

TOWN OF CHEVY CHASE
COUNCIL MEETING
November 11, 2020

COUNCIL WORK SESSION (5:30-6:30 p.m.)

The Town Council will hold a work session to discuss Zimmerman Park redevelopment plans.

- I. GENERAL BUSINESS (7:00-7:15 p.m.)
 - A. Call to Order
 - B. Approval of Meeting Minutes
 - C. Acceptance of October 2020 Financial Report
 - D. [Town Manager's Report](#)
 - E. Public Comments

- II. COUNCIL DISCUSSIONS (7:15-9:00 p.m.)
 - A. [Discussion and Possible Introduction of an Ordinance to Amend Town Building Regulations Related to Accessory Dwelling Units](#)
 - B. [Gas-Powered Blower Regulations & Battery-Powered Equipment Subsidy Program](#)
 - C. [Election Board Report/Recommendations](#)
 - D. [PEPCO Rate Case Filing/LED Streetlight Conversion](#)
 - E. [Thrive Montgomery 2050](#)
 - F. [Subdivision Staging Policy](#)

- III. OTHER BUSINESS (9:00-9:15 p.m.)

- IV. ADJOURNMENT (9:15 p.m.)

How to Join the Council Meeting via Zoom®

Join Online:

<https://us04web.zoom.us/j/3016547144>

Join by Phone:

301-715-8592

Meeting ID: 301 654 7144

MEMORANDUM

I-D

TO: Town Council
FR: Todd Hoffman, Town Manager
RE: Town Manager's Report
DATE: November 11, 2020

This report highlights some of the initiatives undertaken by Town staff over the past month. In the interest of brevity, I have not included ongoing staff functions. Please let me know if you have any questions or need additional information.

- Continued management and oversight of:
 - Town-wide traffic study.
 - Zimmerman Park redevelopment project.
 - Sustainable Garden improvements and maintenance.
 - Asphalt and concrete repairs.
- Organized and attended Council work session on Thrive Montgomery 2050.
- Assisted the Subcommittee on Regional Growth and Development with organizing meetings of Chevy Chase municipalities on Thrive Montgomery 2050.
- Assisted with organizing and submitting municipal letter on County Subdivision Staging Policy to the County Council.
- Assisted the Climate and Environment Committee with drafting documents related to regulating/banning gas-powered blowers.
- Transmitted final traffic study to the Public Services Committee.
- Completed application for State Aid for Police Protection grant for FY22.
- Continued work to secure Program Open Space funding for Zimmerman Park improvements.
- Communicated with County officials regarding the commencement of Phase I Capital Crescent Surface Trail construction.
- Met with PEPCO representatives to discuss recent rate case filing; and continued research on conversion to LED streetlights.
- Investigated erosion in Coquelin Run and communicated with County and MDE officials about cause and responsibility.
- Assisted the Long-Range Planning Committee with tracking Bethesda redevelopment projects.
- Assisted the Public Services Committee with responding to resident requests and inquiries regarding public safety, traffic, and street lighting.

**Town of Chevy Chase
Accessory Dwelling Units Ordinance**

Ordinance No.:
Introduced:
Adopted:
Effective Date:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE TOWN OF CHEVY CHASE MUNICIPAL CODE TO ADD BUILDING REQUIREMENTS APPLICABLE TO DETACHED ACCESSORY DWELLING UNITS AND TO AMEND CHAPTER 17 TO ADD A REQUIREMENT CONCERNING EXTERIOR LIGHTING.

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to pass ordinances that such legislative body deems necessary to assure the good government of the municipality, to protect and preserve the municipality’s rights, property and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Local Government Article, Section 5-211, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to make reasonable regulations concerning buildings to be erected within the limits of the municipality, including a building code and the requirement for building permits;

WHEREAS, Maryland Code, Land Use Article, Section 20-509 grants to the legislative body of incorporated municipalities in the Maryland-Washington Regional District general power to adopt building regulations for the protection of the public health, safety, and welfare; the preservation, improvement, and protection of lands, water, and improvements in the municipal corporation; and to regulate the construction, repair, or remodeling of buildings on land zoned for single-family residential uses at it relates to fences, walls, hedges, and similar barriers; signs; residential parking; residential storage; the location of structures, including setback requirements; the dimensions of structures, including height, bulk, massing, and design; and lot coverage, including impervious surfaces;

WHEREAS, Section 301 of the Town of Chevy Chase Charter authorizes the Town Council to pass ordinances as it may deem necessary for the good government of the Town; for the protection and preservation of the Town’s property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the resident(s) of the Town; and for such other police and health matters as it may deem necessary;

WHEREAS, after proper notice to the public, the Town Council introduced the following Ordinance in an open meeting conducted on the ___ day of _____, 2020;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the __ day of _____, 2020, a copy of following Ordinance was submitted to the Montgomery County Council for its comments;

WHEREAS, the Montgomery County Council provided no comments;

WHEREAS, after proper notice to the public, and after at least thirty days from the date a copy of the following Ordinance was transmitted to the Montgomery County Council, the Town Council considered the following Ordinance in public session assembled on the __ day of _____, 2020;

WHEREAS, the Montgomery County Council, by Zoning Text Amendment 19-01, effective December 31, 2019, authorized the establishment and construction of detached accessory dwelling units in single-family zones;

WHEREAS, the Town Council finds that the Town building regulations do not currently separately address detached accessory dwelling units and should therefore be amended;

WHEREAS, the purposes of the Town building regulations include maintaining privacy and space between properties, ensuring adequate light, air, and safe passageways between buildings; encouraging appropriately-sized construction in keeping with lot sizes and the character of the Town; minimizing the flow of stormwater from lots by encouraging the maintenance of open spaces and the reduction of impervious surfaces; and the preservation and perpetuation of neighborhood character;

WHEREAS, the Town Council finds that the allowance of detached accessory dwelling units would be detrimental to the purposes of the Town building regulations, unless sufficient measures are implemented to mitigate the impacts;

WHEREAS, the Town Council finds that the ordinance as hereinafter set forth is necessary for the good government of the Town; for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town.

THEREFORE, BE IT ORDAINED AND ORDERED, this __ day of _____, 2020, by virtue of the authority given to it by the Maryland Code and the Town of Chevy Chase Charter, the Town Council of the Town of Chevy Chase does hereby adopt the following ordinance.

SECTION 1. BE IT ORDAINED AND ORDERED, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the aforementioned authority, that the Town Code is hereby amended to read as follows:

* * *

Sec. 4-1. - Definitions.

(a) In this chapter, the following terms shall have the meanings indicated.

(b) Terms defined.

* * *

Accessory dwelling unit: A second dwelling unit that is subordinate to the principal dwelling unit and is located within a main building or an accessory building.

Detached accessory dwelling unit: An accessory dwelling unit that is located in a detached accessory building or part thereof.

Dwelling unit: A building or portion of a building providing complete living facilities for not more than one household, including, at a minimum, facilities for cooking, sanitation, and sleeping.

* * *

Gross floor area: The sum of the gross horizontal areas of the several stories (whether or not a floor has actually been laid) of all buildings on the lot with structural headroom or clear ceiling height of six (6) feet, six (6) inches or more. Gross horizontal areas are measured from the exterior faces of exterior walls. Areas with clear ceiling height (measured from floor to ceiling) greater than fourteen (14) feet shall count twice.

(a) The term "gross floor area" includes:

- (1) Stairwells at each story;
- (2) Floor space used for mechanical equipment;
- (3) New attic space;
- (4) Screened or otherwise enclosed porches; and
- (5) The area of any accessory structure greater than two hundred forty (240) square feet.

(b) "Gross floor area" does not include:

- (1) The first two hundred forty (240) square feet of one (1) accessory structure, per lot, **provided that accessory structure does not contain or comprise a detached accessory dwelling unit;**
- (2) Unenclosed porches;
- (3) Basements;
- (4) Cellars; and
- (5) Attic space existing as of May 17, 2008, to the extent that the three-dimensional boundaries of the attic have not been expanded. If the three-dimensional boundaries of the attic

are expanded, the expanded area shall be included in "gross floor area". The roof over the attic space may be repaired or replaced. However, if the attic is demolished, the replacement attic space shall be considered new attic space not in existence as of May 17, 2008.

* * *

Main building: **A building in which the principal dwelling unit is located.** ~~A building in which the principal use of the lot is conducted. The residence shall be deemed to be the main building unless the lot is lawfully used exclusively for nonresidential purposes.~~

* * *

Sec. 4-2. - Building permit, in general.

(a) Unless a permit has been issued by the town manager, it shall be unlawful for any person to:

- (1) Erect any building;
- (2) Make any material structural alterations or additions to a building;
- (3) Demolish any building (in whole or in part);
- (4) Erect any fence, guardrail, handrail, wall, berm, or front-yard hedge, provided, however, a handrail may be erected along a walkway, steps, or outside stairway on private property without a permit;
- (5) Install any pool, outdoor therapeutic bath, or tennis court;
- (6) Disrupt any town right-of-way, including, but not limited to, streets, sidewalks, curbs, gutters and grassy areas;
- (7) Place any dumpster or portable storage unit on public or private property;
- (8) Construct an access ramp or wheelchair lift;
- (9) Install any overhead or underground wires, cables, hoses, pipes, and similar facilities on public property devoted to private use; ~~or~~
- (10) Construct, expand, replace, or remove a curb entrance, driveway, or driveway apron within a public right-of-way or on private property; **or**
- (11) add an accessory dwelling unit to any accessory building or modify, convert, or renovate an accessory building, or any part thereof, into an accessory dwelling unit.**

* * *

Sec. 4-5. - Accessory building construction; prohibitions.

(a) *Interior lot.* An accessory building shall:

- (1) Be located in the rear yard;
- (2) Not occupy more than twenty-five (25) percent of the rear yard;
- (3) Be set back from the front lot line a minimum of sixty (60) feet; and
- (4) Conform to the following setback requirements:

- a. An accessory building, **that does not contain or comprise a detached accessory dwelling unit,** less than twelve (12) feet in height when measured from the average pre-development grade to the highest point, shall be set back a minimum of five (5) feet from the rear lot line and the side lot lines.
- b. An accessory building, **that does not contain or comprise a detached accessory dwelling unit,** twelve (12) feet or greater in height when measured from the average pre-development grade to the highest point, shall be set back a minimum of seven and one-half (7½) feet from the rear lot line and the side lot lines.
- c. **An accessory building containing or comprising a detached accessory dwelling unit shall be set back the minimum distance from the side lot lines required for a new main building according to section 4-4(b), and shall be set back from the rear lot line a minimum of twenty (20) feet or fifteen (15) percent of the lot depth, whichever is greater.**

(b) *Corner lot.* An accessory building shall:

(1) Be located in the rear yard. For purposes of this section, the rear yard is the area that is behind both front building lines and is behind at least one of the rear building lines. For new construction the property owner may choose which yard is the rear yard, provided that the main building does not encroach into the rear yard setback for such rear yard.

(2) Not occupy more than twenty-five (25) percent of the rear yard;

(3) Conform to the following setback requirements:

a. An accessory building, that does not contain or comprise a detached accessory dwelling unit, shall be set back from the side lot line a minimum of five (5) feet, and shall be set back from the rear lot line a minimum of ten (10) feet; and

b. An accessory building containing or comprising a detached accessory dwelling unit shall be set back from the side lot line a minimum of eight (8) feet, and shall be set back from the rear lot line a minimum of twenty (20) feet or fifteen (15) percent of the lot depth, whichever is greater.

~~(3) Be set back from the rear lot line a minimum of ten (10) feet; and~~

~~(4) Be set back from the side lot line a minimum of five (5) feet.~~

(c) **Increased setback based on height.** For any accessory building, **that does not contain or comprise a detached accessory dwelling unit,** with a height of twelve (12) feet or greater for a flat roof or fifteen (15) feet or greater when measured to the ridge of the roof, the required side and rear setbacks **for the accessory building** must be increased from the requirements in ~~subsections (a), and (b)~~ of this section at a ratio of one and one-half (1½) feet of additional setback for each foot of height in excess of twelve (12) feet for a flat roof or fifteen (15) feet

for any other type of roof. **The increased setback shall apply to the entire accessory building.**

(d) **Increased setback based on length.** The minimum setback from a rear or side lot line for any accessory building, **that does not contain or comprise a detached accessory dwelling unit,** which has a linear dimension greater than twenty-four (24) feet along such side or rear lot line, shall be increased from the requirements under subsections (a), (b) and (e) of this section at a ratio of one and one-half (1½) feet for each foot that the dimension exceeds twenty-four (24) linear feet. **The increased setback shall apply to the entire accessory building.**

(e) **Increased setback for detached accessory dwelling unit. If the increased setback based on height and/or length as calculated according to this section for a building that does not contain or comprise a detached accessory dwelling unit would be greater than the minimum required side or rear setback for a building that contains or comprises a detached accessory dwelling unit, the increased setback based on height and/or length shall apply.**

(f) The increased setbacks required by subsection (d) of this section **based on height and length shall apply cumulatively** be in addition to any increased setback required by subsection (e) of this section, so that the required setback building shall be the total of the setbacks required by subsections (a) or (b) and (c) and (d) of this section.

* * *

Sec. 4-7. - Developmental nonconformities.

A developmental nonconformity may be maintained, altered and repaired, but not replaced, provided that it may not be enlarged beyond the dimensions that existed on May 17, 2008, **and further provided that a detached accessory dwelling unit may not be constructed within a non-conforming structure,** except in accordance with this chapter. Notwithstanding the foregoing, nonconforming porches, decks, stoops, steps, stairways, chimneys, bay and bow windows, and similar projections may be maintained, altered, repaired, or replaced provided that they may not be enlarged beyond the dimensions that existed on May 17, 2008, except in accordance with this chapter. **A building in which a detached accessory dwelling unit is constructed must meet the required setback and other requirements of this Chapter at the time of construction of the accessory dwelling unit.**

* * *

Sec. 17-3. Exterior Lighting of Buildings.

Exterior lighting on and appurtenant to a building shall be directed away from the windows of any dwelling unit on an abutting or confronting lot.

* * *

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the aforementioned authority, that:

(1) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(2) This ordinance shall take effect on the __ day of _____, 2020 (30 days after adoption).

ATTEST:

TOWN OF CHEVY CHASE

Ellen Cornelius Ericson, Secretary

Cecily Baskir, Mayor
Town of Chevy Chase

Bold and Underline indicates new material
~~Strike through~~ indicates material deleted
* * * indicates material unchanged

**Town of Chevy Chase
Gasoline-Powered Blower Ordinance**

Ordinance No.:
Introduced:
Adopted:
Effective:

SUBJECT: AN ORDINANCE TO AMEND SECTION 15-40 OF THE TOWN CODE TO LIMIT THE OPERATION OF GASOLINE-POWERED BLOWERS

WHEREAS, Section 5-202 of the Local Government Article of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Town of Chevy Chase, general power to pass such ordinances not contrary to the Constitution of Maryland or public general law as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the municipality; and

WHEREAS, the Town Climate and Environment Committee has recommended that the Town Council expand the quiet hours for gasoline-powered blowers and consider a phased-in ban; and

WHEREAS, Section 301(a) of the Charter of the Town of Chevy Chase authorizes the Town Council to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and for such other police or health matters as it may deem necessary; and

WHEREAS, the Town Council introduced an ordinance on this topic in public session assembled on the 10th day of June, 2020 and discussed the matter at open sessions held on the 8th day of July, 2020 and the 22nd day of September, 2020; and

WHEREAS, the Town Council introduced the following ordinance on the ____ day of _____, 2020 and held a public hearing on the following ordinance in public session assembled on the ____ day of _____, 2020; and

WHEREAS, upon consideration of the recommendation of the Climate and Environment Committee, and the testimony and evidence presented at the public hearing, the Town Council finds that the operation of gasoline-powered blowers should be restricted; and

WHEREAS, the Town Council finds that the following ordinance is necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town.

NOW, THEREFORE, the Town Council of the Town of Chevy Chase does hereby adopt the following ordinance:

SECTION 1. BE IT ORDAINED AND ORDERED, this ____ day of _____, 2020, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter, that the Town Code is amended to read as follows:

* * *

Sec. 16-1 - Noise restrictions.

The following provisions shall apply in the Town of Chevy Chase in addition to the provisions of chapter 31B of the Montgomery County Code:

(1) **Construction.** It shall be unlawful to engage in construction activities before 7:00 a.m. on weekdays or 9:00 a.m. on weekends and all federal holidays, and after 7:00 p.m. on all days. As used herein, "construction activities" means temporary activities directly associated with site preparation, assembly, erection, repair, alteration, renovation, construction, or demolition of improvements, or other similar activities including, but not limited to, moving heavy equipment, delivering materials, loading or unloading, operating equipment with audible "back-up" warning devices, and allowing engines to idle.

(2) Landscaping.

a. Gasoline-powered.

1. Restrictions, effective dates.

a. Restrictions applicable through December 31, 2020. (†) It shall be unlawful to operate a gasoline-powered leaf blower before 9:00 a.m. and after 7:00 p.m., on all days.

b. Restrictions applicable starting January 1, 2021. It shall be unlawful to operate a gasoline-powered blower before 10:00 a.m. on weekdays, before 12:00 p.m. on weekends and all federal holidays, and after 6:00 p.m. on all days.

b. Restrictions applicable starting January 1, 2022. From the 1st day of October through the 31st day of December, it shall be unlawful to operate a gasoline-powered blower before 10:00 a.m. on weekdays, before 12:00 p.m. on weekends and all federal holidays, and after 6:00 p.m. on all days. It shall be unlawful to operate a gasoline-powered blower at any time on any other day of the year, after the 31st day of December and before the 1st day of October 1.

c. Total ban effective January 1, 2023. It shall be unlawful to operate a gasoline-powered blower at any time on any day after December 31, 2022.

2. (ii) It shall be unlawful to operate other gasoline-powered landscaping equipment before 8:00 a.m. on weekdays, before 9:00 a.m. on weekends and all federal holidays, after 8:00 p.m. on weekdays, and after 7:00 p.m. on weekends and all federal holidays.

b. Electric or ~~B~~battery-powered. It shall be unlawful to operate electric or battery-powered landscaping equipment before 8:00 a.m. on weekdays, before 9:00 a.m. on weekends and all federal holidays, and after 8:00 p.m. on all days.

c. As used herein, "landscaping equipment" means motorized equipment such as a lawn mower, chainsaw, leaf-blower, weed trimmer, or other similar equipment operated outdoors. "Landscaping equipment" does not include motor vehicles or fixtures such as air conditioners, heat pumps, back-up generators and similar equipment attached to a building.

(3) *Penalties.* Violation of any provision of this chapter shall be a municipal infraction. Any person or persons guilty of a municipal infraction shall be subject to a fine in the amount specified below:

- a. First violation \$200.00
- b. Second violation \$400.00
- c. Third violation \$1,000.00

d. Any person who violates this chapter or directs or allows another to commit an act that violates this chapter, the person's employer if the person acted in the course of his or her employment, and any property owner who allows a violation of this chapter on his or her property shall be guilty of a violation and shall be jointly and severally subject to the penalties provided in subsections a. through c. If a violation occurs, there shall be a rebuttable presumption that all owners of the property allowed the violation.

(4) *Enforcement.* An enforcement officer may issue a municipal infraction citation for any violation of this chapter if the enforcement officer:

a. Witnesses the violations; or

b. Receives written complaints from at least two (2) witnesses, who are not residents at the same address, of a noise disturbance. Complaints by two (2) witnesses are required to issue a citation under this paragraph but are not required to prove that a person violated this chapter. The complainants must be willing to testify in court, if required.

* * *

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council of the Town of Chevy Chase, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter that, that:

(1) To assist the public in understanding the permissible hours of operation for landscaping equipment, the following table may be published by the Town Manager:

	Permissible Hours	
Construction activities	<i>Weekdays</i>	<i>Weekends and Holidays</i>
	From 7:00 am to 7:00 pm	From 9:00 am to 7:00 pm
Landscaping equipment		
Gas-powered leaf blower	<i>Weekdays</i>	<i>Weekends and Holidays</i>
	From 9:00 am to 7:00 pm	From 9:00 am to 7:00 pm
	<u>Starting 1/1/21: From 10:00 am to 6:00 pm</u>	<u>Starting 1/1/21: From 12:00 pm to 6:00 pm</u>
	<u>Starting 1/1/22: From 10:00 am to 6:00 pm from Oct. 1 to Dec. 31; prohibited at any time after Dec. 31 and before Oct. 1</u>	<u>Starting 1/1/22: From 12:00 pm to 6:00 pm from Oct. 1 to Dec. 31; prohibited at any time after Dec. 31 and before Oct. 1</u>
	<u>Starting 1/1/23: Prohibited at any time (total ban goes into effect)</u>	<u>Starting 1/1/23: Prohibited at any time (total ban goes into effect)</u>
All other gas-powered equipment	<i>Weekdays</i>	<i>Weekends and Holidays</i>
	From 8:00 am to 8:00 pm	From 9:00 am to 7:00 pm
	<i>Weekdays</i>	<i>Weekends and Holidays</i>

All electric or battery-powered equipment	From 8:00 am to 8:00 pm	From 9:00 am to 8:00 pm
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Effective _____, ____ 2020

(2) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(3) This ordinance shall take effect on the __ day of _____, 2020 (30 days after adoption).

ATTEST:

TOWN OF CHEVY CHASE

Ellen Cornelius Ericson, Secretary

Cecily Baskir, Mayor
Town of Chevy Chase

Bold and Underline indicates new material

~~Strike through~~ indicates material deleted

* * * indicates material unchanged



Town of Chevy Chase
4301 Willow Lane
Chevy Chase, MD 20815

301-654-7144 (phone)
301-718-9631 (fax)
townoffice@townofchevychase.org

Town Request No.

Battery-Powered Blower & Equipment Subsidy Program

The undersigned, a company or individual that provides landscaping services in the Town of Chevy Chase, wishes to participate in the Battery-Powered Blower & Equipment Subsidy Program. By participating, I understand and agree to the following:

- Program participants must be a company or individual that provides landscaping services to at least one client in the Town of Chevy Chase.
- The Program will reimburse a landscaping company or individual 50% of the cost, up to a maximum of \$500, for the purchase of a battery-powered blower or blowers and equipment related to their operation, including batteries and chargers.
- This is a one-time subsidy that is available for the purchase of equipment on or after January 1, 2021.
- The undersigned agrees to use the equipment purchased through this program when performing landscaping services on clients' properties within the Town of Chevy Chase.
- The undersigned is responsible for submitting to the Town this completed application, proof of an active Town client, and proof of payment for the equipment dated on or after January 1, 2021.
- The Town reserves the right, in its sole discretion, to approve or deny any request for a subsidy. This program is subject to termination by the Town without further notice. Subsidy payments are offered on a limited basis, subject to a not-to-exceed program limit of \$25,000. Requests submitted will be processed in the order received.
- The Town may require additional information or documentation as deemed necessary to adequately assess an application for a subsidy.

AGREEMENT AND RELEASE

The undersigned hereby understands and agrees to all terms and conditions of the Town's Battery-Powered Blower & Equipment Subsidy Program. The undersigned understands that, pursuant to the Program, the Town will reimburse a resident 50% of the cost, up to a maximum of \$500, for the purchase of a battery-powered blower or blowers and equipment related to their operation. This is a one-time subsidy that is available for the purchase of aforementioned equipment on or after January 1, 2021.

If approved, the undersigned acknowledges that reimbursement may take up to eight (8) weeks from the date an invoice is submitted to the Town.

In consideration for making the Battery-Powered Blower & Equipment Subsidy Program available and providing financial assistance thereunder, the undersigned hereby certifies and agrees that you (a) have read this document in its entirety, and (b) understand and agree that the Town will not be responsible for the performance, maintenance or repair of any equipment purchased through this program or for any work performed by a contract or individual with

equipment purchased through this program, (c) agree to abide by all of the terms and agreements of the Program, and (d) hereby release, indemnify and hold harmless the Town and all of its officers, employees, contractors, and agents from all suits, actions, damages, and costs which may result from the purchase and use of equipment under this program.

I HAVE READ THIS DOCUMENT IN ITS ENTIRETY AND UNDERSTAND AND AGREE TO ITS TERMS:

Company Name

Signature

Email Address

Date

Address

Telephone

FOR OFFICE USE ONLY

Approved

Denied

Amount reimbursed: \$ _____

Town Manager Signature

Date

Elections Board Report to the Town Council on the 2020 Council Election

Following every election, according to the Town's ordinances, the Elections Board is required to submit to the Town Council a written report that includes the voting results and any recommendations for the future. Following is our report on the 2020 council election.

We believe this was an interesting and successful election, our first universal mail-in vote, and we want especially to thank Town Manager Todd Hoffman, who skillfully managed the details and worked with the contractor, Electec Inc., to make this a model of how this type of election can be carried out.

Rob Enelow
Chris White
Chris Wright (Chair)

May 28, 2020

Overview:

- Due to the ongoing COVID-19 pandemic, the Town held its first-ever, universal vote-by-mail election in 2020. There was no in-person voting on May 5, election day. Instead, each registered Town voter received a ballot by mail and returned that ballot, once completed, in a stamped, self-sealing envelope provided by the Town.
- All ballot envelopes were required to be postmarked by May 5, 2020 and received by May 12, 2020 in order for the enclosed ballot to be counted. Electec Election Services, Inc. processed and counted the ballots for the 4th consecutive year.
- For more information on the conduct of the 2020 election, see the emergency resolution and operations plan approved by the Town Council on March 26, 2020.

Results:

- The 2020 Town Council election was uncontested as there were only three candidates for three open seats.
- Traditionally, prior to the election the Election Board hosts a "Candidates' Forum" in the Town Hall in which competing candidates respond to a set of questions posed by a moderator, for the past ten years Charles Duffy. This year, because assembly of more than 10 persons was prohibited due to the virus epidemic, the forum was held by "Zoom" videoconference on Tuesday, April 28 at 7 p.m. Over 50 Town residents "attended" the forum, more than have been known to attend the actual forum in years when the contest was uncontested.

- Similarly, voter “turnout” represented by votes cast was unusually high when compared to recent uncontested elections, (more than double any uncontested election since 2010). Out of approximately 2,687 registered Town voters, 722 cast ballots (about 27% of registered voters). Since six of the ballots cast were spoiled (e.g., ballots were blank or affidavits were unsigned), the number of valid ballots cast and counted was 716.
- Comparison of participation in uncontested elections since 2010 (number of ballots counted):
 - 2010: 158
 - 2012: 151
 - 2015: 309
 - 2017: 273
 - 2019: 184
 - 2020: 716

Recommendations:

- For future elections the Council may wish to consider a universal vote-by mail system like this one in which ballots are mailed to all registered voters. Voting by mail is significantly more convenient for voters (no need to request an absentee ballot or go to the poll on election day) and appeared to result in greater voter participation, especially considering this was an uncontested election.
- The cost was not prohibitively more: \$12,000 (mail-in) vs. \$7,000 (in person). The cost of postage and handling for a mail-in election is higher than the cost of sending two staff to monitor the in-person election. While voting in person on election day could be considered a treasured civic activity, it is possible that this is simply no longer practical.
- The Town received some complaints about the privacy of personal identification information on the return ballot envelopes. The resolution is either to provide return envelopes with a privacy flap/tab to cover the personal information, or to require only a voter’s signature and printed name on the return envelope. The latter procedure is currently being employed for Maryland’s June 2 presidential primary election. A state-wide standard for this may develop before the Town has another election.
- The Town received some reports of ballots addressed to former/deceased residents. This situation did not cause any election-related problems. The Town uses voter registration rolls provided by the state of Maryland, and maintaining the accuracy of these state rolls is a matter of national discussion. Establishing a separate voter registration system for the Town would require significant ongoing resources and is not recommended.