

THE CITY OF TAKOMA PARK, MARYLAND

EXECUTIVE MEETING OF THE MAYOR AND CITY COUNCIL

SEPTEMBER 8, 1969

CITY OFFICIALS PRESENT

Mayor Miller	Deputy City Clerk Levine
Councilman Forshee	Director of Public Works Rhodes
Councilman Geib	Corporation Counsel Gingerich
Councilman Hutmire	Chief LaScola, Fire Department
Councilman Jones	Chief Foster, Police Department
Councilman Kennedy	Asst. Corp. Counsel Culpepper
Councilman Roth	Code Enforcement Officer Thorowgood
Councilman Turner	Code Enforcement Officer Wollner
	Asst. Fire Marshal Williams
	Deputy Fire Chief Fickes
	Recreation Director Ziegler

The Mayor and Council for the City of Takoma Park, Maryland convened in Executive Session in the Council Room, 8 Columbia Avenue, Takoma Park, Maryland, at 8:03 p.m., September 8, 1969. Mayor Miller led in the Pledge of Allegiance to the Flag. Mayor Miller requested that correspondence to come before the Council be presented at this time.

CORRESPONDENCE RECEIVED: Deputy City Clerk Levine reporting

1. The Maryland-National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring, Maryland: Announcement of Public Briefings on the Assessment of the 1964 General Plan, "On Wedges and Corridors". Civic Improvements Committee.
2. Mr. Charles Gill, Prince George's County Health Planning Advisory Committee, Cheverly, Maryland: Announcement of a public forum for persons interested in health services in Prince George's County. Public Welfare Committee.
3. Mr. Rinert H. Allen, 7205 13th Place, Takoma Park, Maryland: Letter of commendation regarding police officers' testimony recently and expression of appreciation to the Fire Department.
4. Mr. S. W. Parrish, Director, Montgomery County Department of Community Development: Transmittal of 10 copies of the regulations for administering the Rehabilitation Loan Fund of the Department of Community Development. T.E.S.S. and Council as a Whole.
5. The Maryland-National Capital Park and Planning Commission, Zoning and Planning Div., 6600 Kenilworth Avenue, Riverdale, Maryland: Zoning Map Amendment Petitions Nos. A-8186, 1017 University Blvd. E. - R-18 to C-0; A-8246, West side of New Hampshire Ave., C-1 to C-2; A-8194, 6476 Sligo Mill Road, C-1 to C-2; A-8195, 6478 Sligo Mill Road, C-1 to C-2; A-8196, 6480-82 Sligo Mill Road, C-1 to C-2; A-8197, Cockerille Avenue, C-1 to C-2; A-8198 Orchard Avenue, C-1 to C-2; A-8199, Rear of Sligo Mill Road, C-1 to C-2; A-8163, 6429 Fifth Street, R-55 to R-18. Civic Improvements Committee.
6. Mr. Glayde H. Goodenough, Sr., Secretary, Kiwanis Club of Takoma-Langley Park, 35-L Ridge Road, Greenbelt, Maryland. Invitation to Mayor Miller to attend and speak at the 55th Anniversary of the Kiwanis International. Council Files.
7. Mr. Vincent L. Gingerich, Corporation, Counsel, 7000 Carroll Avenue, Takoma Park, Md.: Copy of counterclaim filed in the case of George M. Miller, Mayor v. James W. Sylvester, re: 7000 Poplar Avenue, Takoma Park, Maryland: Civic Improvements Committee.

8. Summary of letters received in response to Resolution adopted by the Mayor and Council on July 14th regarding the delay in the regional rapid rail transit system. President Richard M. Nixon, Senator Tydings, Representative Gude, Senator Proxmire, Senator Randolph, Representative McMillan, Mr. Volpe, Mr. Aluisi: Council Files.

FINANCIAL STATEMENT, Deputy City Clerk Levine reporting. See Last Page of Minutes.

MAYOR MILLER'S COMMENTS:

Mayor Miller commented on the absence of the City Administrator, Mr. Pridgen and noted that he is ill in Baltimore and awaiting hospitalization. Mayor Miller stated that Mr. Pridgen is a very dedicated public official who spends many hours every day working for the benefit of the City. Mayor Miller stated that Mr. Pridgen should be remembered in everyone's prayers.

UPON MOTION, DULY SECONDED AND UNANIMOUSLY CARRIED, THE MINUTES OF THE MEETING OF AUGUST 25, 1969 WERE APPROVED AS SUBMITTED

PUBLIC PARTICIPATION:

Mrs. John Quattlebaum, 800 Maple Avenue, Takoma Park, Maryland - Vice President of the Takoma Park Elementary School P.T.A. and Safety Chairman: Mrs. Quattlebaum expressed appreciation to the Mayor and Council in behalf of the P.T.A. for providing the two-acre tract of land for the middle school. She congratulated the Mayor and Council for the recognition of overcrowded conditions and the many hours spent behind the scenes in realizing this goal. She further thanked the Mayor for the many speeches and letters prepared for the schools behalf. Mrs. Quattlebaum also expressed appreciation for the police officer that patrolled the Strawberry Festival.

Barbara Levine Deputy City Clerk

In reference to her activities as Safety Chairman, Mrs. Quattlebaum requested that the Mayor and Council give consideration to the approval of a full-time school coordinator to work directly with the school safety patrols and participate in safety patrol programs sponsored by the AAA's. Mayor Miller referred the request to the Law Enforcement Committee.

Mrs. Evelyn Ferry, 24 Hickory Avenue, Takoma Park, Maryland: Mrs. Ferry spoke regarding her activities directed toward interesting a chain store operation in locating one of their grocery stores in the Takoma Park area. She cited the need for such a store in view of the fact that approval has been granted for the construction of an apartment house for the elderly on Carroll Avenue and there is no large grocery store to serve the prospective tenants who in many cases do not drive. Mrs. Ferry requested that the Mayor and Council direct an inquiry to Mr. Haste regarding the burned out property on Carroll Avenue and Mr. Foreman as to the possibility of Safeway locating in the City.

Mr. Ernest Wolfe, 7522 Jackson Avenue, Takoma Park, Maryland: Stated that property owners on Carroll Avenue are going to meet to discuss the terms for which they are willing to discuss the sale of their land for the construction of a store. Mr. Wolfe noted that the Co-Op Chain is interested and open minded for locating on Carroll Avenue. Mr. Wolfe stated that he wants to assure the members of the Council as well as Mrs. Ferry and other citizens that something is being done to interest a store in locating in the City.

7000 Poplar Avenue, Takoma Park, Maryland: Civic Improvement Committee

COMMITTEE REPORTS:

LAW ENFORCEMENT COMMITTEE, Councilman Turner reporting:

1. Woodland and Beech Avenues: Councilman Turner requested that this item be removed from the agenda as the need for a stop sign was eliminated by the trimming of bushes, etc. which enables motorists to exercise greater precaution and diminishes the hazard of children playing and riding bicycles. Councilman Turner noted that Captain Merson of the Police Department has spoken with the person making the original request.

2. Curve at Carroll and Columbia Avenues: Councilman Turner stated that the particular street is under the jurisdiction of the State Roads Commission and that a request for safety markings should be directed to this agency. He further requested that Mr. Russell be sent a copy of the request to the State Roads Commission.

PUBLIC WELFARE COMMITTEE, Councilman Hutmire reporting:

1. Street Cleaning: Councilman Hutmire stated that a good deal of effort has been expended cleaning up the streets after the several severe storms during the recent months.

2. BOCA Code: Councilman Hutmire stated that the committee has received comments from the B. F. Gilbert's Citizens Association, the Community Action Forum, as well as many individuals and expressed appreciation for their interest. Councilman Hutmire commented individually on the suggestions and noted the reasons why a specific suggestion could not be incorporated into the proposed housing code. Councilman Hutmire moved that the Council adopt the basic housing code as proposed by the Building Officials Conference of America and as amended by the ten pages adopted within this Ordinance which were, by resolution, presented for first reading on August 11, 1969, as amended, to become effective as of October 1, 1969. The motion was seconded and the Ordinance adopted by a Roll Call vote recorded as follows: Aye: Councilmen Forshee, Geib, Hutmire, Jones, Kennedy, Roth and Turner. Nay: None. Excused: None.

ORDINANCE NO. 2073

SEE END OF MINUTES

Councilman Hutmire stated that through the interest shown by the citizens of Takoma Park, the City now has a document which will go far in improving the housing conditions in the City.

3. 122 Park Avenue: Councilman Hutmire stated that after the implementation of the Housing Code, some improved conditions may be noted.

4. Winchester-Takoma Apartment: Councilman Hutmire noted that daily visits by the Code Enforcement Officer and the Assistant Fire Marshal have resulted in almost total compliance and correction of violations. He noted that it has been learned that 26 residents have received eviction notices in an effort to clean up the buildings.

5. 312 Philadelphia Avenue: Councilman Hutmire stated that another letter has been written requesting a general clean up of the yard and results should be seen shortly.

6. Request for walkway across bridge and increased street lighting at Sligo Creek and Maple Avenue: Councilman Hutmire stated that these items will be reported on under the Public Works Committee and requested that they be removed from the Public Welfare Agenda.

7. Code Enforcement Division: Councilman Hutmire referred to a memorandum from the Director of Public Works wherein it was stated that Code Enforcement Officer Thorogood will oversee the activities of the Code Enforcement Division during his attendance at the 1969 Public Works Congress and Equipment Show to be held in Cleveland, September 13 through 18 to be followed by 10 days annual leave.

PUBLIC WORKS COMMITTEE, Councilman Roth reporting:

1. 8001 Wildwood Drive: Councilman Roth requested that a letter be written to Mrs. Krakow stating that her request for additional street lighting will be considered as a part of an all over review of street lighting as individual locations are not considered.

Councilman Roth further noted that various types of street lighting are being tested in different locations in the City and favorable response has been received from at least one resident. He stated that in the meantime, the City will continue to look for other streets that may benefit from the same treatment. Councilman Roth stated that several streets are due for improvement, and will be worked in as soon as other priority work is completed.

2. Sligo Creek and Maple Avenue: Councilman Roth stated that the pedestrian walkway across Sligo Creek and the increased street lighting are being considered together. He noted that a report will be given at a future meeting.

Councilman Hutmire stated that it is his understanding that the Maryland National Guard will construct bridges as part of a training exercise. He stated that he is under the impression that materials as well as labor are supplied. Councilman Roth requested that Mr. Rhodes obtain further information as such may be utilized in the construction of the requested pedestrian walkway across Sligo Creek at Maple Avenue.

3. Personnel: Councilman Roth presented a motion for the permanent appointment of Gordon W. Holland to the position of Parks Supervisor to be retroactive to July 1, 1969. The motion was seconded and duly carried.

4. Beautification of property at Carroll and Grant Avenues: Councilman Roth noted that the Public Works Department has been working on leveling this property in preparation for paving. He stated that Mr. Rhodes has contacted several firms for quotes on doing the necessary paving. Councilman Roth moved that the Council approve the quotation submitted by the A. H. Smith Co. at \$7.90 per ton of asphalt (in place) and \$.20 per gallon of prime coat, with the cost of the resurfacing to total under \$4,000.00 and funds to be transferred from the Reserve Fund. The motion was seconded and duly carried.

5. Purchase of Radio Equipment: Councilman Roth referred to a memorandum from Mr. Rhodes where he recommended that the Council consider authorizing the purchase and installation of General Electric Radio equipment at the Montgomery County contract price. Councilman Roth moved the adoption of the following Ordinance.

ORDINANCE NO. 2074

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. WHEREAS it has been determined that the efficiency of the Public Works Department could be greatly improved by the implementation of a communication system between supervisors and working parties,
AND

SECTION 2. WHEREAS the Director of Public Works has obtained permission to purchase Radio Equipment from the General Electric Company at the Montgomery County contract price, AND

SECTION 3. THEREFORE THAT the purchase of nine (9) "Porta-Mobile" units for the use of the Director of Public Works and Assistants, as necessary, is hereby authorized for the total sum of Nine thousand eight hundred forty eight dollars and twenty cents (\$9,848.20), AND

SECTION 4. FURTHER THAT the sum stated in Section 3 of this Ordinance be transferred from the RESERVE FUND to Account No. 12.103.

The motion was seconded by Councilman Jones and adopted by a Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Geib, Hutmire, Jones, Kennedy, Roth and Turner. Nay: None. Excused None.

6. Councilman Roth referred to a memorandum from Mr. Rhodes stating that during his absence from the City during the period of September 13, through October 6th, John Roland Boetker is designated as acting Public Works Director with the exception of code enforcement matters.

FIRE PROTECTION COMMITTEE, Councilman Kennedy reporting:

1. Disability retirement: Councilman Kennedy stated that the request for disability retirement by an unsalaried member of the Fire Department is not presently covered by legislation, however, should be left on the agenda for future discussion.
2. Appointment of second delegate to the Montgomery County Fire Board: Councilman Kennedy presented a motion, upon the recommendation of Chief LaScola, for the appointment of the Deputy Chief as a second or alternate delegate to the Montgomery County Fire Board. Councilman Kennedy stated that the Takoma Park Volunteer Fire Department, Inc. had requested that a member from their group be appointed, however, it was felt that a qualified fire officer should be in attendance along with the Fire Chief or available to act for the Fire Chief in his absence. The motion was seconded by Councilman Jones and duly carried.
3. Proposed changes to Article 4 of the Municipal Code: Councilman Kennedy moved the approval of an increase in the Takoma Park Volunteer Fire Department Budget from \$4,000. to \$4,500. Councilman Forshee pointed out that the City does not adopt budgets for other than the current fiscal year. Councilman Kennedy stated that this request is for the 1969/1970 year. Councilman Turner pointed out that during a recent meeting where this matter was discussed, a representative of the Takoma Park Volunteer Fire Department was requested to show itemized expenditures. Councilman Geib stated that it is the duty of the Council, when spending taxpayers' money, to request itemization of expenses. Mayor Miller stated that in view of the questions raised in connection with an audit of the expenditures, it would be in order to hold recommendation until another meeting in order that members of the Council may have the opportunity to review the expenditures. Councilman Kennedy withdrew his motion until the next meeting. Councilman Jones withdrew his second. Chief LaScola noted that the Secretary of the Board of Trustees of the Takoma Park Volunteer Fire Department, Inc. was in attendance and requested that he take the necessary steps toward having this information made available.
4. Personnel: Councilman Kennedy presented a motion for the approval of official leave for Captain Karl F. Kearns from 12 noon Friday, October 31st through Monday, November 3rd, to attend the Annual Fire Service Training Officers Conference to be held at the Delaware State Fire School in Dover. He further moved that Captain Kearns be allotted seventy five dollars (\$75.00) to cover his expenses for three days with the funds to be charged to account 11.212 M-4 Training. The motion was seconded by Councilman Hutmire and duly carried.
5. Official Leave: Councilman Kennedy moved the approval of official leave for Chief LaScola in order that he might attend the Eighth Annual International Fire Chief's Seminar to be held on October 17, 18, 19 prior to the 96th annual Conference of the International Association of Fire Chief's in Chicago, Illinois which is being held on October 20 through October 24. Councilman Kennedy further moved that the Chief be allotted an additional fifty dollars (\$50.00) over and above that amount budgeted for attendance at the 96th Annual Chiefs Conference to enable attendance at the Seminar. This amount is to be taken from Account 11.212 P. The motion was seconded by Councilman Geib and duly carried. Official leave was granted from October 16 through October 24.
6. Ambulance Service: Councilman Kennedy read a memorandum from Chief LaScola pertaining to the ambulance service provided by the City and noted that Councilman Forshee was not in attendance at the particular meeting mentioned, therefore, the financial aspect

could not be discussed to any degree. Councilman Kennedy stated that it is the feeling of the Committee that a meeting should be held with the members of the Fire Protection Committee, the Finance Committee, the President of the Wheaton Rescue Squad and the Chief of the Takoma Park Fire Department in order to ascertain the best plan.

7. Incentive Awards: Councilman Kennedy referred to a memorandum from Chief LaScola wherein recommendations relating to the Incentive Award Program for Volunteers were made. Councilman Kennedy moved that the Council register its' vote as being in favor of continuing the program for those who wish to participate. Councilman Jones seconded the motion. Councilman Turner stated that he personally feels that this matter is of such importance that it should be discussed more fully at another meeting, in order that all ramifications may be completely discussed. Councilman Kennedy withdrew his motion and Councilman Jones withdrew his second. Councilman Forshee moved that the matter be referred to the Council as a Whole for further discussion. The motion was seconded by Councilman Geib.

CIVIC IMPROVEMENTS COMMITTEE, Councilman Geib reporting:

1. 712 Erie Avenue: Councilman Geib noted that the ceiling height of the basement apartment is only 6'6" and that another report should be forthcoming. Code Enforcement Officer Wollner stated that he was in receipt of a letter from the attorney for the owner who stated that the tenants have vacated the apartment. Councilman Geib requested that the item be removed from the Agenda.
2. 7403 and 7407 Carroll Avenue: Councilman Geib stated that the two addresses were thought to be in violation of the Fousing Code, however, one was not and the other has been corrected. Requested removal from the agenda.
3. 7000 Poplar Avenue: Councilman Geib stated that a counter-claim has now been filed by Mr. Sylvester.
4. 250 Manor Circle: Councilman Geib noted that the owner has corrected the violations and painted the building. Stated that this may now be removed from the Agenda. Councilman Geib inquired of Corporation Counsel Gingerich as to the status of the pending court case regarding this property. Corporation Counsel Gingerich stated that the violations were in existance at the time the warrant was served, however, the charges could be dismissed. Councilman Geib stated that the property may not remain in good condition and would rather not dismiss the charges. Councilman Geib moved that the Council go on record as requesting that the case be placed on the stet docket. The motion was seconded and carried.
5. 1111 Sligo Creek Parkway: Councilman Geib stated that pictures have been taken showing that business is being conducted on Sunday. He stated that the situation will be observed further before more action taken.
6. Beautification of lot at Carroll and Grant Avenues: Councilman Geib stated that perhaps the Azalea Committee would be interested in assisting with the landscaping of this area.

PARKS AND RECREATION COMMITTEE, Councilman Jones reporting:

1. Personnel: Councilman Jones moved the permanent appointment of Mrs. Shirlee Hutmire at the completion of her one year probationary appointment as Clerk-Typist in the Recreation Department retroactive to August 28, 1969. The motion was seconded by Councilman Kennedy and duly carried with Councilman Hutmire abstaining.
2. Bloodmobile: Councilman Jones stated that the recent Bloodmobile Campaign sponsored by the Takoma Park-Langley Park Lion Club was successful with approximately 150 donors.

September 8, 1969

3. Parks Regulations: Councilman Geib moved to withdraw the effect of his tabling motion of the previous meeting. His motion was seconded and the matter of regulations was brought back to the table for discussion. Councilman Jones moved the adoption of the following Ordinance.

ORDINANCE NO. 2075

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. WHEREAS, Section 17 of Article 24 of the Municipal Code (1961) placed certain restrictions on the use of public space and/or buildings, AND

SECTION 2. WHEREAS, sub-section (j) of Section 17, Article 24, states that premises are to be vacated by 12:00 midnight, AND

SECTION 3. WHEREAS, it is the desire that City parks be vacated at an earlier hour in the interests of safety and reducing possible annoyances to neighbors due to noise, AND

SECTION 4. THEREFORE, that sub-section (k) be added to Section 17, Article 24 to read as follows:

"(k) no one is to remain on a City owned park after 9:00 p.m. unless expressly authorized to do so by the Chief of Police or the Director of Recreation."

SECTION 5. THAT the Director of Public Works should be authorized to erect appropriate signs calling attention to the closing time of the parks, AND

SECTION 6. FURTHER THAT, this amendment is to become effective immediately.

The motion was seconded by Councilman Roth and the Ordinance duly adopted by a Roll Call Vote recorded as follows: Aye: Councilmen Forshee, Geib, Jones, Kennedy, Roth. Nay: Councilmen Hutmire and Turner. Excused: None.

4. Fall Classes: Councilman Jones announced that the following classes have been scheduled by the Recreation Department and noted that pre-registration is necessary for most classes and may be done by calling the Recreation Department at 270-4048.

ART CLASS: October 6 - December 8, Mon. nights, 7:30 to 9:30 p.m., 10 lessons, Heffner Park, fee \$15.00, Joseph Kelly, instructor.

FLOWER ARRANGING: (and Christmas Decorations) October 7 - December 2, Tues. nights, 7:30 to 9:30 p.m., nine weeks, fee \$10.00, Mrs. Gloria Wyman, instructor.

SLIMNASTICS: October 1 - December 10, Wed., 9:30 to 10:30 a.m., Takoma Park Rec. Ctr., fee \$7.00, instructor, Mrs. Mary Ann McGuire. October 14 - December 16, Tues. nights, 7:30 to 8:30 p.m., Trinity United Church of Christ, instructor, Ann DuRoss, Fee, \$7.00.

BATON: Starts September 20, Sat. 2:00 to 3:00 p.m. Heffner Park, Gail Lang, instructor, fee, \$4.00 per month.

CAKE DECORATING: Days - October 7 - November 25, Tues. 12:00 to 2:00 p.m.; Evenings, October 2 - November 20, Thursdays, 7:30 to 9:30 p.m., both for eight weeks, fee, \$8.00, plus \$3.75 for supplies, Mrs. Dolores Allen, instructor.

PARKS AND RECREATION COMMITTEE, continued

September 8, 1969

TEEN CLUB: September 12 - June 12, Takoma Park Recreation Center, 2nd and 4th Fridays, 7:30 to 10:30 p.m.

DANCING CLASS: October 6 - January 19, Takoma Park Recreation Center, Mon. 3:30 to 4:30 p.m. and 4:30 to 5:30 p.m., 15 weeks, fee, \$18.75, Instructor, Miss Charlottle Feer.

DRAMA CLASS: Children's and Teens (9-17 years) October 8 - December 3, Weds. 4:00 to 5:00 p.m., 8 weeks, fee \$6.00, special family rates, Takoma Park Recreation Center, Director, Mrs. Mary Ann McGuire.

DRAMA CLASS: Adults (17 and up) October 8 - December 17, 10 weeks, Weds., 8:00 to 9:00 p.m. Takoma Park Recreation Center, fee \$10.00, Director, Mrs. Mary Ann McGuire.

FINANCE COMMITTEE, Councilman Forshee reporting: NO REPORT

Mayor Miller spoke regarding the work done by the Lions Club and proclaimed the week of September 9, 1969 as Lions Club Light Bulb Week.

PROCLAMATION

WHEREAS, the Lions Club of Takoma Park is holding a Fund Raising Drive to support its deserving projects in the community,

WHEREAS, members of this organization are going from door-to-door in our City selling light bulbs to raise funds needed for these projects, and

WHEREAS, this effort in behalf of an important and worthy cause merits City-wide attention,

NOW THEREFORE, I, George M. Miller, Mayor of Takoma Park, do hereby proclaim the week of September 9, 1969 as "LIONS CLUB LIGHT BULB WEEK".

There being no further business to come before the Mayor and Council at this time, Councilman Jones moved adjournment. The motion was seconded and duly carried for adjournment at 10:00 p.m.

FINANCIAL STATEMENTOF BANK BALANCESAS OF AUGUST 31, 1969SUBURBAN TRUST COMPANY - GENERAL FUND

Balance as of July 31, 1969	21,646.17	
August receipts	<u>100,065.56</u>	121,711.73
August Disbursements		<u>106,774.55</u>
Balance as of August 31, 1969		<u><u>14,937.18</u></u>

SUBURBAN TRUST COMPANY - PAYROLL ACCOUNT

Balance as of July 31, 1969	13,983.25	
Transfers from General Fund	<u>71,249.65</u>	85,232.90
August Disbursements		<u>72,304.31</u>
Balance as of August 31, 1969		<u><u>12,928.59</u></u>

CITIZENS BANK OF MARYLAND - GENERAL FUND

Balance as of July 31, 1969	139.12	
No Transactions during August	<u>-0-</u>	139.12
Balance as of August 31, 1969		<u><u>139.12</u></u>

AMERICAN NATIONAL BANK - GENERAL FUND

Balance as of July 31, 1969	50,442.21	
No Transactions during August	<u>-0-</u>	50,442.21
Balance as of August 31, 1969		<u><u>50,442.21</u></u>

CITIZENS BANK OF MARYLAND - SPECIAL ASSESSMENTS FUND

Balance as of July 31, 1969	2,943.48	
No Transactions during August	<u>-0-</u>	
Balance as of August 31, 1969		<u><u>2,943.48</u></u>

CITIZENS BANK OF MARYLAND - RECREATION SAVINGS A/C TP-63

Balance as of July 31, 1969	1,435.62	
No Transactions during August	<u>-0-</u>	1,435.62
Balance as of August 31, 1969		<u><u>1,435.62</u></u>

PETTY CASH:

Cash as of August 31, 1969		<u><u>200.00</u></u>
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ORDINANCE NO. 2073

WHEREAS it is the desire of the Mayor and City Council of the City of Takoma Park, Maryland, to sustain and strengthen all statutory provisions enacted to maintain adequate protection of the public health, safety and welfare of residents within the City and to improve as necessary the Ordinances of the City in these respects in accordance with standard practices, AND

WHEREAS it has been found that there exist and may in the future exist within the City of Takoma Park, Maryland, certain premises, dwellings, dwelling units, rooming units, or parts thereof, which, by means of their structure, equipment, sanitation, maintenance, use or occupancy, do affect adversely the public health, (including the physical, mental, and social well-being of persons and families), public safety and general welfare of the people of Takoma Park, Maryland, AND

WHEREAS it has been determined by the Mayor and City Council of Takoma Park, Maryland, to adopt an Ordinance establishing minimum standards governing the condition and maintenance of dwellings, multi-family dwellings and dwelling units; establishing minimum standards governing supplied utilities and facilities and other physical things and conditions essential to make dwellings, multi-family dwellings and dwelling units safe, sanitary and fit for human habitation; establishing minimum standards governing the condition of dwellings, multi-family dwellings and dwelling units offered for rent, fixing certain responsibilities and duties of owners and occupants of dwellings, multi-family dwellings and dwelling units; authorizing the inspection of dwellings and accessory structures and providing for the condemnation of buildings and structures deemed unfit for human habitation and use; establishing responsibilities for enforcement; providing for appeals and fixing the duties and responsibilities thereof; and fixing penalties for violations.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT "The City of Takoma Park, Maryland, Municipal Code (1961)" be amended by the addition of Article 13A to be titled "The Housing Code" and to follow immediately after Article 13, AND

SECTION 2. THAT certain documents, a copy of which shall be maintained on file in the office of the City Clerk of Takoma Park, Maryland, being marked and designated as the "BOCA Basic Housing Code, 1964 Edition",* as published by the Building Officials Conference of America, Inc. be and is hereby adopted as the Housing Code of the City of Takoma Park, Maryland; prescribing minimum standards and requirements for buildings and dwelling units used for human habitation within this City; and each and all of the regulations, provisions, penalties, conditions and terms of the "Basic Housing Code" are hereby referred to, adopted and made a part hereof and to be titled Article 13A "The Housing Code" as if fully set out in this Ordinance, with the additions, insertions and changes, if any, prescribed in further sections of this Ordinance, AND

SECTION 3. THAT conflict with other existing Ordinances or City Codes will be resolved in accordance with the provisions of Sub-section H-111.0 of the Housing Code AND

ORDINANCE NO. 2073

WHEREAS it is the desire of the Mayor and City Council of the City of Takoma Park, Maryland, to sustain and strengthen all statutory provisions enacted to maintain adequate protection of the public health, safety and welfare of residents within the City and to improve as necessary the Ordinances of the City in these respects in accordance with standard practices, AND

WHEREAS it has been found that there exist and may in the future exist within the City of Takoma Park, Maryland, certain premises, dwellings, dwelling units, rooming units, or parts thereof, which, by means of their structure, equipment, sanitation, maintenance, use or occupancy, do affect adversely the public health, (including the physical, mental, and social well-being of persons and families), public safety and general welfare of the people of Takoma Park, Maryland, AND

WHEREAS it has been determined by the Mayor and City Council of Takoma Park, Maryland, to adopt an Ordinance establishing minimum standards governing the condition and maintenance of dwellings, multi-family dwellings and dwelling units; establishing minimum standards governing supplied utilities and facilities and other physical things and conditions essential to make dwellings, multi-family dwellings and dwelling units safe, sanitary and fit for human habitation; establishing minimum standards governing the condition of dwellings, multi-family dwellings and dwelling units offered for rent, fixing certain responsibilities and duties of owners and occupants of dwellings, multi-family dwellings and dwelling units; authorizing the inspection of dwellings and accessory structures and providing for the condemnation of buildings and structures deemed unfit for human habitation and use; establishing responsibilities for enforcement; providing for appeals and fixing the duties and responsibilities thereof; and fixing penalties for violations.

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SECTION 2. THAT certain documents, a copy of which shall be maintained on file in the office of the City Clerk of Takoma Park, Maryland, being marked and designated as the "BOCA Basic Housing Code, 1964 Edition",* as published by the Building Officials Conference of America, Inc. be and is hereby adopted as the Housing Code of the City of Takoma Park, Maryland; prescribing minimum standards and requirements for buildings and dwelling units used for human habitation within this City; and each and all of the regulations, provisions, penalties, conditions and terms of the "Basic Housing Code" are hereby referred to, adopted and made a part hereof and to be titled Article 13A "The Housing Code" as if fully set out in this Ordinance, with the additions, insertions and changes, if any, prescribed in further sections of this Ordinance, AND

SECTION 3. THAT conflict with other existing Ordinances or City Codes will be resolved in accordance with the provisions of Sub-section H-111.0 of the Housing Code, AND

* amended through 1968

SECTION 4. THAT nothing in this Ordinance or in the Housing Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance, AND

SECTION 5. Enforcement.

The Director of Public Works and Inspections is hereby designated the City Official responsible for the enforcement and administration of the Housing Code. The Director of Public Works and Inspections with the approval of the Mayor and Council, shall appoint such number of officials designated as Code Enforcement Officers, and other employees as shall be necessary for the administration of the Housing Code and, further, may designate an employee as his deputy who shall exercise all his powers and responsibilities during his temporary absence or disability. Administration and enforcement of the Housing Code will be coordinated to the maximum extent feasible with other City and County departments, boards, commissions, agencies and the Mayor and City Council in order that corrective actions and resources may be efficiently and effectively applied to the common goal of attainment of improved housing conditions, AND

SECTION 6. Modifications.

The following sections, numbered in accordance with the Basic Housing Code are hereby added, or shall be inserted, deleted or changed, as appropriate, and the provisions herein shall be deemed to supercede the text of the Basic Housing Code in any case wherein the provisions of this Ordinance are interpreted:

SECTION 7. Section H-120.111:(Page 3) A new section numbered H-120.111 is hereby added and reads as follows:

"H-120.111 Fire Safety. The Building Official shall coordinate specifically with the Assistant Fire Marshal in the enforcement of Section H-440 on minimum requirements for fire safety."

SECTION 8. Section H-120.13:(Page 3) A new section numbered H-120.13 is hereby added and reads as follows:

"H-120.13 Conflict of Interest. No officer or employee who has an official duty in connection with the administration and enforcement of this Ordinance shall be financially interested in the furnishing of labor, materials or appliances for the construction, alteration, or maintenance of a building, or in making the plans or specifications therefor, unless he is the owner of such building. No such officer or employee shall engage in any activity which is inconsistent with the public interest and his official duties."

SECTION 9. Section H-120.14:(Page 3) A new section numbered H-120.14 is hereby added and reads as follows:

"H-120.14 Records. The Building Official shall keep, or cause to be kept, a record of the business of the Department. The records of the Department shall be open to public inspection."

SECTION 10. Section H-121.0:(Page 3) The entire Section H-121.0 is hereby amended to read as follows:

"H-121.0 Inspections.

a. Subject to the limitation and conditions as hereinafter stated in this Section, it shall be the duty of the Building Official to make or cause to be made inspections as often as necessary to determine the conditions of dwellings, multi-family dwellings, dwelling units, rooming houses, rooming units, and premises in order to safeguard the safety, morals and welfare of the public under the provisions of this code. Such inspections shall be made in response to citizen or official complaints or other reliable information or allegations of existing violations of this Code. Further, inspections of dwellings, dwelling units, rooming houses, rooming units and premises shall be made on a systematic basis (house-by-house, block-by-block) during daylight hours, only, in areas, communities, or neighborhoods when it is determined by the Building Official that such action is necessary to properly apply and enforce the provisions of this Code.

b. The following limitations and conditions shall be observed by the Building Official in the performance of such duties as said, requiring entry and access:

(1) Proof of credentials and identity shall be exhibited to the occupant or person in charge, stating the purpose for which entry is requested. If permission is granted, the inspection or other authorized activity shall be conducted in the normal manner.

(2) Permission need not be obtained for entry to spaces and areas to which the public is ordinarily invited.

(3) If entry is denied, or access to interior, non-public areas is restricted so as to limit or impair a housing inspection or other authorized function, then, and in that event, no forced entry shall be attempted or made. Instead, application shall be made to a judicial officer for a warrant authorizing entry and the performance of such inspection or other authorized function.

(4) Notwithstanding the foregoing, all licensing, registration and permit inspections authorized and required by this Code shall be processed without the necessity for obtaining permission or obtaining a judicial warrant authorizing entry; failure to allow entry for such inspections shall constitute sufficient reason for the denial or revocation of the license or permit involved."

SECTION 11. Section H-140.0:(Page 6) The first, full paragraph of Section H-140.0 is hereby amended to read as follows:

"H-140.0 Violations. Notice of Violation shall be served upon the owner or occupant (as defined in Article 2); provided that such notice shall be deemed to be properly served upon such owner or occupant if a copy thereof is delivered to him personally, or if not found, by leaving a copy thereof at his usual place of abode with a person of suitable age and discretion who shall be informed of the contents thereof, or by sending a copy thereof by mail to his last known address, or if the notice is returned showing that it has not yet been delivered to him, by posting a copy thereof in a conspicuous place in or about the dwelling affected by the notice."

SECTION 12. Section H-140.11:(Page 6) A new Section numbered H-140.11 is hereby added and reads as follows:

"H-140.11 Second Notice. At the end of the period of time allowed for the correction of any violation alleged, the Building Official shall reinspect the dwelling, dwelling unit or rooming unit described in the notice. If upon reinspection of violations alleged, they are determined by the Building Official not to have been corrected, he shall issue a second notice of violation which shall constitute an order requiring that the then existing failures to meet the requirements of this Ordinance or of applicable existing rules or regulations issued pursuant thereto, shall be corrected within a reasonable time allowed, but not to exceed sixty (60) days after the date of such reinspection. The Building Official shall cause a copy of the second notice to be posted in a conspicuous place in or about the dwelling, dwelling unit, or rooming unit where the violations are alleged to exist, and shall serve it in the manner provided in Section H-140.0."

SECTION 13. Section H-140.12:(Page 6) A new Section numbered H-140.12 is hereby added and reads as follows:

"H-140.12 Transfer of Liability. The Building Official, after the expiration of the time granted the person served with such second notice to appeal the notice in the manner hereinafter provided by this Ordinance, or after a final decision adverse to such person served has been rendered, shall cause the second notice to be recorded in the tax records to be maintained by the City Clerk. All subsequent transferees of the dwelling, dwelling unit or rooming unit in connection with which a second notice has been so recorded shall be deemed to have notice of the continuing existence of the violations alleged and shall be liable to all penalties and procedures provided by this Ordinance and by applicable rules and regulations issued pursuant thereto to the same degree as was their transferor."

SECTION 14. Section H-140.3:(Page 6) The entire Section is hereby amended to read as follows:

"H-140.3 Penalty for Violations. Every person, firm or corporation who shall violate any provision of the Housing Code shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty dollars (\$20.00) nor more than one hundred dollars (\$100.00) or by imprisonment from one (1) to ninety (90) days or both such fine and imprisonment. Each day that a violation continues after due notice has been served in accordance with the terms and provisions hereof, shall be deemed a separate offense. The application of the foregoing penalty shall not preclude application to a court of equity for appropriate injunctive relief."

SECTION 15. Section H-141.1:(Page 7) A new Section numbered H-141.1 is hereby added and reads as follows:

"H-141.1 Hardships. When the literal application of the requirements of this Code would cause undue hardship, an exception may be granted by the Building Official upon written application therefor. Such application shall state the reasons therefor. Such exception shall be made in writing and only when it is clearly evident that reasonable safety and sanitary conditions are assured and such exception shall be conditioned in such a manner to achieve those ends."

Section H-141.1, continued:

In granting an exception the Building Official may specify conditions and restrictions not generally specified by this Ordinance and Code. Exceptions granted in accordance with this Section shall be reviewed by the Mayor and City Council."

SECTION 16. Section H-141.2:(Page 7) A new Section numbered H-141.2 is hereby added and reads as follows:

"H-141.2 Appeals by Owner or Occupant. Whenever it is claimed that the true intent and meaning of the Housing Code have been misconstrued or wrongly interpreted, the owner or occupants or his duly authorized agent, may appeal from the decision of the Code Enforcement Officer to the Mayor and Council of the City of Takoma Park, Maryland. Notice of such appeal shall be in writing and filed within thirty (30) days after the decision is rendered by the Code Enforcement Officer. In case of a structure or dwelling unit which, in the opinion of the Code Enforcement Officer is unsafe or dangerous, the Code Enforcement Officer may in his order, limit the time for such appeal to a shorter period. Appeals hereunder shall be on forms provided by the Code Enforcement Officer and shall be filed with the Code Enforcement Officer who will notify the appellant in writing of the time and place set for the Hearing."

SECTION 17. Section H-141.3:(Page 7) A new Section numbered H-141.3 is hereby added and reads as follows:

"H-141.3 Decisions of the Mayor and Council. The Mayor and Council of the City of Takoma Park when so appealed to and after a hearing, may vary the application of any provision of the Housing Code to any particular case when, in their opinion, the enforcement thereof would do manifest injustice, and/or would be contrary to the spirit and purpose of the Code or the public interest, or when, in their opinion the interpretation of the Code Enforcement Officer should be modified or reversed. A decision to vary the application of any provision of the Code or to modify an order of the Code Enforcement Officer shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor. Every decision of the Mayor and Council of the City of Takoma Park, Maryland, shall be final, subject, however, to such remedies as any aggrieved party might have at law or equity. It shall be in writing, and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Code Enforcement Officer and shall be open to public inspection; a certified copy shall be sent by mail or otherwise delivered to the appellant."

SECTION 18. Section H-210.0: (Pages 8,9,10) APPLIED MEANING OF WORDS AND TERMS as contained in the BCCA Basic Housing Code shall remain in full force and effect with the following additions, deletions and amendments:

1. Dwelling: ADD to read as follows: "Any building which is wholly or in part used or intended to be used for living or sleeping by human occupants."
2. Dwellings:
 - a.) One-family dwelling: AMEND to read as follows: "A building containing one dwelling unit."
 - b.) Two-family dwelling: DELETE definition in its entirety:
 - c.) Multi-family - apartment house: AMEND to read as follows: "Any building occupied at any time during the calendar year as the dwelling place of more than one (1) family unit, each of which occupies a portion of such building, which portion contains either a kitchen sink or cooking accomodations or both."
 - d.) Boarding house, lodging house, tourist home: AMEND to read as follows: "A building arranged or used for lodging with or without meals for more than two (2) and no more than nine (9) individuals."
 - e.) Dormitory: AMEND to read as follows: "A building or portion thereof used for sleeping purposes in connection with a school, college, or other institution."
 - f.) Hotel: AMEND to read as follows: "Any building containing guest rooms, where, for compensation, lodging, meals, or both are provided for ten or more guests."
3. Motel: AMEND to read as follows: "Any group of dwelling units combined or separate, used for the purpose of housing transient guests, each unit of which is provided with its own toilet, wash room and off-street parking facilities."
4. Residence Building: AMEND to read as follows: "A building in which sleeping accomodations and cooking facilities as a unit are provided; except when classified as an institution under the building code. When any portion thereof is completely separated from all other portions by a division wall from the ground up to the roof and without any door or other openings, such portion shall be deemed a separate building."
5. Rooming House: AMEND to read as follows: "Any building occupied for more than thirty (30) days consecutively during any calendar year as the dwelling place of three (3) or more persons not included in the family of the owner or lessee of such building, and in which the owner or lessee provides common or separate services, but not including cooking and/or eating facilities."

Section 19. Section H-310.5:(Page 11) The entire Section H-310.5 is hereby amended to read as follows:

"H-310.5 Accessory Structures. All accessory structures on dwelling premises such as, but not limited to, the following: detached garages, storage sheds or buildings, driveways, exterior walkways and steps, fences, or other constructed appurtenances and facilities, shall be maintained structurally safe and sound and in good repair. Exterior steps and walkways shall be maintained free of unsafe obstructions or hazardous conditions."

SECTION 20. Section H-310.51:(Page 11) A new Section numbered H-310.51 is hereby added and reads as follows:

"H-310.51 Preservation. The exterior surfaces of such structures shall be made weather resistant through the use of decay-resistant materials or the use of paint or other preservatives. In the case of paved parking areas associated with multi-family dwellings or commercial establishments, painted separation lines and suitable car stops to protect adjacent structures and property will be provided and maintained by the owner."

SECTION 21. Section H-321.2:(Page 12) The entire Section H-321.2 is hereby amended to read as follows:

"H-321.2 Exterior Walls and Exposed Surfaces. Every exterior wall and weather-exposed exterior surface or appurtenance shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls or the occupied spaces of the building. All exterior wood surfaces shall be made substantially impervious to the adverse affects of weather by periodic application of an approved protective coating of weather-resistant preservative, and maintained in good condition. Exterior metal surfaces subject to rust or corrosion shall likewise be protected."

SECTION 22. Section H-323.4:(Page 12) The entire section is hereby amended to read as follows:

"H-323.4 Door Hardware. Entrance doors to every apartment dwelling unit shall be provided with approved locking devices so as to provide security against unauthorized entry. Said locking devices on main entrance doors must include a deadbolt with not less than 5/8" minimum throw, with the deadbolt capable of being activated by key from the outside and by turn knob from the inside. Door locks and the manner of installation shall be subject to the specific approval of the Building Official. Every exterior door, door hinge, door lock and door latch shall be maintained in functional condition. The requirements of this section apply to all existing apartment dwelling units and apartment dwelling units hereafter constructed in the City."

SECTION 23. Section H-324.21:(Page 13) A new section numbered H-324.21 is hereby added and reads as follows:

"H-324.21 Maintenance of Screens. In the absence of a written agreement to the contrary between the owner and occupant, maintenance or replacement of screens and screen doors, once installed in any one season, shall become the responsibility of the occupant."

SECTION 24. Section H-337.0:(Page 14) A new Section numbered H-337.0 is hereby added and reads as follows:

"H-337.0 Interior Walls, Floors and Ceilings. Every interior wall, floor and ceiling shall be maintained in a clean and sanitary, safe and structurally sound condition, free of holes and cracks, loose plaster and wallpaper, flaking or scaling paint, and shall be substantially insect and rodent proof. When paint is applied to the interior surfaces of habitable spaces, it must be lead free."

SECTION 25. Section H-401.5:(Page 15) A new Section numbered H-401.5 is hereby added and reads as follows:

"H-401.5 Cooking Facilities. Every dwelling unit shall contain cooking and baking facilities for the purpose of preparation of food and such facilities shall be properly installed and operated and kept in a clean and sanitary condition."

SECTION 26. Section H-401.6:(Page 15) A new Section numbered H-406.6 is hereby added and reads as follows:

"H-401.6 Refrigeration for Food Preservation. Every dwelling unit shall contain a refrigeration unit adequate for the temporary preservation of perishable foods. Such unit shall be capable of maintaining an average temperature below 45° fahrenheit, shall be properly installed and operated, and kept in a clean and sanitary condition."

SECTION 27. Section H-401.7:(Page 15) A new Section numbered H-401.7 is hereby added and reads as follows:

"H-401.7 Cabinets and/or Shelves. Every dwelling unit shall contain cabinets and/or shelves for the storage of eating, cooking and drinking equipment and utensils and of food that does not under ordinary summer conditions require refrigeration for safe-keeping; and a counter or table for food preparation; said cabinets and/or shelves and counter or table shall be adequate for the permissible occupancy of the dwelling unit and shall be of sound construction furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food."

SECTION 28. Section H-404.1:(Page 16) A new Section numbered H-404.1 is hereby added and reads as follows:

"H-404.1 Containers. Every owner of a dwelling containing three (3) or more dwelling units shall supply containers or facilities for the sanitary and safe storage and/or disposal of rubbish. In the case of single or two-family dwellings, it shall be the responsibility of the occupant to furnish such facilities or containers."

SECTION 29. Section H-405.1:(Page 16) A new Section numbered H-405.1 is hereby added and reads as follows:

"H-405.1 Containers. Every owner of a dwelling containing three (3) or more dwelling units shall supply containers or facilities for the sanitary and safe storage and/or disposal of garbage. In the case of single or two-family dwelling, it shall be the responsibility of the occupant to furnish such facilities or containers."

SECTION 30. Section H-406.0:(Page 16) A new Section numbered H-406.0 is hereby added and reads as follows:

"H-406.0 Drug and Poison Storage. Each dwelling unit shall have a suitable facility for the safe storage of drugs and household poisons."

SECTION 31. Section H-442.0:(Page 19) Section H-442.0 is hereby amended to read as follows:

"H-442.0 Cooking and Heating Equipment. All cooking and heating equipment, components, and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions, and kept functioning properly so as to be free from fire, health, and accident hazards. All installations and repairs shall be made in accordance with the provisions of the building code, or other laws or ordinances of the municipality applicable thereto. Portable cooking and heating equipment employing flame are prohibited!"

SECTION 32. Section H-504.0:(Page 20) The entire section H-504.0 is hereby amended to read as follows:

"H-504.0 Use and Operation of Supplied Plumbing Fixtures and Basic Facilities. Every occupant of a dwelling unit shall keep all supplied basic facilities, including plumbing fixtures, cooking and refrigeration equipment, electrical fixtures, in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in their proper use and operation."

SECTION 33. Section H-505.0:(Page 20) The entire section H-505.0 is hereby amended to read as follows:

"H-505.0 Installation and Care of Plumbing Fixtures and Other Basic Facilities by Occupant. Every plumbing or electrical fixture or other basic facilities furnished by the occupant of a dwelling unit shall be properly installed and operated and shall be maintained in good working condition, kept clean and sanitary, and free of defects, leaks or obstructions."

SECTION 34. Section H-506.0:(Page 20) A new section numbered H-506.0 is hereby added and reads as follows:

"H-506.0 Care of Facilities, Equipment, and Structure. Except for impairment owing to normal deterioration, use and wear, any occupant who shall willfully destroy, deface, or impair any of the facilities, equipment, or any part of the structure of a dwelling unit, or dwelling shall be guilty of a misdemeanor and subject to the penalties of this Code."

SECTION 35. Section H-507.0:(Page 20) A new section numbered H-507.0 is hereby added and reads as follows:

"H-507.0 Care of Premises. It shall be unlawful for the owner or occupant of a structure used for human habitation to utilize or allow to be utilized the premises of such residential property in whole or in part for the open storage of any motor vehicle for a period in excess of one (1) month when such vehicle is in a state of disrepair; that is, incapable of being moved under its own automotive power, and is more than five (5) years old based on its year of manufacture. The open storage for any period of time on residential property of any ice box, refrigerator, stove, glass, building materials, building

Section H-507.0, continued

rubbish or refuse, furniture or similar items or materials is also prohibited, irrespective of age or condition. It is the duty of the owner or occupant to maintain the outside premises of residential property free of all such listed items, including but not limited to weeds, dead trees, trash, garbage and the like, and to remove such items from their prohibited location upon notice from the Building Official."

SECTION 36. Section H-508.0:(Page 20) A new section numbered H-508.0 is hereby added and reads as follows:

"H-508.0 Utilities. No owner, operator, or occupant shall willfully cause any service, equipment, or utility, as required by this Code to be removed, shut-off or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are being made, or during other temporary emergencies."

SECTION 37. Section H-509.0:(Page 20) A new section numbered H-509.0 is hereby added and reads as follows:

"H-509.0 Transfer of Responsibility. A contract, lease or other agreement effective as between owner and operator, operator and occupant, or owner and occupant, with regard to matters covered hereunder shall not relieve any party of his direct responsibility under provisions of this Code."

SECTION 38. Section H-510.1:(Page 20) A new section numbered H-510.1 is hereby added and reads as follows:

"H-510.1 Registration. The owner or lessee of a rental dwelling, every rooming house, and of every multiple family dwelling located in the City shall, in person or by agent, on or before the first day on which the building is used for rental purposes, file with the City Clerk an application for registration of the rental dwelling, rooming house or multiple family dwelling, in accordance with Article 14 of the Municipal Code (1961) as amended."

SECTION 39. This Ordinance and the Housing Code for the City of Takoma Park, Maryland, will become effective on October 1, 1969.

THE ABOVE ORDINANCE NO. 2073 IS HEREBY CERTIFIED TO BE A TRUE AND CORRECT COPY AS ADOPTED BY THE MAYOR AND CITY COUNCIL OF TAKOMA PARK, MARYLAND ON 8 SEPTEMBER 1969.

BARRY S. LEVINE DEPUTY CITY CLERK +