



BERLIN MAYOR AND COUNCIL

Meeting Agenda

Berlin Town Hall
10 William Street
Monday, June 28, 2021

6:30 PM EXECUTIVE SESSION – Conference Room

1. Statement of closure – Mayor Zack Tyndall
2. Public comments or questions regarding the purpose for closure.
3. Motion to close and adjournment to Executive Session
4. Executive Session Agenda:
 - a. Discussion re: Berlin Fire Company/Emergency Medical Services FY22 Agreement. Pursuant to Maryland Code; General Provisions Article; Sec. 3-305(b)(14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Executive Session of 06/14/21
 - b. Statement of Closure for Executive Session of 06/14/21
 - c. Regular Session of 06/14/21
2. Motion 2021-12: Authorizing an attached list of contracts for vendors for Fiscal Year 2022 – Town Administrator Jeff Fleetwood
3. Town Administrator's Report
4. Departmental Reports
5. Comments from the Council
6. Comments from the Mayor
7. Comments from the Public
8. Comments from the Press
9. Adjournment of Regular Session

Immediately Following the Regular Session WORK SESSION – Council Chambers

1. Review of previously submitted draft policy
2. Discussion between Mayor, Council, and Staff regarding potential changes to the wording of the draft policy and any questions that need to be explored further.
3. Closing comments from the Council

4. Closing comments from the Mayor

5. Adjournment of Work Session

****Public Attendance at Meetings**

Per Mayor Zack Tyndall: EFFECTIVE JUNE 7, 2021, Mayor and Council Meetings will be held in-person with no restrictions and will continue to be streamed live to Facebook for viewing purposes only.

Questions and Comments will continue to be received in advance of the meeting:

Written questions will be accepted UNTIL 12:00 PM/NOON on the day of the meeting. Submit to:

- Email: info@berlinmd.gov, please use Meeting Comments as your subject.
- Fax to: 410-641-2316.
- Mail to: Berlin Town Hall, Attn: Meeting Comments, 10 Williams St., Berlin, MD 21811. It is recommended that mail be posted no later than the close of business on the Friday before the meeting to help ensure delivery. The Town of Berlin is not responsible for delays or delivery failures on the part of the USPS or other delivery service.
- Drop off: Drop off in one of the two drop boxes at Town Hall – one is at the rear of the building behind the stair tower, and the other is at the corner of Bay and Williams Street on the building.

To access the Meeting via live stream on Facebook, please click on the blue Facebook icon at the top of any page on the Town website, www.berlinmd.gov, or type @berlinmd in the Facebook search bar. No response will be given to questions and comments submitted via Facebook during any meeting including Public Hearings.

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Town Administrator Jeffrey Fleetwood at (410) 641-4002. Written materials in alternate formats for persons with disabilities are made available upon request. TTY users dial 7-1-1 in the State of Maryland/outside Maryland dial 1-800-735-2258.

CLOSED SESSION
MAYOR AND COUNCIL OF BERLIN MARYLAND
Monday, June 14, 2021

Present: Mayor Zackery Tyndall, Vice-President Dean Burrell, Councilmembers Jay Knerr, Shaneka Nichols, Jack Orris, and Troy Purnell

Staff Present: Town Administrator Jeff Fleetwood, Deputy Town Administrator Mary Bohlen, Finance Director Natalie Saleh, and Town Attorney David Gaskill

Others present: None

On Monday, June 14, 2021, at approximately 6:30 PM in the Mayor and Council Chambers, Mayor Tyndall reviewed several protocols for the open meeting portion of the session. He noted that the purpose of the Closed Session was to discuss the draft Fiscal Year 22 Agreements with the Berlin Fire Company (BFC) and Emergency Medical Service (BFCEMS) and was being closed pursuant to Maryland Code; General Provisions Article; Sec 3-305(b)(14): Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

At the request of Mayor Tyndall, Councilmember Orris moved to close the session, Councilmember Knerr seconded and the vote to close the session was unanimous. The Mayor, Council and Staff moved to the conference room.

REMAINDER OF MINUTES REDACTED FOR INCLUSION IN OPEN RECORD
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With the discussion concluded, Mayor Tyndall asked for a motion to adjourn the Closed Session at approximately 6:58 PM. Councilmember Orris so moved, Councilmember Nichols seconded, and approval was unanimous.

Respectfully Submitted,



Mary T. Bohlen
Deputy Town Administrator



Closed Session Summary
To be included in the minutes in the next Open Meeting

1. Statement of the time, place, and purpose of the closed session:

- a. Time of closed session: June 14, 2021 at 6:30 PM
- b. Place (location) of closed session: Vote to Close (live on Facebook): Mayor and Council Chambers; Meeting: Conference Room
- c. Purpose of the closed session: To discuss Berlin Fire Co. and EMS FY22 draft agreements.
- d. Date and time that we will return to public meeting: June 14, 2021 at 7:00 PM

2. Record of the vote of each member as to closing the session:

- a. Motion to close meeting made by: J. Orris
- b. Seconded by: J. Knerr
- c. Members voting in favor: D. Burrell, S. Nichols, T. Purnell
- d. Members opposed: none
- e. Members abstaining: none
- f. Members absent: none

3. Statutory authority to close session:

- a. This meeting was closed under the following provisions of General Provisions Article § 3-305(b)(14) : Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

4. Listing of each topic actually discussed, persons present, and each action taken in the session:

Topic description	Persons present for discussion	Action taken/each recorded vote
Draft FY22 Agreements: Berlin Fire Co. and EMS	Mayor Z. Tyndall, V-P D. Burrell, Councilmembers J. Knerr, S. Nichols, J. Orris, T. Purnell Town Admin. J. Fleetwood, Town Attorney D. Gaskill, Deputy Town Admin. M. Bohlen, Finance Director N. Saleh	Discussion re: wording of various sections of the documents. No motions/votes.

This statement was made by: Mayor Zack Tyndall, presiding officer

List members who have received open meetings training (at least one member must be in attendance during closed session): Mayor Zack Tyndall, Town Administrator Jeff Fleetwood, Deputy Town Administrator Mary Bohlen, Administrative Manager Kelsey Jensen, and Town Attorney David Gaskill.



BERLIN MAYOR AND COUNCIL
Meeting Minutes
Monday, June 14, 2021

7:00 PM REGULAR SESSION

Present: Mayor Zackery Tyndall, Vice-President Dean Burrell, Councilmembers Troy Purnell, Jack Orris, Shaneka Nichols, and Jay Knerr.

Staff Present: Town Administrator Jeff Fleetwood, Deputy Town Administrator Mary Bohlen, Finance Director Natalie Saleh, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Water Resources Director Jamey Latchum, Economic and Community Development Director Ivy Wells, Public Works Superintendent Jimmy Charles, Town Attorney David Gaskill, and Administrative Manager Kelsey Jensen.

This meeting was also broadcast live via Facebook. Following a moment of silence and the Pledge of Allegiance, Mayor Tyndall called the meeting to order at approximately 7:00 PM.

1. Approval of the Minutes for:

a. Executive Session of 05.24.2021:

On the motion of Councilmember Orris, second by Councilmember Nichols, the Executive Session Minutes of May 24, 2021, were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Troy Purnell	X				
Jack Orris	X				
Shaneka Nichols	X				
Jay Knerr	X				
<i>Voting Tally</i>	5				

b. Statement of Closure:

Mayor Tyndall read the Statement of Closure for Monday, May 24, 2021.

c. Regular Session of 05.24.2021:

On the motion of Councilmember Knerr, second by Councilmember Orris, the Regular Session Minutes of May 24, 2021, were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Troy Purnell	X				
Jack Orris	X				
Shaneka Nichols	X				
Jay Knerr	X				
<i>Voting Tally</i>	5				

2. Review of the Mayor's Veto with opportunity for public comment

Mayor Zack Tyndall stated that he presented a balanced budget for the Council's approval, and they made several amendments that lead him to vetoing the amended budget as submitted by the council. He would like to hear from the public and Council on this matter.

Resident Marie Velong indicated that she backs the Mayor on the veto and indicated that he is doing what is best for the citizens. Discussion ensued.

Residents Carol Rose, Sara Hambury, and Earnest Gerardi all indicated that employees need to feel and be valued, and they supported the amendments made by the Council.

On the motion of Councilmember Knerr, second by Vice-President Burrell, the Motion to over-ride the veto was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Troy Purnell	X				
Jack Orris	X				
Shaneka Nichols	X				
Jay Knerr	X				
<i>Voting Tally</i>	5				

3. Proclamation 2021-33: Proclaiming June 21-27, 2021, as National Pollinator Week

Administrative Manager Kelsey Jensen indicated that per Allison Early with Economic and Community Development they will meet as a committee in the fall, the Welcome Center has information regarding pollinators and bee-friendly information, she also indicated that there is a beekeeper at the Farmers Market with educational information. Economic and Community Development Director Ivy Wells stated that she brought educational materials with her tonight if anyone wanted any. Mayor Zack Tyndall read the proclamation on the record.

4. Approval of: Wastewater Treatment Plant Generator Repair

Water Resources Director Jamey Latchum said there is a radiator leak in the generator and between the standby generator and the repairs the cost total was \$44,382.89. Electric Director Tim Lawrence said the generator at water resources saves the Wastewater Treatment Plant about \$20,000 a year during peak shaving time.

On the motion of Vice-President Burrell, second by Councilmember Nichols, the approval of the costs of the Generator Repair and the standby equipment was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Troy Purnell	X				
Jack Orris	X				
Shaneka Nichols	X				
Jay Knerr	X				
<i>Voting Tally</i>	5				

5. Town Administrator's Report:

Town Administrator Jeffery Fleetwood thanked Meghan Pfaller for her work on the Sustainable Maryland Application and indicated that the town applies for this designation every three years. He indicated that Maryland/Delaware Railroad will be doing vegetation control on the railways this week. The Electric Department's solar array project will wrap up in 7-10 days and did not cost the Town

anything. Thursday, they finalized the paperwork for the American Rescue Plan (ARP) and are hopeful that they will receive the full \$4.066 million, he asked to be the authorized representative to receive the funds and indicated a new bank account would need to be established for the funds.

On the motion of Councilmember Knerr, second by Vice-President Burrell, the approval to name Jeffrey Fleetwood as the authorized representative for the ARP funds was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Troy Purnell	X				
Jack Orris	X				
Shaneka Nichols	X				
Jay Knerr	X				
<i>Voting Tally</i>	5				

On the motion of Vice-President Burrell, second by Councilmember Orris, the approval to establish a new account for the ARP funds was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Troy Purnell	X				
Jack Orris	X				
Shaneka Nichols	X				
Jay Knerr	X				
<i>Voting Tally</i>	5				

Finance Director Ms. Saleh said the funds will initially be deposited into the Town's main account but then transferred to the new account. She will have new account paperwork for signatures as soon as possible.

6. Departmental Reports:

a. Economic and Community Development Director – Ivy Wells

Ms. Wells thanked Mr. Charles for his help with the Farmer's Markets on Sundays. The Black-Owned Businesses will be providing customers with information and coloring activities for children on Juneteenth. She mentioned that June is Pride month. The Town received two Worcester County Arts Council grants. She will be on vacation on Thursday and Friday and then working remotely the following week during family surgeries.

b. Planning and Zoning Director – Dave Engelhart

Mr. Engelhart gave updates on Berlin Main Place, Fassett Apartments, Willows on Maple, Oceans East, Athena Project, and IG Burton's new building. He issued two permits for single-family homes at Walnut Hill.

c. Electric Utility Director – Tim Lawrence

Mr. Lawrence discussed the new solar array and thanked Carter Cat for their work on the project. He said peak shaving will be taking place soon and they are ready for it. Councilmember Knerr asked how much is saved annually by participating in peak shaving, Mr. Lawrence said about \$11,000 to the Town.

d. Police Chief – Arnold Downing

Chief Downing said they are seeing a lot more traffic with Town growth and a lot more construction, he said there have been 17 accidents recently, which is uncommonly high. National Night Out will be at Henry Park on August 3, 2021. They are wrapping up with the last few remaining school days. Mayor Tyndall asked Chief Downing to introduce the officers in the back of the room, including new officer Avery Marshall. Councilmember Orris asked if the department can look out for speeding in town due to several complaints he has received; Chief Downing said they have a small staff and cannot be everywhere, so take down as much information as you can and report it. Vice-President Burrell asked if the blind spot on Franklin and Branch had been fixed, staff said it had.

e. Finance Director – Natalie Saleh

Ms. Saleh said they are working to close out FY 2021 and will have a 12-month report for review. They hope to hear something soon about the ARP funds. The audit is preliminarily lined up for September. She has been working with Ms. Wells on adjustments to business license costs and said they have reached out to neighboring municipalities. She thanked her team of customer service representatives for how smooth the transition has been in opening back up to the public. Lastly, paper copies of the FY 2022 budget should be available soon, she has some tweaks to make, and then it will be available.

f. Water Resources Director – Jamey Latchum

Mr. Latchum said Flower street from Bay to Showell will be closed on June 21st from 7 AM until 5 PM while they tie in a sewer line for 115 Flower. He guesses that the project on 376 and 113 will begin after July 1, he will inform staff when he knows and they will have staff on-site during the project to keep an eye on Town lines.

g. Public Works Superintendent – Jimmy Charles

Mr. Charles said the Sanitation crew has seen an increase in trash and recycling and has been working very hard to keep up with it all. They have been working on ditch bank cutting, no parking line painting, and will be working on repainting handicap areas later this week. They had help from someone who would like to remain anonymous on improvements to the gravel paths on the passive side of the pond at Stephen Decatur Park.

h. Deputy Town Administrator – Mary Bohlen

Ms. Bohlen said they sent out information regarding the single-stream recycling, household recycling, and what is recyclable with the bills this month. Mayor Tyndall said the more people that participate in recycling, the more our tipping fees will go down because we receive credits for recycling. Councilmember Nichols asked if it is possible for homeowners to buy the blue recycle bins, and asked if cardboard and papers can be loose; Ms. Bohlen said the recycle containers came from the county and she does not know if we have anymore, and they ask you to bundle loose items.

i. Administrative Manager – Kelsey Jensen

Ms. Jensen said they had four applications for the Equipment Operator Position and are holding four interviews this week. She is working with Tim on applying for the AMP Safety awards. She will begin entering payroll changes and deductions for the FY 2022 budget after the last full FY 2021 payroll on June 21st. Lastly, she thanked the Council on behalf of all of the staff for their amendments to the budget and their appreciation for the employees.

7. Comments from the Council:

Vice-President Dean Burrell said he is pleased to be in the Chamber again and welcomed the newly elected officials to the Dais. He then said his vote to override the veto is in no way an opposition to the community center, it is needed and sentimental to him, he just believes grant funding could be available and some in-house committees could be formed before spending money on a feasibility study. Lastly, he appreciates all of the community's input on the budget.

Councilmember Knerr said he feels the same as Vice-President Burrell.

Councilmember Orris said he is glad to be back in person with the community. He would like to see a committee formed to discuss the possibilities of a community center and what they want to see done. He thinks it should be called the Community Center Development Committee (CCDC) and he would like to earmark \$10,000 for the committee to be able to move forward on any further research or study that may be needed to determine the best course of action. Mayor Tyndall asked about the purpose; Councilmember Orris said to determine a proper location, a vision, and staffing. Vice-President Burrell and Councilmember Knerr said they believe forming a committee is a good idea, but they think the committee needs to start small and narrow the focus. Councilmember Burrell said this committee could be charged under the Parks Commission to see what the people in the community are looking for. Mayor Tyndall suggested thinking more thoroughly about the options and sending them all to him to compile and bring back at a future meeting. The Council asked Councilmember Orris to hold off on the \$10,000 request until the committee is formed and they determine if they need funding for any reason.

On the motion of Councilmember Orris, second by Vice-President Burrell, the approval to form the CCDC and have them report to the Council quarterly was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Troy Purnell	X				
Jack Orris	X				
Shaneka Nichols	X				
Jay Knerr	X				
<i>Voting Tally</i>	5				

Councilmember Purnell said this year's budget process has not been the same from the start. He said he believed a larger tax increase was necessary and that employees are very deserving of a pay increase, he said he hopes next year will be a better process.

Councilmember Nichols said she appreciated all the dialog this evening surrounding the budget. She applauded Councilmember Orris on his efforts to get something moving with the Community Center. Lastly, she said no matter the day or time citizens' concerns are always addressed, and she applauds staff for that.

8. Comments from the Mayor:

Mayor Tyndall encouraged individuals to apply for vacancies with the Boards and Commissions on the Mayor's page and said he will do his best to keep districts balanced if we have enough interest. He then stated that if you look at past budgets nothing has been different this year and we have a lot of work ahead of us with an inevitable tax increase in FY 2023. Lastly, he wished everyone a Happy Flag Day, and Happy Father's Day.

9. Comments from the Public – none.

10. Comments from the Press – none.

11. Adjournment:

On the motion of Vice-President Burrell, second by Councilmember Purnell, the Mayor and Council meeting was adjourned at approximately 9:10 PM.

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Troy Purnell	X				
Jack Orris	X				
Shaneka Nichols	X				
Jay Knerr	X				
<i>Voting Tally</i>	5				

Respectfully Submitted,



Kelsey Jensen

Administrative Manager



MOTION OF THE MAYOR AND COUNCIL 2021-12

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN AUTHORIZING CONTRACTS FOR THE FOLLOWING VENDORS AS BUDGETED FOR FISCAL YEAR 2022:

- ANGEL'S TOUCH CLEANING SERVICES – PUBLIC RESTROOMS AND RESTROOMS IN TOWN HALL, PLANNING, AND WELCOME CENTER - \$12,000
- BOOTH AND ASSOCIATES, LLC – NOT TO EXCEED \$100,000
- CARDS TECHNOLOGY – \$40,680 (ANNUAL SERVICE AGREEMENT AND CONTINUITY)
- DAVIS, BOWEN & FRIEDEL, INC. – NOT TO EXCEED \$100,000
- EA ENGINEERING SCIENCE AND TECHNOLOGY, INC. PBC – NOT TO EXCEED \$100,000
- JARMON'S CLEANING SERVICES (POLICE DEPARTMENT) – \$10,400.04
- WORCESTER YOUTH AND FAMILY – \$40,000
- PKS INVESTMENT ADVISORS LLC - \$35,000 (TENTATIVE)

APPROVED THIS _____ DAY OF _____, 2021 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF _____ TO _____ OPPOSED, WITH _____ ABSTAINING AND _____ ABSENT.

Dean Burrell, Sr. Vice President

Approved this _____ day of _____, 2021 by the Mayor of the Town of Berlin.

Zackery Tyndall, Mayor

ATTEST: _____
Jeffrey Fleetwood
Town Administrator

Check Run Report for:

06/11/21



Town of Berlin, MD

Check Register

Packet: APPKT02036 - 20210611SW

Handwritten signature

Handwritten date: 6/11/21

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: BOC AP-BOC AP Checks						
0000073	ADP, INC	06/11/2021	Regular	0.00	679.18	20219
0003273	ALYSSA MALOOF PHOTOGRAPHY	06/11/2021	Regular	0.00	848.00	20220
0000158	AN ANGEL'S TOUCH CLEANING SERV	06/11/2021	Regular	0.00	1,000.00	20221
0000342	BERLIN HERITAGE FOUNDATION, IN	06/11/2021	Regular	0.00	1,000.00	20222
0003325	BETH SISE	06/11/2021	Regular	0.00	25.00	20223
0000394	BOOTH & ASSOCIATES INC	06/11/2021	Regular	0.00	9,498.31	20224
0000405	BRASURE'S PEST CONTROL INC	06/11/2021	Regular	0.00	380.00	20225
0000435	BURRELL DEAN SR	06/11/2021	Regular	0.00	50.00	20226
0000455	CARD'S TECHNOLOGY	06/11/2021	Regular	0.00	796.77	20227
0000480	CATO OIL CO., INC.	06/11/2021	Regular	0.00	9,305.34	20228
0000571	COMCAST BUSINESS	06/11/2021	Regular	0.00	1,007.13	20229
0003098	DAVID DAVIS JR	06/11/2021	Regular	0.00	223.00	20230
0000794	EASTERN SHORE COFFEE	06/11/2021	Regular	0.00	30.36	20231
0000884	FARMERS AND PLANTERS CO INC	06/11/2021	Regular	0.00	115.99	20232
0000897	FERGUSON ENTERPRISES	06/11/2021	Regular	0.00	1,263.50	20233
0000907	FLAG PUBLICATIONS INC	06/11/2021	Regular	0.00	138.00	20234
0003167	FLUHART DAVID	06/11/2021	Regular	0.00	13.25	20235
0000975	GRAVES UNIFORM	06/11/2021	Regular	0.00	292.49	20236
0000977	GREAT AMERICA FINANCIAL	06/11/2021	Regular	0.00	137.04	20237
0002971	HUNTER CALEB	06/11/2021	Regular	0.00	223.00	20238
0001121	JEFFREY AUXER DESIGNS LLC	06/11/2021	Regular	0.00	3,600.00	20239
0001381	MARWELL CORPORATION	06/11/2021	Regular	0.00	136.75	20240
0001535	MUNICIPAL CODE CORPORATION	06/11/2021	Regular	0.00	250.00	20241
0001565	NATIONWIDE RETIREMENT SOLUTIC	06/11/2021	Regular	0.00	4,149.96	20242
0003315	OCEAN BREEZE	06/11/2021	Regular	0.00	1,813.87	20243
0001677	PENINSULA DRY CLEANERS, INC	06/11/2021	Regular	0.00	104.00	20244
0002789	QUADIENT LEASING USA, INC	06/11/2021	Regular	0.00	148.22	20245
0002957	REPUBLIC SERVICES	06/11/2021	Regular	0.00	3,127.73	20246
0003102	SCHAEFER FIREWORKS	06/11/2021	Regular	0.00	5,000.00	20247
0002586	SHAHER TROXELL & HOWE INC	06/11/2021	Regular	0.00	1,080.00	20248
0001997	STAPLES BUSINESS CREDIT	06/11/2021	Regular	0.00	351.19	20249
0002093	THE DISPATCH	06/11/2021	Regular	0.00	1,278.00	20250
0002163	TOWN OF BERLIN	06/11/2021	Regular	0.00	25,221.15	20251
0002928	UNIFIRST CORPORATION	06/11/2021	Regular	0.00	110.11	20252
0002205	UNITED WAY OF THE EASTERN SHO	06/11/2021	Regular	0.00	38.00	20253
0002233	VALERIE J MANN	06/11/2021	Regular	0.00	475.00	20254
0002602	W W GRAINER	06/11/2021	Regular	0.00	253.06	20255
0003055	WASHINGTON NATIONAL INSURAN	06/11/2021	Regular	0.00	317.94	20256
0002348	WOR WIC COMMUNITY COLLEGE	06/11/2021	Regular	0.00	60.00	20257
0002363	WORCESTER COUNTY LANDFILL	06/11/2021	Regular	0.00	11,072.00	20258

Bank Code BOC AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	45	40	0.00	85,613.34
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	45	40	0.00	85,613.34

Fund Summary

Fund	Name	Period	Amount
98	POOLED CASH	6/2021	85,613.34
			<u>85,613.34</u>



Town of Berlin, MD

Payment Register

APPKT02036 - 20210611SW

01 - Vendor Set 01

Bank: BOC AP - BOC AP Checks

Vendor Number	Vendor Name					Total Vendor Amount
0000073	ADP, INC					679.18
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	679.18	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
581511562	ADP PAYROLL PROCESSING CHARGES	06/10/2021	06/10/2021	0.00	679.18	
Vendor Number	Vendor Name					Total Vendor Amount
0003273	ALYSSA MALOOF PHOTOGRAPHY					848.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	848.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0000371	FACADE GRANT REIMBURSEMENT	06/09/2021	06/09/2021	0.00	848.00	
Vendor Number	Vendor Name					Total Vendor Amount
0000158	AN ANGEL'S TOUCH CLEANING SERVICES					1,000.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	1,000.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
1920	CLEANING SERVICES	06/08/2021	06/08/2021	0.00	1,000.00	
Vendor Number	Vendor Name					Total Vendor Amount
0000342	BERLIN HERITAGE FOUNDATION, INC.					1,000.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	1,000.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
#1	FLOWER ST ARTS FESTIVAL SPONSORSHIP	06/09/2021	06/09/2021	0.00	1,000.00	
Vendor Number	Vendor Name					Total Vendor Amount
0003325	BETH SISE					25.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	25.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
REFUND	PARK RESERVATION DEPOSIT	06/08/2021	06/08/2021	0.00	25.00	
Vendor Number	Vendor Name					Total Vendor Amount
0000394	BOOTH & ASSOCIATES INC					9,498.31
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	9,498.31	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
49801	EL RATE SERVICES, REG COPLIANCE, PP OPERATION	06/09/2021	06/09/2021	0.00	8,690.12	
49802	EL RATE SERVICES, REG COPLIANCE, PP OPERATION	06/09/2021	06/09/2021	0.00	808.19	
Vendor Number	Vendor Name					Total Vendor Amount
0000405	BRASURE'S PEST CONTROL INC					380.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	380.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
672341,342,344,345,388,38	QUARTERLY PEST CONTROL SPRAYING	06/10/2021	06/10/2021	0.00	380.00	

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Vendor Number	Vendor Name					Total Vendor Amount
<u>0000435</u>	BURRELL DEAN SR					50.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	50.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>REFUND</u>	PARK RESERVATION DEPOSIT	06/08/2021	06/08/2021	0.00	50.00	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0000455</u>	CARD'S TECHNOLOGY					796.77
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	796.77	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>-46795</u>	FY20 CARDS MANAGED NETWORK	06/08/2021	06/08/2021	0.00	12.00	
<u>-46939</u>	LICENSING	06/08/2021	06/08/2021	0.00	23.77	
<u>47203</u>	LICENSING	06/08/2021	06/08/2021	0.00	761.00	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0000480</u>	CATO OIL CO., INC.					9,305.34
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	9,305.34	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>2115101</u>	TOWN VEHICLE GAS	06/09/2021	06/09/2021	0.00	9,305.34	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0000571</u>	COMCAST BUSINESS					1,007.13
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	1,007.13	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>122796505</u>	COMCAST BUSINESS	06/11/2021	06/11/2021	0.00	1,007.13	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0003098</u>	DAVID DAVIS JR					223.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	223.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>PER DIEM</u>	MEALS - METER TECH SCHOOL LTAP 1	06/11/2021	06/11/2021	0.00	223.00	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0000794</u>	EASTERN SHORE COFFEE					30.36
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	30.36	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>608830</u>	DISTILLED WATER FOR LAB TESTING	06/08/2021	06/08/2021	0.00	30.36	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0000884</u>	FARMERS AND PLANTERS CO INC					115.99
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	115.99	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>1152147</u>	CROSSBOW (WF) HERBICIDE 2.5 GALLON JUG	06/08/2021	06/08/2021	0.00	115.99	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0000897</u>	FERGUSON ENTERPRISES					1,263.50
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	1,263.50	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>WY002256</u>	DECATUR EXT LS DRY WELL	06/10/2021	06/10/2021	0.00	1,263.50	

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Vendor Number	Vendor Name					Total Vendor Amount
<u>0000907</u>	FLAG PUBLICATIONS INC					138.00
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		06/11/2021	138.00			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>336662</u>	FLAG PUBLICATION BUDGET ORDINANCE PAYMENT	06/11/2021	06/11/2021	0.00	30.00	
<u>337057</u>	AD FOR EQUIPMENT OPERATOR	06/10/2021	06/10/2021	0.00	108.00	
						Total Vendor Amount
						13.25
Vendor Number	Vendor Name					Total Vendor Amount
<u>0003167</u>	FLUHART DAVID					13.25
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		06/11/2021	13.25			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>06/10/2021</u>	PRESCRIPTION FOR JOB INJURY	06/10/2021	06/10/2021	0.00	13.25	
						Total Vendor Amount
						292.49
Vendor Number	Vendor Name					Total Vendor Amount
<u>0000975</u>	GRAVES UNIFORM					292.49
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		06/11/2021	292.49			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>104971</u>	UNIFORMS	06/11/2021	06/11/2021	0.00	292.49	
						Total Vendor Amount
						137.04
Vendor Number	Vendor Name					Total Vendor Amount
<u>0000977</u>	GREAT AMERICA FINANCIAL					137.04
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		06/11/2021	137.04			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>29464908</u>	COPIER LEASE	06/11/2021	06/11/2021	0.00	137.04	
						Total Vendor Amount
						223.00
Vendor Number	Vendor Name					Total Vendor Amount
<u>0002971</u>	HUNTER CALEB					223.00
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		06/11/2021	223.00			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>PER DIEM-</u>	MEALS - METER TECH SCHOOL LTAP 1	06/11/2021	06/11/2021	0.00	223.00	
						Total Vendor Amount
						3,600.00
Vendor Number	Vendor Name					Total Vendor Amount
<u>0001121</u>	JEFFREY AUXER DESIGNS LLC					3,600.00
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		06/11/2021	3,600.00			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>INV0000372</u>	FACADE GRANT	06/09/2021	06/09/2021	0.00	3,600.00	
						Total Vendor Amount
						136.75
Vendor Number	Vendor Name					Total Vendor Amount
<u>0001381</u>	MARWELL CORPORATION					136.75
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		06/11/2021	136.75			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>34815</u>	METER ADAPTERS 1000-0-R-5-2S-2-12S MODEL	06/08/2021	06/08/2021	0.00	136.75	
						Total Vendor Amount
						250.00
Vendor Number	Vendor Name					Total Vendor Amount
<u>0001535</u>	MUNICIPAL CODE CORPORATION					250.00
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		06/11/2021	250.00			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>00358775</u>	ANNUAL ADMINISTRATIVE SUPPORT	06/08/2021	06/08/2021	0.00	250.00	

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Vendor Number	Vendor Name					Total Vendor Amount
<u>0002093</u>	THE DISPATCH					1,278.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	1,278.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>141035</u>	FARMERS MARKETS ADS	06/10/2021	06/10/2021	0.00	1,278.00	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0002163</u>	TOWN OF BERLIN					25,221.15
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	25,221.15	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>MAY FY 21</u>	TOWN UTILITY BILLINGS	06/09/2021	06/09/2021	0.00	25,221.15	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0002928</u>	UNIFIRST CORPORATION					110.11
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	110.11	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>092 1841760</u>	UNIFORM CLEANING SERVICE - PUBLIC WORKS	06/08/2021	06/08/2021	0.00	110.11	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0002205</u>	UNITED WAY OF THE EASTERN SHORE					38.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	38.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>PPE 06/06/2021</u>	UNITED WAY EMPLOYEE CONTRIBUTION	06/08/2021	06/08/2021	0.00	38.00	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0002233</u>	VALERIE J MANN					475.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	475.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>6/1/2021</u>	PREPARATION OF APPLICATION	06/11/2021	06/11/2021	0.00	475.00	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0002602</u>	W W GRAINER					253.06
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	253.06	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>9903680404</u>	COPPER CRIMPER	06/08/2021	06/08/2021	0.00	253.06	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0003055</u>	WASHINGTON NATIONAL INSURANCE COMPANY					317.94
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	317.94	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>P2130196</u>	WASHINGTON NATIONAL EMPLOYEE CONTRIBUTION	06/10/2021	06/10/2021	0.00	317.94	
Vendor Number	Vendor Name					Total Vendor Amount
<u>0002348</u>	WOR WIC COMMUNITY COLLEGE					60.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				06/11/2021	60.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
<u>12284</u>	EMPLOYEE AND K9 TRAINING	06/11/2021	06/11/2021	0.00	60.00	

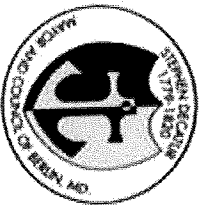
Payment Register

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Vendor Number		Vendor Name	Total Vendor Amount			
0002363		WORCESTER COUNTY LANDFILL	11,072.00			
Payment Type		Payment Number	Payment Date	Payment Amount		
Check			06/11/2021	11,072.00		
Payable Number		Description	Payable Date	Due Date	Discount Amount	Payable Amount
124 MAY FY 21		REFUSE, RECYCLE AND CAN PULLS	06/11/2021	06/11/2021	0.00	11,072.00

Payment Summary

Bank Code	Type	Payable Count	Payment Count	Discount	Payment
BOC AP	Check	45	40	0.00	85,613.34
Packet Totals:		45	40	0.00	85,613.34



Town of Berlin, MD

UBPKT07338 - Refunds 1 UBPKT07337 Single Billing

Refund Check Register

Refund Check Detail

57775 6/11/21

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
22-1130031-04	FRENCH, DONALD	6/11/2021	20218	183.99			183.99	Generated From Billing
Total Refunds: 1				Total Refunded Amount:	183.99			

Revenue Code Summary

Revenue Code	Amount
996 - UNAPPLIED CREDITS / REFUNDS	183.99
Revenue Total:	183.99

General Ledger Distribution

Posting Date: 06/04/2021

Account Number	Account Name	Posting Amount	IFT
Fund: 10 - ELECTRIC			
10-1110-1098	CLAIM ON CASH-FUND 10	-183.99	Yes
10-2010-2074	UNAPPLIED CREDITS	183.99	
10 Total:		0.00	
Fund: 98 - POOLED CASH			
98-1098-1000	CENTRAL DEPOSITORY CASH	-183.99	
98-2498-2200	DUE TO OTHER FUNDS	183.99	Yes
98 Total:		0.00	
Distribution Total:		0.00	

Work Session Packet

ORDINANCE 2021-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND, A MARYLAND MUNICIPAL CORPORATION, ESTABLISHING REGULATIONS GOVERNING SHORT TERM RENTALS OF RESIDENTIAL DWELLINGS LOCATED WITHIN THE TOWN OF BERLIN.

BE IT ENACTED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT A NEW SECTION, CHAPTER 8, ARTICLE II, SECTION 8-30 BE ENACTED TO READ AS FOLLOWS:

§8-30. Short Term Rental Licensing.

- (a) **Generally.** It is the intent of this section and the regulations stated herein to maintain the character of residential neighborhoods in the town of Berlin and to protect the health, safety and general welfare of the permanent residents while allowing short term rentals to exist under certain conditions and circumstances.
- (b) **Definitions.** (1) Short Term Residential Rental means the use of all or any part of a dwelling unit to provide accommodations, not to exceed 28 consecutive days, to transient guests for sleeping or lodging purposes in exchange for a monetary remuneration, including accommodations facilitated by an internet hosting platform. A Bed and Breakfast is not included in this definition.
- (2) Permanent Residence means a dwelling unit, located within the Town of Berlin, in which the owner resides for an aggregate of at least 180 days annually and the dwelling unit carries the official designation as the owner's principle residence in accordance with the criteria governing the State of Maryland Department of Assessment and Taxation Homestead Tax Credit Program.
- (c) **Eligible Zone.** (1) Short Term Residential rentals are permitted in the R-1 and R-2 single family residential zoning districts only in a property owner's Permanent Residence as defined in paragraph (b)(2), and subject to the licensing requirements and regulations contained herein.
- (2) Short Term Residential rentals are permitted in the R-3 and R-4 Apartment Districts, and in the B-1, B-2, and B-3 Districts where dwelling units are permitted, subject to the licensing requirements and regulations contained herein.
- (d) **Requirements.** (1) Any dwelling unit or portion thereof that is offered as a short-term rental shall conform to the provisions of this Section.

(2) **License**. Prior to offering a dwelling unit or portion thereof as a short-term rental, the property owner shall file an application for a short term residential rental license on forms provided by the Town. The application must be accompanied by an application fee in the amount of \$150.00 and the property owner must agree to make the dwelling unit available for inspection in order to verify that the dwelling unit is in compliance with all applicable building code provisions, including those of the Worcester County Fire Marshal's office. Upon passing said inspection, the property owner will be issued an annual short term residential rental license upon the payment of an annual license fee of \$200.00. The license must be renewed annually, and the Town of Berlin reserves the right to inspect subject properties at any time and before annual renewal. Each property owner shall provide 24-hour emergency contact information for the owner or the owner's responsible agent. The license must be posted in a prominent location inside of the dwelling unit, and all advertising, whether by print, electronic, audible, or in any other forms or substance designed or used to inform as to the availability of any property for rent which is the subject of the license, shall contain the valid rental license number issued to the property owner. A short term residential rental license is not transferable.

(3) **Occupancy**. Every bedroom occupied for sleeping accommodations shall contain not less than 70 square feet of floor area unobstructed other than by furniture for each occupant. The number of occupants shall not exceed the sum total of all occupants permitted in each bedroom of the structure as per Chapter 6, Article V, "Housing Standards," Section 6-121, "Floor Space and Occupancy," of this Code.

(4) One additional off-street parking space per each bedroom rented shall be required in addition to the parking required in the zoning district where the structure is located.

(5) The property owner shall maintain a record of the names of all lodging guests who stay at the property, including their address, phone number, email address and the amount of monetary remuneration received. Such records shall be provided upon request to Town officials and to Worcester County Treasurer's Office officials.

(6) On premise signage shall not be permitted on licensed property.

(7) The hosting of functions and events, including but not limited to wedding ceremonies, wedding receptions, family reunions, birthday and anniversary celebrations, corporate and employee parties, and other similar gatherings of persons other than the authorized lodging guests, shall be prohibited in association with any short-term rentals,

regardless of whether or not any form of compensation or barter has been paid or received by any individual or firm for the event.

(8) The Mayor and Council by Resolution may establish additional standards or require additional information as deemed necessary to enforce the provisions of this Section.

- (e) **Violations.** A violation of any of the requirements of this Section will result in a Civil Violation of \$100.00, and repeat or continuing violations will result in a fine of \$200.00. Any violation may result in revocation of the Short Term Residential Rental License for up to three (3) years. A decision by the Planning Director to revoke a license may be appealed to the Mayor and Council.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 2021, and thereafter a statement of the substance of the Ordinance having been published as required by law.

A PUBLIC HEARING was held, and this Ordinance was adopted this ____ day of _____, 2021, by the Mayor and Council of the Town of Berlin, Maryland by affirmative vote of _____ in favor, to _____ opposed, with _____ abstaining.

Dean Burrell Sr., Vice-President

Approved on this _____ day of _____, 2021 by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar days later on the ____ day of _____, 2020.

Zackery Tyndall, Mayor

ATTEST: Jeffrey Fleetwood, Town Administrator

- STRs to be permitted in the R-1 and R-2 single family zoning districts only in an owner's permanent, principle, or primary residence.
- STRs may be permitted in the R-3 and R-4 Apartment Districts, and in the B-1, B-2, and B-3 Districts where dwelling units are permitted, with 24 hour owner or agent contact information on file.
- Definition of "Short Term Residential Rental": means the use of all or any part of a dwelling unit to provide accommodations, not to exceed 28 days, to transient guests for sleeping or lodging purposes in exchange for a fee, to include those accommodations facilitated by an internet hosting platform. STRs do not include Bed and Breakfast establishments.
- Definition of "Permanent Residence": means a dwelling unit in which the owner resides for an aggregate of at least 180 days annually and the dwelling unit carries the official designation as the owner's principle residence in accordance with the criteria governing the State of Maryland Department of Assessment and Taxation Homestead Tax Credit Program.
- Occupancy: Every bedroom occupied for sleeping accommodations shall contain not less than 70 square feet of floor area unobstructed other than by furniture for each occupant. The number of occupants shall not exceed the sum total of all occupants permitted in each bedroom of the structure, as per Chapter 6, Article V, "Housing Standards", Section 6-121, "Floor Space and Occupancy", of the Town Code.
- Parking: At least one additional off street parking space per each bedroom rented shall be required over and above the parking required in the district the structure is situated.
- Licensing: An initial application must be accompanied by a fee of \$150.00. Annual license fee would be \$200.00 additional. (Current rental license fee of \$15 should rise to \$100). All units will be inspected for life safety and building code compliance.
- License must be posted on premises, and license number shown on ANY form of advertising (web, booking or platform site, print, etc.).
- STRs are subject to the State of MD lodging taxes as collected by the Worcester County Treasurer's office. (Will still need to clarify this process with Jen Swanton). This is currently 5% of the nightly room fee.
- The property owner shall maintain a record of the names, addresses, phone numbers, email and the fee paid per night for all guests, and produce the record upon request to Town and W.C. Treasurer's representatives.
- NO on premises signage shall be permitted.
- Rental licenses are issued only to the property owner and are non-transferable.
- The hosting of functions and events not incidental to authorized overnight lodgers shall be prohibited.
- Violations will result in the revocation of a license for up to 3 years.
- Probably best as a "stand alone" Ordinance.