



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811
Phone 410-641-2770 Fax 410-641-2316
www.berlinmd.gov



Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.

Lisa Hall

Paula Lynch

Troy Purnell

Town Attorney

David Gaskill

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY, AUGUST 27, 2012

Town Administrator

Anthony J. Carson, Jr.

COUNCIL CHAMBERS – BERLIN TOWN HALL

10 WILLIAM STREET

BERLIN, MD 21811

EXECUTIVE SESSION.....6:30 PM

REGULAR SESSION7:00 PM

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

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**BERLIN MAYOR AND COUNCIL
COUNCIL MEETING
AGENDA
Monday, August 27, 2012**

6:30 P.M. EXECUTIVE SESSION – Berlin Conference Room

7:00 P.M. REGULAR SESSION – Berlin Town Hall Council Chambers

1. Approval of the Minutes for:
Regular Session of the Mayor and Council on August 13, 2012
Special Executive minutes of the Mayor and Council on August 20, 2012
Statement of Closure for Executive Session of August 20, 2012
2. Request for Special Event – Charles A. Tindley Gospel Festival
Saturday, September 15, 2012; 10:00 a.m. to 6:00 p.m.; Flower Street
3. Public Hearing – Ordinance 2012-08
An ordinance adopting and enacting a new code for the Town of Berlin
4. Introduction – Ordinance 2012-09
An ordinance amending Chapter 6, Building and Building Regulations and Sprinklers.
The public hearing will be held on September 10, 2012.
5. Motion to Approve – Budget Amendment for FY13; Ambulance Fund and Fire Department.
6. Motion to Approve – Contract with Terra Firma for \$65,161.00 for asphalt work on Germantown Road and Buckingham Lane.
7. Motion to Approve – Contract with Worth Construction for \$64,835.00 for concrete work on Flower, Franklin, Main Streets and Town Hall.
8. Departmental Reports
 - a. Finance – Lynn Musgrave
 - b. Public Works – Mike Gibbons
 - c. Water Resources – Jane Kreiter
 - d. Electric – Tim Lawrence
 - e. Police – Arnold Downing
 - f. Planning and Zoning – Chuck Ward
 - g. Human Resources – Jeff Fleetwood
 - h. Economic and Community Development – Michael Day
9. Town Administrator's Report
10. Comments from the Mayor
11. Comments from the Council

12. Comments from the Public
13. Comments from the Press
14. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND
Regular Session Council Minutes
Monday, August 13, 2012

The meeting of the Mayor and Council for Monday, August 13, 2012 was called to order by Mayor Williams at approximately 7:04 p.m. Councilmembers Lynch, Purnell, Hall, Brittingham and Burrell were present, as well as Town Administrator Tony Carson, Human Resources Director Jeff Fleetwood, Electric Utility Director Tim Lawrence, Deputy Town Administrator Mary Bohlen, Town Attorney David Gaskill, Finance Director Lynn Musgrave, Water Resources Director Jane Kreiter, Public Works Director Mike Gibbons, Police Chief Arnold Downing, Planning & Zoning Director Chuck Ward, Economic and Community Development Director Michael Day and Administrative Assistant Sharon Timmons.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for a motion to approve the Regular Session Minutes of July 30, 2012. Councilmember Hall asked to have Councilmember Brittingham's name shown as being the councilmember absent in paragraphs 3 through 6. Councilmember Burrell asked to have the minutes written in a larger font size in the future. Councilmember Lynch made a motion to approve the minutes as corrected and council voted to approve 5-0.

Ms. Teresa Ayres of Snow Hill and Ms. Antoinette Hudson of Berlin came before the council requesting approval for a church service to be held at Henry Park on Sunday, September 23rd from 9 a.m. to 3 p.m. Ms. Ayres stated that there would be amplified keyboard music. Councilmember Burrell made a motion to approve the event and council voted unanimously to approve 5-0.

Economic and Community Development Director Michael Day came before the council requesting approval for the street performance of Romeo and Juliet by the Brown Box Theatre Production Group. The performance will be held on Friday, September 14, 2012 at the intersection of Pitts and Main Streets from 6:30 p.m. to 8:00 p.m. Mr. Day requested electric be supplied at the pole by Pitts Street and the street be closed from the alley to Main Street from 4 to 8 p.m. and closure of Main Street from Broad to West Street from 6:30 p.m. to 8 p.m. Mayor Williams suggested that Mr. Day request to have portable potties available. Councilmember Hall made a motion to approve the event and council voted unanimously to approve 5-0.

Jennifer Davis and Kathy Walsh of Bustle Bridal came before the council requesting approval of the Berlin Bridal Show to be held on Saturday, September 29, 2012 from 9 a.m. to 5 p.m. Ms. Davis stated that the event was being sponsored by Main Street helping to promote Berlin as a wedding destination. There is a \$125 fee for each of the participating vendors which would cover a 10 x 10 table, linens, and various types of paper and web advertising. Councilmember Brittingham made a motion to approve the event and council voted unanimously to approve 5-0.

Mayor Williams spoke on the request for approval of the Special Sunday permit for the Boggs Disharoon American Legion Post 123 for September 16, 2012 to hold their district meeting. Councilmember Brittingham made a motion to approve the Special Sunday permit and council voted unanimously to approve 5-0.

Aaren Collins, Executive Director of the Berlin Chamber of Commerce came before the council requesting approval of the sale of beer and wine by the Chamber for the Berlin Fiddlers Convention on Friday, September 21 from the hours of 6:00 p.m. to 10:00 p.m. Councilmember

Purnell made a motion to approve the Chamber to sell beer and wine at the Berlin Fiddlers Convention on Friday, September 21st from the hours of 6 p.m. to 10 p.m. Council voted to approve 4-1 with Councilmember Burrell opposed. Ms. Collins also requested approval of the Special One Day Permit for a liquor license application for the sale of beer and wine on Friday, September 21st from 6 p.m. to 10 p.m. Mayor Williams suggested that the requests for the sale of beer and wine and the request for the approval of the Special One Day Permit be combined in the future. Councilmember Purnell made a motion to approve the application for a Special One Day Permit for the Chamber for Friday, September 21st from 6 p.m. to 10 p.m. and council voted to approve 4-1 with Councilmember Burrell opposed. Mayor Williams then asked the council to make a motion for the special event exception to allow for the consumption of open containers of alcohol within the enclosed area for Friday, September 21st from the hours of 6 p.m. to 10 p.m. and Saturday, September 22nd from the hours of 10 a.m. to 5 p.m. Councilmember Purnell made a motion to approve the open container request and council voted to approve 4-1 with Councilmember Burrell opposed.

Jennifer Dawicki of the Globe Theatre came before the council requesting a letter of support and approval to extend her premise license to Broad Street for the sale of alcohol during the Berlin Fiddler's Convention on Friday, September 21st from the hours of 6 p.m. to 10 p.m. and Saturday, September 22nd from the hours of 10 a.m. to 5 p.m. Councilmember Purnell made a motion to approve the letter of support and extension of premise license for the dates and times listed above and council voted to approve 4-1 with Councilmember Burrell opposed.

Berlin Chamber Executive Director Aaren Collins came back before the council requesting approval for the Chamber to sell beer and wine and the Special One Day permits for the event of Rocktober to be held on Friday, October 12th from 5 p.m. to 9 p.m. and Octoberfest to be held on Saturday, October 13th from 11 a.m. to 7 p.m. Councilmember Purnell made a motion to approve the sale of beer and wine by the Chamber and the Special One Day permits for the dates and times listed above. Council voted to approve the requests 4-1 with Councilmember Burrell opposed.

Requests continued for the approval of the Special Event exemption to the open container law for the events known as Rocktober, October 12th from the hours of 5 pm to 9 pm and Octoberfest on October 13th from the hours of 11 am to 7 pm. Councilmember Purnell made the motion to approve the request and council voted to approve 4-1 with Councilmember Burrell opposed.

Ms. Dawicki returned back before the council to request a letter of support and approval from the Mayor and Council to extend her premise license to Broad Street for the sale of alcohol during the Rocktober to be held on Friday, October 12th from 5 p.m. to 9 p.m. and Octoberfest to be held on Saturday, October 13th from 11 a.m. to 7 p.m. Councilmember Purnell made a motion to approve the letter of support and extension of premise license for the dates and times listed above and council voted to approve 3-2 with Councilmembers Lynch, Brittingham and Purnell in favor and Councilmembers Hall and Burrell opposed.

Item 10 on the agenda was tabled until the next meeting since the proposal from Davis, Bowen & Friedel on the 346W lift station was not available.

Town Administrator Tony Carson stated that he, Jane Kreiter and Mike Gibbons had met with the State Highway Administration Assistant District Engineer to get an update on the future roadway projects for Berlin. Mr. Carson described the 3 current projects involving Routes 374 (Broad Street), Route 377 (William Street) and Route 818 (North Main Street). Discussion followed. Mr. Carson stated that the State Highway Administration had offered 50% funding towards the Broad

Street sidewalk project. Mr. Carson stated that negotiations with the contractor had reduced the cost down to \$100,000 of which the Town would pay \$50,000 using impact fees. Mr. Carson requested that council approve the contract with Goody Hill Groundwork for \$100,000.00 from the railroad tracks to Esham Avenue with \$50,000 to be reimbursed back to the Town by the State Highway Administration. The reimbursed funds will go back into the impact fees. Mr. Carson recommended that the Town go in a different direction for the remainder of the design work from Esham Avenue to Ann Drive. Discussion followed. Councilmember Purnell made a motion to approve the contract with Goody Hill Groundwork Inc. for a lump sum of \$100,000 to be taken from the Town's impact fee account for the Broad Street Sidewalk Project. Council voted to approve unanimously 5-0.

Councilmember Troy Purnell recused himself and left the dias regarding item 12, Deed of Dedication for Tract E of Prospect Drive for Purnell Crossing South. Mr. Purnell explained that Tract E had been omitted in the last deed and the revised deed needed to come before the council for approval. Discussion followed. Councilmember Burrell voted to approve the deed of dedication for Tract E of Prospect Drive and council voted to approve 4-0 with Councilmember Purnell recusing himself.

Mayor Williams introduced Ordinance 2012-08, an ordinance adopting and enacting a new code for the Town of Berlin. The public hearing will be held on August 27, 2012. Discussion continued.

Deputy Town Administrator Mary Bohlen explained the 2 grant applications to be submitted to Program Open Space for the Henry Park Basketball Courts. Ms. Bohlen stated that the applications were being submitted to two funding sources, DNR Program Open Space and Community, Parks and Playgrounds to try and fund the entire project for \$108,000.00. The project would cover replacement of the basketball courts, new basketball apparatus equipment, bleachers and a quote for lighting. The Program Open Space funds of \$37,000 are funds which have been allocated to the Town, but have not been spent. The application to Community, Parks and Playgrounds is being submitted for \$66,000.00. The Town has received a letter of concurrence from DNR stating that they accept our start date for the project as of July 31, 2012 so we can begin taking action on the project. Town Administrator Tony Carson stated that the Town would like to advertise for bids for new basketball courts and if the bids were in the price range of monies currently available, that it would be brought back to council for approve so that we could move forward. Councilmember Burrell made a motion to submit the two grant applications to Program Open Space for the Henry Park Basketball Project and council voted unanimously to approve 5-0.

Mayor Williams and Police Chief Arnold Downing recognized the National Night Out and thanked all of the people, businesses and organizations involved in the event.

Departmental reports began with Finance Director Lynn Musgrave reporting that her department was preparing for the audit. Preliminary work from the auditors would be August 28th & 29th with fieldwork being completed September 10th through the 14th. She also informed council that she was working to have their financials to them by the end of the week.

Deputy Town Administrator Mary Bohlen reported that the Parks Commission had a great time at National Night Out and that the Sub-Committee had passed out surveys during the event.

Public Works Director Mike Gibbons reported the ads had been placed in the paper for Request for Proposals on the concrete and asphalt work and pre-bid meetings had taken place. The bid opening for both projects would be Thursday, August 16th.

Water Resources Director Jane Kreiter reported that despite the drought conditions throughout the area, the town wells were doing fine. Ms. Kreiter continued her report stating that the Request for Bid for the Route 818 Water and Sewer expansion had been advertised and the bid opening would be on September 11th. She continued her report by stating that the Town would be meeting on Tuesday with State Highway on the sink hole at West and Broad Streets.

Electric Utility Director Tim Lawrence reported that his department had replaced two rotten electric poles, installed lightning rods at the substation and a capacitor bank on circuit 230, replaced a meter on generator #5 at the Power Plant and was continuing their work on tree trimming and the installation of low sodium lights throughout town. Councilmember Burrell asked Mr. Lawrence to remind the public of a letter sent in the electric bill regarding the red blinking lights on the overhead fault indicators showing that there is a problem in that area.

Planning & Zoning Director Chuck Ward reported that the Planning Commission would be reviewing the Zoning Code at its meeting Wednesday, August 8th and that he was working on an Ordinance regarding the adoption of the new 2012 International Building Code as well as the sprinkler ordinance. Discussion continued. Mayor Williams advised Mr. Ward that the Town would not be interested in changing the sprinkler ordinance. Mr. Ward thanked the Public Works department for the grass cutting on several properties and gave an update on the demolition of a condemned house on Flower Street.

Human Resources Director Jeff Fleetwood reported that he had met with the Worker's Comp auditor and the Town had saved \$3,300 for FY13. He continued reporting that a make-up harassment training session would be held Tuesday, August 14th.

Economic and Community Development Director Michael Day thanked Mayor Williams and Councilmember Hall for their assistance with the Little Mr. & Miss Peach contest and spoke of the meetings he would be attending during the week.

Town Administrator Tony Carson requested approval of 6 purchase orders (201300372, 2013000375, 201300206, 201300281, 201300264 and 201300437). Councilmember Brittingham made a motion to approve all 6 purchase orders and council voted unanimously to approve 5-0.

Mayor Williams asked the council to consider his recommendations for the approval of the appointments of John Briddell to the Board of Supervisors of Elections and Leola Smack to the Ethics Commission. Councilmember Burrell made a motion to approve both appointments and council voted unanimously to approve 5-0.

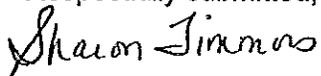
Councilmember Burrell asked Ms. Kreiter and/or Mr. Gibbons to investigate a hole in the road at 519 Flower Street. Councilmember Brittingham asked for Mr. Gibbons to investigate the drainage at Flower and Branch Streets. He also commented that the spraying for weeds along the road had also been applied to some resident's yards. Councilmember Lynch commented on the great job of cleaning up after the Peach Festival.

Town Administrator Tony Carson stated that the Ambassador Program had been extended through the month of September with the hours changing from 11 a.m. to 3 p.m.

Mayor Williams thanked all the department heads and employees for working together and cooperating with each other.

There being no questions from the public or press. Councilmember Burrell made a motion to adjourn and the meeting ended at 8:55 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Sharon Timmons". The signature is written in a cursive, flowing style.

Sharon Timmons
Administrative Assistant



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

Phone 410-641-2770 Fax 410-641-2316

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ORDINANCE 2012-08

Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.

Lisa Hall

Paula Lynch

Troy Purnell

Town Attorney

David Gaskill

Town Administrator

Anthony J. Carson, Jr.

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF BERLIN, MARYLAND; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IS ORDINED AND ENACTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BERLIN, MARYLAND;

Section 1. The Code entitled "Code of the Town of Berlin, Maryland" published by Municipal Code Corporation, consisting of Chapters 1 through 108, each inclusive, is adopted.

Section 2. All Ordinances of a general and permanent nature enacted on or before June 11, 2012, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in Section 2 hereof shall not be construed to revive any Ordinance or part thereof that has been repealed by a subsequent Ordinance that is repealed by this Ordinance.

Section 4. Unless another penalty is expressly provided or unless otherwise specified as a municipal infraction, every person convicted of a violation of any provision of the Code or any Ordinance, rule or regulation adopted or issued in pursuance thereof shall be punishable as a misdemeanor, the penalty for which shall not exceed a fine of \$1,000 and/or imprisonment for a term not to exceed six month. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory Ordinance. In addition to the penalty prescribed above, the Town may pursue other remedies such as abatement of nuisances, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the Town to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after June 11, 2012, that amend or refer to Ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This Ordinance shall become effective _____.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 2012, and thereafter a statement of the substance of the Ordinance having been published as required by law was finally passed by the Town Council on the _____ day of _____, 2012.

Adopted this _____ day of _____, 2012 by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of _____ to _____ opposed, with _____ abstaining.

Elroy Brittingham, Sr., Vice President

Approved and effective this _____ day of _____, 2012 by the Mayor of the Town of Berlin.

William Gee Williams, III, Mayor

APPROVED AS TO FORM AND LEGALITY:

David Gaskill, Town Attorney

ATTEST:

Anthony J. Carson, Jr., Town Administrator

ORDINANCE 2012-09

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, A
MARYLAND MUNICIPAL CORPORATION, AMENDING
CHAPTER 6, Buildings and Building Regulations.**

WHEREAS, The Mayor and Council of Berlin have determined that, in order to provide for the safety of the Town's residents and visitors, adherence to the most current building codes and standards is of great importance, AND

WHEREAS, pursuant to State Law the Maryland Codes Administration has established the 2012 International Building Code and the 2012 International Residential Code, et al, as the Maryland Building Performance Standards by COMAR Regulation 05.02.07, AND

WHEREAS, each local jurisdiction within the State must enforce these standards, AND

WHEREAS, local jurisdictions may make local amendments to modify the provisions of the Standards to address conditions peculiar to the local jurisdiction's community, AND

WHEREAS, the Mayor and Council of Berlin have deemed it necessary and appropriate to amend said Standards to carry forward certain local amendments to prior building codes and to ensure consistency with other state and local regulations,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the Town of Berlin that the following local amendments to the Maryland Performance Building Standards are hereby adopted by amending Chapter 6 of the Town Code as follows:

Sec. 6-20. Adoption of International Building Code.

- (b) The Department of planning and zoning adopted the ~~2000~~ **2012** International Building Code as the Maryland Building Performance Standards by regulation (COMAR Title 5, Subtitle 2, Chapter 7), with the following modifications:

The provisions of Chapter 30 of the ~~2000~~ IBC relate to elevators and conveying systems and are in addition to and not instead of the requirements set forth in Md. Public Safety Code Ann. § 12-801 et seq. In the event of a conflict between IBC and the Annotated Code of Maryland, the requirements of the Annotated Code of Maryland shall prevail.

Add footnote to Chapter 34 of the ~~2000~~ IBC:

Existing structures provisions of the IBC are replaced by the Maryland Building Rehabilitation Code Department of Housing and Community development under Md. Public Safety Code Ann. § 12-1001 et seq.

Sec. 6-21. Standard codes adopted.

The Town of Berlin adopts the following standard codes:

- (a) The International Building Code ~~2000~~ **2012** Edition, as amended from time to time.
- (b) The International Residential Code ~~2000~~ **2012** Edition, as amended from time to time.
- (c) The State of Maryland Mechanical Code, as amended by the State of Maryland.
- (d) The State of Maryland Plumbing Code, as amended by the State of Maryland.

- (e) The International Energy Conservation Code 2000 **2012** Edition, as amended from time to time.
- (f) The Town of Berlin, Maryland adopts Chapter One, Administration, of the 2000 **2012** International Building Code. Chapter One, Administration, of the 2000 **2012** IBC shall be the administrative chapter for the enforcement of regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings, duplexes and townhouses not more than three stories in height with a separate means of egress and their accessory structures.

Sec. 6-22. International Building Code amendments.

The following additions and deletions are made to the International Building Code (2000 **2012**):

Chapter One of the International Building Code (2000 **2012**) is adopted with the following modifications:

Section 101.1, Title: These regulations shall be known as the Building Code of the ~~town~~ **Town of Berlin, Maryland**, herein referred to as "this code."

Delete Section 101.4.1, Electrical, in its entirety and adopt the National Electric Code.

Delete Section 101.4.2, Gas, in its entirety and adopt the State of Maryland Plumbing Code.

Delete Section 101.4.4, Plumbing, in its entirety and adopt the State of Maryland Plumbing Code.

~~Delete Section 101.4.5, Property maintenance, in its entirety.~~

Delete Section 101.4.6, Fire prevention, in its entirety and adopt the State of Maryland Fire ~~Law~~ **Prevention Code**.

Add 105.3.3 to read:

Any property upon which is proposed a building addition, accessory structure, interior renovation, roofing, siding, window replacement, deck, driveway installation or other such site modification project is subject to the review and approval of the applicable Town of Berlin departments. Permits and/or approvals must be received in writing prior to the commencement of any work.

Sec. 6-23. International Residential Code amendments.

The following additions and deletions are made to the International Residential Code (2000 **2012**):

~~Delete Chapter 1, Administration, adopted through IBC, IPMC and Berlin Town Code.~~

Section 3. One and Two Family Dwelling Code - Amendments.

The provisions of the International Residential Code for 1 and 2 family dwellings 2012 Edition as incorporated in COMAR 05.02.07 are modified, deleted, substituted, or added to as follows:

Chapter 1. Administrative.

Chapter 1 of the International Residential Code for 1 or 2 family dwellings is hereby deleted in its entirety and replaced with Chapter 1 of the International Building Code 2012 Edition as amended herein.

Section R - 301.2.

Climatic and Geographic criteria shall be amended so that Table R301.2(f) shall read as follows:

**TABLE R301.2(1). CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA
SUBJECT TO DAMAGE FROM:**

ROOF SNOW LOAD	Grd WIND Snow	SPEED(c) Load (MPH)	SEISMIC DESIGN CATEGORY (d)	WEATHERING (a)	FROST LINE DEPTH (b)	TERMITE	DECAY	WINTER DESIGN TEMP (d)	FLOOD HAZARDS (e)	ICE BARRIER UNDERLAYMENT	AIR FREEZING INDEX	MEAN ANNUAL TEMP
20psf	20psf	100/NO	A	Severe	24"	Moderate/ Heavy	Slight to Moderate	75f	Per FIRM Maps	NO	250	56F

Delete Chapters 12 and 20 and replace with the State of Maryland Mechanical Code.

Delete Chapters 19, 21, and 23 through 32 and replace with the State of Maryland Plumbing Code.

Delete Chapters 33 through 40 and 42 and replace with the National Electric Code.

Adopt Appendix G in its entirety.

Add an exception to Section 303.4.1, Light activation, and amend to read:

The control for activation of the required interior stairway lighting shall be accessible at the top and bottom of each stairway without traversing any steps. The illumination of the exterior stairway shall be controlled from inside the dwelling unit.

Exceptions:

1. Lights that are continuously illuminated or automatically controlled.
2. Interior stairways consisting of fewer than six steps.

Delete the Exception 1 of Section 312.1.2 and amend to read:

312.1.2 Landings and doors: There shall be a floor or landing on each side of exterior door.

Exceptions:

1. If a stairway of three or fewer risers is located on the exterior side of a door, other than the required main exit door, a landing is not required for the exterior side of the door.

Delete the first sentence in Section 314.2, Treads and risers, and amend to read:

The maximum riser height shall be eight inches, and the minimum tread depth shall be 10 inches. The riser height shall be measured vertically between leading edges of the adjacent treads. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The walking surface of treads and landings of a stairway shall be sloped no steeper than one unit vertical in 48 units horizontal (two percent slope). The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch.

Delete Section 315.1, Handrails, and amend to read:

Handrails shall be provided on at least one side of stairways consisting of three or more risers. Handrails shall have a minimum height of 34 inches and a maximum height of 38 inches measured vertically from the nosing of the treads. All required handrails shall be continuous the full length of the stairs from a point directly above the top riser to a point directly above the lowest riser of the stairway. The ends of the handrail shall be returned into a wall or shall terminate in newel posts. A minimum clear space of 1 1/2 inches shall be provided between the wall and the handrail.

Exception:

1. Handrails may be permitted to be interrupted by a newel post at a turn.

Delete section 313.2, which requires automatic residential fire sprinkler systems to be installed in one family dwellings, in its entirety due to the fact that the town fire company is centrally located within the town so as to provide more than adequate fire protection, and town citizens are not afforded a tax differential from Worcester County, thereby subjecting town citizens to enhanced taxation and greater economic hardship than other county residents.

Delete Sections R313.2 and R313.2.1 and substitute the following:

Section R313.2. Single family dwellings automatic fire systems. Automatic residential fire sprinkler systems shall not be required to be installed in one and two family dwellings. Notwithstanding, the foregoing, such systems may be installed at the option of the property owner of a single family dwelling. For all other residential dwellings, including multi-family dwellings, automatic residential fire sprinkler systems shall be required.

Section R313.2.1. Design and installation. Where applicable, automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 2012, and thereafter a statement of the substance of the Ordinance having been published as required by law was finally passed by the Town Council on the _____ day of _____, 2012.

Adopted and effective this _____ day of _____, 2012 by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of _____ to _____ opposed, with _____ abstaining.

Elroy Brittingham, Sr., Vice-President

Approved and effective this _____ day of _____, 2012 by the Mayor of the Town of Berlin.

Wm. Gee Williams, III, Mayor

ATTEST: Anthony J. Carson, Jr., Town Administrator

TOWN ADMINISTRATOR'S REPORT

August 27, 2012

Purchase Orders

PO# 201300477 in the amount of \$1,307.82 to HD Supply Utilities for 6 overhead fault indicators.

PO# 201300478 in the amount of \$13,198.00 to General Refrigerator for day tank replacement project for Engine #5.

PO# 201300318 in the amount of \$1,536.58 to Mtek Inc. for additives and bugs for digester.

PO# 2013000073 in the amount of \$2,126.13 to J.G. Parks & Son for equipment maintenance on air compressors.

PO# 201300542 in the amount of \$65,161.00 to Terra Firma for asphalt work on Germantown Road and Buckingham Lane.

PO# 201300544 in the amount of \$64,835.00 to Worth Construction for concrete work on Flower, Franklin, Main Streets and at Town Hall.

Updates