

Town of Kitzmiller  
PO Box 607  
Kitzmiller, MD 21538

Box Holder  
Kitzmiller, MD 21538

**Town Hall Hours:**

Monday & Tuesdays – 8:30A to 4P  
Wednesdays & Fridays – Closed  
Thursdays – 9A to 7P

**Town Hall Closures:**

December 25<sup>th</sup>  
to  
January 1<sup>st</sup>!

**Town Council Meetings**

No December Meeting!  
Monday, January 22<sup>nd</sup>, 2023.

Meeting will be held upstairs at the Kitzmiller Community Building.  
The New Chair Lift has been installed! All are welcome to attend.

**Community Events (Details inside):**

Dec 8<sup>th</sup>: Old Fashioned Christmas

Dec 9<sup>th</sup>: Breakfast with Santa

Dec. 10<sup>th</sup>: Craft & Vendor Show; Special Service at Blaine; Kitzmiller Assembly's  
Christmas Program

Dec. 11<sup>th</sup>: Cover2Cover Book Club Christmas Celebration

Dec. 13<sup>th</sup>: Lego Club

Dec 16<sup>th</sup>: Community Christmas Movie Night

Dec. 17<sup>th</sup>: Blaine Full Gospel Christmas Program, followed by Christmas Caroling; Hi-Way  
Assembly's Christmas Program; & Cookies with Santa at the Coal Bucket.

Dec. 18<sup>th</sup>: Christmas Light Judging

Dec. 20<sup>th</sup>: Caroling & Cookies with Kitzmiller Assembly of God

Dec. 24<sup>th</sup>: Candlelight Service at Kitzmiller Assembly of God

Jan. 24<sup>th</sup>: STEAM Kids at Library



(301)453.3449



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www.Kitzmillermd.org



(301)453.3199



# Kitzmiller Newsletter

December 2023/January 2024 Issue

Happy Holidays from the Mayor & Town Council!

**Kitzmiller Coal Heritage Museum:** If you would like to schedule an appointment to visit the Kitzmiller Coal Heritage Museum, with Museum Curator, Dale Lipscomb, call (301)453-3449.

**Helping Hands Thrift Shop:** Open from 12P to 6P on Tuesdays & Thursdays, upstairs at the Kitzmiller School Building. Please use the entrance next to the library! Come visit to see what treasure you can find! WE NOW HAVE AN OFFICIAL FACEBOOK PAGE! Please like and follow us to see what extra savings you can find.

- We are excited to be hosting the Light Contest this year! No application is required! Out of Town Judges will decide who wins 1<sup>st</sup>, 2<sup>nd</sup>, & 3<sup>rd</sup>. There will be voting containers at the Coal Bucket, Town Hall, Library, Thrift Shop, & Post Office for the People's Choice Award!

**Kitzmiller Ruth Enlow Library:** • Visit Kitzmiller Library's Holiday Open House as we celebrate the most wonderful time of the year on Friday, December 8<sup>th</sup>, from 10am - 3pm. Join us for refreshments, treats for kids, and enter our door prize drawing.

- The library will have crafts for the kids at Kitzmiller's Old-Fashioned Christmas, December 8<sup>th</sup>. Make sure to stop by our table for some fun activities.
- Cover2Cover Book Club will be celebrating the holidays on December 11<sup>th</sup>, from 5:30-7:00 pm. We plan to have refreshments and make a beautiful snowman craft as we discuss our book selection for the month of December. We will meet again on January 8, from 6-7pm.
- LEGO Club will meet on Wednesday, December 13, from 4:30-5:30 pm for a Christmas themed build. We will also be making light-up Christmas cards using copper tape, LEDs, and a coin cell battery. Next LEGO Club will be held January 10, from 4:30-5:30 pm.
- Children's Story Time for ages 3-5 is each Tuesday from 10:30-11:00 am.
- Garrett County DSS is at the library on the 3<sup>rd</sup> Thursday of each month from 11am - 1pm to help anyone needing assistance.
- There will be no STEAM Kids in the month of December. Enjoy your holidays! Next STEAM Kids will be January 24, from 4:30-5:30 pm.
- Merry Christmas & Happy New Year Everyone!

**Senior Meals:** Come and join us on Wednesdays and Thursdays beginning at noon. Meals are only \$3. All are welcome to attend. Please let us know ahead of time. Call Carol Matthews on Wednesdays or Thursdays at (301)453-3445 after 9AM.

**Kitzmiller Lions Club:** WE WILL BE SERVING FOOD AT OLD-FASHIONED CHRISTMAS. Kitzmiller Lions Club is currently collecting medical equipment. If you have any unused or unwanted medical equipment, or you need medical equipment please contact Robbie Reckart at (301)453-3418. If you need help with purchasing new prescription glasses, this is something that we can assist you with as well. Please contact any Kitzmiller Lions Club member.

**Kitzmiller Head Start:** We are excited to see what Santa brings us for Christmas! We wish everyone a very Merry Christmas and a Happy New Year!

**Kitzmiller/Elk Garden Youth Little League:** We will be hosting Basketball Sign-ups soon. Watch our Facebook Page for the official date.

**Kitzmiller Volunteer Fire Department:** Cash Bash Tickets are now available for purchase! Tickets are \$25 each and we only have 1000 tickets available. Cash Bash will be held on March 16<sup>th</sup>, 2024, at the Oakland Elks Lodge. Please see a member to get your tickets today. Also watch for more information for our Quarter Auction in April 2024.

**Coal Bucket Restaurant:** • We have new winter hours. We will be closed on Monday, Tuesday, and Wednesday. We will continue our regular hours Thursday through Sunday

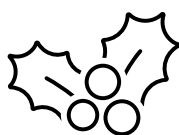
- We are collecting Christmas Cards for the nursing home. Sign the card and drop them off, we are also signing cards and the children will be coloring pictures to go in Christmas Cards at Old Fashioned Christmas on Friday December 8th at Kitzmiller School.
- Sunday, December 17 will be our annual Christmas Dinner with turkey and all the trimmings. Noon to 3:00. Santa will arrive at the Coal Bucket at 5:00 on the 17 to have cocoa and cookies with him He will read a story and grant all the children's wishes.
- We will be closed for the holidays starting December 18 through January 3rd. Open again on January 4th. Wishing you and yours a happy holiday season.

**Kitzmiller After School Program:** • We will be hosting a Craft and Vendor Show on December 10<sup>th</sup> from 10A to 4P at the former Kitzmiller Elementary School.

- Join us on December 16<sup>th</sup> at 6 PM upstairs at the Community Building for a Community Christmas Movie, hot cocoa, cookies, and a craft. Cost will be \$2 per person and a pair of new socks or gloves to donate to a local charity.

**Kitzmiller Empowerment Group:** Join us on Saturday, December 9<sup>th</sup>, 2023, from 8A to 11A for Breakfast with Santa at the former Kitzmiller Elementary School! Children Ages 12 & under eat for free. Ages 13 and older will cost \$10.

**A-Lotta Antiques & More:** We are officially open and ready for business! Come see us on Fridays from 11A to 6P, Saturdays from 11A to 5P, or Sundays from Noon to 5P.



#### Church News:

**Blaine Full Gospel** - Join us on December 8<sup>th</sup> at the Pavilion side of the Kitzmiller Botanical Garden to journey to Bethlehem. Meet Mary & Joseph, the wisemen, and see the shepherds and the amazing nativity. Tickets will be available inside the school at Old-Fashioned Christmas.

- 12/10 – Special Church Decorating Service with Candlelight Communion starting at 10AM.
- 12/17 – Sunday School at 10A. Special Christmas Service with Songs and Children poems, followed by Caroling through town.
- Wednesday Bible Study begins at 6:30P at Shirley Anderson's Home for the Month of December
- January Church Services return to normal with Sunday School beginning at 10A with Worship & Children's Church beginning at 11A.

**Hi-Way Assembly of God** - Join us on December 17<sup>th</sup> at 6P for our Christmas Program! Sunday Services begin at 10AM with Bible Study on Wednesday at 6P.

**Kitzmiller Assembly of God** - Join us on Sundays at 11A or Wednesdays at 7P. Our Christmas Program will be December 10<sup>th</sup> at 6P, we will be hosting Christmas Caroling and Cookies on December 20<sup>th</sup> at 6P or join us on December 24<sup>th</sup> for our Candlelight Service Beginning at 6P.

**Kitzmiller United Methodist Church** – Sunday morning services begin at 9A. Anyone is welcome to attend.



## Ordinance 2024-02 - Tree Protection & Maintenance

The Mayor and Town Council of Kitzmiller are currently trying to pass a new Town Ordinance for Tree Protection & Maintenance, with hopes of applying for Tree City, USA.

A copy of this ordinance has been publicly posted outside of Kitzmiller Town Hall and in the Kitzmiller Post Office. A copy of the ordinance will be sent out with the December/January Newsletter to all town residents. A public hearing will be held upstairs at the Kitzmiller Community Building on Monday, December 11<sup>th</sup>, 2023, at 6:30PM. If you have any questions and/or concerns, you may contact Beccie at Kitzmiller Town Hall at (301)453-3449 or by email at [kitzmd@shentel.net](mailto:kitzmd@shentel.net).

### SECTION 1 – PURPOSE:

**WHEREAS**, the Mayor and Town Council of Kitzmiller, MD propose the purpose to enhance the quality of life and the present and future health, safety, and welfare of all residents, to enhance property values, and to ensure proper planting and care of trees on public property, The Kitzmiller Council herein delegates the authority and responsibility for managing public trees, establishes practices governing the planting and care of trees on public property, and makes provision for the emergency removal of trees on private property under certain conditions.

**SECTION 2 - DEFINITIONS** – as used in this article, the following words and phrases shall have the meanings indicated:

**Damaged** – any injury to or destruction of a tree, including but not limited to uprooting; severance of all or part of the root system or main trunk; storage of material on or compaction of surrounding soil; a substantial change in the natural grade above a root system or around a trunk; surrounding the tree with impervious paving materials; or any trauma caused by accident or collision.

**Nuisance** – any tree, or limb thereof, that has an infectious disease or insect; is dead or dying; obstructs the view of traffic signs or the free passage of pedestrians or vehicles; or threatening public health, safety, and welfare.

**Parkway** – the area along a public street between the curb and the sidewalk; or if there is no curb or sidewalk, the unpaved portion of the area between the street right-of-way line and the paved portion of the street or alley.


**Public Property** – all grounds and rights-of-way (ROWs) owned or maintained by the Town of Kitzmiller.

**Public Tree** – any tree or woody vegetation on city-owned or city-maintained property or rights-of-way.

**Top or Topping** – the non-standard proactive of cutting back of limbs to stubs within a tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree.

### SECTION 3 – TREE COMMITTEE:

- (a) **Delegation of Authority and Responsibility:** The Mayor and Town Council of Kitzmiller shall delegate authority and responsibility to a group of 5 individuals that consist of two staff members and three appointed persons. There shall be a director of the committee which hereinafter be referred to as the “Director,” who shall have full authority and responsibility to plant, prune, maintain, and remove trees and woody plants growing in or upon all municipal streets, rights-of-ways, city parks, and other public property. This shall include the responsibility of the removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease.
- (b) **Coordination among city departments:** All departments of the Town of Kitzmiller will coordinate as necessary with the Director and will provide services as required to ensure compliance with this ordinance as it relates to streets, alleys, rights-of-way, drainage, easements, and other public properties not under direct jurisdiction of the Director.
- (c) **Interference:** No person shall hinder, prevent, delay, or interfere with the Director or involved parties while engaged in carrying out the execution or enforcement of this ordinance.
- (d) **Powers and Duties:** The Mayor and Town Council of Kitzmiller hereby creates a “Tree Committee,” hereinafter referred to as The Committee, who shall act in an advisory capacity to the Director.
  - I. Coordinate and promote Arbor Day activities.
  - II. Review and update a five-year plan to plant and maintain trees on town property.
  - III. Support public awareness and education programs relating to trees.
  - IV. Review town department concerns relating to tree care.
  - V. Submit an annual report of its activities to the Mayor and Town Council.

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- VI. Assist with the annual application to renew the Tree City USA designation.
  - VII. Recommend a list of tree species for planting on town property, and a list of prohibited species; and
  - VIII. Other duties that may be assigned by the Mayor and Town Council of Kitzmiller.

- (e) **Membership:** The Committee shall consist of 5 individuals that will include two staff members, two town residents, and one person from the surrounding area(s) as approved by the Mayor and Town Council of Kitzmiller, MD. Members of the committee will serve without compensation.
- (f) **Term of Office:** Board members shall be appointed for three-year staggered terms.<sup>1</sup> If a vacancy shall occur during the term of any member, a successor shall be appointed by the Mayor and Town Council of Kitzmiller.
- (g) **Officers:** The Committee shall annually select one of the members to serve as the director and may appoint a second member to serve as the vice-chair. The serving Town Clerk at the time shall serve as the secretary of the Committee.
- (h) **Meetings:** The Committee shall meet a minimum of at least twice a year. All meetings shall be open to the public. The Director may schedule additional meetings as needed.
- (i) **Rules of Procedure:** The Committee shall make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

#### SECTION 4 – TREE PLANTING STANDARDS:

- (a) **Planting Standards:** All planting of new species of trees shall be approved by a local MD Forrest Board Expert to ensure the wellbeing of the tree.
- (b) **Tree Spacing:** The Director shall develop and maintain an official set of spacing requirements for the planting of trees on public property. No tree may be planted within the visibility triangle of a street intersection or within 10 feet of a fire hydrant.
- (c) **Planting Trees Under Utility Wires:** Only trees listed as “Ornamental” trees species may be planted under or within 15 lateral feet of any overhead utility wires.

#### SECTION 5 – GENERAL CARE, MAINTENANCE, PRUNING, AND RIGHT OF THE TOWN

- (a) The Town of Kitzmiller shall have the right to plant, prune, maintain, and remove trees, plants, and shrubs within the lines of all streets, alleys, avenues, lanes, squares, sidewalks, etc., to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The Town shall flag the location of the proposed plantings at least 7 days prior to the plantings, so as to provide the time for public comment or objection. Property owners not wishing to have the plantings at the flagged locations, have the right to pull the flag if it is located on private property, but must notify the town as such.
- (b) The Committee may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements or is infected with any injurious fungus, insect, or other pest. This section does not prohibit the planting of street trees by adjacent property owners if prior approval has been obtained from the Town Tree Committee, and if it is done according to all state and local laws.
- (c) Every owner of any tree overhanging any street or right-of-way within, the Town shall prune the branches so that such branches shall not obstruct the light from any streetlamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet above the surface of the street or sidewalk. Said owners shall be responsible for the removal of all dead, diseased, or dangerous trees or broken or decayed limbs which constitute a menace to the safety of the public.
- (d) The Town shall have the right to prune any tree or shrub on private property, following a notice of the intent to the property owner in writing, when such tree or shrub interferes with the proper spread of light along the street from a streetlight or interferes with the visibility of any traffic control device of sign.

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<sup>1</sup> At the first appointment of the Tree Committee Members, the Council will appoint all members at once. A staggered board can be arranged by giving the initial members different term lengths. For this Committee, the three non-staff members shall be one member will be appointed a 3-year term, one member shall be appointed a 2-year term, and one member shall be appointed a 1-year term. After the initial members’ terms expire, all future members would be given three-year terms.



This work shall be done by the Town with a certified tree expert supervising, or by an independent contractor. Such pruning shall be the minimum required to correct the problem.

- (e) Nothing contained in this section shall be deemed to impose any liability upon the Town of Kitzmiller, its officers, or employees, nor to relieve the owner of any private property from the duty to keep any tree, shrub, or plant upon any street tree area on their property or under their control in such condition as to prevent it from constituting a hazard or an impediment to travel or vision upon any street, park, alley, sidewalk, or public street or public way.

#### SECTION 6 – REMOVAL OF DEAD OR DISEASED TREES ON PRIVATE PROPERTY

- (a) The Town of Kitzmiller shall have the right to cause the removal of any dead or diseased trees, **as determined by a certified tree expert**, on private property within the Town which such trees constitute a hazard to any life and property or harbor insects of disease which constitutes a potential threat to other trees within the Town. The Town Tree Committee will notify in writing the owner of such trees. Removal shall be done by said owners at their own expense within ninety (90) days after the date of service notice.
- (b) In the event of the failure of the owners to comply with such provisions, the Town shall have the authority to remove such trees and charge the cost of the removal on the owner's property tax bill.

#### SECTION 7 – REMOVAL OF STREET AND PARK TREE STUMPS

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

#### SECTION 8 – PROHIBITION AGAINST HARMING PUBLIC TREES, VIOLATIONS, & PENALTIES

**WHEREAS** the Town of Kitzmiller has the right to protect town property according to the Municipal Charter of the Town of Kitzmiller, Article 12, Section 1204. *"The town may do whatever may be necessary to protect town property and to keep all town property in good condition."* If any party is found in violation of harming public trees, individuals identified are subject to the Enforcement Ordinance and the fines or penalties provided in the Ordinance of Fines for Municipal Infractions. Nothing contained in this ordinance shall prohibit or prevent the Town from seeking other legal remedies, such as injunction, criminal prosecution, or damages in a civil action pursuant to Section 3 of Article 12A, Annotated Code of Maryland as amended.

#### SECTION 9 – INTERFERENCE WITH THE TREE COMMITTEE ACTIVITIES

It shall be unlawful for any person to prevent, delay, or interfere with the Town Tree Committee or any of its agents while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing, as authorized by this ordinance, of any street trees, park trees, or trees on private property.

#### SECTION 10 – REVIEW OF TREE COMMITTEE ACTS & DECISIONS

- (a) The Mayor and Town Council shall have the right to review the conduct, acts, and decisions of the Town Tree Committee.
- (b) Any person may appeal any ruling or order of the Town Tree Committee to the Mayor and Town Council, who shall hear the matter and make a final decision. The appeal must be in writing and must be received at the Kitzmiller Town Hall within 14 days of notification of such ruling or order.

**A public hearing will be held upstairs at the Kitzmiller Community Building  
on Monday, December 11<sup>th</sup>, 2023, at 6:30PM.**