

**BOARD OF COMMISSIONERS
FOR THE
TOWN OF UPPER MARLBORO**

ORDINANCE: 2019-03 **DRAFT-1**
SESSION: Regular Town Meeting
INTRODUCED: April 16, 2019
DATE ENACTED: _____, 2019

AN ORDINANCE TO ESTABLISH TAX RATES FOR THE FISCAL YEAR 2020 TAX LEVY

WHEREAS, the Town of Upper Marlboro (the “Town”) is a municipal corporation of the State of Maryland expressly authorized by Maryland Code Annotated, Local Government (“LG”) Art., § 5-205(b)(1) to expend any municipal funds for any purpose deemed to be public and to affect the safety, health and general welfare of the municipality and its occupants; and

WHEREAS, the Charter of the Town of Upper Marlboro (the “Town Charter”), Section 82–16(2)(v) (Finances), states that the Board shall have the power to pass ordinances not contrary to the laws and Constitution of this State in order to levy, assess, and collect ad valorem property taxes; to expend municipal funds for any public purpose; to have general management and control of the finances of the Town; and

WHEREAS, the Town Charter, Section 82–47 (Taxable Property) states all real property and all tangible personal property within the corporate limits of the Town, or personal property which may have a situs there by reason of the residence of the owner therein, shall be subject to taxation for municipal purposes, and the assessment used shall be the same as that for State and County taxes; and

WHEREAS, the Town Charter, Section 82–48 (Tax Levy) states that on or before the thirtieth day of June in each and every year, the Board shall determine the tax rate for the ensuing fiscal year, which determination shall constitute the tax levy for such year; and

WHEREAS, the Town Charter, Section 82-11 mandates that except in cases of emergency, no ordinance shall be passed at the same meeting at which it is introduced and that at any regular or special meeting of the Board held not less than six nor more than sixty days after the meeting at which the ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date; and

WHEREAS, said Section 82-11 further mandates that each ordinance shall be posted in the Town office, and each ordinance or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town; and

WHEREAS, pursuant to Section 82–39 *et seq.* of the Town Charter, the Board of Town Commissioners plans to approve a separate annual budget ordinance consistent with this Ordinance.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AND ENACT AS FOLLOWS:

That the tax rates for Fiscal Year 2020 for all real, personal and other property which is subject to taxation by the Town of Upper Marlboro are hereby established, levied and approved to be as follows:

Residential Real Property	\$ 0.24	per \$100.00 of assessed valuation;
Commercial Real Property	\$ 0.52	per \$100.00 of assessed valuation;
Business Personal Property	\$ 0.45	per \$100.00 of assessed valuation;
Public Utility Property	\$ 0.75	per \$100.00 of assessed valuation;

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the tax levy for Fiscal Year 2020 for the Town of Upper Marlboro and all other taxes, liens and/or fees prescribed herein shall remain as approved to be incorporated and adopted within the FY 2020 Budget Ordinance 2019-04.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter this Ordinance shall be posted in the Town office and a fair summary of it shall be published once in a newspaper of general circulation in the Town and effective 20 days after passage by the Board.

AYES: _____ NAYES: _____ ABSENT: _____

INTRODUCED in a public session of the Board of Commissioners on this _____ day of _____, 2019.

ORDAINED, APPROVED AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this _____ day of _____, 2019, by:

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

Tonga Turner, President

Linda Pennoyer, Commissioner

M. David Williams, Town Clerk

Wanda Leonard, Commissioner

Reviewed and Approved for Legal Sufficiency

_____ Date: _____
Kevin J. Best, Esq.

Proposed Ordinance 2019-03 Timeline:

Introduction:	April Regular Town Meeting	04/16/2019
Public Comment & Board Discussion:	April Board Work Session	04/23/2019
Passage/Board vote:	May Regular Town Meeting	05/14/2019