
By: **Prince George's County Delegation**
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Assigned to: Commerce and Government Matters

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House action: Adopted
Read second time: March 5, 2002

CHAPTER 74

1 AN ACT concerning

2 **Town of Landover Hills (Prince George's County) - Urban Renewal**
3 **Authority for Slum Clearance**
4 **PG 424-02**

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16 amended or repealed only by the General Assembly of Maryland; defining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

19 BY adding to
20 Chapter 84 - Charter of the Town of Landover Hills
21 Section A1-101 through A1-114, inclusive, to be under the new heading
22 "Appendix I - Urban Renewal Authority for Slum Clearance"
23 Public Local Laws of Maryland - Compilation of Municipal Charters
24 (1990 Replacement Edition and 2001 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 read as follows:

4 **Chapter 84 - Charter of the Town of Landover Hills**

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 OR SINGLE PROPERTY IN WHICH THE
10 BUILDING OR BUILDINGS HAVE DECLINED IN PRODUCTIVITY BY REASON OF
11 OBSOLESCENCE, DEPRECIATION, OR OTHER CAUSES TO AN EXTENT THEY NO
12 LONGER JUSTIFY 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 LANDOVER HILLS, 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 OR SINGLE PROPERTY WHERE
25 DWELLINGS PREDOMINATE WHICH, BY REASON OF DEPRECIATION, OVERCROWDING,
26 FAULTY ARRANGEMENT OR DESIGN, LACK OF VENTILATION, LIGHT, OR SANITARY
27 FACILITIES, OR ANY COMBINATION OF THESE FACTORS, ARE DETRIMENTAL TO THE
28 PUBLIC SAFETY, HEALTH, OR MORALS.

29 (H) "URBAN RENEWAL AREA" MEANS A SLUM AREA OR A BLIGHTED AREA OR A
30 COMBINATION OF THEM WHICH THE MUNICIPALITY DESIGNATES AS APPROPRIATE
31 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 ANY LAND ACQUISITION, DEMOLITION, AND REMOVAL OF
35 STRUCTURES, REDEVELOPMENT, IMPROVEMENTS, AND REHABILITATION AS MAY BE
36 PROPOSED TO BE CARRIED OUT IN THE URBAN RENEWAL AREA, ZONING AND
37 PLANNING CHANGES, IF ANY, LAND USES, MAXIMUM DENSITY, AND BUILDING
38 REQUIREMENTS.

1 (J) "URBAN RENEWAL PROJECT" MEANS UNDERTAKINGS AND ACTIVITIES OF
2 A MUNICIPALITY IN AN URBAN RENEWAL AREA FOR THE ELIMINATION AND FOR THE
3 PREVENTION OF THE DEVELOPMENT OR SPREAD OF SLUMS AND BLIGHT, AND MAY
4 INVOLVE SLUM CLEARANCE AND REDEVELOPMENT IN AN URBAN RENEWAL AREA,
5 OR REHABILITATION OR CONSERVATION IN AN URBAN RENEWAL AREA, OR ANY
6 COMBINATION OR PART OF THEM IN ACCORDANCE WITH AN URBAN RENEWAL PLAN.
7 THESE UNDERTAKINGS AND ACTIVITIES MAY INCLUDE:

8 (1) ACQUISITION OF A SLUM AREA OR A BLIGHTED AREA OR PORTION OF
9 THEM;

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

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

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

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

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

28 (7) THE PRESERVATION, IMPROVEMENT, OR EMBELLISHMENT OF
29 HISTORIC STRUCTURES OR MONUMENTS.

30 A1-102. POWERS.

31 (A) THE MUNICIPALITY MAY UNDERTAKE AND CARRY OUT URBAN RENEWAL
32 PROJECTS.

33 (B) THESE PROJECTS SHALL BE LIMITED:

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

36 (2) TO ACQUIRE IN CONNECTION WITH THOSE PROJECTS, WITHIN THE
37 CORPORATE LIMITS OF THE MUNICIPALITY, LAND AND PROPERTY OF EVERY KIND
38 AND ANY RIGHT, INTEREST, FRANCHISE, EASEMENT, OR PRIVILEGE, INCLUDING

1 LAND OR PROPERTY AND ANY RIGHT OR INTEREST ALREADY DEVOTED TO PUBLIC
2 USE, BY PURCHASE, LEASE, GIFT, CONDEMNATION, OR ANY OTHER LEGAL MEANS;
3 AND

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

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

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

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

25 A1-103. ADDITIONAL POWERS.

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

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

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

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

1 (III) APPRAISALS, TITLE SEARCHES, SURVEYS, STUDIES, AND OTHER
2 PLANS AND WORK NECESSARY TO PREPARE FOR THE UNDERTAKING OF URBAN
3 RENEWAL PROJECTS AND RELATED ACTIVITIES; AND TO APPLY FOR, ACCEPT, AND
4 UTILIZE GRANTS OF FUNDS FROM THE FEDERAL GOVERNMENT OR OTHER
5 GOVERNMENTAL ENTITY FOR THOSE PURPOSES;

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

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

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

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

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

30 (IV) TO INVEST ANY URBAN RENEWAL FUNDS HELD IN RESERVES
31 OR SINKING FUNDS OR ANY OF THESE FUNDS NOT REQUIRED FOR IMMEDIATE
32 DISBURSEMENT IN PROPERTY OR SECURITIES WHICH ARE LEGAL INVESTMENTS FOR
33 OTHER MUNICIPAL FUNDS;

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

36 (II) TO MORTGAGE, PLEDGE, HYPOTHECATE, OR OTHERWISE
37 ENCUMBER THAT PROPERTY; AND

38 (III) TO INSURE OR PROVIDE FOR THE INSURANCE OF THE
39 PROPERTY OR OPERATIONS OF THE MUNICIPALITY AGAINST ANY RISKS OR HAZARDS,
40 INCLUDING THE POWER TO PAY PREMIUMS ON ANY INSURANCE;

1 (5) TO MAKE AND EXECUTE ALL CONTRACTS AND OTHER INSTRUMENTS
2 NECESSARY OR CONVENIENT TO THE EXERCISE OF ITS POWERS UNDER THIS
3 APPENDIX, INCLUDING THE POWER TO ENTER INTO AGREEMENTS WITH OTHER
4 PUBLIC BODIES OR AGENCIES (THESE AGREEMENTS MAY EXTEND OVER ANY
5 PERIOD, NOTWITHSTANDING ANY PROVISION OR RULE OF LAW TO THE CONTRARY),
6 AND TO INCLUDE IN ANY CONTRACT FOR FINANCIAL ASSISTANCE WITH THE
7 FEDERAL GOVERNMENT FOR OR WITH RESPECT TO AN URBAN RENEWAL PROJECT
8 AND RELATED ACTIVITIES ANY CONDITIONS IMPOSED PURSUANT TO FEDERAL LAWS
9 AS THE MUNICIPALITY CONSIDERS REASONABLE AND APPROPRIATE;

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

15 (7) TO PLAN, REPLAN, INSTALL, CONSTRUCT, RECONSTRUCT, REPAIR,
16 CLOSE, OR VACATE STREETS, ROADS, SIDEWALKS, PUBLIC UTILITIES, PARKS,
17 PLAYGROUNDS, AND OTHER PUBLIC IMPROVEMENTS IN CONNECTION WITH AN
18 URBAN RENEWAL PROJECT; AND TO MAKE EXCEPTIONS FROM BUILDING
19 REGULATIONS;

20 (8) TO GENERALLY ORGANIZE, COORDINATE, AND DIRECT THE
21 ADMINISTRATION OF THE PROVISIONS OF THIS APPENDIX AS THEY APPLY TO THE
22 MUNICIPALITY IN ORDER THAT THE OBJECTIVE OF REMEDYING SLUM AND
23 BLIGHTED AREAS AND PREVENTING ITS CAUSES WITHIN THE MUNICIPALITY MAY BE
24 PROMOTED AND ACHIEVED MOST EFFECTIVELY; AND

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

27 A1-104. ESTABLISHMENT OF URBAN RENEWAL AGENCY.

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

32 (B) IN THE EVENT THE LEGISLATIVE BODY MAKES THAT DETERMINATION, IT
33 SHALL PROCEED BY ORDINANCE TO ESTABLISH A PUBLIC BODY OR AGENCY TO
34 UNDERTAKE IN THE MUNICIPALITY THE ACTIVITIES AUTHORIZED BY THIS
35 APPENDIX.

36 (C) THE ORDINANCE SHALL INCLUDE PROVISIONS ESTABLISHING THE
37 NUMBER OF MEMBERS OF THE PUBLIC BODY OR AGENCY, THE MANNER OF THEIR
38 APPOINTMENT AND REMOVAL, AND THE TERMS OF THE MEMBERS AND THEIR
39 COMPENSATION.

1 (D) THE ORDINANCE MAY INCLUDE WHATEVER ADDITIONAL PROVISIONS
2 RELATING TO THE ORGANIZATION OF THE PUBLIC BODY OR AGENCY AS MAY BE
3 NECESSARY.

4 (E) IN THE EVENT THE LEGISLATIVE BODY ENACTS THIS ORDINANCE, ALL OF
5 THE POWERS BY THIS APPENDIX GRANTED TO THE MUNICIPALITY, FROM THE
6 EFFECTIVE DATE OF THE ORDINANCE, ARE VESTED IN THE PUBLIC BODY OR AGENCY
7 ESTABLISHED BY THE ORDINANCE.

8 A1-105. POWERS WITHHELD FROM THE AGENCY.

9 THE AGENCY MAY NOT:

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

12 (2) ISSUE GENERAL OBLIGATION BONDS PURSUANT TO SECTION A1-111
13 OF THIS APPENDIX; OR

14 (3) APPROPRIATE FUNDS OR LEVY TAXES AND ASSESSMENTS
15 PURSUANT TO SECTION A1-103(3) OF THIS APPENDIX.

16 A1-106. INITIATION OF PROJECT.

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

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

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

22 (3) FINDS THAT THE REHABILITATION, REDEVELOPMENT, OR A
23 COMBINATION OF THEM, OF THE AREA OR AREAS, IS NECESSARY AND IN THE
24 INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE
25 RESIDENTS OF THE MUNICIPALITY.

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

27 (A) IN ORDER TO CARRY OUT THE PURPOSES OF THIS APPENDIX, THE
28 MUNICIPALITY SHALL HAVE PREPARED AN URBAN RENEWAL PLAN FOR SLUM OR
29 BLIGHTED AREAS IN THE MUNICIPALITY, AND SHALL APPROVE THE PLAN FORMALLY.
30 THE MUNICIPALITY SHALL HOLD A PUBLIC HEARING ON AN URBAN RENEWAL
31 PROJECT AFTER PUBLIC NOTICE OF IT BY PUBLICATION IN A NEWSPAPER HAVING A
32 GENERAL CIRCULATION WITHIN THE CORPORATE LIMITS OF THE MUNICIPALITY.
33 THE NOTICE SHALL DESCRIBE THE TIME, DATE, PLACE, AND PURPOSE OF THE
34 HEARING, SHALL GENERALLY IDENTIFY THE URBAN RENEWAL AREA COVERED BY
35 THE PLAN, AND SHALL OUTLINE THE GENERAL SCOPE OF THE URBAN RENEWAL
36 PROJECT UNDER CONSIDERATION. FOLLOWING THE HEARING, THE MUNICIPALITY

1 MAY APPROVE AN URBAN RENEWAL PROJECT AND THE PLAN THEREFOR IF IT FINDS
2 THAT:

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

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

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

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

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

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

30 (A) THE MUNICIPALITY MAY SELL, LEASE, OR OTHERWISE TRANSFER REAL
31 PROPERTY OR ANY INTEREST IN IT ACQUIRED BY IT FOR AN URBAN RENEWAL
32 PROJECT TO ANY PERSON FOR RESIDENTIAL, RECREATIONAL, COMMERCIAL,
33 INDUSTRIAL, EDUCATIONAL, OR OTHER USES OR FOR PUBLIC USE, OR IT MAY RETAIN
34 THE PROPERTY OR INTEREST FOR PUBLIC USE, IN ACCORDANCE WITH THE URBAN
35 RENEWAL PLAN AND SUBJECT TO WHATEVER COVENANTS, CONDITIONS, AND
36 RESTRICTIONS, INCLUDING COVENANTS RUNNING WITH THE LAND, AS IT
37 CONSIDERS NECESSARY OR DESIRABLE TO ASSIST IN PREVENTING THE
38 DEVELOPMENT OR SPREAD OF FUTURE SLUMS OR BLIGHTED AREAS OR TO
39 OTHERWISE CARRY OUT THE PURPOSES OF THIS APPENDIX. THE PURCHASERS OR
40 LESSEES AND THEIR SUCCESSORS AND ASSIGNS SHALL BE OBLIGATED TO DEVOTE
41 THE REAL PROPERTY ONLY TO THE USES SPECIFIED IN THE URBAN RENEWAL PLAN,
42 AND MAY BE OBLIGATED TO COMPLY WITH WHATEVER OTHER REQUIREMENTS THE

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

26 (B) THE MUNICIPALITY MAY DISPOSE OF REAL PROPERTY IN AN URBAN
27 RENEWAL AREA TO PRIVATE PERSONS. THE MUNICIPALITY MAY, BY PUBLIC NOTICE
28 BY PUBLICATION IN A NEWSPAPER HAVING A GENERAL CIRCULATION IN THE
29 COMMUNITY INVITE PROPOSALS FROM AND MAKE AVAILABLE ALL PERTINENT
30 INFORMATION TO PRIVATE REDEVELOPERS OR ANY PERSONS INTERESTED IN
31 UNDERTAKING TO REDEVELOP OR REHABILITATE AN URBAN RENEWAL AREA, OR
32 ANY PART THEREOF. SUCH NOTICE SHALL IDENTIFY THE AREA, OR PORTION
33 THEREOF, AND SHALL STATE THAT PROPOSALS SHALL BE MADE BY THOSE
34 INTERESTED WITHIN A SPECIFIED PERIOD. THE MUNICIPALITY SHALL CONSIDER
35 ALL SUCH REDEVELOPMENT OR REHABILITATION PROPOSALS AND THE FINANCIAL
36 AND LEGAL ABILITY OF THE PERSONS MAKING SUCH PROPOSALS TO CARRY THEM
37 OUT, AND MAY NEGOTIATE WITH ANY PERSONS FOR PROPOSALS FOR THE
38 PURCHASE, LEASE, OR OTHER TRANSFER OF ANY REAL PROPERTY ACQUIRED BY THE
39 MUNICIPALITY IN THE URBAN RENEWAL AREA. THE MUNICIPALITY MAY ACCEPT
40 SUCH PROPOSAL AS IT DEEMS TO BE IN THE PUBLIC INTEREST AND IN
41 FURTHERANCE OF THE PURPOSES OF THIS SUBHEADING. THEREAFTER, THE
42 MUNICIPALITY MAY EXECUTE AND DELIVER CONTRACTS, DEEDS, LEASES, AND
43 OTHER INSTRUMENTS AND TAKE ALL STEPS NECESSARY TO EFFECTUATE SUCH
44 TRANSFERS.

45 (C) THE MUNICIPALITY MAY OPERATE TEMPORARILY AND MAINTAIN REAL
46 PROPERTY ACQUIRED BY IT IN AN URBAN RENEWAL AREA FOR OR IN CONNECTION
47 WITH AN URBAN RENEWAL PROJECT PENDING THE DISPOSITION OF THE PROPERTY

1 AS AUTHORIZED IN THIS APPENDIX, WITHOUT REGARD TO THE PROVISIONS OF
2 SUBSECTION (A), FOR USES AND PURPOSES CONSIDERED DESIRABLE EVEN THOUGH
3 NOT IN CONFORMITY WITH THE URBAN RENEWAL PLAN.

4 (D) ANY INSTRUMENT EXECUTED BY THE MUNICIPALITY AND PURPORTING
5 TO CONVEY ANY RIGHT, TITLE, OR INTEREST IN ANY PROPERTY UNDER THIS
6 APPENDIX SHALL BE PRESUMED CONCLUSIVELY TO HAVE BEEN EXECUTED IN
7 COMPLIANCE WITH THE PROVISIONS OF THIS APPENDIX INsofar AS TITLE OR
8 OTHER INTEREST OF ANY BONA FIDE PURCHASERS, LESSEES, OR TRANSFEREES OF
9 THE PROPERTY IS CONCERNED.

10 A1-109. EMINENT DOMAIN.

11 CONDEMNATION OF LAND OR PROPERTY UNDER THE PROVISIONS OF THIS
12 APPENDIX SHALL BE IN ACCORDANCE WITH THE PROCEDURE PROVIDED IN THE
13 REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

14 A1-110. ENCOURAGEMENT OF PRIVATE ENTERPRISE.

15 THE MUNICIPALITY, TO THE EXTENT IT DETERMINES TO BE FEASIBLE IN
16 CARRYING OUT THE PROVISIONS OF THIS APPENDIX, SHALL AFFORD MAXIMUM
17 OPPORTUNITY TO THE REHABILITATION OR REDEVELOPMENT OF ANY URBAN
18 RENEWAL AREA BY PRIVATE ENTERPRISE CONSISTENT WITH THE SOUND NEEDS OF
19 THE MUNICIPALITY AS A WHOLE. THE MUNICIPALITY SHALL GIVE CONSIDERATION
20 TO THIS OBJECTIVE IN EXERCISING ITS POWERS UNDER THIS APPENDIX.

21 A1-111. GENERAL OBLIGATION BONDS.

22 FOR THE PURPOSE OF FINANCING AND CARRYING OUT OF AN URBAN RENEWAL
23 PROJECT AND RELATED ACTIVITIES, THE MUNICIPALITY MAY ISSUE AND SELL ITS
24 GENERAL OBLIGATION BONDS. ANY BONDS ISSUED BY THE MUNICIPALITY
25 PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE MANNER AND WITHIN THE
26 LIMITATIONS PRESCRIBED BY APPLICABLE LAW FOR THE ISSUANCE AND
27 AUTHORIZATION OF GENERAL OBLIGATION BONDS BY THE MUNICIPALITY, AND ALSO
28 WITHIN LIMITATIONS DETERMINED BY THE MUNICIPALITY.

29 A1-112. REVENUE BONDS.

30 (A) IN ADDITION TO THE AUTHORITY CONFERRED BY SECTION A1-111 OF THIS
31 APPENDIX, THE MUNICIPALITY MAY ISSUE REVENUE BONDS TO FINANCE THE
32 UNDERTAKING OF ANY URBAN RENEWAL PROJECT AND RELATED ACTIVITIES. ALSO,
33 IT MAY ISSUE REFUNDING BONDS FOR THE PAYMENT OR RETIREMENT OF THE
34 BONDS ISSUED PREVIOUSLY BY IT. THE BONDS SHALL BE MADE PAYABLE, AS TO
35 BOTH PRINCIPAL AND INTEREST, SOLELY FROM THE INCOME, PROCEEDS,
36 REVENUES, AND FUNDS OF THE MUNICIPALITY DERIVED FROM OR HELD IN
37 CONNECTION WITH THE UNDERTAKING AND CARRYING OUT OF URBAN RENEWAL
38 PROJECTS UNDER THIS APPENDIX. HOWEVER, PAYMENT OF THE BONDS, BOTH AS TO
39 PRINCIPAL AND INTEREST, MAY BE FURTHER SECURED BY A PLEDGE OF ANY LOAN,
40 GRANT, OR CONTRIBUTION FROM THE FEDERAL GOVERNMENT OR OTHER SOURCE,
41 IN AID OF ANY URBAN RENEWAL PROJECTS OF THE MUNICIPALITY UNDER THIS

1 APPENDIX, AND BY A MORTGAGE OF ANY URBAN RENEWAL PROJECT, OR ANY PART
2 OF A PROJECT, TITLE TO WHICH IS IN THE MUNICIPALITY. IN ADDITION, THE
3 MUNICIPALITY MAY ENTER INTO AN INDENTURE OF TRUST WITH ANY PRIVATE
4 BANKING INSTITUTION OF THIS STATE HAVING TRUST POWERS AND MAY MAKE IN
5 THE INDENTURE OF TRUST COVENANTS AND COMMITMENTS REQUIRED BY ANY
6 PURCHASER FOR THE ADEQUATE SECURITY OF THE BONDS.

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

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

- 20 (1) SHALL BEAR A DATE OR DATES;
- 21 (2) MATURE AT A TIME OR TIMES;
- 22 (3) BEAR INTEREST AT A RATE OR RATES;
- 23 (4) BE IN A DENOMINATION OR DENOMINATIONS;
- 24 (5) BE IN A FORM EITHER WITH OR WITHOUT COUPON OR REGISTERED;
- 25 (6) CARRY A CONVERSION OR REGISTRATION PRIVILEGE;
- 26 (7) HAVE A RANK OR PRIORITY;
- 27 (8) BE EXECUTED IN A MANNER;
- 28 (9) BE PAYABLE IN A MEDIUM OR PAYMENT, AT A PLACE OR PLACES,
29 AND BE SUBJECT TO TERMS OF REDEMPTION (WITH OR WITHOUT PREMIUM);
- 30 (10) BE SECURED IN A MANNER; AND
- 31 (11) HAVE OTHER CHARACTERISTICS, AS ARE PROVIDED BY THE
32 RESOLUTION, TRUST INDENTURE, OR MORTGAGE ISSUED PURSUANT TO IT.

33 (D) THESE BONDS MAY NOT BE SOLD AT LESS THAN PAR VALUE AT PUBLIC
34 SALES WHICH ARE HELD AFTER NOTICE IS PUBLISHED PRIOR TO THE SALE IN A
35 NEWSPAPER HAVING A GENERAL CIRCULATION IN THE AREA IN WHICH THE
36 MUNICIPALITY IS LOCATED AND IN WHATEVER OTHER MEDIUM OF PUBLICATION AS

1 THE MUNICIPALITY MAY DETERMINE. THE BONDS MAY BE EXCHANGED ALSO FOR
2 OTHER BONDS ON THE BASIS OF PAR. HOWEVER, THE BONDS MAY NOT BE SOLD TO
3 THE FEDERAL GOVERNMENT AT PRIVATE SALE AT LESS THAN PAR, AND, IN THE
4 EVENT LESS THAN ALL OF THE AUTHORIZED PRINCIPAL AMOUNT OF THE BONDS IS
5 SOLD TO THE FEDERAL GOVERNMENT, THE BALANCE MAY NOT BE SOLD AT PRIVATE
6 SALE AT LESS THAN PAR AT AN INTEREST COST TO THE MUNICIPALITY WHICH DOES
7 NOT EXCEED THE INTEREST COST TO THE MUNICIPALITY OF THE PORTION OF THE
8 BONDS SOLD TO THE FEDERAL GOVERNMENT.

9 (E) IN CASE ANY OF THE PUBLIC OFFICIALS OF THE MUNICIPALITY WHOSE
10 SIGNATURES APPEAR ON ANY BONDS OR COUPONS ISSUED UNDER THIS APPENDIX
11 CEASE TO BE OFFICIALS OF THE MUNICIPALITY BEFORE THE DELIVERY OF THE
12 BONDS OR, IN THE EVENT ANY OF THE OFFICIALS HAVE BECOME SUCH AFTER THE
13 DATE OF ISSUE OF THEM, THE BONDS ARE VALID AND BINDING OBLIGATIONS OF
14 THE MUNICIPALITY IN ACCORDANCE WITH THEIR TERMS. ANY PROVISION OF ANY
15 LAW TO THE CONTRARY NOTWITHSTANDING, ANY BONDS ISSUED PURSUANT TO
16 THIS APPENDIX ARE FULLY NEGOTIABLE.

17 (F) IN ANY SUIT, ACTION, OR PROCEEDING INVOLVING THE VALIDITY OR
18 ENFORCEABILITY OF ANY BOND ISSUED UNDER THIS APPENDIX, OR THE SECURITY
19 FOR IT, ANY BOND WHICH RECITES IN SUBSTANCE THAT IT HAS BEEN ISSUED BY THE
20 MUNICIPALITY IN CONNECTION WITH AN URBAN RENEWAL PROJECT SHALL BE
21 CONSIDERED CONCLUSIVELY TO HAVE BEEN ISSUED FOR THAT PURPOSE, AND THE
22 PROJECT SHALL BE CONSIDERED CONCLUSIVELY TO HAVE BEEN PLANNED,
23 LOCATED, AND CARRIED OUT IN ACCORDANCE WITH THE PROVISIONS OF THIS
24 APPENDIX.

25 (G) ALL BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS, AND
26 INSTITUTIONS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN
27 ASSOCIATIONS, INVESTMENT COMPANIES, AND OTHER PERSONS CARRYING ON A
28 BANKING OR INVESTMENT BUSINESS; ALL INSURANCE COMPANIES, INSURANCE
29 ASSOCIATIONS, AND OTHER PERSONS CARRYING ON AN INSURANCE BUSINESS; AND
30 ALL EXECUTORS, ADMINISTRATORS, CURATORS, TRUSTEES, AND OTHER
31 FIDUCIARIES, MAY LEGALLY INVEST ANY SINKING FUNDS, MONEYS, OR OTHER
32 FUNDS BELONGING TO THEM OR WITHIN THEIR CONTROL IN ANY BONDS OR OTHER
33 OBLIGATIONS ISSUED BY THE MUNICIPALITY PURSUANT TO THIS APPENDIX.
34 HOWEVER, THE BONDS AND OTHER OBLIGATIONS SHALL BE SECURED BY AN
35 AGREEMENT BETWEEN THE ISSUER AND THE FEDERAL GOVERNMENT IN WHICH
36 THE ISSUER AGREES TO BORROW FROM THE FEDERAL GOVERNMENT AND THE
37 FEDERAL GOVERNMENT AGREES TO LEND TO THE ISSUER, PRIOR TO THE MATURITY
38 OF THE BONDS OR OTHER OBLIGATIONS, MONEYS IN AN AMOUNT WHICH (TOGETHER
39 WITH ANY OTHER MONEYS COMMITTED IRREVOCABLY TO THE PAYMENT OF
40 PRINCIPAL AND INTEREST ON THE BONDS OR OTHER OBLIGATIONS) WILL SUFFICE
41 TO PAY THE PRINCIPAL OF THE BONDS OR OTHER OBLIGATIONS WITH INTEREST TO
42 MATURITY ON THEM. THE MONEYS UNDER THE TERMS OF THE AGREEMENT SHALL
43 BE REQUIRED TO BE USED FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND
44 THE INTEREST ON THE BONDS OR OTHER OBLIGATIONS AT THEIR MATURITY. THE
45 BONDS AND OTHER OBLIGATIONS SHALL BE AUTHORIZED SECURITY FOR ALL
46 PUBLIC DEPOSITS. THIS SECTION AUTHORIZES ANY PERSONS OR PUBLIC OR PRIVATE

1 POLITICAL SUBDIVISIONS AND OFFICERS TO USE ANY FUNDS OWNED OR
2 CONTROLLED BY THEM FOR THE PURCHASE OF ANY BONDS OR OTHER
3 OBLIGATIONS. WITH REGARD TO LEGAL INVESTMENTS, THIS SECTION MAY NOT BE
4 CONSTRUED TO RELIEVE ANY PERSON OF ANY DUTY OF EXERCISING REASONABLE
5 CARE IN SELECTING SECURITIES.

6 A1-113. SHORT TITLE.

7 THIS APPENDIX SHALL BE KNOWN AND MAY BE CITED AS THE LANDOVER HILLS
8 URBAN RENEWAL AUTHORITY FOR SLUM CLEARANCE ACT.

9 A1-114. AUTHORITY TO AMEND OR REPEAL.

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2002.