

Mayor and Council Executive Session, Work Session and Special Session (39th Voting Session) June 2, 2026 Agenda

"The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe, and vibrant neighborhoods."

"The City of Hagerstown shall be a community focused municipality"

**The agenda and meeting packet is available at
www.hagerstownmd.org/government/agenda**

"No act of kindness, no matter how small, is ever wasted" ~ Aesop

EXECUTIVE SESSION

3:30 PM 1. The Mayor and Council will meet in Open Session only for the purpose of voting to close its meeting to discuss matters that the Open Meetings Act permits it to discuss in Executive/Closed Session

3:30 PM 2. EXECUTIVE SESSION

4:00 PM WORK SESSION

4:00 PM 1. Amendments to Forest Conservation Ordinance - Valerie Feinberg, Senior Planner

4:15 PM 2. CDBG FY 2027 Annual Action Plan - Margi Joe, Community Development Manager and Letizia Turner, Planning & Outreach Coordinator

4:30 PM 3. Revisions to the Quit Claim Policy – Jim Bender, City Engineer

4:45 PM 4. Edgemont Reservoir Rehabilitation Project Update - Nancy Hausrath, Director of Utilities

5:05 PM 5. Invest Hagerstown Program FY27 Funding Levels -- Chris Siemerling, Economic Development Specialist

5:15 PM 6. Hagerstown Youth Council Annual Update – Rachel Paul, Youth Council Supervisor

5:30 PM 7. International Brotherhood of Electrical Workers (IBEW) Union Contract – Don Francis, Director of Human Resources

SPECIAL SESSION

5:40 PM 1. SPECIAL SESSION (39th Voting Session) – Council Chamber, 2nd floor, City Hall

5:40 PM 2. Approval of the International Brotherhood of Electrical Workers (IBEW) Union Contract

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

"No act of kindness, no matter how small, is ever wasted" ~ Aesop

Mayor and City Council Action Required:

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Financial Impact:

Recommendation:

Motion:

Action Dates:

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HAGERSTOWN, MARYLAND**

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Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

EXECUTIVE SESSION

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

June_2__2026_Executive_Session.pdf

Description

Executive Session Agenda



**MAYOR AND CITY COUNCIL
EXECUTIVE SESSION
JUNE 2, 2026
AGENDA**

Vision Statement:

The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe and vibrant neighborhoods.”

Mission Statement:

“The City of Hagerstown shall be a community focused municipality.”

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

3:30 p.m. EXECUTIVE SESSION

- I. To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; (#1)

** Appointments: Board of Code Appeals
Historic District Commission*

** Various Personnel Matters*

***AUTHORITY: Annotated Code of Maryland, General Provisions Article: Section 3-305(b)
(Subsection is noted in parentheses)**

CITY OF HAGERSTOWN, MARYLAND

PUBLIC BODY : Mayor & City Council

DATE : June 2, 2026

PLACE : Council Chamber, 2nd floor, City Hall

TIME : 3:30 p.m.

AUTHORITY : ANNOTATED CODE OF MARYLAND, GENERAL PROVISIONS ARTICLE: Section 3-305 (b) :

- 1. To discuss:
 - (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
 - (ii) any other personnel matter that affects one or more specific individuals;
- 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- 3. To consider the acquisition of real property for a public purpose and matters directly related thereto;
- 4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- 5. To consider the investment of public funds;
- 6. To consider the marketing of public securities;
- 7. To consult with counsel to obtain legal advice;
- 8. To consult with staff, consultants, or other individuals about pending or potential litigation;
- 9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- 10. To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans;
- 11. To prepare, administer or grade a scholastic, licensing, or qualifying examination;
- 12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct; or
- 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- 14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation 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.
- 15. Administrative Function

EXECUTIVE SESSION AGENDA

City Hall • Council Chamber • 1 East Franklin Street • Hagerstown, MD 21740
301.739.8577, Ext. 113 • Telephone for the Hearing Impaired 301.797.6617

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Amendments to Forest Conservation Ordinance - *Valerie Feinberg, Senior Planner*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Forest_Consevation_Amendement_Packet_MCC.pdf

Description

Amendments to Forest
Conservation Ordinance



MEMORANDUM

TO: Scott Nicewarner, City Manager

FROM: Valerie Feinberg, AICP, Senior Planner

SUBJECT: 2026 Forest Conservation Ordinance Annual Update

DATE: May 28, 2026

Staff will attend the June 2, 2026, Mayor and City Council workshop to brief the body on the pending Forest Conservation Ordinance amendments necessitated by state law. The Planning Commission is forwarding you recommended changes after conducting a public review meeting on May 27, 2026.

The State of Maryland amended the Forest Conservation Act (FCA), particularly following the adoption of the 2023 "Forest Preservation and Retention" legislation (SB 526 / HB 723) and the follow-up 2024 legislation (HB 1511).

This packet includes amendments to Articles 3 and 7 (the Forest Conservation Ordinance) required by state law. The Mayor and City Council will conduct a public hearing on June 23, 2026, and then introduce the ordinance to amend the code that evening,

Attachment

LAND MANAGEMENT CODE TEXT AMENDMENT PROPOSAL

Number: 2026-27	Is this a new issue or one previously discussed?	New
Version: 1	Is this new text proposed since last discussion in need of initial review?	No
Released to Planning Commission Public Review Meeting	Is this revised text in need of confirmation that it conforms to prior editorial direction?	No
Summary: Adjustments to forest conservation ordinance		
Justification: Codifying certain changes in the state code so that the city's ordinance matches state code.		

Existing text to be removed is in ~~strikeout~~. New text to be added is **red**. Staff directions are **blue**.

This packet includes Article 7, the Forest Conservation Ordinance in its entirety for context. However not all sections of the ordinance have changes. **The pagination and formatting may have inconsistencies.** Changes to Definitions found in Article 3 of the Land Management Code that pertain to Forest Conservation are included as an attachment to this packet.

The State of Maryland is requiring local governments to substantially strengthen and modernize their local Forest Conservation Ordinances under the Maryland Forest Conservation Act (FCA), particularly following the adoption of the 2023 “Forest Preservation and Retention” legislation (SB 526 / HB 723) and the follow-up 2024 legislation (HB 1511).

This means local codes must now be revised to align with updated State standards and Maryland DNR model ordinance requirements.

ARTICLE 7
Forest Conservation Ordinance
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A. General Provisions.

1. **Title.**

This Article shall be known as the Forest Conservation Ordinance of the City of Hagerstown.

2. **Definitions.**

Article 3 of the Land Management Code shall govern all definitions as they apply to this Article.
[Changes, additions and deletions to definitions are included as an attachment to this packet](#)

3. **Application, Exemption, Declaration of Intent and Consideration of Non-City Forest Conservation Plans Affecting Lands Within City Jurisdiction.**

Except as provided in Subsection A.3.b of this Article, this Article applies to:

a. **Application.** A regulated activity as defined in Article 3 of this Code.

b. **Exemptions.** This Article does not apply to:

(1) Highway construction activities under Natural Resources Article, Section 5-103, Annotated Code of Maryland.

(2) Commercial logging and timber harvesting operations, including harvesting conducted subject to the forest conservation and management program under Tax-Property Article, Subsections 8-211, Annotated Code of Maryland, that are completed:

a. before July 1, 1991; or

b. after July 1, 1991, on property ~~which~~ **that is not the subject of an application for a grading permit for development within five years after the logging or harvesting operation. However, after this 5-year period, the property shall be subject to this subtitle**

~~(i) has not been the subject of application for a grading permit for development within five (5) years after the logging or harvesting operation, and~~

~~(ii) is the subject of a declaration of intent as provided for in Subsection A.3.c of this Article, approved by the Planning and Code Administration Department.~~

(3) **Any** ~~Agricultural activities not resulting in~~ **activity that does not result in** a change in land use category, including agricultural support buildings and other related structures built using accepted best management practices, except that a person engaging in an agricultural activity clearing 40,000 square feet or greater of forest within a one- (1) year period, may not receive an agricultural exemption, unless the person files a declaration of intent as provided for in Subsection A.3.c of this Article which includes:

- a. a statement that the landowner or landowner's agent will practice agriculture on that portion of the property for five (5) years from the date of the declaration; and
 - b. a sketch map of the property which shows the area to be cleared.
- (4) The cutting or clearing of public utility rights-of-way **for electric generating stations** licensed under Sections **7-204, 7-205, 7-207 or 7-208 of the Public Utilities Article, provided that:** ~~licensed under Sections 1-101 and 2-101, et seq. Of the Public Utilities Companies Article of the Annotated Code of Maryland if:~~
- a. **Any** required certificates of public convenience and necessity have been issued in accordance with Natural Resources Article, §5-1603(f), Annotated Code of Maryland; and
 - b. **The** cutting or clearing of the forest is conducted to minimize the loss of forest.
- (5) **Any r** Routine maintenance or emergency repairs of public utility rights-of-way licensed under Sections 1-101 and 2-101, et seq. of the Public Utilities Companies Article of the Annotated Code of Maryland
- (6) Except for a public utility subject to Subsection A.3.b.6 of this Article, routine maintenance or emergency repairs of a public utility right-of-way if:
- a. the right-of-way existed before the effective date of this ordinance; or
 - b. the right-of-way's initial construction was approved under this ordinance.
- (7) **Any Residential** construction activity that is constructed on a single lot of any size or a linear project ~~if the activity~~ **provided that:**
- a. **The activity** does not result in the cumulative cutting, clearing, or grading of more than 20,000 square feet of forest;
 - b. **The activity on the lot or linear project will not result in the cutting, clearing or grading of any forest that is subject to the requirements of a previous forest conservation plan prepared under this subtitle. does not result in the cutting, clearing, or grading of a forest that is subject to the requirements of a previous forest conservation plan approved under this ordinance; and**
 - e. ~~is the subject of a declaration of intent filed with the Planning and Code Administration Department, as provided for in Subsection A.3.c of this Article, stating that the lot will not be the subject of a regulated activity within five (5) years of the cutting, clearing, or grading of forest.~~
- (8) **Any s**Strip or deep mining of coal regulated under **Title 15, Subtitle 5 or Subtitle 6 of the Environment Article and any** ~~Natural Resources Article, Title 7,~~

~~Subtitle 5 or 5A, Annotated Code of Maryland non-coal surface mining regulated under Title 15, Subtitle 8 of the Environment Article Natural Resources Article, Title 7, Subtitle 6A, Annotated Code of Maryland. Combined 8 and 9~~

- (9) Any activity required for the purpose of constructing a dwelling house intended for the use of the owner, or a child of the owner, if the activity does not result in the cutting, clearing, or grading of more than ~~40,000~~ 20,000 square feet of forest.
 - a. is the subject of a declaration of intent filed with the ~~Planning and Code Administration~~ Department, as provided for in Subsection A.3.c of this Article, which states that transfer of ownership may result in a loss of exemption.
- (10) A preliminary plan of subdivision or a grading or sediment control plan approved before July 1, 1991.
- (11) A planned unit development that, by December 31, 1991, has:
 - a. met all requirements for planned unit development approval; and
 - b. obtained initial development plan approval by the City of Hagerstown.
- (12) A real estate transfer to provide a security, leasehold, or other legal or equitable interest, including a transfer of title, of a portion of a lot or parcel, if:
 - a. the transfer does not involve a change in land use, or new development or redevelopment, with associated land disturbing activities; and
 - ~~b.~~ both the grantor and grantee file a declaration of intent, as provided for in Subsection A.3.c of this Article.
- (13) An activity on a previously developed area covered by impervious surface and located in the Priority Funding Area.
- (11) **Renumbered was 15** A stream restoration project, as described in Article 3 of this Land Management Code, for which the applicant for a grading or sediment control permit has executed a binding maintenance agreement of at least five (5) years with the affected property owner or owners, or
- (12) **Renumbered was 16** Maintenance or retrofitting of a storm water management structure that may include clearing of vegetation or removal and trimming of trees, so long as the maintenance or retrofitting is within the original limits of the disturbance for construction of the existing structure, or within any maintenance easement for access to the structure.
- (13) **Forest management.**
- (14) **Transit-oriented development, as defined under Subsection 7-101 of the**

Transportation Article, provided that the area of forest removed shall be:

- (a) Reforested at a ratio of at least 1/4 acre replanted for each acre removed; or
 - (b) Mitigated in a manner in which 1/2 acre of forest is permanently protected for each acre removed.
- (15) The construction of a new federal government facility projected to house the employment of at least 2,500 persons.
- (16) The construction of multifamily housing, consisting of a single structure containing at least 25 dwelling units, provided that the area of forest removed shall be:
- (a) Reforested at a ratio of at least 1/4 acre replanted for each acre removed; or
 - (b) Mitigated in a manner in which 1/2 acre of forest is permanently protected for each acre removed.

c. Declaration of Intent.

- (1) The purpose of the declaration of intent is to verify that the proposed activity is exempt under this Article.
- (2) A person seeking an exemption under Subsections 2, 3, 7, 10, or 13 of Subsection A.3.b above, shall file a declaration of intent with the Planning and Code Administration Department.
- (3) The existence of a declaration of intent does not preclude:
 - a. an exempted activity on the property subject to a declaration of intent, if the activity:
 - (i) does not conflict with the purpose of any existing declaration of intent, and
 - (ii) complies with the applicable requirements for an exempted activity;
 - b. a regulated activity on the area covered by the declaration of intent, if the activity occurs within five (5) years of the effective date of the declaration of intent, in which case:
 - (i) there shall be an immediate loss of exemption, or
 - (ii) there may be a noncompliance action taken by the ~~Planning and Code Administration Department~~ **the Department** as appropriate, under this Article; or
 - c. a regulated activity on that area of the property not covered under the declaration of intent if the requirements of this Article are satisfied.

- (4) ~~The Planning and Code Administration Department~~ **The Department** may require a person failing to file a declaration of intent or found in noncompliance with a declaration of intent to:
 - a. meet the retention, afforestation and reforestation requirements established in this Article;
 - b. pay a noncompliance fee of \$0.50 per square foot of forest cut or cleared under the declaration of intent;
 - c. be subject to other enforcement actions appropriate under this Article; or
 - d. file a declaration of intent with the Planning and Code Administration Department.
- (5) In its determination of appropriate enforcement action, the ~~Planning and Code Administration Department~~ **the Department** may consider whether failure to file a declaration of intent by a person required to file is a knowing violation of this Article.
- (6) The declaration of intent is effective for five (5) years from date of Planning Commission approval and shall be recorded immediately among the land records of Washington County.

d. **Consideration of Non-City Forest Conservation Plans Affecting Lands Within City Jurisdiction.**

- (1) When a development that is outside of the City is proposed to include dedication of lands within the corporate limits of the City of Hagerstown for forest conservation retention or reforestation, the plan shall be submitted to the Hagerstown Planning Commission for review and approval. The Planning Commission may reject the proposal if it finds that the proposal will interfere with the logical development of the balance of the property or surrounding lands, will not be the highest and best use of land, will be inconsistent with the policies and goals of the Hagerstown Comprehensive Plan, or it will remove from potential development lands the City views as valuable for economic development purposes. The Planning Commission may solicit the comments and opinions of adjacent property owners, the Department of Community and Economic Development and any other agency or organization the Commission identifies as having potential pertinent views on the proposal. Should the Commission approve such a plan, it may impose conditions necessary to protect the public interest from the City's perspective.
- (2) Should the County or State propose a public works project that will impact a property that is subject to a City-approved forest conservation plan, the new plan shall be submitted to the Hagerstown Planning Commission for review and approval. The plan shall contain proposals to offset any forest conservation measures lost by the proposal. Should the Planning Commission approve the

proposal, the forest conservation plan file for the subject property shall be updated to reflect the approved change.

B. General Requirements.

1. **General.** A person making application after the effective date of this Article, for a regulated activity shall:
 - a. Submit to the ~~Planning and Code Administration~~ Department a forest stand delineation and a forest conservation plan for the lot or parcel on which the development is located; and
 - b. Use methods approved by the City of Hagerstown, as provided in the ~~City of Hagerstown~~ **2024 State Forest Conservation Technical Manual (as amended)**, to protect retained forests and trees during construction.

2. **Government Agency or Funding.** If a local agency or person using state funds makes application to conduct a regulated activity, the provisions of COMAR 08.19.04.01D-G apply.
 - a. The plans for the regulated activity shall be submitted to the ~~Planning and Code Administration~~ Department; and
 - b. The ~~Planning and Code Administration~~ Department shall notify the Department of Natural Resources within 15 days of receipt of this plan or application.
 - c. Within 15 days of receipt of notice from the local authority, the Department of Natural Resources shall:
 - (1) determine whether the regulated activity has impact on significant forest resources; and
 - (2) notify the local authority whether the regulated activity is subject to the state program.
 - d. If the Department of Natural Resources determines that the regulated activity is subject to the state program, the:
 - (1) time limit for approval of the forest stand delineation and preliminary and final forest conservation plans shall begin when the Department of Natural Resources receives the necessary documents from the local authority; and
 - (2) local authority may not approve a regulated activity until the local authority receives notice from the Department of Natural Resources that the standards and requirements of the state program have been satisfied.
 - e. If the Department of Natural Resources determines the regulated activity need not be reviewed under the state program, the time limit from approval of the forest stand delineation and forest conservation plan under the local program begins when the local authority receives notice from the Department of Natural Resources.

C. Forest Stand Delineation.

1. Criteria.

- a. **When Submitted.** A forest stand delineation shall be submitted before subdivision development plan or site plan approval, and before the issuance of any grading permit, sediment control plan approval or any other permit is issued for a regulated activity.
- b. **Qualified Professional.** The delineation shall be prepared by a licensed forester, licensed landscape architect, or a qualified professional, as specified in COMAR 08.19.06.01A.
- c. **Components.** The delineation shall be used during the preliminary review process to determine the most suitable and practical areas for forest conservation and shall be considered complete if it includes the following components:
 - (1) a topographic map delineating intermittent and perennial streams, and steep slopes over 25%;
 - (2) a soils map delineating soils with structural limitations, hydric soils, or soils with a soil K value greater than 0.35 on slopes of 15% or more;
 - (3) forest stand maps indicating species, location, and size of trees and showing dominant and codominant forest types;
 - (4) location of 100-year floodplains;
 - (5) information required by the **2024 State Forest Conservation Technical Manual (as amended)**, ~~City of Hagerstown Forest Conservation Technical Manual~~; and
 - (6) other information the City of Hagerstown determines is necessary to implement this Article.
- d. **Simplified Delineation.** If approved by the ~~Planning and Code Administration~~ Department, a simplified forest stand delineation may be submitted for an area:
 - (1) when no forest cover is disturbed during a regulated activity; or
 - (2) all forest on the site is designated to be under a long-term protective agreement.
- e. **Components of Simplified Delineation.** A simplified forest stand delineation shall be considered complete if it includes:
 - (1) all requirements under Subsection C.1.c (1), (2), (4), (5) and (6) of this Article (above);
 - (2) a map showing existing forest cover as verified by field inspection by City of Hagerstown personnel; and

- (3) other information required by this Article.
- f. **Expiration of Plan.** An approved forest stand delineation may remain in effect for a period not longer than five (5) years from the date of approval by the ~~Planning and Code Administration~~ Department.
- g. **Time for Submittal.**
 - (1) Within 30 calendar days after receipt of the complete forest stand delineation, the ~~Planning and Code Administration~~ Department shall notify the applicant whether the forest stand delineation is complete and correct.
 - (2) If the ~~Planning and Code Administration~~ Department fails to notify the applicant within 30 days, the delineation shall be treated as complete and correct.
 - (3) The ~~Planning and Code Administration~~ Department may require further information or provide for an additional 15 calendar days under extenuating circumstances.
 - (4) The 30-day review period may be extended in 15-day increments by the ~~Planning and Code Administration~~ Department upon appropriate notification of the applicant.

D. Forest Conservation Plan.

1. General Provisions.

- a. **Priorities.** In developing a forest conservation plan, the applicant shall give priority to techniques for retaining existing forest on the site.
- b. **Plan Strategy.** Except when using the Express Procedures described in Section E if existing forest on the site subject to a forest conservation plan cannot be retained, the applicant shall demonstrate to the satisfaction of the Planning Commission:
 - (1) how techniques for forest retention have been exhausted;
 - (2) why the priority forests and priority areas specified in Subsection F.2 of this Article cannot be left in an undisturbed condition;
 - (a) if priority forests and priority areas cannot be left undisturbed, how the sequence for afforestation or reforestation will be followed in compliance with Section H of this Article; and
 - (b) where on the site in priority areas afforestation or reforestation will occur in compliance with Section H of this Article.
 - (3) How the disturbance to the priority forests and priority areas as specified in Subsection F.2 of this Article qualifies for a variance.
- c. **Fee Contribution.** Except when using the Express Procedures as described in Section E, the applicant shall demonstrate to the satisfaction of the Planning Commission that the requirements for afforestation or reforestation onsite or offsite cannot be reasonably accomplished if the applicant proposes to make a payment into the local forest conservation fund instead of afforestation or reforestation.
- d. **Discretion of the Planning Commission.** The Planning Commission shall have the authority to determine if a payment instead of afforestation or reforestation is permitted and appropriate.
- e. **Non-Tidal Wetlands.** A regulated activity under the local program is subject to the following requirements:
 - (1) For the purposes of delineation, permitting, and mitigation, areas determined to be non-tidal wetlands under Environmental Article, Title 9, Annotated Code of Maryland shall be regulated under Environmental Article, Title 9, Annotated Code of Maryland or this Article, whichever is more stringent.
 - (2) For the purpose of calculating reforestation mitigation under this Article, a forested non-tidal wetland permitted to be cut or cleared and required to be mitigated under COMAR 08.05.04 shall be shown on the forest conservation plan and subtracted on an acre-for-acre basis from the total amount of forest to be cut or cleared as part of a regulated activity.

- (3) Non-tidal wetlands shall be considered to be priority areas for retention and replacement.
 - (4) Forested non-tidal wetland identification and delineation should be included at the earliest stage of planning to assist the applicant in avoidance and reduction of impacts to the non-tidal wetlands and to avoid delay in the approval process.
- f. **On-site Compliance Spanning Residential Lots Discouraged.** This Article discourages compliance plans that reserve portions of residential building lots for easements for retention, afforestation or reforestation in order to meet the requirements of this Article. Such proposals result in long-term conflicts with homeowners desiring to make reasonable use of their yard areas for customary residential accessory uses. This provision shall not prevent the Planning Commission from considering such concepts on a case-by-case basis.

2. **Preliminary Forest Conservation Plan.**

- a. **Qualified Professional.** A preliminary forest conservation plan shall be prepared by a licensed forester, a licensed landscape architect, or a qualified professional who meets the requirements stated in COMAR 08.19.06.01B.
- b. **Components.** A preliminary forest conservation plan shall be submitted with the subdivision development plan or plan for a regulated activity and shall be considered complete if it includes the following components:
 - (1) The approved forest stand delineation for the site;
 - (2) Include a table that lists the proposed values of the following, in square feet:
 - (a) net tract area,
 - (b) area of forest conservation required, and
 - (c) area of forest conservation that the applicant proposes to provide, including both on-site and off-site areas;
 - (3) Include a clear graphic indication of the forest conservation provided on the site drawn to scale, showing areas where retention of existing forest or afforestation or reforestation is proposed;
 - (4) An explanation of how the provisions of Subsection D.1 of this Article have been met;
 - (5) In the case of afforestation or reforestation, a proposed afforestation or reforestation plan;
 - (6) A proposed construction timetable showing the sequence of forest conservation procedures;

- (7) The proposed limits of disturbance;
- (8) The proposed stockpile areas **delineated**;
- (9) **Moved from 3.b.(3)(a)** A **binding** ~~proposed two- (2-) year~~ **management maintenance** agreement that shows how areas designated for afforestation or reforestation will be maintained to ensure protection and satisfactory establishment;
 - (a) **Watering; and**
 - (b) **Reinforcement planting provisions if survival falls below required standards.**
- (10) Information required in the **2024 State Forest Conservation Technical Manual (as amended)**, ~~City of Hagerstown Forest Conservation Technical Manual~~; and
- (11) Other information the City of Hagerstown determines is necessary to implement this Article.

- c. **When Submitted.** The review of the preliminary forest conservation plan shall be concurrent with the review of the site plan or subdivision development plan.
- d. **Modification During Staff Review.** During the different stages of the review process, the preliminary forest conservation plan may be modified, as required by the Planning and Code Administration Department, prior to approval by the Planning Commission.

3. **The Final Forest Conservation Plan.**

- a. **Qualified Professional.** A final forest conservation plan shall be prepared by a licensed forester, a licensed landscape architect, or a qualified professional who meets the requirements stated in COMAR 08.19.06.01B.
- b. **Components.** A final forest conservation plan shall be submitted with a final plan of subdivision, or plan for a regulated activity, and shall be considered complete if it includes the following components:
 - (1) Proposed locations and types of protective devices to be used during construction activities to protect trees and forests designated for conservation;
 - (2) In the case of afforestation or reforestation, an afforestation or reforestation plan, with a timetable and description of needed site and soil preparation, species, size, and spacing to be used;
 - (3) **Moved to 2.9** ~~A binding two- (2-) year maintenance agreement specified in Section K of this Article and COMAR 08.19.05.01 that details how the areas designated for afforestation or reforestation will be maintained to ensure protection and satisfactory establishment, including:~~
 - (a) ~~Watering, and~~

- ~~(b)~~ A reinforcement planting provision if survival rates fall below required standards, as provided in the City of Hagerstown Forest Conservation Technical Manual;
 - (4) (3). A long-term binding protective agreement as specified in COMAR 08.19.05.02 that:
 - (a) Provides protection for areas of forest conservation, including areas of afforestation, reforestation, and retention, and
 - (b) Limits uses in areas of forest conservation to those uses that are designated and consistent with forest conservation, including recreational activities and forest management practices that are used to preserve forest;
 - ~~(5)~~ (4). The substantive elements required under Subsection D.2.b (1) through (4), (6) through (8), and (10) of this Article, as finalized elements of the forest conservation plan; and
 - ~~(6)~~ (5). Other information the ~~Planning and Code Administration~~ Department determines is necessary to implement this Article.
- c. **Final Submittal.** The applicant submits once the Planning Commission approves concurrent with the site plan or subdivision development plan.
- d. **Notifications.** At least 20 days before approval of the forest conservation plan, the department shall:
- (1) Provide notice that is consistent with notice requirements to all property owners abutting and adjacent to the boundary of the subject property of any proposed clearing of a priority retention area as described in Subsection 5-1607(c) of Maryland Code; and
 - (a) On a net tract area of at least 5 acres and if at least 75% of the priority retention area is proposed to be cleared, provide an opportunity for written and verbal comment before plan approval; or
 - (b) For any other project where priority retention area is proposed for clearing, provide an opportunity for public written comment before plan approval.
 - (c) Property separated from the subject property by a public right-of-way shall be considered abutting and adjacent.
 - (2) Within 45 days from receipt of the forest conservation plan, the department shall notify the applicant whether the forest conservation plan is complete.
 - (a) If the department fails to notify the applicant about the forest conservation plan within 45 days, the plan shall be treated as complete and approved.

- (b) The department may require further information or provide for an extension of this deadline for an additional 15 days for extenuating circumstances.
 - (c) In addition, at the request of the applicant, the State or the department may extend this deadline for extenuating circumstances.
- (3) A person petitioning for judicial review of an approved forest conservation plan shall file the petition in accordance with the Maryland Rules not later than 30 days after approval of the forest conservation plan.
- (a) Any judicial review of a forest conservation plan shall be:
 - i. Conducted in accordance with the Maryland Rules; and
 - ii. Limited to the record compiled by the department.
- e. **Time for Submittal.** (Renamed as “Notifications” see above)
- ~~(1) Within 45 calendar days after receipt of a complete final forest conservation plan, the Planning Commission shall notify the applicant whether the forest conservation plan is approved.~~
 - ~~(2) If the Planning Commission fails to notify the applicant within 45 calendar days, the plan shall be treated as complete and approved.~~
 - ~~(3) The Planning Commission may require further information or extend the deadline for an additional 15 calendar days under extenuating circumstances.~~
 - ~~(4) At the request of the applicant, the Planning Commission may extend the deadline under extenuating circumstances.~~
- f. **e. Concurrent with Final Plat.** The Planning Commission's review and approval of a final forest conservation plan shall be concurrent with the review of the final subdivision or project plan, grading permit application, or sediment control plan approval associated with the project. The final forest conservation plan shall be approved prior to the issuance of any permits.
- ~~g.~~ **f. Revocation of Plan.** The City of Hagerstown may revoke an approved forest conservation plan if it finds that:
- (1) a provision of the plan has been violated;
 - (2) approval of the plan was obtained through fraud, misrepresentation, a false or misleading statement, or omission of a relevant or material fact; or
 - (3) changes in the development or in the condition of the site necessitate preparation of a new or amended plan.
- h. **g. Stop Work Order.** The City of Hagerstown may issue a stop work order against a person who violates a provision of this Article or a regulation, order, approved forest

conservation plan, or maintenance agreement.

- † **h. Revocation. Notification.** Before revoking approval of a forest conservation plan, the City of Hagerstown shall notify the violator in writing and provide an opportunity for a hearing.

E. Express Procedures.

1. Purpose and Intent.

- a. **Purpose.** The purpose of an Express Procedure is to provide an alternate review and approval mechanism which will allow certain development activities to meet the intent of the Forest Conservation Ordinance through a review and approval process that is proportionate to the impact on forest resources.
- b. **Process.** The Express Procedure allows the combination of the various steps in the review process that are described as separate in this Article. It will not require documentation of a progression through the sequence of priorities for afforestation and reforestation.
- c. **Intent.** Certain development activities, such as those described in the eligibility standards contained in this Article, result in small afforested or reforested areas that may not be located in priority areas and provide little or no real benefit to improvements in water quality. The goal of the Express Procedure is to create significant-sized forest stands in priority areas where they will provide real benefits to improvements in water quality. This will occur through the aggregation and accumulation of payment-in-lieu of fees. The funds are expended by the City of Hagerstown on a schedule and in locations that will more closely meet the intent and purpose of this Article.

2. Eligibility to Use Express Procedure. An application must meet the following criteria in order to use the Express Procedure.

- a. Subdivisions of five lots or less when the afforestation or reforestation requirement as calculated from the worksheet is two acres or less; or
- b. Where no subdivision is proposed, when the afforestation or reforestation requirements as calculated from the worksheet is two acres or less; and
- c. There is no disturbance proposed in those priority areas described in Subsection F.2 and Subsections H.1.c, (1), (2), (4), (5), (6) and, (7).

3. The Express Procedure.

- a. **Discretion of the Applicant.** If the eligibility criteria are met, the applicant may choose to use the Express Procedure without prior approval by the Planning Commission.
- b. **Non-Exclusive.** Nothing in this section shall prevent the applicant from using the procedures described elsewhere in this Article.
- c. **Simplified Format.** The Forest Stand Delineation may be prepared in the simplified format as described in Subsection C.1.d. In addition, the Forest Stand Delineation shall identify those areas described in Subsection E.2.c.
- d. **Concurrence with Subdivision or Site Plan.** The Forest Stand Delineation and Forest Conservation Plan may be submitted, reviewed and approved concurrently with the applicable subdivision or site plan.

- e. **Area Affected.** The net tract area as requested on the worksheet and upon which calculations are based to determine afforestation and reforestation requirements shall be equal to the area of the proposed subdivided lots or the area of the entire parcel to be developed when no subdivision is proposed.
- f. **Discretion of the Applicant.** The applicant may select the payment-in-lieu of fee to meet the requirements of afforestation or reforestation without prior approval by the Planning Commission.
- g. **Timing of Payment-in-Lieu.** The payment-in-lieu of fee shall be paid prior to the issuance of a permit to begin construction activity.

4. **Additional Guidelines.**

- a. **Remaining Lands Not Eligible for Express Procedure.** After an applicant has chosen to use the Express Procedure for an eligible subdivision, the remaining land of the original parcel is not eligible to use the procedure again. It shall be subject to the requirements of this Article as if the Express Procedure did not exist.
- b. **When in Variation with Other Provisions.** Where the Express Procedures described in this Article vary from those described elsewhere in this Article, the Express Procedures may be followed without violation of the Article as long as the subdivision or site development proposal meets the eligibility requirements.

F. Afforestation and Retention.

1. Afforestation Requirement. Except for linear projects that involve no change in land use, a person making application for a regulated activity after the effective date of this Article shall: ~~1. Afforestation requirements must conform to the conditions in Subsections 5-1607 and 5-1610 of State of Maryland Code, including payment into the Forest Conservation Fund, if afforestation on-site or off-site cannot be reasonably accomplished.~~

a. **Threshold Ratios.** Conduct afforestation on the lot or parcel in accordance with the following threshold ratios.:

	Category of Use	Afforestation Threshold Percentage
(1)	Agricultural and resource areas	20%
(2)	Medium density residential areas	20%
(3)	Institutional development areas	15%
(4)	High-density residential areas	15%
(5)	Mixed-use and planned unit development areas	15%
(6)	Commercial and industrial use areas	15%

b. Afforestation requirements under this subsection shall be accomplished within 1 year or 2 growing seasons after the completion of the development project.

(1) If afforestation cannot be reasonably accomplished on-site or off-site, the requirement to contribute money to a Forest Conservation Fund under Maryland State Code Subsection 5-1610 of this subtitle shall be met within 90 days after the completion of the development project.

c. Linear projects that involve no change in land use may not be subject to afforestation requirements.

d. Solar photovoltaic facilities may not be subject to afforestation requirements under this subtitle,

2. Forest Cover Requirements. Subject to Subsection Maryland State Code Subsection 5-1606.1 as follows:

- a. Except as provided in item 2.b. of this paragraph, for all existing forest cover measured to the nearest 1/10 acre cleared on the net tract area, the area of forest removed shall be reforested at a ratio of 1 acre planted for every 1 acre removed; and
- b. For all existing forest cover located in a priority funding area designated under § 5-7B-03 of the State Finance and Procurement Article, and not identified as a priority for retention as described in Maryland State Code Subsection 5-1607(c) of this subtitle, measured to the nearest 1/10 acre

cleared on the net tract area, the area of forest removed shall be reforested at a ratio of 1/2 acre planted for every 1 acre removed.

- c. Upon meeting the reforestation and afforestation requirements in this section, all unforested riparian buffers on site shall be afforested and reforested, unless the applicant demonstrates to the department that afforestation in the riparian buffer:

- (1) Would be in conflict with allowable uses as established for the riparian buffer;
- (2) Is located on park property and conflicts with the mission and established stewardship practices of the park; or
- (3) Is not suitable for the establishment and retention of the required planting materials, in which case substitute environmental protection measures must be implemented.

3. **Cutting Below Ratios.** Comply with the following when cutting into forest cover that is currently below the afforestation percentages described in Subsection F.1.a of this Article:

- (1) The required afforestation level shall be determined by the amount of forest existing before cutting or clearing begins; and
- (2) Forest cut or cleared below the required afforestation level shall be reforested or afforested at a 2 to 1 ratio and added to the amount of afforestation necessary to reach the minimum required afforestation level, as determined by the amount of forest existing before cutting or clearing began.

4. **Retention – Priority.** The following trees, shrubs, plants, and specific areas are considered priority for retention and protection and shall be left in an undisturbed condition unless the applicant has demonstrated, to the satisfaction of the Planning Commission, that reasonable efforts have been made to protect them and the project plan cannot be reasonably altered:

- a. Trees, shrubs, and plants located in sensitive areas including the 100-year floodplain, intermittent and perennial streams and their buffers, steep slopes, non-tidal wetlands, and critical habitats;
- b. Contiguous forest that connects the largest undeveloped or most vegetated tracts of land within and adjacent to the site;
- c. Forest suitable for forest interior-dwelling species;
- d. Forest located in a Tier II or Tier III high quality watershed as identified by the Department of the Environment;
- e. Forest located in a water resource protection zone, a reservoir watershed, or wellhead protection area as identified by Washington County; and
- f. Forests in urban areas that are most important for providing wildlife habitat or mitigating flooding, high temperatures, or air pollution; as delineated in the priority urban forest map in the 2024 State Forest Conservation Technical Manual (as amended).

g.

5. **Retention – Priority – Need for Variance.** The following trees, shrubs, plants and specific areas are considered priority for retention and protection and shall be left in an undisturbed condition unless the applicant has demonstrated to the satisfaction of the Planning Commission that the applicant qualifies for a variance in accordance with Section M of this Article:
- a. Trees, shrubs, or plants determined to be rare, threatened, or endangered under:
 - (1) The Federal Endangered Species Act of 1973 in 16 U.S.C. §§1531 through 1544 and in 50 CFR Part 7;
 - (2) The Maryland Nongame and Endangered Species Conservation Act, Natural Resources Article, §§10-2A-01 through 10-2A-09, Annotated Code of Maryland; and
 - (3) COMAR 08.03.08;
 - b. Trees that:
 - (1) Are part of an historic site,
 - (2) Are associated with a historic structure, or
 - (3) Have been designated by the state or the City of Hagerstown as a national, state, county or city champion tree; and
 - c. Any tree having a diameter measured at four and five tenths (4.5) feet above the ground of:
 - (1) 30 inches or more; or
 - (2) 75% or more of the diameter, measured at four and five tenths (4.5) feet above the ground, of the current state champion tree of that species as designated by the Department of Natural Resources.

G. Reforestation.

1. ~~Forest Conservation Threshold.~~ Mitigation Rates

a. Reforestation mitigations rates are a 1:1 ratio, except in priority funding areas that are not designated as priority for retention which is a 1:0.5 ratio.

a. ~~**Threshold.** There is a forest conservation threshold established for all land use categories, as provided in Subsection b of this Section. The forest conservation threshold means the percentage of the net tract area at which the reforestation requirement changes from a ratio of one quarter (1/4) acre planted for each acre removed above the threshold to a ratio of two (2) acres planted for each acre removed below the threshold.~~

b. ~~**Reforestation for Cutting Below Threshold.** After reasonable efforts to minimize the cutting or clearing of trees and other woody plants have been exhausted in the development of a regulated activity and implementation of the forest conservation plan, the forest conservation plan shall provide for reforestation, or at the option of the Planning Commission, payment into the forest conservation fund, according to the formula set forth in this Article and consistent with Subsection D.1 of this Article, and the following forest conservation thresholds for the applicable land use category:~~

	Category of Use	Conservation Threshold Percentage
(1)	Agricultural and resource areas	50%
(2)	Medium density residential areas	25%
(3)	Institutional development areas	20%
(4)	High density residential areas	20%
(5)	Mixed use and planned unit development areas	15%
(6)	Commercial and industrial use areas	15%

c. **Calculations.**

(1) For all existing forest cover measured to the nearest one tenth (1/10) acre cleared on the net tract area ~~above the applicable forest conservation threshold~~, the area of forest removed shall be reforested at a ratio of ~~one quarter (1/4) acre~~ planted for each acre removed.

(2) ~~Each acre of forest retained on the net tract area above the applicable forest conservation threshold shall be credited against the total number of acres required to be reforested under paragraph (1) of this subsection. The calculation of the credit shall be according to the criteria provided in the City of Hagerstown Forest Conservation Technical Manual.~~

(3) ~~For all existing forest cover measured to the nearest one tenth (1/10) acre cleared on the net tract area below the applicable forest conservation threshold, the area of~~

~~forest removed shall be reforested at a ratio of two acres planted for each acre removed below the threshold and at a ratio of one quarter (1/4) acre planted for each acre removed above the threshold.~~

H. Sequence, Priorities and Time Requirements for Afforestation and Reforestation.

1. Sequence for Afforestation and Reforestation.

- a. **Sequence.** After techniques for retaining existing forest on the site have been exhausted, the preferred sequence for afforestation and reforestation, as determined by the Article, is as follows:
 - (1) Those techniques that enhance existing forest and involve selective clearing or supplemental planting on-site;
 - (2) On-site afforestation or reforestation may be utilized where the retention options have been exhausted. In those cases, the method shall be selected in accordance with subsection (b) of this section, and the location shall be selected in accordance with subsection (d) of this section;
 - (3) Off-site afforestation or reforestation in the same watershed or in accordance with an approved master plan may be utilized where the applicant has demonstrated that no reasonable on-site alternative exists, or where
 - (a) Any on-site priority areas for afforestation or reforestation have been planted in accordance with subsection (d) of this section; and
 - (b) The applicant has justified that environmental benefits associated with off-site afforestation or reforestation would exceed those derived from on-site planting;
 1. In these cases, the method shall be selected in accordance with subsection (b) of this section, and the location shall be selected in accordance with subsection (d) of this section; and
 2. Off-site afforestation or reforestation may include the use of forest mitigation banks which have been so designated in advance by the State or local forest conservation program which is approved by the Department; and
 - (4) The Department may allow an alternative sequence for a specific project if necessary to achieve the objectives of a local jurisdiction's land use plans or policies or to take advantage of opportunities to consolidate forest conservation efforts.
 - (5) **Renumbered** Forest creation in accordance with a forest conservation plan using one or more of the following:
 - (a) Transplanted or nursery stock,
 - (b) Whip and seedling stock, or
 - (c) Natural regeneration where it can be adequately shown to meet the objective of the State Forest Conservation Technical Manual;

- (6) **Renumbered** Planting street trees for afforestation or reforestation with a mature canopy coverage may be granted full credit as a mitigation technique;
 - (7) **Renumbered** Acquisition of an off-site protection easement on existing forested areas not currently protected in perpetuity as a mitigation technique, provided that two square feet of off-site existing forest is protected by easement for every one square foot of obligation toward compliance with this Ordinance is being met;
 - (8) **Renumbered** When all other options, both on-site and off-site, have been exhausted, landscaping as a mitigation technique conducted under an approved landscaping plan that establishes a forest at least 35 feet wide and covering at least 2,500 square feet of area.
- b. **Alternative Sequences.** A sequence other than the one described in Subsection a. above may be used for a specific project, if necessary, to achieve the objectives of the City's forest conservation policies or to take advantage of opportunities to consolidate forest conservation efforts.
- c. **Priority.** The following are considered a priority for afforestation and reforestation.
- (1) Establish or enhance forest buffers adjacent to intermittent and perennial streams to widths of at least 50 feet;
 - (2) Establish forest or enhance non-forested areas on 100-year floodplains, when appropriate;
 - (3) Establish or increase existing forested corridors to connect existing forests within or adjacent to the site and where practical, forested corridors should be a minimum of 300 feet in width to facilitate wildlife movement;
 - (4) Establish or enhance forest buffers adjacent to critical habitats where appropriate;
 - (5) Establish plantings to stabilize slopes of 25% or greater and slopes of 15% or greater with a soil K value greater than 0.35 including the slopes of ravines or other natural depressions;
 - (6) Establish buffers adjacent to areas of differing land use when appropriate, or adjacent to highways or utility rights-of-way;
 - (7) Establish forest areas adjacent to existing forests to increase the overall area of contiguous forest cover, when appropriate; and
 - (8) Use native plant materials for afforestation or reforestation, when appropriate.
- d. **Time Frames for Planting.** A person required to conduct afforestation or reforestation under this Article shall accomplish it following development project completion within one year or two growing seasons, whichever is a greater period of time.

I. Payment-In-Lieu of Afforestation and Reforestation.

1. Forest Conservation Fund.

- a. **Fund Created.** There is established a forest conservation fund in the local program that meets the requirements of the Natural Resources Article, SS5-1610(h – l), Annotated Code of Maryland.
- b. **Fee Rate.** If a person subject to this Article demonstrates to the satisfaction of the Planning Commission that requirements for reforestation or afforestation on-site or off-site cannot be reasonably accomplished and appropriate credits generated by a forest mitigation bank in the same county or watershed are not available, or if the person is eligible to use the Express Procedure as described in Section E, the person shall contribute money into the City of Hagerstown forest conservation fund at a rate of:
 - (1) \$0.30 per square foot of the area of required planting until December 31, 2013, and
 - (2) adjusted for inflation as determined by the Planning and Code Administration Department annually after December 31, 2013.

Nothing in this provision shall prohibit the City of Hagerstown from setting a fee rate that exceeds that set by the Department of Natural Resources for the State equivalent of this Article, and at no time shall the fee be set lower than the rate set by the State of Maryland. Planning Commission approval of the use of fee-in-lieu contribution shall be identified and measured in the amount of area subject to compliance. Payment of fee-in-lieu contributions will be made based on the amount of area approved by the Planning Commission and the rate in effect at the time the applicant remits payment.

- c. **Authority of the Planning Commission.** The Planning Commission shall have the authority to determine if a payment instead of afforestation or reforestation is permitted and appropriate.
- d. **Discretion of Applicant When Using Express Procedure.** When an applicant is eligible to use the Express Procedure described in Section E, the decision to select the payment-in-lieu of afforestation or reforestation shall not require prior approval by the Planning Commission.
- e. **Timing of Fee Payment.** Money contributed instead of afforestation or reforestation under this Article shall be paid prior to the issuance of a permit to begin the construction activity. Planning Commission approval of the use of fee-in-lieu contribution shall be identified and measured in the amount of area subject to compliance. Payment of fee-in-lieu contributions will be made based on the amount of area approved by the Planning Commission and the rate in effect at the time the applicant remits payment.
- f. **Time Frame for Planting.** Money contributed under this Article shall remain in the fund for a period not to exceed two years or three growing seasons, whichever is greater, after receipt of payment. The City shall accomplish the reforestation or afforestation for the equivalent number of acres for which the money is deposited. Money deposited in the local conservation fund may only be spent on the costs directly related to reforestation and afforestation, including site identification, acquisition, preparation, maintenance of existing forests and achieving urban canopy goals, and shall be deposited in a separate forest conservation fund and may not revert to the general fund.

- g. **Extensions.** The time period specified in Subsection f above may be extended one time for an additional one year or two growing seasons by the Planning Commission with appropriate notification to the person who contributed the money.
- h. **When Planting Outside of City Limits.** Except as provided in Subsection d. of this section, sites for the reforestation or afforestation requirement using fund money contributed under this Article shall occur in the city or, if outside the city, on any property owned by the City of Hagerstown

J. Recommended Tree Species.

1. Native Species Preferred.

Tree species used for afforestation or reforestation shall be native to the area, unless approved by the City, and selected from a list of approved species established by the City of Hagerstown.

2. Tree Species List.

The City of Hagerstown shall adopt a list of tree species to be used for any required afforestation or reforestation and incorporate it into the **2024 State** Forest Conservation Technical Manual.

K. Financial Security for Afforestation and Reforestation.

1. Performance Bond or Other Acceptable Surety.

- a. **Security Required.** A person required to conduct afforestation or reforestation under this Article shall furnish financial security in the form of a bond, an irrevocable letter of credit, or other security approved by the Planning Commission. The surety shall:
 - (1) assure that the afforestation, reforestation, and the associated maintenance agreement are conducted and maintained in accordance with the approved forest conservation plan;
 - (2) be in an amount equal to the estimated cost, as determined by the City of Hagerstown, of afforestation and reforestation; and
 - (3) be in a form and of a content approved by the City of Hagerstown.
- b. **Reduction of Security.** After one growing season, the person required to file a bond under Subsection K.1.a of this Article may request reduction of the amount of the bond or other financial security by submitting a written request to the Planning and Code Administration Department with a justification for reducing the bond or other financial security amount, including estimated or actual costs to ensure afforestation or reforestation requirements are met.
- c. **City Review of Alternate Bond Amounts.** The City of Hagerstown shall determine whether a lesser amount is sufficient to cover the cost of afforestation or reforestation, taking into account the following:
 - (1) the number of acres,
 - (2) the proposed method of afforestation or reforestation,
 - (3) the cost of planting materials or replacement materials,
 - (4) the cost of maintenance of the afforestation or reforestation project, and
 - (5) other relevant factors.
- d. **Release of Security.** If, after one year or two growing seasons, whichever is greater, the plantings associated with the afforestation or reforestation meet or exceed the standards of the City of Hagerstown Forest Conservation Technical Manual, the amount of the cash bond, letter of credit, surety bond, or other security shall be returned or released. If the planted area does not meet survival requirements, the maintenance period shall be extended by an additional term.

L. Standards for Protecting Trees from Construction Activities.

1. Standards Adopted.

The City hereby adopts standards for the protection of trees from construction activity that are included in the ~~City of Hagerstown~~ 2024 State Forest Conservation Technical Manual.

2. Installation of Protective Devices Required.

Before cutting, clearing, grading, or construction begins on a site for which a forest conservation plan is required by this Article, the applicant shall demonstrate to the City of Hagerstown that protective devices have been established.

M. Variances, Appeals, Enforcement and Penalties.

1. Variance Procedure.

- a. **Hardship.** A person may request that a variance from this Article be granted by the Planning Commission if the person demonstrates that enforcement would result in unwarranted hardship.
- b. **Requirements.** An applicant for a variance shall:
 - (1) describe the special conditions peculiar to the property which would cause the unwarranted hardship;
 - (2) describe how enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;
 - (3) verify that the granting of the variance will not confer on the applicant a special privilege that would be denied to other applicants;
 - (4) verify that the variance request is not based on conditions or circumstances which are the result of actions by the applicant;
 - (5) verify that the request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and
 - (6) verify that the granting of a variance will not adversely affect water quality.
- c. **Findings.** The ~~Planning and Code Administration~~ Department shall make findings that the applicant has met the requirements in Subsections a. and b. of this Section before the Planning Commission may grant a variance.
- d. **Notice.** Notice of a request for a variance shall be given to the Maryland Department of Natural Resources within 15 days of receipt of a request for a variance.
- e. **Department of Natural Resources.** There is established by this Article the right and authority of the Department of Natural Resources to initiate or intervene in an administrative, judicial or other original proceeding or appeal in the state concerning an approval of a variance under Natural Resources Article, §§5-1601 through 5-1612, Annotated Code of Maryland, or this Article.

2. Appeals.

The appeal procedure as applies to this Article shall be in accordance with the provisions of Article 8 of this Code.

3. Enforcement and Penalties.

Enforcement of the provisions of this Article, and penalties for violation thereof shall be in accordance with the provisions of Article 8 of this Code.

N. Annual Report, Biennial Review by the Department of Natural Resources and Effective Date and Subsequent Amendments.

1. Annual Report.

On or before ~~March~~ **August** 31 of each year, the ~~Planning and Code Administration~~ Department shall submit to the Maryland Department of Natural Resources Forest Service a report on:

- a. The number, location, and type of projects subject to the provisions of this Article;
- b. The amount and location of acres cleared, conserved, and planted in connection with a development project;
- c. The amount of reforestation and afforestation fees and noncompliance penalties collected and expended, the number of acres for which the fees were collected, and the number of acres reforested, afforested, or conserved using the fees; and
- d. The costs of implementing the Forest Conservation Program;
- e. The size, location and protection of any local forest mitigation banks which are created under a local or State program, the number of acres debited from which each forest mitigation bank since the last annual report and the number of forest mitigation banks inspected since the last annual report;
- f. The number, location and type of violations and type of enforcement activity conducted in accordance with this subtitle; and
- g. To the extent practicable, the size and location of all conserved and planted forest areas, submitted in an electronic geographic information system or computer aided design format.

2. Biennial Review.

The ~~Planning and Code Administration~~ Department shall submit the necessary documentation to comply with COMAR 08.19.02.04.

3. Effective Date and Subsequent Amendments.

This Article is hereby enacted and becomes effective May 21, 1999. This Article may be amended as required. All amendments to this Article are subject to the approval of the Department of Natural Resources.

LAND MANAGEMENT CODE TEXT AMENDMENT PROPOSAL

Number: 2026-27	Is this a new issue or one previously discussed?	New
Version: 1	Is this new text proposed since last discussion in need of initial review?	No
Released to Planning Commission Public Review Meeting	Is this revised text in need of confirmation that it conforms to prior editorial direction?	No
Summary: Adjustments to forest conservation ordinance		
Justification: Codifying certain changes in the state code so that the city's ordinance matches state code.		

Existing text to be removed is in ~~strikeout~~. New text to be added is **red**. Staff directions are **blue**.

ATTACHMENT A - DEFINITIONS

Definitions from Article 3 (C) related to Forest Conservation Ordinance Update

AGRICULTURAL AND RESOURCE AREAS – Undeveloped areas zoned for densities of less than or equal to one dwelling unit per **five (5) acres**. (Forest Conservation)

CALIPER – The diameter measured at two inches above **the root collar which** is the transition zone between stem and root at the ground line of a tree or seedling. (Forest Conservation)

DECLARATION OF INTENT –

1. A signed and notarized statement by a landowner or the landowner's agent certifying that the activity on the landowner's property:
 - a. Is for certain activities exempted under this Ordinance or Natural Resources Article, Section 5-103 and 5-1601-5-1612, Annotated Code of Maryland;
 - b. Does not circumvent the requirements of this Ordinance or Natural Resources Article, Section 5-103 and 5-1601 - 5-1612, Annotated Code of Maryland; and
 - c. Does not conflict with the purposes of any other declaration of intent; or
2. The document required under COMAR 08.19.01.05 or with Article 7, Subsection A.3.c of this Chapter.

DEVELOPMENT PROJECT COMPLETION – For the purposes of afforestation, reforestation, or payment into a fund: (Forest Conservation)

1. The release of the **performance** bond, or surety, ~~not~~ **if** required under Article 7 of this Chapter; or
2. **Acceptance of the project's streets, utilities, and public services by the Department; or**
3. Designation by the ~~Planning and Code Administration~~ Department that a:
 - a. Development project has been completed, or a
 - b. Particular stage of a staged development project, including a planned unit development, has been completed.
4. The release of any bond or surety not required under Article 7 of this Chapter shall not be construed to mean the completion of afforestation, reforestation, or payment into a fund, as required by this Chapter.

FOREST –

1. "Forest" means a biological community dominated by **live** trees and other woody plants covering a land area of 10,000 square feet or greater.

2. "Forest" includes:
 - a. Areas that have at least 100 live trees per acre with at least 50% of those trees having a two-inch or greater diameter at four-and-a-half feet above the ground and larger; and
 - b. **Forest** Areas that have been cut but not cleared.
3. "Forest" does not include orchards.
(Forest Conservation)

FOREST CONSERVATION AND MANAGEMENT AGREEMENT – An agreement as applicable and described in COMAR 08.19.05.01. as stated in Tax Property Article, Section 8-211, Annotated Code of Maryland. (Forest Conservation)

FOREST CONSERVATION PLAN – A plan prepared pursuant approved pursuant to Natural Resources Article, Sections 5-1606 and 5-1607, Annotated Code of Maryland. to Article 7 of this Chapter. (Forest Conservation)

FOREST MITIGATION BANKING - The intentional restoration, creation, or qualified conservation of forests undertaken expressly for the purpose of providing credits for afforestation or reforestation requirements with enhanced environmental benefits from future activities. (Forest Conservation)

LOT –

1. A parcel of land either vacant or occupied by one principal building structure, or use and its accessory buildings, uses or structures, or a group of principal buildings as allowed by Article 4 and including open spaces and landscaped areas as required. (Subdivision and Land Development)
2. For the purposes of Article 7, a unit of land, the boundaries of which have been established as a result of a deed or previous subdivision of a larger parcel, and which will not be the subject of further subdivision, as defined by Natural Resources Article, Section 5-1601, Annotated Code of Maryland, and this Ordinance without an approved forest stand delineation and forest conservation plan. (Forest Conservation)

MAINTENANCE AGREEMENT – The short-term management agreement associated with afforestation or reforestation plans required under Natural Resources Article, Section 5-1605, Annotated Code of Maryland, and Article 7, Sections D and E of this Chapter. (Forest Conservation)

QUALIFIED CONSERVATION - means the conservation of all or a part of an existing forest that:

- (1) Has been approved by the appropriate State of local forest conservation program for the purpose of establishing a forest mitigation bank; and
- (2) Is encumbered in perpetuity by a restrictive easement, covenant, or another similar mechanism recorded in the county land records to conserve its character as a forest. (Forest Conservation)

REGULATED ACTIVITY—Any of the following activities, when that activity occurs on a unit of land which is 40,000 square feet or greater: (Forest Conservation)

1. ~~Subdivision;~~
2. ~~Grading;~~
3. ~~An activity that requires a sediment control permit;~~
4. ~~An activity that requires a site plan;~~
5. ~~Project plan of a local agency;~~
6. ~~Development project.~~

SEDIMENT CONTROL PERMIT - The authorization of an activity regulated under a sediment control plan as provided in Environment Article, Title 4, Annotated Code of Maryland (Forest Conservation)

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

CDBG FY 2027 Annual Action Plan - *Margi Joe, Community Development Manager and Letizia Turner, Planning & Outreach Coordinator*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

WS_060226_Packet_FY27_Annual_Action_Plan.docx.pdf

Description

FY27 CDBG AAP Memo,
Activities, Motion,
Resolution



CITY OF HAGERSTOWN, MARYLAND

Department of Housing & Community Development

One East Franklin Street • Hagerstown, MD 21740

E-mail: codecompliance@hagerstownmd.org

Telephone: 301-739-8577, ext. 103 • Website: www.hagerstownmd.org

To: Scott Nicewarner, City Administrator

From: Margi Joe, Community Development Manager

Date: May 29, 2026

RE: **Approval of the FY2027 Community Development Block Grant (CDBG) and HOME Investment Partnerships Program Annual Action Plan**

Staff will attend the June 2, 2026 Work Session to request Mayor & City Council approval of the FY2027 CDBG and HOME Annual Action Plan, in order to receive the City's annual entitlement of CDBG and HOME funding.

The FY27 Annual Action Plan is scheduled for approval at the June 9, 2026 Special Session. Following approval, staff will promptly submit the plan to HUD, allowing FY27 CDBG and HOME expenditures to begin on July 1, 2026. If needed, amendments to the Annual Action Plan may be made during the fiscal year through a routine amendment process.

Approval of FY27 Annual Action Plan to Receive CDBG and HOME Funds

The City of Hagerstown is an entitlement recipient of federal Community Development Block Grant (CDBG) funds through the United States Department of Housing and Urban Development (HUD) and recently became a Participating Jurisdiction (PJ) eligible to receive HOME funding. Each year, the City is required to submit an Annual Action Plan to HUD, which serves as the application for both CDBG and HOME funds. HUD recently announced FY27 allocations, with Hagerstown receiving \$774,243 in CDBG funding and \$350,424.94 in HOME funding. Including anticipated Program Income, the projected funding summary is as follows:

<u>CDBG Revenue:</u>	
FY2027 Entitlement	\$774,243
Program Income	<u>\$ 44,000</u>
Total Revenue:	\$818,243

<u>CDBG Expenses:</u>	
Total Allocated Expenses:	\$818,243

HOME Revenue:
FY2027 Entitlement \$350,424.94
Total Revenue: \$350,424.94

HOME Expenses:
Total Allocated Expenses: \$350,424.94

Consistent with HUD National Objectives and the City's Five-Year Consolidated Plan, the FY27 Annual Action Plan prioritizes neighborhood-based projects, programs that promote homeownership opportunities, and assistance for low- to moderate-income residents. Home repair grant programs will be administered by DHCD in partnership with community organizations. Proposed public facility improvements will be completed in coordination with the Departments of Parks and Engineering, and the Plan also includes support for local public service providers. An excerpt of the FY27 Annual Action Plan outlining all proposed CDBG activities is attached.

Attachments: FY27 Annual Action Plan Activities

Motion

Draft Resolution for FY27 CDBG Action Plan Approval

- c. Amanda Gregg, Chief Housing & Community Development Officer
Michelle Hepburn, Chief Financial Officer



FY 2027 CDBG AND HOME ANNUAL ACTION PLAN ACTIVITIES

The City of Hagerstown FY 2027 Annual Action Plan allocates CDBG and HOME funding as follows:

Activity Number	Activity Name	Activity Description	FY 2027 Funds Toward Activity
CD-27-01	City Accessibility Ramp Construction	Funding will be utilized to undertake the installation of ADA accessible curb ramps at various intersections throughout the City.	\$ 100,000
CD-27-02	Alleyway Rehabilitation	Funding will be utilized to repair and rehabilitate deteriorating frequently-used alleyways within the City.	\$ 75,000
CD-27-03	Microenterprise Assistance Program	Funding will be utilized to provide grants of up to \$5000 each for low- to moderate-income business owners	\$ 15,000

CD-27-04	Public Service: Girls' Inc. Kids Cafe	Funding will be utilized to support a program that provides healthy after-school snacks/meals to low-to-moderate income youth.	\$ 12,500
CD-27-05	Public Service: REACH Bridge to Change Program	Funding will be utilized to support a program that provides workforce training and case management to homeless individuals.	\$ 19,500
CD-27-06	Public Service: United Way of Washington County	Funding will be utilized to support a program providing no-cost transportation for income-qualified City residents to attend work, healthcare, education, etc.	\$ 10,000
CD-27-07	Public Service: Micah's Backpack (HARC)	Funding will be utilized to support a program that addresses food insecurity among low-to-moderate income area schoolchildren.	\$ 14,000
CD-27-08	Public Service: Eliza's House	Funding will be utilized to support a mobile food pantry to serve those who lack resources to utilize traditional food pantries/food banks.	\$10,000
CD-27-09	Public Service: Community Free Clinic	Funding will be utilized to support a program providing no-cost healthcare to the medically uninsured for physical and mental health services.	\$ 20,000

CD-27-10	Public Service: America's Hauling for Hope	Funding will be utilized to address food insecurity among senior citizens in the City through a monthly food delivery and financial literacy program.	\$ 12,000
CD-27-11	Public Service: Good News Hagerstown	Funding will be utilized to support a program that beautifies high-need downtown blocks and engages youth and families via regularly scheduled green and garden events.	\$ 8,000
CD-27-12	Public Service: TruNorth Company	Funding will be utilized to support a program providing no-cost transportation to resources/services for unhoused persons, ex-offenders, and persons in recovery in the City of Hagerstown.	\$ 10,000
CD-27-13	Public Service: Senior Living Alternatives	Funding will be utilized to provide hot, nutritious meals to residents of Holly Place, a senior assisted-living facility.	\$ 10,000
CD-27-14	Capital Project Grant: Doleman Black Heritage Museum	Funding will be utilized to support a project to demolish a blighted, structurally unsafe building located at 465 Pennsylvania Avenue.	\$ 25,000

CD-27-15	Habitat for Humanity Rehabilitation of a Reclaimed Home	Funding will be utilized toward rehabilitation costs of a reclaimed home, to be provided to a low- to moderate-income family.	\$ 20,000
CD-27-16	HNDP Down Payment and Settlement Assistance Program	Funding will be utilized to provide down payment and closing cost assistance to low- to moderate-income first-time homebuyers.	\$ 20,000
CD-27-17	Code Administration	Funding will be utilized to support the administrative costs associated with a code inspector. This activity focuses on nuisance conditions and vacant structures in the core of the city with all areas of inspection being located in low-to-moderate income census tracts.	\$ 35,000
CD-27-18	Residential Single Family Emergency Repair Grant Program	Funding will be utilized to support a program that provides emergency repair grants of up to \$15,000 to low-to-moderate income homeowners for various residential rehabilitative actions.	\$51,625

CD-27-19	Clearance and Demolition of Buildings	Funding will be utilized to demolish and remove a vacant/dilapidated building within the City of Hagerstown. This activity is a placeholder as a specific site has yet to be determined.	\$15,000
CD-27-20	Single Family Homeownership Program	Funding will be utilized to support a program to purchase, rehabilitate, and resell single-family homes to low- to moderate-income homebuyers.	\$50,000
CD-27-21	Single Family Rehabilitation Administration	Funding will be utilized to support administrative expenses incurred for employee costs associated with single family rehabilitation (rehab projects utilizing CDBG or Maryland DHCD funding).	\$117,286
CD-27-22	General Program Administration	Funding will be utilized to support employee and operating costs associated with the general administration of the CDBG program.	\$168,332

HO-27-01	CHDO Set-Aside	Fifteen percent of HOME funding is required to be set aside as grant or loan funding for non-profit Community Housing Development Organizations who then allocate funds to HOME-eligible programs under their administration.	\$52,563.74
HO-27-02	Homeowner Acquisition, Rehabilitation & Resale	Funding will be utilized for a program that acquires residential properties, rehabilitates them fully to meet local code standards, and then places them for sale to income-qualified homebuyers.	\$62818.71
HO-27-03	Homebuyer Down Payment Assistance	Funding will be utilized to support a program providing down payment/closing cost assistance to low- to moderate-income homebuyers. Award amounts will be based on the homebuyer's individual situation.	\$100,000
HO-27-04	Residential Single-Family Rehabilitation	Funding will be utilized to assist low- to moderate-income homeowners in addressing property code violations to bring them into compliance.	\$100,000
HO-27-05	HOME Program Administration	Funding will be utilized to support employee and operating costs associated with the general administration of the HOME program.	\$35,042.49

REQUIRED MOTION

**MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Date: June 9, 2026

TOPIC: **RESOLUTION: Approval of HUD Program Year 2026 (City FY2027)
CDBG and HOME Annual Action Plan**

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	<u> X </u>
Other	_____

MOTION: I hereby move for adoption of a Resolution approving the City FY2027 Annual Action Plan for the Community Development Block Grant and HOME Investment Partnerships program, authorizing the Mayor to file an application for financial assistance with the U.S. Department of Housing & Urban Development in the amount of \$774,243.00 and \$350,424.94 respectively, and further authorizing the Mayor to execute all other documents relating to the City’s CDBG and HOME programs for HUD Program Year 2026 (City FY2027). This motion also authorizes staff to amend the approved program budget as necessary to reflect final funding allocations.

DATE OF INTRODUCTION: 06/09/2026
DATE OF PASSAGE: 06/09/2026
EFFECTIVE DATE: 06/09/2026

**RESOLUTION OF THE CITY COUNCIL
OF THE
CITY OF HAGERSTOWN**

**APPROVAL OF THE FY 2026/2027
CDBG AND HOME ANNUAL ACTION PLAN**

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities for activities which will benefit low- and moderate-income persons, or aid in the elimination or prevention of slums or urban blight or other urgent community development needs; and,

WHEREAS, the U.S. Department of Housing and Urban Development has advised the City that for FY2026/2027 it is eligible to receive an entitlement amount of \$774,243.00 for the CDBG Program and \$350,424.94 for the HOME program; and,

WHEREAS, in addition to the entitlement amount, the City anticipates that it will receive \$44,000.00 in program income; and

WHEREAS, the City is required every year to prepare an *Annual Action Plan* for the Community Development Block Grant and HOME Investment Partnerships program; and,

WHEREAS, the Department of Housing and Community Development of the City of Hagerstown has prepared an *Annual Action Plan* for FY 2026/2027 which assesses the City's community development needs, the City's economic development needs, and the housing needs of extremely low and low-income households, homeless families and individuals, and others with special needs; and,

WHEREAS, a draft of the City's FY2026/2027 *Annual Action Plan* has been on display since April 27, 2026 and the City has held Public Hearings on said Plans and the comments of various agencies, groups and citizens have been taken into consideration in the preparation of the final document;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAGERSTOWN:

- 1. That the FY2026/2027 *Annual Action Plan* with the inclusion and consideration of all citizens' comments is hereby in all respects approved;**
- 2. That it is cognizant of the conditions that are imposed in the undertaking of community development activities with Federal financial assistance, including the requirements relating to: (a) the relocation of site occupants; and, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, sexual orientation or national origin and other assurances as set forth under the application's certifications;**
- 3. That the Mayor of the City of Hagerstown, on behalf of the City Council, is authorized to file an application for financial assistance with the U.S. Department of Housing and Urban Development which has indicated its willingness to make available grants to carry out the CDBG Program in the amount of \$774,243.00 and the HOME Program in the amount of \$350,424.94;**

4. That the Mayor of the City of Hagerstown, on behalf of the City Council, is authorized to provide such assurances and/or certifications as required by the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act of 1990, and also any supplemental or revised data which the U. S. Department of Housing and Urban Development may request in connection with the review of the City's application; and,
5. That the Mayor of the City of Hagerstown, on behalf of the City Council, is authorized to execute the formal grant contract and other documents relating to the City's Community Development Block Grant Program and HOME Investment Partnerships Program City FY2026/2027.

CITY OF HAGERSTOWN, MARYLAND

_____(SEAL)
William B. McIntire
Mayor

ATTEST:

City Clerk

Approved this _____ Day of June, 2026

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Revisions to the Quit Claim Policy – *Jim Bender, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Quit_Claim_Policy.pdf

Description

Quit Claim Policy



CITY OF HAGERSTOWN, MARYLAND

Department of Engineering & Permits

June 2, 2026

TO: Scott Nicewarner, City Administrator

FROM: Jim Bender, City Engineer JIM

RE: Quit Claim Policy

1. Background

The City owns (or has the rights to) many undeveloped rights-of-way and properties. Often these are rights-of-way for alleys that were reserved for public use many years ago, but the alley was never constructed. Property owners along these undeveloped rights-of-way sometimes request that the City give up the land so that they may use it for their own purposes; this is known as a “quit claim”. The City has had a Quit Claim policy (attached) that was adopted in 2002, and modified again in 2020, that lays out the process for transferring the City’s rights to this land to an adjoining property owner. However, the policy contains some contradictory clauses, which leads to questions about how quit claims are processed. The purpose of this memo is to review the policy and get feedback from the City Council on how the policy should be revised.

2. Mayor & Council Action Requested

Review this information, and provide staff with direction on how to revise the current policy. Staff will then work with the City Attorney to draft a revised policy, and will present it for review at a future work session meeting. Staff will be present at the work session to discuss.

3. Discussion

A “quit claim” basically gives up any rights that the City has to a property; if the City quit claims a property, a quit claim deed is prepared and recorded in the Washington County Land Records to memorialize the relinquishment of the City’s rights. A quit claim does not resolve any

Under the current policy, the person requesting the quit claim must notify all of the other property owners whose land abuts the right-of-way in question, and get their signature certifying that they have no objection to the request. However, the policy also states that “The City may proceed at the staff’s discretion regardless of objections”.

Under Maryland law, there is no requirement that the City must consider the wishes or objections of property owners other than the person requesting the quit claim. There is also no requirement that property being quit claimed be split equally between the adjoining property owners; the City has the right to give the entire width of the right-of-

way in question to a single adjoining owner. However, in practice, staff have always sought consensus from all the property owners to minimize disputes related to a quit claim, and have attempted to divide land equally between the affected properties. Staff also considers the effect that a quit claim could have on access to the rear of properties; if a quit claim is granted, the person receiving the quit claim could install a fence or obstacle that would prevent other property owners adjoining the right-of-way from accessing their property. An exhibit showing an example of access issues is attached.

There are also issues with getting approvals from adjoining property owners. There have been cases where the party requesting the quit claim has been unable to contact one or more of the other affected property owners, or get them to sign a statement indicating that they don't object to the quit claim; this prevented the quit claim process from proceeding, even though there was no apparent reason to not grant the quit claim.

Under the current policy, City departments are contacted to determine if there are any objections to the requested quit claim. If there are no objections, the quit claim is then presented to the City's Planning Commission for their consideration, and the Commission then makes a recommendation to the City Council on whether or not to grant the quit claim. There is not a process for objections to the quit claim to be heard publicly, but the Planning Commission is generally accommodating in allowing such discussion at their meetings.

Staff feels that the requirement to notify all adjoining property owners of a pending quit claim should remain in place, as it gives those property owners an awareness of what is being requested, and an opportunity to voice any concerns or objections. However, staff seeks guidance from the Council on whether or not a quit claim should proceed if there are objections, or if there is no response from the adjoining property owners. Ultimately, the decision to grant or deny a quit claim rests with the Council; staff would present all relevant information to the Council (including any objections or lack of response to notifications) for their consideration.

There are also some technical issues with the quit claim process that should be examined. If a quit claim is granted, and a quit claim deed is executed by the City, it is up to the property owner receiving the quit claim to record the deed. There have been cases where the deed was never recorded, which leads to uncertainty in the land records as to whether or not the City still has any rights to the property in question. Staff recommends that the City charge a fee for quit claim requests, and that this fee would cover the costs for the City Attorney to prepare the deed and record it in the Land Records of Washington County. By doing so, the City would minimize the potential for confusion over property ownership in the future.

attachments: Quit Claim Policy
Exhibit showing potential access issues

Policy Title: Process to Quit-Claim Property No Longer Needed for Public Purpose

Policy and Procedure Number: E-260

Adoption Date: April 2002

Mayor and Council Approval Date:

Last Revised: October 30, 2020

In certain instances, the City may grant Quit-Claim deeds to paper alleys, rights of way or the like to adjacent property owners, with Mayor and Council approval. **Note that a quit claim makes no warranty of title. It only conveys any rights the City may have had in the land to the grantees.**

The steps to obtain such deeds are as follows:

- A. The adjacent property owner(s) shall submit a written request, signed by all property owners who abut the land to be quit-claimed, to the City Engineer. This should include a description of the land to be quit-claimed and the reason for the request. If this involves access to adjacent property owners, a property owner can ask that the quit-claim not be approved so that access is maintained. The City may proceed at the staff's discretion regardless of objections.
- B. The City Engineer will verify the owners and will then send this request to utility companies and other City departments to determine whether or not they have need of this land. A quit-claim could still be granted but with reserved easements or rights-of-way.
- C. Either the City surveyor or private surveyor working on behalf of the entity requesting the quit claim shall prepare an exhibit of the land in question. The City may prepare the exhibit if schedules permit, but that the requestor is ultimately responsible for providing the necessary documents.
- D. The Planning Commission shall review the request and make a determination if the land is no longer needed for a public purpose.
- E. The City Engineer will then submit this request to the Mayor and Council along with comments from the other City departments, his recommendation, and the Planning Commission's recommendation.

- F. The Mayor and Council have final determination. If they approve the request, an Ordinance shall be passed determining that the referenced land is not needed for a public purpose and authorizing the execution of a quit-claim deed.

- G. If the Mayor and Council do approve this quit-claim, the City Attorney will prepare and the Mayor will execute a “quit claim” deed. To give notice to the public and/or subsequent purchasers, the receiver of the land must record the quit claim deed in the land records of Washington County and be responsible for the cost to record.

Authorized and Approved By:



Rodney Tissue, City Engineer

10/30/2020

Date



MANILA AVE.

VIEW ST.

ST.

ALLEY 5-72 (15')

ALLEY (11' not built)

FORMER VIEW ST. DINER

800

814

818

QUIT CLAIM REQUEST AREA

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Edgemont Reservoir Rehabilitation Project Update - *Nancy Hausrath, Director of Utilities*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

MEMO_EDGEMONT_DISCUSSION_06022026.pdf

Description

Memo: Edgemont Update



CITY OF HAGERSTOWN, MARYLAND

Utilities Department

1 Clean Water Circle • Hagerstown, MD 21740

Telephone: 301-739-8577, ext. 650

Website: www.hagerstownmd.org

May 29, 2026

To: Scott Nicewarner, City Administrator

From: Nancy Hausrath, Director of Utilities

Action: Discussion – Edgemont Reservoir

Work continues on the Edgemont Reservoir Rehabilitation Project with MDE draft approval of the water appropriation permit for the raw water supply for the Breichner Plant. Design is moving forward and will be 60% complete in July 2026.

Staff has continued working with MDE to secure raw water appropriation based on historical climate data. The appropriation permit application requested an average daily appropriation of 2.75MGD with a maximum withdraw of 4.8MGD. The current appropriation is 0.7-MGD daily average and 4.8MGD maximum withdraw. MDE will require the City to maintain Maryland Method Flow-by requirements at all times which will be as high as 2.2cfs.

Maryland Department of the Environment (MDE) Statewide Probable Maximum Precipitation (PMP) Study has been completed. As you may recall, this Study significantly slowed all progress on the Edgemont project. With the Study complete, the Edgemont Storm Evaluation Update was sent to MDE for review and approval on April 8, 2026.

On February 27, 2026, staff met with MDE to discuss the current status of the project and to confirm the design criteria. On April 15, 2026 MDE issued the permit for the geotechnical exploration – this work is being completed by Triad Engineering and Hazen and Sawyer and will be used to complete the construction specifications and drawings. Overall project permitting is underway to secure all permits prior to the awarding the construction contract.

Staff submitted a new funding application as requested by MDE for the Edgemont work. The application was submitted in January 2026 with a total funding request of \$34,100,000. Included in this application is \$4,100,000 local share for engineering services (study, design, bidding, and construction management) and \$3,000,000 construction contingency. Construction estimate is \$27,000,000. Previously approved MDE funding is \$15,750,000 with \$14,250,000 loan funding with a provision for \$1,500,000 principal forgiveness. Also approved was a grant for \$1,500,000.

With the project approaching 60% design, the project schedule was recently updated (see attached). Once the Edgemont Project reaches 90% design, the Breichner Plant Project design will begin. The Breichner Plant upgrades will include improvements to ensure compliance with the Long-Term 2 Enhanced Surface Water Treatment Rule, Disinfectant By-Products 2 Rule, Secondary Disinfection consistent with the RC Willson Plant, etc. We expect the Breichner Plant will continue employee conventional treatment techniques to achieve compliance with all Safe Drinking Water Act requirements.

Staff will be available to discuss work completed and answer questions.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Invest Hagerstown Program FY27 Funding Levels -- *Chris Siemerling, Economic Development Specialist*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

060226_WS_Invest_Hagerstown.pdf

Description

Invest Hagerstown Program
Funding FY27



TO: Scott Nicewarner, City Administrator

FROM: Chris Siemerling, Economic Development Specialist

DATE: May 29, 2026

RE: Invest Hagerstown Program Funding Levels for FY27

At the June 02, 2026 Work Session, staff will review the attached Chart of Components and Funding Levels.

Staff seek a determination of the funding levels for each of the program components for FY27 so spending can begin July 1, 2026. The chart provides an outline based on past years.

A total of \$1,175,000 is available in Fiscal Year 2027 (July 1, 2026 to June 30, 2027).

Attachments:

1. Chart of Components and Funding Levels
2. Draft Motion for Funding Level Chart
3. Budget Book Section 4, Pages 11-13 - Economic Redevelopment Fund – Invest Hagerstown Program History and FY27 Budget

c: Review Committee

INVEST HAGERSTOWN PROGRAM

FY2027 Chart of Components and Funding Levels – 06/02/2026

<p>1. City Center Redevelopment Grant Program – Grants from a minimum of \$150,000 to a maximum of \$250,000 and require a minimum 2:1 match from the developer. Projects ranging from \$450,000 to \$750,000+.</p>	<p>\$500,000</p>
<p>2. City-Wide Redevelopment Grant Program – Grants from a minimum of \$5,000 to a maximum of \$25,000 and require a minimum 2:1 match from the developer. Projects ranging from \$15,000 to \$75,000+.</p>	<p>\$250,000</p>
<p>3. Rental Property Rehabilitation Grant Program – Grants of \$7,500 to a maximum of \$20,000 to assist with rental property rehabilitation to market rate rental and requiring 2:1 match. Projects ranging from \$22,500 to \$60,000+. Projects receiving grants greater than \$7,500 require 2 or more units within a single property/parcel.</p>	<p>\$150,000</p>
<p>4. Sign & Façade Grant Sign grants range from a minimum of \$250, to a maximum of \$1,500 and require a minimum 1:1 match from the business owner to promote brand visibility and customer awareness. Façade grants range from a minimum of \$2,500 to a maximum of \$7,500 and require a minimum 1:1 match from the developer to improve storefront elements and enhance City Center. Projects ranging from \$5,000 to \$15,000+.</p>	<p>\$50,000</p>
<p>5. Homeownership Grant Program Down payment and closing cost assistance that provides loan-to-grants of \$7,500 to eligible homes within City limits to enhance home ownership in the area. Eligible homes may not exceed 100% of the average home sale price within City limits.</p>	<p>\$225,000</p>
<p>Subtotal</p>	<p>\$1,175,000</p>

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

DATE: June 23, 2027

TOPIC: **Approval of Invest Hagerstown Program Funding Levels for FY2027**

Charter Amendment	—
Code Amendment	—
Ordinance	—
Resolution	—
Other	<u>X</u>

MOTION:

I hereby move for the Mayor and City Council to approve the Invest Hagerstown Program’s funding levels for FY2027 according to the attached chart.

The program includes five categories: 1.) the City Center Redevelopment Grant Program; 2.) the City-Wide Redevelopment Grant Program; 3.) the Rental Property Rehabilitation Grant Program; and 4.) the Sign & Façade Grant Program; and 5.) the Homeownership Grant Program.

Mayor and City Council approve the City Center Redevelopment Grant applications, and will approve the reuse of any uncommitted/undisbursed and/or forfeited commitments in the City Center Redevelopment Grant category.

The program Review Committee approves the grant applications across the Categories #2 to #5, and will approve the reuse of any uncommitted/undisbursed and/or forfeited commitments in all categories, except the City Center Redevelopment Grant category, with the ability to reuse such funds across any of those program components.

Funding of this program will come from the Economic Redevelopment Fund Invest Hagerstown line items in the Fiscal Year 2027 budget.

DATE OF INTRODUCTION:	6/23/2027
DATE OF PASSAGE:	6/23/2027
EFFECTIVE DATE:	6/23/2027

ECONOMIC REDEVELOPMENT FUND - PROGRAM DESCRIPTION
FISCAL YEAR 2026/2027

DEPARTMENT / PROGRAM OVERVIEW

The Department of Community and Economic Development administers the Economic Redevelopment Fund which includes multiple economic incentive programs and property resale initiatives.

Properties Held for Resale

The following properties held in this fund were recently sold:

- 216 S. Propsect - sold in February 2023
- 11850 Indian Lane - sold in August 2023

Since 2023, no properties have been held in this fund, and the fund remains available for such a need.

Invest Hagerstown Program:

In order to stimulate redevelopment and investment in Hagerstown, the Mayor and City Council created multiple incentive programs under the Invest Hagerstown initiative. Each incentive program offered substantial City incentives for commercial redevelopment, mixed-use redevelopment, and residential investment.

Beginning in FY19, the Invest Hagerstown program was re-implemented with dedicated funding from the General Fund real estate tax rate. Funding was provided in the amounts shown for each fiscal year to support various incentive program components:

FY19	\$549,000
FY20	\$800,000
FY21	\$804,000
FY22	\$819,000
FY23	\$855,000
FY24	\$928,000
FY25	\$975,000
FY26	\$705,000
FY27	\$1,175,000 Proposed

For FY19 to FY25, the Invest Hagersown Program has leveraged more than \$64.1 million in private sector investment, more than 380 new jobs, and 179 new homeowners. Additionally, the program has resulted in more than 270 new or renovated units.

Invest Hagerstown - FY26 Proposed Budget:

The FY27 Budget includes \$1,175,000 for funding of the Invest Hagerstown Program. The components of the program are expected to model similarly to the FY26 program with some possible variation.

Invest Hagerstown - Program Components:

The Invest Hagerstown program has several program components:

1. City Center Redevelopment Grant Program: Grants from a minimum of \$150,000 to a maximum of \$250,000 and requiring a minimum 2:1 match from the developer. Projects ranging \$450,000 to \$750,000+.
2. City-Wide Redevelopment Grant Program: Grants from a minimum of \$5,000 to a maximum of \$25,000 and requiring a minimum 2:1 match from the developer. Projects ranging \$15,000 to \$75,000+.
3. Homeownership Loan to Grant Program: Provides down payment/closing cost assistance funding of \$7,500 City Wide. Funding is provided as a loan-to-grant with a residency requirement of 5 years.
4. Rental Property Rehabilitation Grant Program: Grants from a minimum of \$7,500 to a maximum of \$20,000 for rental property rehabilitation to market rate rental and requiring 2:1 match. Projects \$22,500 to \$60,000+.
5. Commercial Sign & Facade Grant Program: Grants for commercial signs from a minimum of \$250 to a maximum of \$1,500 requiring a 1:1 match. Projects ranging from \$500 to \$3,000+. Grants for facade improvements from a minimum of \$2,500 to a maximum of \$7,500 requiring a 1:1 match from the developer. Projects ranging from \$5,000 to \$15,000+.

A chart for the actual expenditures of the Invest Hagerstown program since FY19 is shown below:

Invest Hagerstown Program Incentives	FY19-FY23	FY24	FY25	FY26	FY26	FY27
Expenditures	Actual	Actual	Actual	Budget	Estimated Actual	Adopted Budget
City Center Redevelopment	\$ 2,580,000	\$ (580,000)	\$ (250,000)	\$ 1,750,000	\$ 1,750,000	\$ 500,000
City Wide Redevelopment	\$ 546,161	\$ 191,800	\$ 31,519	\$ 170,981	\$ 170,981	\$ 250,000
Homeownership	\$ 459,586	\$ 315,000	\$ 465,000	\$ 150,000	\$ 150,000	\$ 225,000
Rental Property Rehabilitation	\$ 100,000	\$ 131,207	\$ 75,000	\$ 63,200	\$ 60,000	\$ 150,000
Fascade: Invest Hagerstown	\$ 67,948	\$ 27,908	\$ 7,053	\$ 61,803	\$ 65,003	\$ 50,000
Total Expenditures per Year	\$ 3,753,695	\$ 85,915	\$ 328,572	\$ 2,195,984	\$ 2,195,984	\$ 1,175,000

ECONOMIC REDEVELOPMENT FUND - PROGRAM DESCRIPTION (continued)
FISCAL YEAR 2026/2027

Invest Hagerstown – FY14 Initial Program:

The initial program was funded in FY14 with \$1,500,000 in funding from General Fund Reserves. The Invest Hagerstown Program provided grants up to \$250,000 for eligible redevelopment projects in the City Center and up to \$50,000 for eligible redevelopment projects City-wide. The City partnered with the private sector to assist in moving development forward. This program resulted in a combined private and public investment City-wide estimated at \$4,173,000.

The Invest Hagerstown Program also provided down payment/rehab grants up to \$7,500 for homebuyers purchasing a vacant home within the City of Hagerstown. The Invest Hagerstown Program also provided down payment/rehab incentives for homebuyers in City Center and a rental subsidy for renters in City Center with the goal of attracting a more diversified population Downtown. This program assisted 24 homeowners City wide and 7 homeowners in City Center for a total of 31 homeowners. The program also assisted 18 renters in City Center.

By the end of FY19, all of the funding of the initial program was expended or committed for this program.

ECONOMIC REDEVELOPMENT FUND - PROPOSED EXPENSES AND REVENUES
FISCAL YEAR 2026/2027

ACCOUNT DESCRIPTION	2024/25	2025/26		2026/27	2026/27
	ACTUAL	BUDGET	EST. ACTUAL	PROPOSED	% CHANGE
REVENUES					
State Community Legacy Grant	\$ 100,000	\$ 625,000	\$ 400,000	\$ -	-100.0%
State Strategic Demolition Grant	-	100,000	50,000	50,000	-50.0%
ARPA - Economic Incentives	128,763	-	-	-	0.0%
Interest on Investments	42,002	36,000	40,000	36,000	0.0%
Other Revenues	4,560	-	-	-	0.0%
Total Revenues	275,325	761,000	490,000	86,000	-88.7%
EXPENDITURES					
Administrative Expenditures	24,975	18,000	37,430	18,000	0.0%
Current Property Expenditures	1,184	3,547	3,565	3,597	1.4%
PEP Subsidized Rent Payments	81,723	360,000	360,000	275,000	-23.6%
Economic Incentives	57,086	55,000	55,000	55,000	0.0%
Economic Incentives: Community Legacy Grant	100,000	625,000	450,000	25,000	-96.0%
Economic Incentives: Restaurant Ready Grant *	128,763	-	-	-	0.0%
Economic Incentives: Strategic Demolition Grant	-	100,000	50,000	50,000	-50.0%
City Center Redevelopment: Invest Hagerstown	(250,000)	1,750,000	1,750,000	500,000	-71.4%
City-Wide Redevelopment: Invest Hagerstown	31,519	170,981	170,981	250,000	46.2%
Homeownership Grant: Invest Hagerstown	465,000	150,000	150,000	225,000	50.0%
Rental Property Rehab: Invest Hagerstown	75,000	63,200	60,000	150,000	137.3%
Facade: Invest Hagerstown	7,053	61,803	65,003	50,000	-19.1%
USMH Housing Catalyst #3	46,313	-	-	-	0.0%
Total Expenditures	768,616	3,357,531	3,151,979	1,601,597	-52.3%
OTHER FINANCING SOURCES (USES)					
Transfers from General Fund	347,000	260,000	260,000	100,000	-61.5%
Transfers from General Fund: Invest Hag Incentives	975,000	705,000	705,000	1,175,000	66.7%
Total Other Financing Sources	1,322,000	965,000	965,000	1,275,000	32.1%
Net Change in Fund Balance	828,709	(1,631,531)	(1,696,979)	(240,597)	-85.3%
Beginning Fund Balance	1,751,312	2,580,021	2,580,021	883,042	-65.8%
Ending Fund Balance	\$ 2,580,021	\$ 948,490	\$ 883,042	\$ 642,445	-32.3%

* FY25 Actual includes \$129K ARPA funding utilized for Restaurant Ready Grant Incentive program.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Hagerstown Youth Council Annual Update – *Rachel Paul, Youth Council Supervisor*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

060220206_Hagerstown_Youth_Council_Session_Update.pdf

HYC_Presentation__June_2nd.pdf

Description

Youth Council Annual Update

HYC Presentation



TO: Scott Nicewarner, City Administrator

FROM: Rachel Paul, Hagerstown Youth Council Supervisor

DATE: May 28th, 2026

RE: Hagerstown Youth Council 25-26 Session Update

Staff will attend the June 2nd, 2026 Work Session to introduce the Hagerstown Youth Council (HYC) for an update on the 2025-2026 HYC session.

Formed in 2019, the Hagerstown Youth Council is an opportunity for local youth to learn, participate, and engage with the community and municipal government while developing leadership skills.

This year, the Hagerstown Youth Council continued to build on activities explored in the 24-25 session, including their first ever podcast, discussed by past cohorts! The HYC are also proud to announce that Hagerstown is home to its very own Liberty Tree planted by the Hager House at their year's Earth Day celebration, in recognition of America 250! These activities will be highlighted in the presentation, along with several other accomplishments this year!

Hagerstown Youth Council members will present at the June 2nd Work Session to provide updates on the progress of the council to date.

Attachments: Presentation

C: Amanda Gregg, Chief Housing and Community Development Officer



CITY OF

Hagerstown

YOUTH COUNCIL

Council Stats

- **17 Members**
- **4 Partner Group Members**
- **Representation from:**
 - **South Hagerstown High School**
 - **North Hagerstown High School**
 - **Barbara Ingram School for the Arts**
 - **Boyd. J Michael III Technical High School**
 - **Grace Academy**
- **Session commenced: 9/8/2026**
- **Total Meetings: 16**



25-26 Officers & Committees

Earth Day Event Committee

Secretary - Bethany Osuji

Logistics Coordinator - Caroline O'Neil

Digital Content Designer - Brielle Mireku
Baabu

Town Hall Event Committee

Secretary - Zander Hine

Logistics Coordinator - Nicolas
Martinez-Martell

Spring Event Committee

Secretary - Vattia Newberry

Sponsor Coordinator - Jessica Ramos

Community Support Coordinator -
Adrian Martinez

Digital Content Designer - Jocelyn
Johnson

Community Outreach Committee

Community Outreach Coordinator - Zoë Burnett

Community Outreach Coordinator - Toluwalase Ojo

Subcommittee: Advocacy Day

Advocacy Day Coordinator - Nina Dethdy

Advocacy Day Coordinator - Ruby Zhao

Advocacy Day Coordinator - Maura Britton

Youth in Session

HYC's 1st Ever Podcast!!!

Guests:

- Literacy Council of Washington County, Laura Gross
- Echoes of Tomorrow, Ariella Abjak
- Boys & Girls Club of Washington County, Addie Nardi
- Children in Need, Brittany Wedd
- Horizon Goodwill, Matthew Schmuck



SERVICE PROJECTS



ADVOCACY RALLY

MARCH 2026



EARTH & ARBOR DAY

APRIL
2026



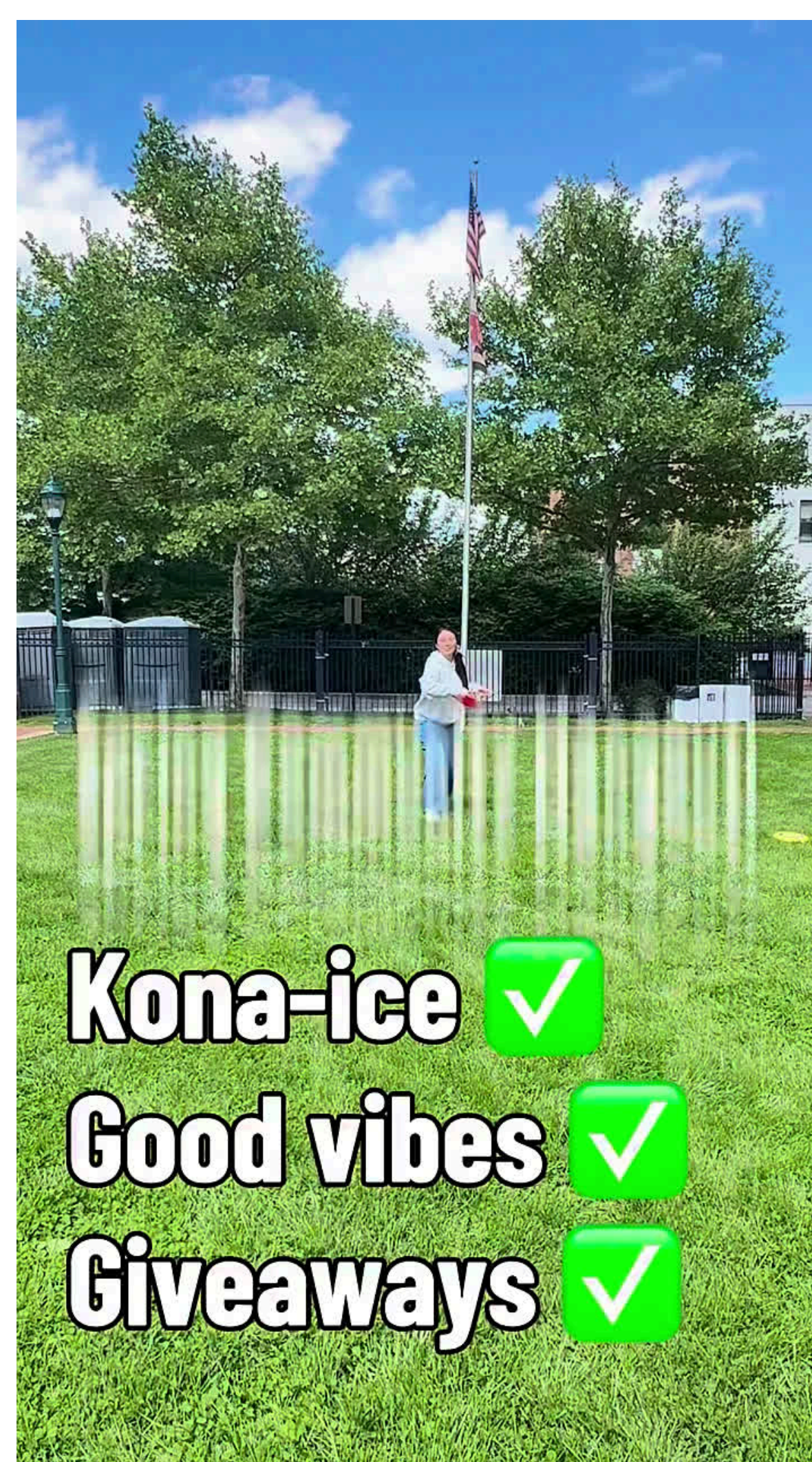
EARTH & ARBOR DAY

APRIL 2026



SPRING EVENT

Youth Olympics
MAY 2026



Kona-ice ✓

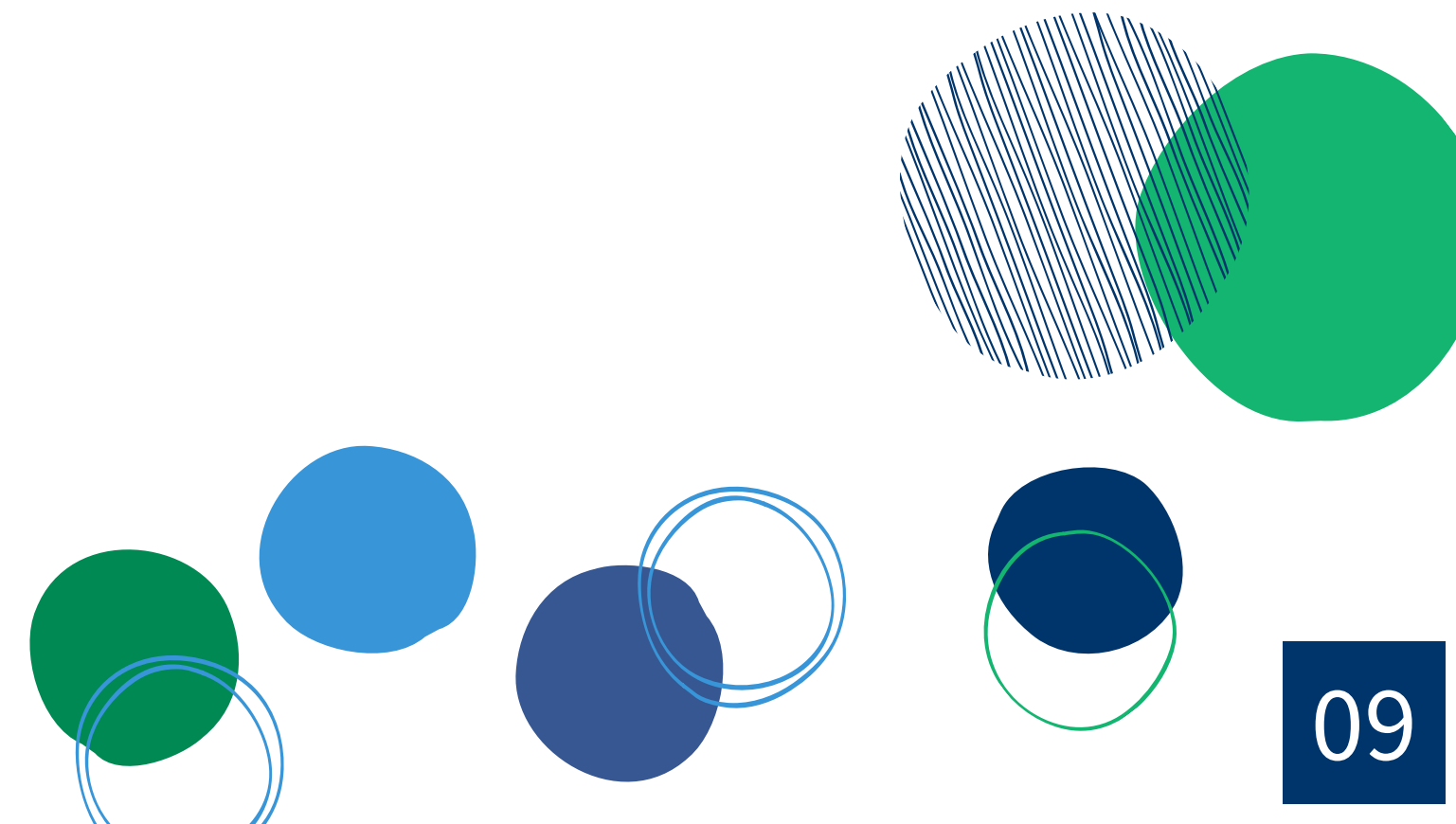
Good vibes ✓

Giveaways ✓

THANK YOU

On behalf of the Hagerstown Youth Council, we give a sincere *thank you* to everyone who has supported us along the way. Without the immense community support we receive, from residents, nonprofits, elected officials, family and friends, none of this would be possible!

We look forward to continue growing and evolving, and we hope you join us on the journey!



**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

International Brotherhood of Electrical Workers (IBEW) Union Contract – *Don Francis, Director of Human Resources*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

IBEW_Work_Session_Memo_6-2-2026.pdf

Description

IBEW Memo 6.2.26



CITY OF HAGERSTOWN, MARYLAND

Don Francis, SHRM-SCP, SPHR, IPMA-SCP
Director of Human Resources

One East Franklin Street • Hagerstown, MD 21740

E-mail: dfrancis@hagerstownmd.org

Telephone: 301.739-8577, ext. 109 • Website: www.hagerstownmd.org

DATE: June 2, 2026
TO: Scott Nicewarner, City Administrator
FROM: Don Francis
RE: IBEW Local 307 Wage Reopener

As you may recall, we are in the final year of a 3-year contract with IBEW. The contract called for 2 wage reopeners. We have a tentative agreement with IBEW for the final wage scale for FY27.

Attached is the wage scale for FY27 for which I am respectfully requesting the Mayor and Council's approval. The new scale adds 5.98% to the current wage scale and keeps us more competitive with many of the surrounding light departments.

I will be available to meet with the Mayor and Council in the June 2, 2026 work session to discuss the scale should they wish to do so.

If you have any questions, please feel free to contact me.

Attachment: IBEW Local 307 FY27 wage Scale.



APPENDIX I

IBEW 307
WAGE SCALE

Effective July 1, 2026				
GRADE	MIN	MAX	12 Year	20 Year
5	\$ 24.31	\$ 25.05	\$ 25.16	\$ 25.30
6	\$ 26.16	\$ 26.88	\$ 27.04	\$ 27.18
7	\$ 27.35	\$ 28.10	\$ 28.26	\$ 28.42
8	\$ 28.89	\$ 29.68	\$ 29.87	\$ 30.01
9	\$ 29.95	\$ 30.88	\$ 30.99	\$ 31.16
10	\$ 31.32	\$ 32.28	\$ 32.40	\$ 32.60
11	\$ 32.78	\$ 33.74	\$ 33.94	\$ 34.10
12	\$ 34.27	\$ 36.14	\$ 36.32	\$ 36.50
13	\$ 42.10	\$ 42.77	\$ 42.97	\$ 43.19
14	\$ 44.14	\$ 44.84	\$ 45.06	\$ 45.28
15	\$ 46.34	\$ 46.62	\$ 46.84	\$ 47.08
16	\$ 48.68	\$ 48.68	\$ 48.88	\$ 49.14

Step 0 1 - 11 12 - 19 20 +

BBA1 & BBA2

Step	
0	\$ 33.11
1	\$ 35.31
2	\$ 36.42
3	\$ 37.52
4	\$ 38.62
5	\$ 39.73
6	\$ 40.83
7	\$ 41.93

Note: Employees will advance to the longevity step based on their years of service effective the Monday following an employee's anniversary date.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

SPECIAL SESSION (39th Voting Session) – *Council Chamber, 2nd floor, City Hall*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Approval of the International Brotherhood of Electrical Workers (IBEW) Union Contract

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Motion_-_IBEW_Wage_Scale_-_Effective_July__2026.pdf

Description

Motion: IBEW Wage Scale

REQUIRED MOTION

**MAYOR & CITY COUNCIL
HAGERSTOWN, MARYLAND**

DATE: June 2, 2026

TOPIC: Approval of IBEW Local 307 Wage Scale

Charter Amendment	_____
Code Amendment	_____
Ordinance	_____
Resolution	_____
Other	<u> X </u>

MOTION: I hereby move for Mayor and Council approval of the attached IBEW Local 307 pay scale to be effective July 6, 2026.

DATE OF PASSAGE: June 2, 2026
EFFECTIVE DATE: July 6, 2026

APPENDIX I

IBEW 307
WAGE SCALE

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11	\$ 32.78	\$ 33.74	\$ 33.94	\$ 34.10
12	\$ 34.27	\$ 36.14	\$ 36.32	\$ 36.50
13	\$ 42.10	\$ 42.77	\$ 42.97	\$ 43.19
14	\$ 44.14	\$ 44.84	\$ 45.06	\$ 45.28
15	\$ 46.34	\$ 46.62	\$ 46.84	\$ 47.08
16	\$ 48.68	\$ 48.68	\$ 48.88	\$ 49.14

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BBA1 & BBA2

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