
By: Prince George's County Delegation

Introduced and read first time: February 1, 1996

Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 1996

CHAPTER ____

1 AN ACT concerning

2 **Town of Cheverly (Prince George's County) - Urban Renewal Authority for Slum**
3 **Clearance**
4 **PG 422-96**

5 FOR the purpose of authorizing the Town of Cheverly, Prince George's County, to
6 undertake and carry out certain urban renewal projects for slum clearance and
7 redevelopment; prohibiting any land or property from being taken under this Act
8 without just compensation being first paid to the party entitled to the compensation;
9 declaring that all land or property taken under this Act is needed for public uses or
10 purposes; authorizing the legislative body of the Town of Cheverly by ordinance to
11 elect to have the powers granted by this Act exercised by a certain public body;
12 imposing certain requirements for the initiation and approval of an urban renewal
13 project; providing for the disposal of property in an urban renewal area; authorizing
14 the municipal corporation to issue certain bonds under certain circumstances;
15 clarifying that this Act may be amended or repealed only by the General Assembly
16 of Maryland; defining certain terms; and generally relating to urban renewal
17 authority for slum clearance for the Town of Cheverly in Prince George's County.

18 BY adding to

19 Chapter 27 - Charter of the Town of Cheverly
20 Section A1-101 through A1-114, inclusive, to be under the new heading "Appendix
21 I - Urban Renewal Authority for Slum Clearance"
22 Public Local Laws of Maryland - Compilation of Municipal Charters of Maryland
23 (1990 Replacement Edition and 1995 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Public Local Laws of Maryland - Compilation of Municipal
3 Charters of Maryland read as follows:

4 **Chapter 27 - Charter of the Town of Cheverly**

5 APPENDIX I - URBAN RENEWAL AUTHORITY FOR SLUM CLEARANCE

6 A1-101. DEFINITIONS.

7 (A) IN THIS APPENDIX THE FOLLOWING WORDS HAVE THE MEANINGS
8 INDICATED.

9 (B) "BLIGHTED AREA" MEANS AN AREA IN WHICH A MAJORITY OF
10 BUILDINGS HAVE DECLINED IN PRODUCTIVITY BY REASON OF OBSOLESCENCE,
11 DEPRECIATION, OR OTHER CAUSES TO AN EXTENT THEY NO LONGER JUSTIFY
12 FUNDAMENTAL REPAIRS AND ADEQUATE MAINTENANCE.

13 (C) "BONDS" MEANS ANY BONDS (INCLUDING REFUNDING BONDS), NOTES,
14 INTERIM CERTIFICATES, CERTIFICATES OF INDEBTEDNESS, DEBENTURES, OR
15 OTHER OBLIGATIONS.

16 (D) "FEDERAL GOVERNMENT" MEANS THE UNITED STATES OF AMERICA OR
17 ANY AGENCY OR INSTRUMENTALITY, CORPORATE OR OTHERWISE, OF THE UNITED
18 STATES OF AMERICA.

19 (E) "MUNICIPALITY" MEANS THE TOWN OF CHEVERLY, MARYLAND.

20 (F) "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP, CORPORATION,
21 COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR BODY POLITIC. IT
22 INCLUDES ANY TRUSTEE, RECEIVER, ASSIGNEE, OR OTHER PERSON ACTING IN
23 SIMILAR REPRESENTATIVE CAPACITY.

24 (G) "SLUM AREA" MEANS ANY AREA WHERE DWELLINGS PREDOMINATE
25 WHICH, BY REASON OF DEPRECIATION, OVERCROWDING, FAULTY ARRANGEMENT
26 OR DESIGN, LACK OF VENTILATION, LIGHT, OR SANITARY FACILITIES, OR ANY
27 COMBINATION OF THESE FACTORS, ARE DETRIMENTAL TO THE PUBLIC SAFETY,
28 HEALTH, OR MORALS.

29 (H) "URBAN RENEWAL AREA" MEANS A SLUM AREA OR A BLIGHTED AREA
30 OR A COMBINATION OF THEM WHICH THE MUNICIPALITY DESIGNATES AS
31 APPROPRIATE FOR AN URBAN RENEWAL PROJECT.

32 (I) "URBAN RENEWAL PLAN" MEANS A PLAN, AS IT EXISTS FROM TIME TO
33 TIME, FOR AN URBAN RENEWAL PROJECT. THE PLAN SHALL BE SUFFICIENTLY
34 COMPLETE TO INDICATE WHATEVER LAND ACQUISITION, DEMOLITION, AND
35 REMOVAL OF STRUCTURES, REDEVELOPMENT, IMPROVEMENTS, AND
36 REHABILITATION AS MAY BE PROPOSED TO BE CARRIED OUT IN THE URBAN
37 RENEWAL AREA, ZONING AND PLANNING CHANGES, IF ANY, LAND USES, MAXIMUM
38 DENSITY, AND BUILDING REQUIREMENTS.

39 (J) "URBAN RENEWAL PROJECT" MEANS UNDERTAKINGS AND ACTIVITIES OF
40 A MUNICIPALITY IN AN URBAN RENEWAL AREA FOR THE ELIMINATION AND FOR

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1 THE PREVENTION OF THE DEVELOPMENT OR SPREAD OF SLUMS AND BLIGHT, AND
2 MAY INVOLVE SLUM CLEARANCE AND REDEVELOPMENT IN AN URBAN RENEWAL
3 AREA, OR REHABILITATION OR CONSERVATION IN AN URBAN RENEWAL AREA, OR
4 ANY COMBINATION OR PART OF THEM IN ACCORDANCE WITH AN URBAN RENEWAL
5 PLAN. THESE UNDERTAKINGS AND ACTIVITIES MAY INCLUDE:

6 (1) ACQUISITION OF A SLUM AREA OR A BLIGHTED AREA OR PORTION
7 OF THEM;

8 (2) DEMOLITION AND REMOVAL OF BUILDINGS AND IMPROVEMENTS;

9 (3) INSTALLATION, CONSTRUCTION OR RECONSTRUCTION OF STREETS,
10 UTILITIES, PARKS, PLAYGROUNDS, AND OTHER IMPROVEMENTS NECESSARY FOR
11 CARRYING OUT THE URBAN RENEWAL OBJECTIVES OF THIS APPENDIX IN
12 ACCORDANCE WITH THE URBAN RENEWAL PLAN;

13 (4) DISPOSITION OF ANY PROPERTY ACQUIRED IN THE URBAN
14 RENEWAL AREA, INCLUDING SALE, INITIAL LEASING, OR RETENTION BY THE
15 MUNICIPALITY ITSELF, AT ITS FAIR VALUE FOR USES IN ACCORDANCE WITH THE
16 URBAN RENEWAL PLAN;

17 (5) CARRYING OUT PLANS FOR A PROGRAM OF VOLUNTARY OR
18 COMPULSORY REPAIR AND REHABILITATION OF BUILDINGS OR OTHER
19 IMPROVEMENTS IN ACCORDANCE WITH THE URBAN RENEWAL PLAN;

20 (6) ACQUISITION OF ANY OTHER REAL PROPERTY IN THE URBAN
21 RENEWAL AREA WHERE NECESSARY TO ELIMINATE UNHEALTHFUL, UNSANITARY,
22 OR UNSAFE CONDITIONS, LESSEN DENSITY, ELIMINATE OBSOLETE OR OTHER USES
23 DETRIMENTAL TO THE PUBLIC WELFARE, OR OTHERWISE TO REMOVE OR PREVENT
24 THE SPREAD OF BLIGHT OR DETERIORATION, OR TO PROVIDE LAND FOR NEEDED
25 PUBLIC FACILITIES; AND

26 (7) THE PRESERVATION, IMPROVEMENT, OR EMBELLISHMENT OF
27 HISTORIC STRUCTURES OR MONUMENTS.

28 A1-102. POWERS.

29 (A) THE MUNICIPALITY MAY UNDERTAKE AND CARRY OUT URBAN
30 RENEWAL PROJECTS.

31 (B) THESE PROJECTS SHALL BE LIMITED:

32 (1) TO SLUM CLEARANCE IN SLUM OR BLIGHTED AREAS AND
33 REDEVELOPMENT OR THE REHABILITATION OF SLUM OR BLIGHTED AREAS;

34 (2) TO ACQUIRE IN CONNECTION WITH THOSE PROJECTS, WITHIN THE
35 CORPORATE LIMITS OF THE MUNICIPALITY, LAND AND PROPERTY OF EVERY KIND
36 AND ANY RIGHT, INTEREST, FRANCHISE, EASEMENT, OR PRIVILEGE, INCLUDING
37 LAND OR PROPERTY AND ANY RIGHT OR INTEREST ALREADY DEVOTED TO PUBLIC
38 USE, BY PURCHASE, LEASE, GIFT, CONDEMNATION, OR ANY OTHER LEGAL MEANS;
39 AND

1 (3) TO SELL, LEASE, CONVEY, TRANSFER, OR OTHERWISE DISPOSE OF
2 ANY OF THE LAND OR PROPERTY, REGARDLESS OF WHETHER OR NOT IT HAS BEEN
3 DEVELOPED, REDEVELOPED, ALTERED, OR IMPROVED AND IRRESPECTIVE OF THE
4 MANNER OR MEANS IN OR BY WHICH IT MAY HAVE BEEN ACQUIRED, TO ANY
5 PRIVATE, PUBLIC, OR QUASI-PUBLIC CORPORATION, PARTNERSHIP, ASSOCIATION,
6 PERSON, OR OTHER LEGAL ENTITY.

7 (C) LAND OR PROPERTY TAKEN BY THE MUNICIPALITY FOR ANY OF THESE
8 PURPOSES OR IN CONNECTION WITH THE EXERCISE OF ANY OF THE POWERS WHICH
9 ARE GRANTED BY THIS APPENDIX TO THE MUNICIPALITY BY EXERCISING THE
10 POWER OF EMINENT DOMAIN MAY NOT BE TAKEN WITHOUT JUST COMPENSATION,
11 AS AGREED UPON BETWEEN THE PARTIES, OR AWARDED BY A JURY, BEING FIRST
12 PAID OR TENDERED TO THE PARTY ENTITLED TO THE COMPENSATION.

13 (D) ALL LAND OR PROPERTY NEEDED OR TAKEN BY THE EXERCISE OF THE
14 POWER OF EMINENT DOMAIN BY THE MUNICIPALITY FOR ANY OF THESE PURPOSES
15 OR IN CONNECTION WITH THE EXERCISE OF ANY OF THE POWERS GRANTED BY
16 THIS APPENDIX IS DECLARED TO BE NEEDED OR TAKEN FOR PUBLIC USES AND
17 PURPOSES.

18 (E) ANY OR ALL OF THE ACTIVITIES AUTHORIZED PURSUANT TO THIS
19 APPENDIX CONSTITUTE GOVERNMENTAL FUNCTIONS UNDERTAKEN FOR PUBLIC
20 USES AND PURPOSES AND THE POWER OF TAXATION MAY BE EXERCISED, PUBLIC
21 FUNDS EXPENDED, AND PUBLIC CREDIT EXTENDED IN FURTHERANCE OF THEM.

22 A1-103. ADDITIONAL POWERS.

23 THE MUNICIPALITY HAS THE FOLLOWING ADDITIONAL POWERS. THESE
24 POWERS ARE DECLARED TO BE NECESSARY AND PROPER TO CARRY INTO FULL
25 FORCE AND EFFECT THE SPECIFIC POWERS GRANTED IN THIS APPENDIX AND TO
26 FULLY ACCOMPLISH THE PURPOSES AND OBJECTS CONTEMPLATED BY THE
27 PROVISIONS OF THIS SECTION:

28 (1) TO MAKE OR HAVE MADE ALL SURVEYS AND PLANS NECESSARY TO
29 THE CARRYING OUT OF THE PURPOSES OF THIS APPENDIX AND TO ADOPT OR
30 APPROVE, MODIFY, AND AMEND THOSE PLANS. THESE PLANS MAY INCLUDE, BUT
31 ARE NOT LIMITED TO:

32 (I) PLANS FOR CARRYING OUT A PROGRAM OF VOLUNTARY OR
33 COMPULSORY REPAIR AND REHABILITATION OF BUILDINGS AND IMPROVEMENTS;

34 (II) PLANS FOR THE ENFORCEMENT OF CODES AND REGULATIONS
35 RELATING TO THE USE OF LAND AND THE USE AND OCCUPANCY OF BUILDINGS AND
36 IMPROVEMENTS AND TO THE COMPULSORY REPAIR, REHABILITATION,
37 DEMOLITION, OR REMOVAL OF BUILDINGS AND IMPROVEMENTS; AND

38 (III) APPRAISALS, TITLE SEARCHES, SURVEYS, STUDIES, AND
39 OTHER PLANS AND WORK NECESSARY TO PREPARE FOR THE UNDERTAKING OF
40 URBAN RENEWAL PROJECTS AND RELATED ACTIVITIES; AND TO APPLY FOR,
41 ACCEPT, AND UTILIZE GRANTS OF FUNDS FROM THE FEDERAL GOVERNMENT OR
42 OTHER GOVERNMENTAL ENTITY FOR THOSE PURPOSES;

1 (2) TO PREPARE PLANS FOR THE RELOCATION OF PERSONS
2 (INCLUDING FAMILIES, BUSINESS CONCERNS, AND OTHERS) DISPLACED FROM AN
3 URBAN RENEWAL AREA, AND TO MAKE RELOCATION PAYMENTS TO OR WITH
4 RESPECT TO THOSE PERSONS FOR MOVING EXPENSES AND LOSSES OF PROPERTY
5 FOR WHICH REIMBURSEMENT OR COMPENSATION IS NOT OTHERWISE MADE,
6 INCLUDING THE MAKING OF PAYMENTS FINANCED BY THE FEDERAL
7 GOVERNMENT;

8 (3) TO APPROPRIATE WHATEVER FUNDS AND MAKE WHATEVER
9 EXPENDITURES AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS
10 APPENDIX, INCLUDING, BUT NOT LIMITED:

11 (I) TO THE PAYMENT OF ANY AND ALL COSTS AND EXPENSES
12 INCURRED IN CONNECTION WITH, OR INCIDENTAL TO, THE ACQUISITION OF LAND
13 OR PROPERTY, AND FOR THE DEMOLITION, REMOVAL, RELOCATION, RENOVATION,
14 OR ALTERATION OF LAND, BUILDINGS, STREETS, HIGHWAYS, ALLEYS, UTILITIES, OR
15 SERVICES, AND OTHER STRUCTURES OR IMPROVEMENTS, AND FOR THE
16 CONSTRUCTION, RECONSTRUCTION, INSTALLATION, RELOCATION, OR REPAIR OF
17 STREETS, HIGHWAYS, ALLEYS, UTILITIES, OR SERVICES, IN CONNECTION WITH
18 URBAN RENEWAL PROJECTS;

19 (II) TO LEVY TAXES AND ASSESSMENTS FOR THOSE PURPOSES;

20 (III) TO BORROW MONEY AND TO APPLY FOR AND ACCEPT
21 ADVANCES, LOANS, GRANTS, CONTRIBUTIONS, AND ANY OTHER FORM OF
22 FINANCIAL ASSISTANCE FROM THE FEDERAL GOVERNMENT, THE STATE, COUNTY,
23 OR OTHER PUBLIC BODIES, OR FROM ANY SOURCES, PUBLIC OR PRIVATE, FOR THE
24 PURPOSES OF THIS APPENDIX, AND TO GIVE WHATEVER SECURITY AS MAY BE
25 REQUIRED FOR THIS FINANCIAL ASSISTANCE; AND

26 (IV) TO INVEST ANY URBAN RENEWAL FUNDS HELD IN RESERVES
27 OR SINKING FUNDS OR ANY OF THESE FUNDS NOT REQUIRED FOR IMMEDIATE
28 DISBURSEMENT IN PROPERTY OR SECURITIES WHICH ARE LEGAL INVESTMENTS
29 FOR OTHER MUNICIPAL FUNDS;

30 (4) (I) TO HOLD, IMPROVE, CLEAR, OR PREPARE FOR
31 REDEVELOPMENT ANY PROPERTY ACQUIRED IN CONNECTION WITH URBAN
32 RENEWAL PROJECTS;

33 (II) TO MORTGAGE, PLEDGE, HYPOTHECATE, OR OTHERWISE
34 ENCUMBER THAT PROPERTY; AND

35 (III) TO INSURE OR PROVIDE FOR THE INSURANCE OF THE
36 PROPERTY OR OPERATIONS OF THE MUNICIPALITY AGAINST ANY RISKS OR
37 HAZARDS, INCLUDING THE POWER TO PAY PREMIUMS ON ANY SUCH INSURANCE;

38 (5) TO MAKE AND EXECUTE ALL CONTRACTS AND OTHER
39 INSTRUMENTS NECESSARY OR CONVENIENT TO THE EXERCISE OF ITS POWERS
40 UNDER THIS APPENDIX, INCLUDING THE POWER TO ENTER INTO AGREEMENTS
41 WITH OTHER PUBLIC BODIES OR AGENCIES (THESE AGREEMENTS MAY EXTEND
42 OVER ANY PERIOD, NOTWITHSTANDING ANY PROVISION OR RULE OF LAW TO THE
43 CONTRARY), AND TO INCLUDE IN ANY CONTRACT FOR FINANCIAL ASSISTANCE

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1 WITH THE FEDERAL GOVERNMENT FOR OR WITH RESPECT TO AN URBAN RENEWAL
2 PROJECT AND RELATED ACTIVITIES WHATEVER CONDITIONS IMPOSED PURSUANT
3 TO FEDERAL LAWS AS THE MUNICIPALITY CONSIDERS REASONABLE AND
4 APPROPRIATE;

5 (6) TO ENTER INTO ANY BUILDING OR PROPERTY IN ANY URBAN
6 RENEWAL AREA IN ORDER TO MAKE INSPECTIONS, SURVEYS, APPRAISALS,
7 SOUNDINGS, OR TEST BORINGS, AND TO OBTAIN AN ORDER FOR THIS PURPOSE
8 FROM THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE MUNICIPALITY IS
9 SITUATED IN THE EVENT ENTRY IS DENIED OR RESISTED;

10 (7) TO PLAN, REPLAN, INSTALL, CONSTRUCT, RECONSTRUCT, REPAIR,
11 CLOSE, OR VACATE STREETS, ROADS, SIDEWALKS, PUBLIC UTILITIES, PARKS,
12 PLAYGROUNDS, AND OTHER PUBLIC IMPROVEMENTS IN CONNECTION WITH AN
13 URBAN RENEWAL PROJECT; AND TO MAKE EXCEPTIONS FROM BUILDING
14 REGULATIONS;

15 (8) TO GENERALLY ORGANIZE, COORDINATE, AND DIRECT THE
16 ADMINISTRATION OF THE PROVISIONS OF THIS APPENDIX AS THEY APPLY TO THE
17 MUNICIPALITY IN ORDER THAT THE OBJECTIVE OF REMEDYING SLUM AND
18 BLIGHTED AREAS AND PREVENTING ITS CAUSES WITHIN THE MUNICIPALITY MAY
19 BE PROMOTED AND ACHIEVED MOST EFFECTIVELY; AND

20 (9) TO EXERCISE ALL OR ANY PART OR COMBINATION OF THE POWERS
21 GRANTED IN THIS APPENDIX.

22 A1-104. ESTABLISHMENT OF URBAN RENEWAL AGENCY.

23 (A) A MUNICIPALITY MAY ITSELF EXERCISE ALL THE POWERS GRANTED BY
24 THIS APPENDIX, OR MAY, IF ITS LEGISLATIVE BODY BY ORDINANCE DETERMINES
25 THE ACTION TO BE IN THE PUBLIC INTEREST, ELECT TO HAVE THE POWERS
26 EXERCISED BY A SEPARATE PUBLIC BODY OR AGENCY.

27 (B) IN THE EVENT THE LEGISLATIVE BODY MAKES THAT DETERMINATION, IT
28 SHALL PROCEED BY ORDINANCE TO ESTABLISH A PUBLIC BODY OR AGENCY TO
29 UNDERTAKE IN THE MUNICIPALITY THE ACTIVITIES AUTHORIZED BY THIS
30 APPENDIX.

31 (C) THE ORDINANCE SHALL INCLUDE PROVISIONS ESTABLISHING THE
32 NUMBER OF MEMBERS OF THE PUBLIC BODY OR AGENCY, THE MANNER OF THEIR
33 APPOINTMENT AND REMOVAL, AND THE TERMS OF THE MEMBERS AND THEIR
34 COMPENSATION.

35 (D) THE ORDINANCE MAY INCLUDE WHATEVER ADDITIONAL PROVISIONS
36 RELATING TO THE ORGANIZATION OF THE PUBLIC BODY OR AGENCY AS MAY BE
37 NECESSARY.

38 (E) IN THE EVENT THE LEGISLATIVE BODY ENACTS THIS ORDINANCE, ALL OF
39 THE POWERS BY THIS APPENDIX GRANTED TO THE MUNICIPALITY, FROM THE
40 EFFECTIVE DATE OF THE ORDINANCE, ARE VESTED IN THE PUBLIC BODY OR
41 AGENCY ESTABLISHED BY THE ORDINANCE.

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1 A1-105. POWERS WITHHELD FROM THE AGENCY.

2 THE AGENCY MAY NOT:

3 (1) PASS A RESOLUTION TO INITIATE AN URBAN RENEWAL PROJECT
4 PURSUANT TO SECTIONS A1-102 AND A1-103 OF THIS APPENDIX;

5 (2) ISSUE GENERAL OBLIGATION BONDS PURSUANT TO SECTION A1-111
6 OF THIS APPENDIX; ~~AND OR~~

7 (3) ~~THE POWER TO APPROPRIATE FUNDS AND TO OR~~ LEVY TAXES AND
8 ASSESSMENTS PURSUANT TO SECTION A1-103(3) OF THIS APPENDIX.

9 A1-106. INITIATION OF PROJECT.

10 IN ORDER TO INITIATE AN URBAN RENEWAL PROJECT, THE LEGISLATIVE
11 BODY OF THE MUNICIPALITY SHALL ADOPT A RESOLUTION WHICH:

12 (1) FINDS THAT ONE OR MORE SLUM OR BLIGHTED AREAS EXIST IN
13 THE MUNICIPALITY;

14 (2) LOCATES AND DEFINES THE SLUM OR BLIGHTED AREA; AND

15 (3) FINDS THAT THE REHABILITATION, REDEVELOPMENT, OR A
16 COMBINATION OF THEM, OF THE AREA OR AREAS, IS NECESSARY AND IN THE
17 INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE
18 RESIDENTS OF THE MUNICIPALITY.

19 A1-107. PREPARATION AND APPROVAL OF PLAN FOR URBAN RENEWAL PROJECT.

20 (A) IN ORDER TO CARRY OUT THE PURPOSES OF THIS APPENDIX, THE
21 MUNICIPALITY SHALL HAVE PREPARED AN URBAN RENEWAL PLAN FOR SLUM OR
22 BLIGHTED AREAS IN THE MUNICIPALITY, AND SHALL APPROVE THE PLAN
23 FORMALLY. PRIOR TO ITS APPROVAL OF AN URBAN RENEWAL PROJECT, THE
24 MUNICIPALITY SHALL SUBMIT THE PLAN TO THE PLANNING BODY OF THE
25 MUNICIPALITY FOR REVIEW AND RECOMMENDATIONS AS TO ITS CONFORMITY
26 WITH THE MASTER PLAN FOR THE DEVELOPMENT OF THE MUNICIPALITY AS A
27 WHOLE. THE PLANNING BODY SHALL SUBMIT ITS WRITTEN RECOMMENDATION
28 WITH RESPECT TO THE PROPOSED URBAN RENEWAL PLAN TO THE MUNICIPALITY
29 WITHIN 60 DAYS AFTER RECEIPT OF THE PLAN FOR REVIEW. UPON RECEIPT OF THE
30 RECOMMENDATIONS OF THE PLANNING BODY OR, IF NO RECOMMENDATIONS ARE
31 RECEIVED WITHIN THE 60 DAYS, THEN WITHOUT THE RECOMMENDATIONS, THE
32 MUNICIPALITY MAY PROCEED WITH A PUBLIC HEARING ON THE PROPOSED URBAN
33 RENEWAL PROJECT. THE MUNICIPALITY SHALL HOLD A PUBLIC HEARING ON AN
34 URBAN RENEWAL PROJECT AFTER PUBLIC NOTICE OF IT BY PUBLICATION IN A
35 NEWSPAPER HAVING A GENERAL CIRCULATION WITHIN THE CORPORATE LIMITS OF
36 THE MUNICIPALITY. THE NOTICE SHALL DESCRIBE THE TIME, DATE, PLACE, AND
37 PURPOSE OF THE HEARING, SHALL GENERALLY IDENTIFY THE URBAN RENEWAL
38 AREA COVERED BY THE PLAN, AND SHALL OUTLINE THE GENERAL SCOPE OF THE
39 URBAN RENEWAL PROJECT UNDER CONSIDERATION. FOLLOWING THE HEARING,
40 THE MUNICIPALITY MAY APPROVE AN URBAN RENEWAL PROJECT AND THE PLAN
41 THEREFOR IF IT FINDS THAT:

1 (1) A FEASIBLE METHOD EXISTS FOR THE LOCATION OF ANY FAMILIES
2 OR NATURAL PERSONS WHO WILL BE DISPLACED FROM THE URBAN RENEWAL
3 AREA IN DECENT, SAFE, AND SANITARY DWELLING ACCOMMODATIONS WITHIN
4 THEIR MEANS AND WITHOUT UNDUE HARDSHIP TO THE FAMILIES OR NATURAL
5 PERSONS;

6 (2) THE URBAN RENEWAL PLAN CONFORMS SUBSTANTIALLY TO THE
7 MASTER PLAN OF THE MUNICIPALITY AS A WHOLE; AND

8 (3) THE URBAN RENEWAL PLAN WILL AFFORD MAXIMUM
9 OPPORTUNITY, CONSISTENT WITH THE SOUND NEEDS OF THE MUNICIPALITY AS A
10 WHOLE, FOR THE REHABILITATION OR REDEVELOPMENT OF THE URBAN RENEWAL
11 AREA BY PRIVATE ENTERPRISE.

12 (B) AN URBAN RENEWAL PLAN MAY BE MODIFIED AT ANY TIME. IF
13 MODIFIED AFTER THE LEASE OR SALE OF REAL PROPERTY IN THE URBAN
14 RENEWAL PROJECT AREA, THE MODIFICATION MAY BE CONDITIONED UPON
15 WHATEVER APPROVAL OF THE OWNER, LESSEE, OR SUCCESSOR IN INTEREST AS
16 THE MUNICIPALITY CONSIDERS ADVISABLE. IN ANY EVENT, IT SHALL BE SUBJECT
17 TO WHATEVER RIGHTS AT LAW OR IN EQUITY AS A LESSEE OR PURCHASER, OR HIS
18 SUCCESSOR OR SUCCESSORS IN INTEREST, MAY BE ENTITLED TO ASSERT. WHERE
19 THE PROPOSED MODIFICATION WILL CHANGE SUBSTANTIALLY THE URBAN
20 RENEWAL PLAN AS APPROVED PREVIOUSLY BY THE MUNICIPALITY, THE
21 MODIFICATION SHALL BE APPROVED FORMALLY BY THE MUNICIPALITY, AS IN THE
22 CASE OF AN ORIGINAL PLAN.

23 (C) UPON THE APPROVAL BY THE MUNICIPALITY OF AN URBAN RENEWAL
24 PLAN OR OF ANY MODIFICATION OF IT, THE PLAN OR MODIFICATION SHALL BE
25 CONSIDERED TO BE IN FULL FORCE AND EFFECT FOR THE RESPECTIVE URBAN
26 RENEWAL AREA. THE MUNICIPALITY MAY HAVE THE PLAN OR MODIFICATION
27 CARRIED OUT IN ACCORDANCE WITH ITS TERMS.

28 A1-108. DISPOSAL OF PROPERTY IN URBAN RENEWAL AREA.

29 (A) THE MUNICIPALITY MAY SELL, LEASE, OR OTHERWISE TRANSFER REAL
30 PROPERTY OR ANY INTEREST IN IT ACQUIRED BY IT FOR AN URBAN RENEWAL
31 PROJECT TO ANY PERSON FOR RESIDENTIAL, RECREATIONAL, COMMERCIAL,
32 INDUSTRIAL, EDUCATIONAL, OR OTHER USES OR FOR PUBLIC USE, OR IT MAY
33 RETAIN THE PROPERTY OR INTEREST FOR PUBLIC USE, IN ACCORDANCE WITH THE
34 URBAN RENEWAL PLAN AND SUBJECT TO WHATEVER COVENANTS, CONDITIONS,
35 AND RESTRICTIONS, INCLUDING COVENANTS RUNNING WITH THE LAND, AS IT
36 CONSIDERS NECESSARY OR DESIRABLE TO ASSIST IN PREVENTING THE
37 DEVELOPMENT OR SPREAD OF FUTURE SLUMS OR BLIGHTED AREAS OR TO
38 OTHERWISE CARRY OUT THE PURPOSES OF THIS APPENDIX. THE PURCHASERS OR
39 LESSEES AND THEIR SUCCESSORS AND ASSIGNS SHALL BE OBLIGATED TO DEVOTE
40 THE REAL PROPERTY ONLY TO THE USES SPECIFIED IN THE URBAN RENEWAL PLAN,
41 AND MAY BE OBLIGATED TO COMPLY WITH WHATEVER OTHER REQUIREMENTS
42 THE MUNICIPALITY DETERMINES TO BE IN THE PUBLIC INTEREST, INCLUDING THE
43 OBLIGATION TO BEGIN WITHIN A REASONABLE TIME ANY IMPROVEMENTS ON THE
44 REAL PROPERTY REQUIRED BY THE URBAN RENEWAL PLAN. THE REAL PROPERTY
45 OR INTEREST MAY NOT BE SOLD, LEASED, OTHERWISE TRANSFERRED, OR

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1 RETAINED AT LESS THAN ITS FAIR VALUE FOR USES IN ACCORDANCE WITH THE
2 URBAN RENEWAL PLAN. IN DETERMINING THE FAIR VALUE OF REAL PROPERTY
3 FOR USES IN ACCORDANCE WITH THE URBAN RENEWAL PLAN, THE MUNICIPALITY
4 SHALL TAKE INTO ACCOUNT AND GIVE CONSIDERATION TO THE USES PROVIDED IN
5 THE PLAN, THE RESTRICTIONS UPON, AND THE COVENANTS, CONDITIONS, AND
6 OBLIGATIONS ASSUMED BY THE PURCHASER OR LESSEE OR BY THE MUNICIPALITY
7 RETAINING THE PROPERTY, AND THE OBJECTIVES OF THE PLAN FOR THE
8 PREVENTION OF THE RECURRENCE OF SLUM OR BLIGHTED AREAS. IN ANY
9 INSTRUMENT OR CONVEYANCE TO A PRIVATE PURCHASER OR LESSEE, THE
10 MUNICIPALITY MAY PROVIDE THAT THE PURCHASER OR LESSEE MAY NOT SELL,
11 LEASE, OR OTHERWISE TRANSFER THE REAL PROPERTY WITHOUT THE PRIOR
12 WRITTEN CONSENT OF THE MUNICIPALITY UNTIL HE HAS COMPLETED THE
13 CONSTRUCTION OF ANY OR ALL IMPROVEMENTS WHICH HE HAS OBLIGATED
14 HIMSELF TO CONSTRUCT ON THE PROPERTY. REAL PROPERTY ACQUIRED BY THE
15 MUNICIPALITY WHICH, IN ACCORDANCE WITH THE PROVISIONS OF THE URBAN
16 RENEWAL PLAN, IS TO BE TRANSFERRED, SHALL BE TRANSFERRED AS RAPIDLY AS
17 FEASIBLE IN THE PUBLIC INTEREST CONSISTENT WITH THE CARRYING OUT OF THE
18 PROVISIONS OF THE URBAN RENEWAL PLAN. ANY CONTRACT FOR THE TRANSFER
19 AND THE URBAN RENEWAL PLAN (OR WHATEVER PART OR PARTS OF THE
20 CONTRACT OR PLAN AS THE MUNICIPALITY DETERMINES) MAY BE RECORDED IN
21 THE LAND RECORDS OF THE COUNTY IN WHICH THE MUNICIPALITY IS SITUATED IN
22 A MANNER SO AS TO AFFORD ACTUAL OR CONSTRUCTIVE NOTICE OF IT.

23 (B) THE MUNICIPALITY MAY OPERATE TEMPORARILY AND MAINTAIN REAL
24 PROPERTY ACQUIRED BY IT IN AN URBAN RENEWAL AREA FOR OR IN CONNECTION
25 WITH AN URBAN RENEWAL PROJECT PENDING THE DISPOSITION OF THE PROPERTY
26 AS AUTHORIZED IN THIS APPENDIX, WITHOUT REGARD TO THE PROVISIONS OF
27 SUBSECTION (A), FOR USES AND PURPOSES CONSIDERED DESIRABLE EVEN THOUGH
28 NOT IN CONFORMITY WITH THE URBAN RENEWAL PLAN.

29 (C) ANY INSTRUMENT EXECUTED BY THE MUNICIPALITY AND PURPORTING
30 TO CONVEY ANY RIGHT, TITLE, OR INTEREST IN ANY PROPERTY UNDER THIS
31 APPENDIX SHALL BE PRESUMED CONCLUSIVELY TO HAVE BEEN EXECUTED IN
32 COMPLIANCE WITH THE PROVISIONS OF THIS APPENDIX INsofar AS TITLE OR
33 OTHER INTEREST OF ANY BONA FIDE PURCHASERS, LESSEES, OR TRANSFEREES OF
34 THE PROPERTY IS CONCERNED.

35 A1-109. EMINENT DOMAIN.

36 CONDEMNATION OF LAND OR PROPERTY UNDER THE PROVISIONS OF THIS
37 APPENDIX SHALL BE IN ACCORDANCE WITH THE PROCEDURE PROVIDED IN THE
38 REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

39 A1-110. ENCOURAGEMENT OF PRIVATE ENTERPRISE.

40 THE MUNICIPALITY, TO THE EXTENT IT DETERMINES TO BE FEASIBLE IN
41 CARRYING OUT THE PROVISIONS OF THIS APPENDIX, SHALL AFFORD MAXIMUM
42 OPPORTUNITY TO THE REHABILITATION OR REDEVELOPMENT OF ANY URBAN
43 RENEWAL AREA BY PRIVATE ENTERPRISE CONSISTENT WITH THE SOUND NEEDS OF
44 THE MUNICIPALITY AS A WHOLE. THE MUNICIPALITY SHALL GIVE CONSIDERATION
45 TO THIS OBJECTIVE IN EXERCISING ITS POWERS UNDER THIS APPENDIX.

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1 A1-111. GENERAL OBLIGATION BONDS.

2 FOR THE PURPOSE OF FINANCING AND CARRYING OUT OF AN URBAN
3 RENEWAL PROJECT AND RELATED ACTIVITIES, THE MUNICIPALITY MAY ISSUE AND
4 SELL ITS GENERAL OBLIGATION BONDS. ANY BONDS ISSUED BY THE MUNICIPALITY
5 PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE MANNER AND WITHIN THE
6 LIMITATIONS PRESCRIBED BY APPLICABLE LAW FOR THE ISSUANCE AND
7 AUTHORIZATION OF GENERAL OBLIGATION BONDS BY THE MUNICIPALITY, AND
8 ALSO WITHIN LIMITATIONS DETERMINED BY THE MUNICIPALITY.

9 A1-112. REVENUE BONDS.

10 (A) IN ADDITION TO THE AUTHORITY CONFERRED BY SECTION A1-111 OF
11 THIS APPENDIX, THE MUNICIPALITY MAY ISSUE REVENUE BONDS TO FINANCE THE
12 UNDERTAKING OF ANY URBAN RENEWAL PROJECT AND RELATED ACTIVITIES.
13 ALSO, IT MAY ISSUE REFUNDING BONDS FOR THE PAYMENT OR RETIREMENT OF
14 THE BONDS ISSUED PREVIOUSLY BY IT. THE BONDS SHALL BE MADE PAYABLE, AS TO
15 BOTH PRINCIPAL AND INTEREST, SOLELY FROM THE INCOME, PROCEEDS,
16 REVENUES, AND FUNDS OF THE MUNICIPALITY DERIVED FROM OR HELD IN
17 CONNECTION WITH THE UNDERTAKING AND CARRYING OUT OF URBAN RENEWAL
18 PROJECTS UNDER THIS APPENDIX. HOWEVER, PAYMENT OF THE BONDS, BOTH AS TO
19 PRINCIPAL AND INTEREST, MAY BE FURTHER SECURED BY A PLEDGE OF ANY LOAN,
20 GRANT, OR CONTRIBUTION FROM THE FEDERAL GOVERNMENT OR OTHER SOURCE,
21 IN AID OF ANY URBAN RENEWAL PROJECTS OF THE MUNICIPALITY UNDER THIS
22 APPENDIX, AND BY A MORTGAGE OF ANY URBAN RENEWAL PROJECT, OR ANY PART
23 OF A PROJECT, TITLE TO WHICH IS IN THE MUNICIPALITY. IN ADDITION, THE
24 MUNICIPALITY MAY ENTER INTO AN INDENTURE OF TRUST WITH ANY PRIVATE
25 BANKING INSTITUTION OF THIS STATE HAVING TRUST POWERS AND MAY MAKE IN
26 THE INDENTURE OF TRUST COVENANTS AND COMMITMENTS REQUIRED BY ANY
27 PURCHASER FOR THE ADEQUATE SECURITY OF THE BONDS.

28 (B) BONDS ISSUED UNDER THIS SECTION DO NOT CONSTITUTE AN
29 INDEBTEDNESS WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY
30 DEBT LIMITATION OR RESTRICTION, ARE NOT SUBJECT TO THE PROVISIONS OF ANY
31 OTHER LAW OR CHARTER RELATING TO THE AUTHORIZATION, ISSUANCE, OR SALE
32 OF BONDS, AND ARE EXEMPTED SPECIFICALLY FROM THE RESTRICTIONS
33 CONTAINED IN SECTIONS 9, 10, AND 11 OF ARTICLE 31 (DEBT - PUBLIC) OF THE
34 ANNOTATED CODE OF MARYLAND. BONDS ISSUED UNDER THE PROVISIONS OF THIS
35 APPENDIX ARE DECLARED TO BE ISSUED FOR AN ESSENTIAL PUBLIC AND
36 GOVERNMENTAL PURPOSE AND, TOGETHER WITH INTEREST ON THEM AND INCOME
37 FROM THEM, ARE EXEMPT FROM ALL TAXES.

38 (C) BONDS ISSUED UNDER THIS SECTION SHALL BE AUTHORIZED BY
39 RESOLUTION OR ORDINANCE OF THE LEGISLATIVE BODY OF THE MUNICIPALITY.
40 THEY MAY BE ISSUED IN ONE OR MORE SERIES AND:

41 (1) SHALL BEAR A DATE OR DATES;

42 (2) MATURE AT A TIME OR TIMES;

43 (3) BEAR INTEREST AT A RATE OR RATES;

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- 1 (4) BE IN A DENOMINATION OR DENOMINATIONS;
- 2 (5) BE IN A FORM EITHER WITH OR WITHOUT COUPON OR REGISTERED;
- 3 (6) CARRY A CONVERSION OR REGISTRATION PRIVILEGE;
- 4 (7) HAVE A RANK OR PRIORITY;
- 5 (8) BE EXECUTED IN A MANNER;
- 6 (9) BE PAYABLE IN A MEDIUM OR PAYMENT, AT A PLACE OR PLACES,
- 7 AND BE SUBJECT TO TERMS OF REDEMPTION (WITH OR WITHOUT PREMIUM);
- 8 (10) BE SECURED IN A MANNER; AND
- 9 (11) HAVE OTHER CHARACTERISTICS, AS ARE PROVIDED BY THE
- 10 RESOLUTION, TRUST INDENTURE, OR MORTGAGE ISSUED PURSUANT TO IT.

11 (D) THESE BONDS MAY NOT BE SOLD AT LESS THAN PAR VALUE AT PUBLIC
12 SALES WHICH ARE HELD AFTER NOTICE IS PUBLISHED PRIOR TO THE SALE IN A
13 NEWSPAPER HAVING A GENERAL CIRCULATION IN THE AREA IN WHICH THE
14 MUNICIPALITY IS LOCATED AND IN WHATEVER OTHER MEDIUM OF PUBLICATION
15 AS THE MUNICIPALITY MAY DETERMINE. THE BONDS MAY BE EXCHANGED ALSO
16 FOR OTHER BONDS ON THE BASIS OF PAR. HOWEVER, THE BONDS MAY NOT BE SOLD
17 TO THE FEDERAL GOVERNMENT AT PRIVATE SALE AT LESS THAN PAR, AND, IN THE
18 EVENT LESS THAN ALL OF THE AUTHORIZED PRINCIPAL AMOUNT OF THE BONDS IS
19 SOLD TO THE FEDERAL GOVERNMENT, THE BALANCE MAY NOT BE SOLD AT
20 PRIVATE SALE AT LESS THAN PAR AT AN INTEREST COST TO THE MUNICIPALITY
21 WHICH DOES NOT EXCEED THE INTEREST COST TO THE MUNICIPALITY OF THE
22 PORTION OF THE BONDS SOLD TO THE FEDERAL GOVERNMENT.

23 (E) IN CASE ANY OF THE PUBLIC OFFICIALS OF THE MUNICIPALITY WHOSE
24 SIGNATURES APPEAR ON ANY BONDS OR COUPONS ISSUED UNDER THIS APPENDIX
25 CEASE TO BE OFFICIALS OF THE MUNICIPALITY BEFORE THE DELIVERY OF THE
26 BONDS OR, IN THE EVENT ANY OF THE OFFICIALS HAVE BECOME SUCH AFTER THE
27 DATE OF ISSUE OF THEM, THE BONDS ARE VALID AND BINDING OBLIGATIONS OF
28 THE MUNICIPALITY IN ACCORDANCE WITH THEIR TERMS. ANY PROVISION OF ANY
29 LAW TO THE CONTRARY NOTWITHSTANDING, ANY BONDS ISSUED PURSUANT TO
30 THIS APPENDIX ARE FULLY NEGOTIABLE.

31 (F) IN ANY SUIT, ACTION, OR PROCEEDING INVOLVING THE VALIDITY OR
32 ENFORCEABILITY OF ANY BOND ISSUED UNDER THIS APPENDIX, OR THE SECURITY
33 FOR IT, ANY BOND WHICH RECITES IN SUBSTANCE THAT IT HAS BEEN ISSUED BY
34 THE MUNICIPALITY IN CONNECTION WITH AN URBAN RENEWAL PROJECT SHALL BE
35 CONSIDERED CONCLUSIVELY TO HAVE BEEN ISSUED FOR THAT PURPOSE, AND THE
36 PROJECT SHALL BE CONSIDERED CONCLUSIVELY TO HAVE BEEN PLANNED,
37 LOCATED, AND CARRIED OUT IN ACCORDANCE WITH THE PROVISIONS OF THIS
38 APPENDIX.

39 (G) ALL BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS, AND
40 INSTITUTIONS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN
41 ASSOCIATIONS, INVESTMENT COMPANIES, AND OTHER PERSONS CARRYING ON A

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1 BANKING OR INVESTMENT BUSINESS; ALL INSURANCE COMPANIES, INSURANCE
2 ASSOCIATIONS, AND OTHER PERSONS CARRYING ON AN INSURANCE BUSINESS; AND
3 ALL EXECUTORS, ADMINISTRATORS, CURATORS, TRUSTEES, AND OTHER
4 FIDUCIARIES, MAY LEGALLY INVEST ANY SINKING FUNDS, MONEYS, OR OTHER
5 FUNDS BELONGING TO THEM OR WITHIN THEIR CONTROL IN ANY BONDS OR OTHER
6 OBLIGATIONS ISSUED BY THE MUNICIPALITY PURSUANT TO THIS APPENDIX.
7 HOWEVER, THE BONDS AND OTHER OBLIGATIONS SHALL BE SECURED BY AN
8 AGREEMENT BETWEEN THE ISSUER AND THE FEDERAL GOVERNMENT IN WHICH
9 THE ISSUER AGREES TO BORROW FROM THE FEDERAL GOVERNMENT AND THE
10 FEDERAL GOVERNMENT AGREES TO LEND TO THE ISSUER, PRIOR TO THE
11 MATURITY OF THE BONDS OR OTHER OBLIGATIONS, MONEYS IN AN AMOUNT
12 WHICH (TOGETHER WITH ANY OTHER MONEYS COMMITTED IRREVOCABLY TO THE
13 PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS OR OTHER OBLIGATIONS)
14 WILL SUFFICE TO PAY THE PRINCIPAL OF THE BONDS OR OTHER OBLIGATIONS WITH
15 INTEREST TO MATURITY ON THEM. THE MONEYS UNDER THE TERMS OF THE
16 AGREEMENT SHALL BE REQUIRED TO BE USED FOR THE PURPOSE OF PAYING THE
17 PRINCIPAL OF AND THE INTEREST ON THE BONDS OR OTHER OBLIGATIONS AT
18 THEIR MATURITY. THE BONDS AND OTHER OBLIGATIONS SHALL BE AUTHORIZED
19 SECURITY FOR ALL PUBLIC DEPOSITS. THIS SECTION AUTHORIZES ANY PERSONS OR
20 PUBLIC OR PRIVATE POLITICAL SUBDIVISIONS AND OFFICERS TO USE ANY FUNDS
21 OWNED OR CONTROLLED BY THEM FOR THE PURCHASE OF ANY BONDS OR OTHER
22 OBLIGATIONS. WITH REGARD TO LEGAL INVESTMENTS, THIS SECTION MAY NOT BE
23 CONSTRUED TO RELIEVE ANY PERSON OF ANY DUTY OF EXERCISING REASONABLE
24 CARE IN SELECTING SECURITIES.

25 A1-113. SHORT TITLE.

26 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE CHEVERLY URBAN
27 RENEWAL AUTHORITY FOR SLUM CLEARANCE ACT.

28 A1-114. AUTHORITY TO AMEND OR REPEAL.

29 THIS APPENDIX, ENACTED PURSUANT TO ARTICLE III, SECTION 61 OF THE
30 CONSTITUTION OF MARYLAND, MAY BE AMENDED OR REPEALED ONLY BY THE
31 GENERAL ASSEMBLY OF MARYLAND.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1996.