

Article - Local Government

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§12-408.

(a) (1) Frederick County may:

(i) purchase or lease personal property under a multiyear contract that requires the county to make installment or rental payments during 2 or more fiscal years;

(ii) pay interest as part of any installment or rental payments in accordance with the terms of the contract; and

(iii) pledge and assign the personal property purchased or leased to secure the obligation.

(2) (i) The county may enter into a contract under paragraph (1) of this subsection only if:

1. the county has appropriated money sufficient to pay the amount due under the contract during the first fiscal year in which the contract is effective;

2. subject to subparagraph (ii) of this paragraph, the contract authorizes the county to terminate the contract if money sufficient to pay the amount due under the contract for any fiscal year is not appropriated;

3. the contract provides that, except if the county defaults in payment under the contract, an obligation for payment under the contract is limited to money appropriated for contract payment for that fiscal year; and

4. the contract provides that, if the county defaults in payment under the contract, the obligation for payment is limited to:

A. money appropriated for contract payments for that fiscal year;

B. any money realized from the personal property purchased or leased under the contract; and

C. any other money legally available for contract payment.

(ii) The contract may provide that a contract termination is ineffective if the county purchases or leases personal property similar or functionally related to the property purchased or leased under the contract within a specified period of time.

(b) Frederick County may sell to a government unit located in the county or to the Frederick Memorial Hospital, Inc., surplus school board real property:

- (1) without advertising the property for sale; and
- (2) after obtaining three independent appraisals.

(c) Frederick County may sell surplus county real property at a public or private sale if, subject to county procedures, the governing body of Frederick County holds a hearing on the sale and provides adequate notice of the hearing.

(d) (1) Frederick County may:

(i) accept a donation of real property that is not needed for a public purpose; and

(ii) sell the property by public or private sale for consideration that the county determines to be adequate.

(2) The county shall use all proceeds from the sale of real property under this subsection in accordance with the county budget or a resolution adopted by the governing body.

(3) A sales agreement entered into under this subsection is not effective until:

(i) a copy of the agreement is filed with the clerk of the court; and

(ii) a summary of the agreement is published in at least one newspaper of general circulation in the county.

(e) Frederick County may sell an abandoned right-of-way in the county by public or private sale, after advertising the property for sale for at least 20 days.

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