECTOR MAY EXPAND THE REQUIRED STUDY AREA BASED ON:

(I) THE PROPOSED DEVELOPMENT GENERATING MORE THAN 250 PEAK-HOUR VEHICULAR TRIPS;

(II) KNOWN TRAFFIC DISTRIBUTION PATTERNS AFFECTING MORE DISTANT FACILITIES;

(III) PROXIMITY TO SENSITIVE USES SUCH AS SCHOOLS OR HOSPITALS; OR

(IV) REASONABLE JUSTIFICATION DEMONSTRATING A PROJECT NEXUS FOR THE EXPANDED SCOPE OF THE STUDY.

G. PIECEMEAL DEVELOPMENT. CIRCUMVENTING THE TRIP THRESHOLD BY SUBMITTING PIECEMEAL DEVELOPMENT APPLICATIONS IS NOT PERMITTED. IF A PROJECT DEVELOPER SUBMITS A NEW PRELIMINARY PLAT MAP OR SITE PLAN FOR PROPOSED DEVELOPMENT AT THE SAME PROPERTY LOCATION WHERE A PREVIOUS PRELIMINARY PLAT MAP OR SITE PLAN WAS APPROVED WITHIN THE PRECEDING FIVE (5) YEARS, THE TRAFFIC IMPACT STUDY SHALL INCLUDE ALL TRIPS GENERATED BY BOTH THE PROPOSED AND PREVIOUS DEVELOPMENT APPROVALS WHEN

DETERMINING WHETHER THE 50 PEAK-HOUR TRIP THRESHOLD IS MET OR EXCEEDED.

H. FOR PUBLIC REFERENCE, THE TOWN SHALL UPDATE ITS "OFFICIAL STREET MAP OF THE TOWN OF LA PLATA, MARYLAND" EACH YEAR TO IDENTIFY ALL NEW ROADS AND ROAD EXTENSIONS IN LA PLATA PURSUANT TO THE UPDATING PROCESSES AND PROCEDURES CONTAINED IN SECTION 170-7 OF THE LA PLATA MUNICIPAL CODE. THE "OFFICIAL STREET MAP OF THE TOWN OF LA PLATA, MARYLAND" SHALL INCLUDE THE MINIMUM LEVEL OF SERVICE (LOS) FOR ALL TOWN, COUNTY AND STATE HIGHWAY ADMINISTRATION ROADWAYS IN LA PLATA.

§ 191.94. MITIGATION.

CREATIVE DEVELOPMENT DESIGN MEASURES ARE ENCOURAGED WITHIN EACH NEW DEVELOPMENT TO REDUCE OR ELIMINATE IMPACTS TO THE TOWN'S WATER, SEWAGE, ROADS AND SCHOOL SEATING CAPACITY LIMITS WHENEVER POSSIBLE. HOWEVER, IF THE PLANNING COMMISSION DETERMINES THAT ONE OR MORE PUBLIC FACILITIES ASSOCIATED WITH WATER, SEWAGE, ROADS, OR SCHOOL SEATING CAPACITY ARE NOT ADEQUATE, THE PLANNING COMMISSION SHALL DENY THE PROJECT OR REQUIRE SUFFICIENT DEVELOPMENT MITIGATION MEASURES AS FOLLOWS:

A. MITIGATION BY THE PROJECT DEVELOPER IS REQUIRED TO AVOID EXCEEDING WATER, SEWER, ROADS AND SCHOOL SEATING CAPACITY LIMITS TO ENABLE THE TOWN TO PROVIDE SUFFICIENT PUBLIC FACILITATES TO SUPPORT THE DEVELOPER'S PROJECT AND COMPLY WITH ALL APPLICABLE PROVISIONS OF THE TOWN'S MUNICIPAL CODE AND MARYLAND DEPARTMENT OF THE ENVIRONMENT PERMITTING REQUIREMENTS, CONDITIONS, AND REGULATIONS PLACED UPON THE TOWN. IF THE MITIGATION MEASURES ARE CONSIDERED INFEASIBLE TO IMPLEMENT FOR A NEW DEVELOPMENT, THE TOWN MAY ACCEPT AN IN-LIEU FEE EQUAL TO THE DEVELOPER'S PRO-RATA SHARE OF THE TOTAL ESTIMATED COST OF THEIR REQUIRED MITIGATION MEASURES FOR THEIR PROJECT, AS DETERMINED BY THE CHIEF EXECUTIVE OFFICER OF THE TOWN.

B. IF ONE OR MORE MITIGATION MEASURES ARE REQUIRED FOR AN APPROVED DEVELOPMENT TO COMPLY WITH THIS ORDINANCE AND THOSE MITIGATION MEASURES WILL BE FULLY COMPLETED THROUGH A TOWN OF LA PLATA, CHARLES COUNTY, OR STATE HIGHWAY ADMINISTRATION APPROVED CAPITAL IMPROVEMENT PROJECT BEFORE ALL TOWN ISSUED DEVELOPMENT PERMITS ARE FINALIZED, THE TOWN SHALL CONSIDER THE REQUIRED DEVELOPMENT MITIGATION MEASURES NECESSARY TO COMPLY WITH THIS ORDINANCE SATISFIED. HOWEVER, IF A TOWN OF LA PLATA, CHARLES COUNTY, OR STATE

HIGHWAY ADMINISTRATION APPROVED CAPITAL IMPROVEMENT PROJECT DOES NOT FULLY SATISFY ALL MITIGATION MEASURES REQUIRED FOR AN APPROVED DEVELOPMENT TO COMPLY WITH THIS ORDINANCE, THE DEVELOPER SHALL BE RESPONSIBLE FOR COMPLETING THEIR PRO-RATA SHARE OF THE REMAINING MITIGATION MEASURES. OTHERWISE, THE DEVELOPER SHALL PROVIDE THE TOWN AN IN-LIEU FEE EQUAL TO THEIR PRO-RATA SHARE OF THE TOTAL ESTIMATED COST FOR THE REMAINING MITIGATION MEASURES REQUIRED FOR THEIR PROJECT DEVELOPMENT, AS DETERMINED BY THE CHIEF EXECUTIVE OFFICER OF THE TOWN.

C. THE PLANNING COMMISSION SHALL REVIEW AND HAVE FINAL APPROVAL OF THE PROPOSED MITIGATION PROGRAM FOR A PROPOSED SUBDIVISION OR SITE PLAN. A MITIGATION PROGRAM SHALL INCLUDE THE TYPE(S) OF MITIGATION, THE METHODS OF MITIGATION, AND TIME SCHEDULES, INCLUDING PROJECT PHASING, IF APPLICABLE, FOR THE SUCCESSFUL IMPLEMENTATION OF THE MITIGATION PROGRAM.

D. A MITIGATION PROGRAM SHALL BE CONTAINED IN A LEGALLY BINDING, ADEQUATE PUBLIC FACILITIES AGREEMENT BETWEEN THE PROJECT DEVELOPER AND THE TOWN OF LA PLATA, IN A LEGAL FORM APPROVED BY THE TOWN ATTORNEY.

E. A MITIGATION PROGRAM SHALL RUN WITH THE LAND. THE DEED OR TITLE FOR A PROPERTY SHALL CONTAIN REFERENCES TO THE MITIGATION PROGRAM AND BE RECORDED WITH THE CHARLES COUNTY CLERK TO THE SATISFACTION OF THE PLANNING DIRECTOR.

F. TRANSPORTATION IMPROVEMENT ESCROW FUND.

(1) ESTABLISHMENT. THE TOWN OF LA PLATA SHALL ESTABLISH AND MAINTAIN A “TRANSPORTATION IMPROVEMENT ESCROW FUND” ("ESCROW FUND") FOR THE PURPOSE OF COLLECTING PRO-RATA SHARE CONTRIBUTIONS FROM DEVELOPERS TOWARD THE COST OF TRANSPORTATION IMPROVEMENTS THAT EXCEED ANY SINGLE DEVELOPER'S PROPORTIONAL IMPACT OR THAT REQUIRE COORDINATION ACROSS MULTIPLE DEVELOPMENTS OR JURISDICTIONS.

(2) APPLICABILITY. THE TOWN MAY REQUIRE PRO-RATA ESCROW FUND CONTRIBUTIONS THROUGH AN IN-LIEU FEE AND/OR DIRECT MITIGATION CONSTRUCTION BY THE PROJECT DEVELOPER PURSUANT TO SECTION 191.94.

(3) CALCULATION. THE DEVELOPER'S PRO-RATA CONTRIBUTION SHALL EQUAL: (PROPOSED DEVELOPMENT PEAK HOUR TRIPS ÷ TOTAL PEAK HOUR CAPACITY ADDED BY THE IMPROVEMENT) × TOTAL IMPROVEMENT COST, BASED ON AN INDEPDENENT THIRD-PARTY ENGINEERING COST ESTIMATE REVIEWED AND APPROVED BY THE CHIEF EXECUTIVE OFFICER OF THE TOWN.

(4) FUND ADMINISTRATION. ALL ESCROW FUND CONTRIBUTIONS SHALL BE DEPOSITED IN A DEDICATED, INTEREST-BEARING ACCOUNT, SEPARATELY MAINTAINED BY THE TOWN. FUNDS SHALL BE USED SOLELY FOR THE CONSTRUCTION OF THE IDENTIFIED TRANSPORTATION IMPROVEMENT(S). UNEXPENDED FUNDS SHALL BE RETURNED TO CONTRIBUTING DEVELOPERS ON A PRO-RATA BASIS IF A PROJECT IS CANCELED OR IF ALTERNATIVE FUNDING SOURCES FULLY FINANCE THE IMPROVEMENT.

(5) CONSTRUCTION TRIGGER. FOR TOWN-CONTROLLED ROADS, THE TOWN SHALL INITIATE CONSTRUCTION OF FUNDED ROAD IMPROVEMENT(S) WHEN:

(I) SUFFICIENT PRO-RATA CONTRIBUTIONS HAVE BEEN COLLECTED TO FUND AT LEAST FIFTY PERCENT (50%) OF THE PROJECT COST; OR

(II) ALTERNATIVE PUBLIC AND/OR PRIVATE FUNDING SOURCES ARE SECURED BY THE TOWN TO COMPLETE THE PROJECT ROAD IMPROVEMENT(S).

(6) CIP ALIGNMENT AND INVESTMENT PRIORITIES. THE ESCROW FUND SHALL BE REVIEWED ANNUALLY IN CONNECTION WITH THE TOWN'S CIP PROCESS. THE CHIEF EXECUTIVE OFFICER SHALL RECOMMEND TO THE TOWN COUNCIL ALLOCATION OF ESCROW FUND BALANCES TO ADVANCE PROGRAMMED IMPROVEMENTS IN COORDINATION WITH CHARLES COUNTY AND THE STATE HIGHWAY ADMINISTRATION. IN MAKING SUCH RECOMMENDATIONS, THE CHIEF EXECUTIVE OFFICER SHALL APPLY THE INFRASTRUCTURE PRIORITY HIERARCHY ESTABLISHED IN §191.88(C)(2), ADVANCING SAFETY IMPROVEMENTS AHEAD OF CAPACITY IMPROVEMENTS, PEDESTRIAN AND BICYCLE ACCESSIBILITY IMPROVEMENTS AHEAD OF VEHICLE THROUGHPUT IMPROVEMENTS, AND PRESERVING EMERGENCY VEHICLE ACCESS AS A NON-NEGOTIABLE BASELINE CONDITION. ANY DEVIATION FROM THE RECOMMENDED PRIORITY RANKING SHALL BE DOCUMENTED WITH WRITTEN FINDINGS EXPLAINING WHY A LOWER-PRIORITY IMPROVEMENT BETTER SERVES THE PUBLIC INTEREST IN SPECIFIC CIRCUMSTANCES. FOR MITIGATION PROJECTS ALONG STATE OR COUNTY ROADS AND INTERSECTIONS, THE TOWN MAY PROVIDE A FUNDING CONTRIBUTION FROM THE PRO RATA ESCROW FUND.

(7) PAYMENT. THE REQUIRED PRO-RATA ESCROW FUND CONTRIBUTION BY A PROJECT DEVELOPER SHALL BE MADE PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS FOR THEIR PROJECT.

§ 191.95. BONDING OR SURETY.

A. THE PLANNING COMMISSION SHALL REQUIRE BONDING OR SURETY AS APPROPRIATE TO COVER THE COSTS OF THE FACILITIES AND LANDS NOT UNDER THE PROJECT DEVELOPER’S OWNERSHIP THAT ARE PART OF A MITIGATION

PROGRAM.

B. UPON DEFAULT, THE TOWN OF LA PLATA HAS THE AUTHORITY TO REDEEM THE BONDS OR SURETY IN ADDITION TO ANY OTHER REMEDY PROVIDED BY LAW.

§ 191.96. STANDARDS, CRITERIA AND PROCEDURES FOR ADEQUATE PUBLIC FACILITIES STUDIES.

A. EXCEPT AS MAY BE STATED ELSEWHERE IN THIS ORDINANCE, THE CHARLES COUNTY ADEQUATE PUBLIC FACILITIES IMPLEMENTATION MANUAL MAY BE REFERENCED FOR GUIDANCE TO HELP SUPPORT THE SUCCESSFUL IMPLEMENTATION OF THIS ORDINANCE. IN NO CASE SHALL THE CHARLES COUNTY APFO MANUAL SUPERSEDE ANY REQUIREMENTS OF THIS ORDINANCE UNLESS STATED OTHERWISE IN THIS ORDINANCE.

B. STANDARDS FOR TRAFFIC STUDIES. ALL TRAFFIC IMPACT STUDIES (TIS) SUBMITTED AS PART OF AN ADEQUATE PUBLIC FACILITIES STUDY (APFS) SHALL BE CONDUCTED IN ACCORDANCE WITH THE FOLLOWING METHODOLOGY:

(1) METHODOLOGY ALIGNMENT: THE TIERED HCM METHODOLOGY DESCRIBED IN §191.88(C)(1) SHALL BE USED AS THE PRIMARY STANDARD FOR ALL TIS ANALYSES. THE CHARLES COUNTY ADEQUATE PUBLIC FACILITIES MANUAL MAY BE REFERENCED FOR SUPPLEMENTAL GUIDANCE ON COUNTY-CONTROLLED ROADS, PROVIDED IT DOES NOT CONFLICT WITH THE STANDARDS ESTABLISHED IN THIS ARTICLE. IN THE EVENT OF CONFLICT, THIS ARTICLE SHALL GOVERN.

(2) STANDARDIZED DATA: ALL TIS SUBMISSIONS SHALL USE THE MOST CURRENT TRAFFIC COUNT DATA, OBTAINED FROM TOWN-APPROVED TRAFFIC COUNTS, RATHER THAN APPLICANT-GENERATED PROPRIETARY DATA UNLESS APPROVED BY THE TOWN. TRAFFIC COUNTS SHALL BE NO OLDER THAN TWO YEARS AT THE TIME OF SUBMISSION.

(3) SPECIAL CONDITIONS: FOR RETAIL, FOOD SERVICE, ENTERTAINMENT, AND RELIGIOUS USES, THE TIS SHALL INCLUDE AN APPROPRIATE SATURDAY OR SUNDAY PEAK-HOUR ANALYSIS IN ADDITION TO PEAK WEEKDAY AM AND PM TRAFFIC VOLUMES. FOR USES WITH SIGNIFICANT SCHOOL-HOUR TRAFFIC, AN ANALYSIS OF THE AFTERNOON PEAK TRAFFIC SHALL ALSO BE IDENTIFIED. THE PLANNING DIRECTOR MAY SPECIFY ADDITIONAL CONDITIONS AT THE TIS SCOPING STAGE.

(4) THE SCOPE OF WORK FOR ALL TIS'SHALL BE APPROVED IN ADVANCE BY THE PLANNING DIRECTOR PRIOR TO EXECUTION AND SATISFACTORILY COMPLETED AT THE DISCRETION OF THE PLANNING DIRECTOR.

(5) THE TOWN OF LA PLATA SHALL CREATE AND UTILIZE AN ADMINISTRATIVE TRAFFIC IMPACT STUDY IMPLEMENTATION MANUAL THAT SETS FORTH THE PROCEDURAL STANDARDS, FORMS, CONTACT DIRECTORIES, AND INTERAGENCY COORDINATION PROTOCOLS WITH CHARLES COUNTY GOVERNMENT AND THE MARYLAND STATE HIGHWAY ADMINISTRATION FOR THE PREPARATION, SCOPING, SUBMITTAL, AND REVIEW OF TRAFFIC IMPACT STUDIES AND FOR THE IMPLEMENTATION OF RECOMMENDED ROAD AND TRAFFIC MITIGATION MEASURES WHEN DEEMED NECESSARY TO MITIGATE IMPACTS CAUSED BY NEW DEVELOPMENT APPROVED IN THE TOWN OF LA PLATA.

C. UPON RECOMMENDATION BY THE PLANNING COMMISSION, THE TOWN COUNCIL SHALL CONSIDER APPROVING ANY REVISIONS TO THE ADOPTED STANDARDS, CRITERIA, AND PROCEDURES FOR ADEQUATE PUBLIC FACILITIES.

D. THE TOWN OF LA PLATA SHALL BE THE SOLE PROVIDER OF ALL WATER AND SEWER FACILITIES FOR NEW AND EXISTING DEVELOPMENTS IN TOWN. THE TOWN WILL REQUIRE DEVELOPERS TO FUND, CONSTRUCT, AND PROVIDE BONDING FOR ALL NEW OR UPGRADED FACILITIES DEEMED NECESSARY FOR MITIGATION UNDER THIS ORDINANCE. ALL NEW WATER AND SEWER FACILITIES SHALL BE DEDICATED BY THE PROJECT DEVELOPER TO THE TOWN OF LA PLATA, CONSISTENT WITH ALL APPLICABLE PROVISIONS OF THE TOWN'S MUNICIPAL CODE AS DETERMINED BY THE DIRECTOR OF PUBLIC WORKS.

§ 191.97. EXEMPTIONS TO ADEQUATE PUBLIC FACILITIES REQUIREMENTS

A. THE PROVISIONS OF THIS APFO ORDINANCE SHALL NOT APPLY TO ANY DEVELOPMENT THAT, AS OF THE EFFECTIVE DATE OF THIS ORDINANCE, SATISFIES ALL OF THE FOLLOWING CRITERIA:

(1) THE PROPERTY WAS SUBJECT TO AN ANNEXATION AGREEMENT EXECUTED ON OR BEFORE DECEMBER 31, 1998, AND RECORDED AMONG THE LAND RECORDS OF CHARLES COUNTY, MARYLAND, REGARDLESS OF ANY AMENDMENTS TO SUCH AGREEMENT OCCURRING AFTER THAT DATE; AND

(2) A PRELIMINARY PLAT MAP OR SITE PLAN FOR THE DEVELOPMENT HAS RECEIVED TOWN APPROVAL AND REMAINS VALID UNDER APPLICABLE LAW.

(3) A DEVELOPMENT THAT SATISFIES BOTH OF THE CRITERIA IN THE ABOVE SECTIONS A(1) AND A(2) AS OF THE EFFECTIVE DATE OF THIS ORDINANCE SHALL BE DEEMED VESTED FOR PURPOSES OF THIS ARTICLE AND SHALL REMAIN EXEMPT FROM THE REQUIREMENTS OF CHAPTER 173, ARTICLE IX (SCHOOL SEAT ALLOCATION POLICY) AND CHAPTER 191, ARTICLE X

(ADEQUATE PUBLIC FACILITIES REQUIREMENTS) PROVIDED THAT SUCH DEVELOPMENT PROCEEDS IN ACCORDANCE WITH THE APPROVED PRELIMINARY PLAT MAP OR SITE PLAN AS WELL AS ANY APPLICABLE VESTING OR EXPIRATION PROVISIONS OF THIS CODE.

B. NOTWITHSTANDING THE FOREGOING IN SECTION "A," ABOVE, ANY SIGNIFICANT MODIFICATION TO AN APPROVED PRELIMINARY PLAT OR SITE PLAN THAT RESULTS IN AN INCREASE IN RESIDENTIAL DENSITY, NON-RESIDENTIAL SQUARE FOOTAGE, OR OVERALL DEVELOPMENT INTENSITY SHALL NOT BE ELIGIBLE FOR THIS EXEMPTION UNLESS SUCH MODIFICATION INDEPENDENTLY SATISFIES THE REQUIREMENTS OF CHAPTER 173, ARTICLE IX (SCHOOL SEATING ALLOCATION POLICY) AND CHAPTER 191, ARTICLE X (ADEQUATE PUBLIC FACILITIES REQUIREMENTS).

SECTION 2: BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA, that this Ordinance shall become effective 15 days after its approval by the Council.

ADOPTED AND APPROVED by the Council of the Town of La Plata on this _____ day of _____, 2026.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

_____
Jeannine E. James, Mayor

_____
Paul C. Guttenberg, Councilman

_____
Patrick McCormick, Councilman

ATTEST:

_____
Gregory Sampson, Jr., Councilman

_____
Shelby Pritchett
Town Clerk
Date_____

_____
Tyjon C. Johnson, Councilman

EXPLANATION:

- CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
- ((Double Parentheses)) indicate matter deleted from existing law.
- * * indicates existing law not depicted in bill and not being altered by bill
- Underlining indicates amendments to bill.
- Strike-Out indicates matter stricken from bill by amendment or deleted from the law by amendment.

COUNCIL OF THE TOWN OF LA PLATA
Resolution 26-37

Introduced By: **Mayor Jeannine E. James, by request**

Date Introduced: **June 23, 2026**

Date Adopted:

Date Effective:

A RESOLUTION concerning

Town of La Plata Policy on Requests for Letters of Support or Recommendation

FOR the purpose of defining an administrative framework for processing requests for Letters of Support or Letters of Recommendation from the Town of La Plata; and all matters relating thereto.

* * * * * * * * * * * * * * * * * *

WHEREAS, The Town periodically receives requests from nonprofits, community organizations, educational institutions, and partner agencies seeking a Letter of Support or Letter of Recommendation from the Town of La Plata; and

WHEREAS, such requests must be reviewed to ensure alignment with adopted plans and policies, financial exposure, legal or operational implications, and consistency with Town priorities; and

WHEREAS, the Town's 2022 Strategic Plan calls for fair and transparent decision-making processes, regularly assessing plans and policies to ensure their creation follows established protocol, and maintaining and enforcing existing plans and policies; and

WHEREAS, formalizing the letter of support process advances the Town's commitment to consistent, transparent governance; and

WHEREAS, establishing clear, repeatable processes that reduce ad hoc decision-making and support long-term institutional consistency promotes organizational and administrative sustainability.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LA PLATA that the policies and procedures contained in the document attached hereto as Attachment 1 to Resolution 26-37 and titled "Town of La Plata Policy on Requests for Letters of Support or Recommendation," be adopted this 23rd day of June, 2026, with an effective date of June 23, 2026; and

AND BE IT FURTHER RESOLVED that the Council of the Town of La Plata hereby grants Noel C. Stevens, Town Manager, full authority to make, approve, and execute changes to Attachment 1 to Resolution 26-37, and to take other related and conforming actions as may be necessary to adapt to evolving conditions relevant to the receipt, review, and action upon requests for Letters of Support or Letters of Recommendation, provided such changes or actions do not substantially alter the intent of the Policy.

ADOPTED AND APPROVED by the Council of the Town of La Plata this 23rd day of June, 2026.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

_____
Jeannine E. James, Mayor

_____
Paul C. Guttenberg, Councilman

_____
Patrick McCormick, Councilman

ATTEST:

_____
Gregory Sampson, Jr., Councilman

_____
Shelby Pritchett
Town Clerk
Date: _____

_____
Tyjon C. Johnson, Councilman

Town of La Plata
POLICY ON REQUESTS FOR
LETTERS OF SUPPORT OR RECOMMENDATION
Adopted June 23, 2026

I. PURPOSE

This policy establishes a clear, consistent process for receiving, reviewing, and acting upon requests for Letters of Support or Letters of Recommendation from the Town of La Plata. The policy ensures that such letters align with adopted plans, Town priorities, and responsible use of Town resources.

II. SCOPE

This policy applies to all requests submitted to the Town of La Plata by nonprofits, community groups, educational institutions, partner agencies, and other local entities. Requests typically involve grant applications, program initiatives, or regional coordination efforts that benefit the Town or its residents.

III. SUBMISSION REQUIREMENTS

All requests must be submitted in writing to the Town Manager at least four (4) weeks before the letter is needed. A draft letter must be included with the submission.

Requests must include: a description of the project, identification of the grant program, justification for Town support, a summary of alignment with Town priorities, and disclosure of any expected commitments from the Town.

IV. PROCESSING AND REVIEW TIMELINE

Typical processing time is three to four (3–4) weeks, depending on the nature of the request and meeting schedules.

V. STAFF REVIEW PROCESS

Upon receipt, the Town Manager verifies request completeness and initiates staff review. Staff evaluates alignment with adopted plans and policies, financial exposure, legal or operational implications, and consistency with Town priorities.

The Town Manager may dismiss requests that lack alignment with plans, create financial obligations, or do not serve community interests. Requests advancing to Council include a memorandum summarizing findings.

VI. PLACEMENT ON AGENDA

The Town Manager places the qualified requests on a future Town Council meeting agenda for consideration.

VII. TOWN COUNCIL DECISION PROCESS

During a public meeting, the Town Council may approve the request, decline it, or request additional information. If approved, the Mayor signs the final Letter of Support or Recommendation.

VIII. RESTRICTIONS

The Town will not issue letters if the request creates unbudgeted obligations or conflicts with Town priorities or adopted plans.

IX. AUTHORITY

This policy was adopted by the Council of La Plata on June 23, 2026.

COUNCIL OF THE TOWN OF LA PLATA
Resolution 26-39

Introduced By:	**Mayor Jeannine E. James, by request**
Date Introduced:	**June 23, 2026**
Date Adopted:	
Date Effective:	

A RESOLUTION concerning

Maryland State Highway Administration – Letter of Support

FOR the purpose of authorizing the Mayor to execute a Letter of Support to the Maryland State Highway Administration relating to the Maryland State Highway Administration MD Route 6 Streetscape Improvement Project; and all matters generally relating thereto.

* * * * * * * * * * * * * * * * * *

WHEREAS, the Town of La Plata has long recognized the MD Route 6 corridor as central to the community's identity, mobility, and economic vitality; and

WHEREAS, the Maryland State Highway Administration (SHA) is leading a streetscape improvement project along MD Route 6 (Charles Street) from US 301 to Willow Lane in La Plata which includes enhanced pedestrian crossing locations, a 10-foot shared-use path connecting the downtown core to the Pinegrove Community, ADA-compliant sidewalks, updated corridor lighting, and critical infrastructure upgrades to culverts, drainage, and stormwater systems; and

WHEREAS, the project corridor is the primary commercial and civic spine of La Plata, and the proposed improvements address longstanding infrastructure needs while enhancing public safety and pedestrian connectivity; and

WHEREAS, conducting both projects concurrently minimizes construction-related disruption to residents and businesses and avoids the cost and impact of disturbing newly improved roadway for subsequent utility work.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LA PLATA that Jeannine E. James, Mayor, is hereby authorized to execute and deliver, on behalf of the Town of La Plata, Letter of Support to the Maryland State Highway Administration, attached hereto as Attachment 1 and hereby adopted and incorporated herein by reference; and

AND BE IT FURTHER RESOLVED that the Council of the Town of La Plata hereby grants Noel C. Stevens, Town Manager, full authority to make, approve, and execute subsequent amendments to the Letter of Support, and to take other related and conforming actions as may be necessary to adapt to evolving conditions relevant to the Letter of Support, provided such changes or actions do not substantially alter the intent of the Letter of Support.

ADOPTED AND APPROVED by the Council of the Town of La Plata this _____ day of _____, 2026.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

_____
Jeannine E. James, Mayor

_____
Paul C. Guttenberg, Councilman

_____
Patrick McCormick, Councilman

ATTEST:

_____
Gregory Sampson, Jr., Councilman

_____
Shelby Pritchett
Town Clerk
Date: _____

_____
Tyjon C. Johnson, Councilman

Town of La Plata

Mayor
Jeannine E. James

Council
Paul C. Guttenberg
Patrick McCormick
Gregory Sampson, Jr.
Tyjon C. Johnson

Town Manager
Chuck Stevens

Assistant Town Manager
Michelle D. Miner

June 23, 2026

Eric Marabello, Director, Office of Highway Development
Maryland State Highway Administration
District 5
P.O. Box 1515
Salisbury, Maryland 21802

Re: Letter of Support — MD Route 6 Streetscape Improvement Project

Dear Mr. Marabello:

On behalf of the Town Council of La Plata, I am pleased to express the Town's continued support for the Maryland State Highway Administration's MD Route 6 Streetscape Improvement Project, extending from US 301 to Willow Lane. This letter is intended to confirm that support as the project advances from final design review into the construction phase.

The Town of La Plata has long recognized the MD Route 6 corridor as central to the community's identity, mobility, and economic vitality. The proposed improvements — including enhanced pedestrian crossings, a 10-foot shared-use path connecting the downtown to the Pinegrove Community, ADA-compliant sidewalks, updated lighting, and critical infrastructure upgrades to culverts and drainage systems — directly advance the goals of the Town's 2022 Strategic Plan and 2020 Comprehensive Plan. These documents identify pedestrian connectivity, a vibrant downtown core, public safety, and responsible infrastructure stewardship as priorities for the Town's long-term prosperity.

The Town also wishes to acknowledge and commend SHA's collaborative approach throughout the design process. We are aware that SHA engaged directly and in good faith with residents and business owners along the corridor over an extended period. That sustained engagement — which resulted in meaningful design accommodations where circumstances permitted — reflects the kind of partnership between state and local government that produces better outcomes for the communities we both serve.

The Town is actively coordinating with SHA to synchronize the streetscape project with the Town's concurrent lead service line replacement project along the same corridor. This “One-Dig” approach reflects our shared commitment to prudent stewardship of public resources: conducting both projects together reduces construction-related disruption to residents and businesses and

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eliminates the cost and impact of subsequently disturbing newly improved roadway for future utility work.

The Town understands that a project of this scale and complexity involves trade-offs, and that not every design preference of every individual stakeholder can be fully accommodated. The Town understands that the design review process will soon reach its necessary conclusion, and the Town looks forward to the project moving forward into construction so that the community as a whole can realize the benefits of these improvements.

The Town of La Plata remains a committed partner to SHA throughout construction and will continue to serve as a liaison between the State and the residents and businesses along the corridor. We encourage SHA to proceed with confidence in that partnership.

Sincerely,

Jeannine James
Mayor, Town of La Plata
La Plata, Maryland

cc: Chuck Stevens, Town Manager
Town Council of La Plata

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