

## Article - Local Government

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§12-405.

(a) (1) Notwithstanding any other provision of State law, when negotiating to purchase real property, the governing body of Cecil County, a unit of the county, or the Cecil County Board of Education first shall acquire an option on the property.

(2) An option acquired under this subsection shall be:

(i) acquired for consideration not exceeding \$100; and

(ii) for the purchase of property at a fixed price within an agreed period of time not exceeding 6 months.

(3) An option may not be disclosed to the public until the option is signed by both parties.

(4) After an option has been signed by both parties, the governing body, unit of the county, or county board of education shall publish notice of the option once each week for 2 successive weeks in a newspaper of general circulation in the county.

(5) (i) A notice published under this subsection shall specify:

1. the name of the optioner and optionee;

2. the length of the option;

3. the proposed purchase price for the property; and

4. the date, time, and place for the public hearing on the option.

(ii) The governing body, unit of the county, or county board of education shall set a date for the hearing that is between 7 and 30 days, inclusive, after the date on which the final notice is published.

(6) The governing body, unit of the county, or county board of education shall allow any person to testify at a public hearing on an option.

(7) After the public hearing, the governing body, unit of the county, or county board of education:

(i) shall exercise the option as soon as legally allowed, if the governing body, unit of the county, or county board of education determines that the option is necessary or desirable; or

(ii) may not exercise the option, if the governing body, unit of the county, or county board of education determines that the option is not necessary or desirable.

(b) (1) The governing body of Cecil County may:

(i) sell by public or private sale or lease surplus county real property;  
and  
(ii) execute and acknowledge any instrument necessary to transfer the property.

(2) Before the governing body may contract to transfer an interest in county real property, the governing body shall:

(i) hold a public hearing between the hours of 6 p.m. and 10 p.m.;  
and  
(ii) advertise the public hearing at least 2 weeks before the day of the hearing in a newspaper of general circulation in the county.

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